

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Thursday, January 10, 2013

**TIME:** 3:00 P.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Vice Chairman Mortimer, Senators Pearce, Nonini, Thayn, Patrick and Buckner-Webb

**ABSENT/ EXCUSED:** Chairman Goedde, Senators Fulcher and Durst

**NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

**CONVENE:** **Vice Chairman Mortimer** called the meeting to order at 3:07 p.m. and roll was taken. **The Vice Chairman** noted that the excused Senators were attending the Economic Outlook Committee.

**Vice Chairman Mortimer** outlined the rules review procedure, noting that the Committee would not vote on rules until all Rules had been heard. He then called upon **Tracie L. Bent** from the State Board of Education (SBE) to present the first group of rules.

**DOCKET NO. 08-0110-1201** **Ms. Bent** is the Chief Planning and Policy Officer for the State Board of Education (SBE). She stated that Docket No. 08-0110-1201 deals with the Idaho College Work Study Program. The first addition to this rule is mandatory language which inadvertently was left out of Subsections 0001 - 0006.

The changes to the program itself start in Section 101, Institutional Participation, and attempt to simplify the process of enrolling in the Work Study Program. Further, the formula used to allocate funds in the Work Study Programs inadvertently put community colleges at a disadvantage. Section 101 is amended so that the Application to participate in the Program must be submitted to the SBE by February of the each year using student enrollment data of the fall semester prior to the new fiscal year.

Section 102, Allocation of Funds, uses the same language – that enrollment data shall be based on the fall semester "prior to the fiscal year". The formula for appropriating funds now will be a multiplier based on resident "degree-seeking students" instead of all full-time students. This recognizes the part-time nature of some community college students who nonetheless seek degrees.

Section 105 revises the time line for distribution of funds to the fall academic term instead of twice during the fiscal year.

Section 106 deals with the 10% carry over of work study program funds from year to year, and clarifies that any funds exceeding 10% shall be returned and redistributed by the SBE.

**Vice Chairman Mortimer** asked how much more money Idaho's community colleges might receive as a result of these changes. **Ms. Bent** stated that it would vary among the community colleges; for example, funds received by the College of Western Idaho might actually decline, but she restated that the new language would equalize the funds granted among those institutions having more full-time enrollments with those having a greater number of part-time enrollments. Estimates of available funds are difficult at this time due to evaluation of the program at the federal level.

**Senator Nonini** asked if the new formula might cause friction from 4-year colleges, such as University of Idaho and Idaho State University, who may feel negatively impacted.

**Ms. Bent** stated that the Board had conferred with the institutions; none had voiced concern, understanding that the change was equitable.

**DOCKET NO.  
08-0111-1201**

**Ms. Bent** stated that Docket No. 08-0111-1201 pertained to Registration of Post-Secondary Educational Institutions and Proprietary Schools. The first change in Section 200, Registration Fees, was made at the request of those who are required to register. It changes the reporting year for establishing the gross Idaho tuition revenue from the previous registration year to the previous tax reporting year. This aligns with other data collecting periods, thus allowing efficiency for their offices. The change affects both Post-Secondary Education Schools and Proprietary Schools.

The second change, in Subsection 200.09.a.vi., is geared to "truth in advertising." This subsection was added to require that advertising in pamphlets used to solicit students accurately represent the purpose of the school, their courses of study, what the students can expect to receive from the program. It now also specifies that if the program has clinical requirements, then the availability and location of those clinical settings must be disclosed. The SBE had received feedback from students that the program was as they expected, but when faced the clinical portion, they did not realize that there were no clinical opportunities in the local area. This meant that they might be required to travel out-of-state to complete the clinical portion of the program. The same language has been added in the Proprietary Schools section, Section 300.f. While it is less likely that those schools would have such clinical programs, the SBE wanted to ensure that students were adequately informed of the availability of clinical settings required by a given program.

**Senator Buckner-Webb** noted that she had received such student feedback and was pleased that the issue had been addressed. **Senator Thayn** asked if "truth in advertising" generally exists in public institutions. **Ms. Bent** replied affirmatively, explaining that if the SBE receives complaints, then it also acts quickly to correct any problems.

**Senator Nonini** inquired about Section 100, Recognition of Accreditation Organizations, and asked why the language "and by the Council for Higher Education Accreditation" had been stricken. **Ms. Bent** replied that The Council for Higher Education is a membership organization that has been reorganized over the past year. Many institutions that were members are no longer are members. Therefore, it seemed inappropriate to have an institution's requirements for accreditation based, in part, on membership in the Council for Higher Education.

**Senator Thayn** asked if the SBE had received comments from any proprietary schools on this rule. **Senator Nonini** offered that, in reviewing this rule, he had visited with Chris Ellis who represents those proprietary schools, and they have no objections to this rule.

There being no further questions, **Vice Chairman Mortimer** proceeded to Docket No. 08-0114-1201, Idaho Rural Physician Incentive Program.

**DOCKET NO.  
08-0114-1201**

**Ms. Bent** explained that the Idaho Rural Physician Incentive Programs, for which the SBE has promulgated rules for the Senate and House Education Committees, was moved, by legislation, to jurisdiction of the Department of Health and Welfare, Office of Rural Health. Due to transfer of the program, the Education Committees no longer need this section of rules. The SBE, therefore, recommends repeal of this entire section.

**Vice Chairman Mortimer** next called upon **Ms. Luci Willits**, Chief of Staff of the State Department of Education (SDE) to present Rules Governing Uniformity.

