

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 08, 2012

**TIME:** 8:30 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Nonini, Vice Chairman Shirley, Representative(s) Trail, Block (Block), Nielsen, Chadderdon, Shepherd, Wills, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nessel, Pence, Chew, Cronin

**ABSENT/  
EXCUSED:** Rep. Wills

**GUESTS:** Rob Winslow and Phil Homer, Idaho Association of School Administrators; Tracie Bent, State Board of Education; Jessica Harrison, Idaho School Boards Association; Max Greenlee, Risch Pisca; Suzanne Budge, SBS Associates, LLC,  
**Chairman Nonini** called the meeting to order at 8:35 a.m.

**MOTION:** **Rep. Chew** made a motion to approve the minutes of March 2, 2012. **Motion carried by voice vote.**

**MOTION:** **Rep. Thayn** made a motion to approve the minutes of March 5, 2012. **Motion carried by voice vote.**

**H 603:** **Rob Winslow**, Executive Director of the Idaho Association of School Administrators, presented **H 603**. Mr. Winslow said this bill was developed after meetings with Superintendent Luna, who encouraged the Board to design a revenue-neutral plan. He said this bill provides for a 97% average daily attendance (ADA) funding protection for Idaho school districts and costs the districts less than two-tenths of one percent of their funding.

Responding to committee questions, **Mr. Winslow** said he surveyed their entire membership and also received input from school superintendents. During discussion, it was generally agreed that 97% would be the point of consensus.

**Jason Hancock**, Department of Education, was recognized to answer further questions. He explained that changing "tenth" to "hundredth" on page 4 of the bill allows greater accuracy in computing numbers of students. The change from "will" to "may" on page 8 recognizes that current year enrollment figures are now more quickly available, so payments may not have to be based on a previous year's figures. This is particularly helpful in the case of charter schools. If the mandatory language were to remain in Code, a charter school could be overpaid, based on the previous year's enrollment, and then would have to return money. Mr. Hancock said the charter schools did not express an interest in this legislation.

**Jessica Harrison**, Idaho School Boards Association, testified **in support of H 603**, saying the Association endorsed a resolution of support at its convention in November.

**MOTION:** **Rep. Shepherd** made a motion to send **H 603** to the floor with a **DO PASS** recommendation.

**Mr. Hancock** responded to further questions from the committee. He testified that the calculations were made based on the immediate past year's data, calculating as if this law were in place. The goal was to determine how much additional money the state would have to send out in order to meet the 97% protection feature. Then a calculation could be made to determine how much reduction in funding each district would need to take to make the plan cost-neutral. Mr. Hancock said there

will not be a situation where there will be overpayment or underpayment; rather, the plan will always be fiscally neutral. He said the cost is proportional to everyone, and doesn't affect any one district more than any other.

**VOTE ON  
MOTION:**

**Chairman Nonini** called for a vote on the motion. **Motion carried by voice vote.** **Rep. Shirley** will sponsor the bill on the floor.

**RS 21458:**

**Rep. Cronin** presented **RS 21458**, which is intended to increase public transparency related to any educational management organization (EMO) working with Idaho students and receiving public education funds. Rep. Cronin said this legislation will expand provisions of a 2010 bill, to include expenditures of public education dollars for education management organizations. **RS 21458** requires annual reports to the Education Committee chairmen and spells out what information needs to be included in the reports. It also requires the Department of Education to publish on its website a list of all organizations in the state and the school districts in which they are operating.

In response to questions from the committee, **Rep. Cronin** said the bill does not require companies to report information that could be problematic to disclose, nor is detailed financial information required. He said the bill simply asks for reporting of Idaho taxpayer dollars and how they are being spent. He said the November 10 date was chosen because school districts are subject to that same time line. Asked whether some provisions of the legislation might represent duplication with functions of the Department of Education, Rep. Cronin said some of the information may be already obtained by the Department but it is not made readily available to the public. A question was posed as to whether a company can be compelled to provide compliance data on EEOC matters; Rep. Cronin said that question could be further explored at a full bill hearing.