**DOCKET NO.  
08-0202-1201**

By way of background, **Ms. Willits** explained that responsibility lies with the Professional Standards Commission to ensure that standards for educators are up to date and applicable to performance expected of educators in the classroom. The Commission also serves as the ethics body for educators. Each year, the Professional Standards Commission reviews approximately 20% of the standards. This particular rule addresses endorsements. The first change, on page 26, deals with health endorsements, and clarifies that in order to obtain a health endorsement, educators must complete an Elementary Health Methods course.

The same clarification applies to the Physical Education (PE) endorsement, on page 28, which specifies that in order to obtain a PE K-12 endorsement, applicants must complete an elementary PE methods course. One final change in this rule, on page 29, involves the Generalist Endorsement K-12 and clarifies that this endorsement requires field work, including an internship and student teaching in a special education setting.

**DOCKET NO.  
08-0202-1202**

**Ms. Willits** stated that in 2007 Superintendent Luna launched the Idaho Math Commission. The Commission initiated a requirement for professional development of teachers, wherein teachers take the Mathematical Thinking for Instruction course set forth in the Mathematics In-Service Program. This section clarifies that the SDE expects administrators, as well as teachers, to take this course. The course outlines strategies and methodologies for teaching mathematics. Administrators need to understand how to support teachers who are taking this course, and to ensure that these methods are utilized in the classroom. This rule applies to all school districts and all administrators, and is paid for by the State.

The Waiver of Mathematics In-Service Program section was added to address teachers who live out of state but who are Idaho certified, as well as teachers who hold certification in Idaho but are not actively teaching. Since priority for professional development expenditures favor active teachers, this waiver allows returning teachers to postpone the Mathematics In-Service Program. Upon return to active status, these teachers must complete the program within three years. **Ms. Willits** advised that, in presenting this section to the House Education Committee, a minor change was suggested and agreed upon; a new temporary rule will be forthcoming to rephrase "Idaho employment in an Idaho public school".

**Vice Chairman Mortimer** asked if, at this time, all of Idaho's administrators have taken the Mathematical Thinking for Instruction course. **Ms. Willits** replied that not all administrators or teachers have completed the course, even though it has been required for some time. This rule clarifies the requirement for administrators who might find ambiguity in the requirement. **Vice Chairman Mortimer** asked further if the Mathematics In-Service Program applied to online course teachers. **Ms. Willits** replied the organization which operates the Mathematical Thinking for Instruction course have sought online inclusion; however they do not have a complete course available at this time. **Vice Chairman Mortimer** further posed a hypothetical scenario which involved an online school with an online administrator who operated out of state, and asked if this requirement would apply to them. **Ms. Willits** responded that in such a case, the administrator must meet the course requirement. Idaho-certified administrators in public schools must take the course. **The Vice Chairman** queried if such a scenario was clear in this rule. **Ms. Willits** believed so and felt that this rule eliminated ambiguity.

Having no further questions from the Committee, the **Vice Chairman** recognized **Penny Sue**, the President of the Idaho Education Association who thanked the SDE for addressing their concerns.

**Docket  
No.08-0202-1203**

**The Vice Chairman** next called for testimony concerning Docket No. 08-0202-1203, Incorporation by Reference. **Ms. Willits** stated that in the rule making process, it is common practice to incorporate by reference manuals from other agencies which are too voluminous to include in the bulletin. These manuals are updated every five years. The standards are vetted by the professional community, and every year 20% of the standards are reviewed. Those reviewed this year included, among others, common teacher standards, bilingual language teacher standards, and English teacher standards. **Vice Chairman Mortimer** asked if, by this rule, the Committee was being requested to adopt all of the changes to the Idaho Standard for the Initial Certification of Professional School Personnel. **Ms. Willits** responded affirmatively, confirming that the Committee's approval of this rule would also approve the most recent version of that document. Some sections are new, such as the Teacher Leader Program. **The Vice Chairman** expressed his concern that these manuals contain substantial revisions of which the Legislature should be aware, and wanted to ensure that the Committee has time to review the manuals themselves. To address this concern, **Ms. Willits** introduced **Christina Linder**, the Director of Certification of Professional Standards, who then was recognized by **Vice Chairman Mortimer**.

**Ms. Linder** explained that in looking at the 20% of reviewed standards, the Committee often would see small changes which might address particular courses or strategies, and which were recommended by experts and vetted by the Professional Standards Commission. The two large changes this year are in Core Teaching Standards, the standards by which teachers prepare for the school year. This rule essentially eliminated the previous Idaho Core Teaching Standards. Rather than rewriting Idaho's standards, the Office of Certification of Professional Standards adopted the latest national iteration. The second change added the Teacher Leader Standard, which has not previously been operative in Idaho. Again, however, a national conversation is taking place on how to vet teacher leaders, to retain them without losing them to administrative jobs, to keep them where they are proficient and most useful, and to recognize them for the mastery and expertise of their profession. Therefore, the SDE has adopted this new standard from the national Teacher Leader Standards.

**Vice Chairman Mortimer** recommended further review with the Legislative Services Office concerning the incorporation of an entire manual.

**ADJOURNED:** Having no further business before the Committee, **Vice Chairman Mortimer** adjourned the meeting at 3:45 p.m. until Monday, January 14, 2013 at 3:00 p.m.

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Senator Goedde  
Chairman

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Elaine Leedy  
Secretary