Asked whether "course curriculum" on page 1, line 22 of the bill would apply to companies selling textbooks in the state, **Rep. Cronin** said that was not the intention. He said that phrase was intended to mean a K-12 program that provides a full curriculum. He stated he does not believe the RS requires that a company's personnel practices comport to Idaho school district personnel practices. Rep. Cronin said the exception on page 1, lines 25-26 is intended for companies that provide tutoring services funded with pass-through money through the Department of Education. He said such companies operate independently and do not use Idaho tax dollars. He also said organizations that provide professional development courses, such as the Idaho Education Association, would not be covered under this legislation.

**MOTION:**

**Rep. Hartgen** made a motion to return **RS 21458** to sponsor. He said he is not sure this is needed. He also said in its present format it appears to go after online companies but exempt counseling and tutoring services; it is unclear whether textbook companies would have to comply if they have online textbook delivery.

**SUBSTITUTE  
MOTION:**

**Rep. Shirley** made a substitute motion to introduce **RS 21458**, saying he thought there would be merit in looking at this idea in further detail. **Substitute motion carried by voice vote.**

**H 633:**

**Mike Rush**, Office of the State Board of Education, presented **H 633**. By way of historical background, Dr. Rush explained previous legislation was passed by the Idaho Legislature to deal with unsafe schools in districts that are unable to pass levies for school construction. He said the first elementary school built as a result of that legislation opened in January in Plummer. Dr. Rush said the panel supervising that project was made up of himself, **Tim Mason** from the Department of Administration, and **Kelly Pierce** from the Division of Building Safety. As part of the process, the panel realized they had to depend entirely on information

collected by the school district, since they had no flexibility to do independent analysis and planning. This legislation will provide that flexibility and will provide a methodology by which the committee can modify the final price if necessary. Dr. Rush said the process laid out is a rigorous one that includes bringing the request back to the Legislature for approval.

**Chairman Nonini** noted that he is well aware of the situation in Worley, where a school bond was unable to receive approval even after numerous attempts. He pointed out that the residents of the school district will be assessed the cost of construction, so the state is made whole after a new school is constructed under the provisions of this plan.

**MOTION:** **Rep. Bateman** made a motion to send **H 633** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Nonini** will sponsor the bill on the floor.

**H 626:** **Jason Hancock**, State Department of Education, presented **H 626**, which implements one of the recommendations of the technology task force. Specifically, it creates a web-based clearinghouse of online courses approved for Idaho students to take. Mr. Hancock said parents could go to that portal and register their children for courses. It was also recommended that the portal include quality ratings for the course content, the teacher, and the quality of communication. Such ratings would be gathered from students who have previously taken the course. Mr. Hancock said this would create competition for quality among course providers. He said the legislation allows up to \$500,000 to be taken from the classroom technology funding stream in 2013 and \$150,000 thereafter.

**Mr. Hancock** was asked whether any discussion had taken place to determine if this same service could be provided by the Idaho Digital Learning Academy (IDLA), at virtually no cost. He said those discussions are ongoing, noting that a consultant is reviewing all the assets available from the Department as well as IDLA and the Idaho Digital Network (IDN). He said if there are some elements already in place that can be utilized, the Department would utilize them and avoid further expenditures. He said the consultant's final report has not yet been submitted. He noted that the proposed program is significantly more robust than the IDLA program, although their program could be used as a starting point. He also pointed out that the legislation is written to allow "up to \$500,000" but if it can be done for less, it will be. Mr. Hancock said any provider listed on the website would have to meet accreditation standards, and teachers are required to be Idaho accredited as well.

**MOTION:** **Rep. Bateman** made a motion to send **H 626** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Bateman** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:25 a.m.

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Representative Bob Nonini  
Chairman

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MaryLou Molitor  
Secretary