

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Monday, February 18, 2013
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst, and Buckner-Webb
- ABSENT/ EXCUSED:**
- 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.
- CONVENED:** **Chairman Goedde** called the Education Committee meeting to order at 3:05 p.m., and a silent role was taken.
- Chairman Goedde** announced that three gubernatorial appointments were before the committee for confirmation. **Senator Durst** expressed a general comment: he feels that it is important to continue to support charter schools. He is also concerned about continuing to appoint people to the Public Charter School Commission (Commission) who hold the same perspective. He believes members with different perspectives would strengthen the Commission.
- GUBERNATORIAL CONFIRMATION:** **Senator Pearce** made a motion to send the gubernatorial appointment of Gayle L. O'Donahue to the Public Charter School Commission to the floor with a recommendation that she be confirmed by the Senate.. **Senator Nonini** seconded the motion. The motion carried by **voice vote**. Senator Pearce will sponsor Ms. O'Donahue on the floor.
- GUBERNATORIAL CONFIRMATION:** **Vice Chairman Mortimer** made a motion to send the gubernatorial appointment of Wanda Chillingworth Quinn to the Public Charter School Commission to the floor with a recommendation that she be confirmed by the Senate. **Senator Thayn** seconded the motion. The motion carried by **voice vote**. Chairman Goedde will sponsor Ms. Quinn on the floor.
- GUBERNATORIAL CONFIRMATION:** **Senator Thayn** made a motion to send the gubernatorial appointment of Brian Scigliano to the Public Charter School Commission to the floor with a recommendation that he be confirmed by the Senate. **Vice Chairman Mortimer** seconded the motion. The motion carried by **voice vote**. Senator Thayn will sponsor Mr. Scigliano on the floor.
- S 1092** **Jason Hancock**, State Department of Education (SDE) introduced **S 1092** explaining that passage of this bill would bring permanent funding for math and science in school districts. The class of 2013 is the first class that math and science requirements apply. The Students Come First laws, which were defeated in November 2012, contained monies to fund these positions. **S 1092** reinstates language for fiscal year (FY) 2014-15; **H 65** is also a "fix bill." **Vice Chairman Mortimer** noted that this funding has been on a line item basis for three years, and questioned if it were being put in the base. **Mr. Hancock** replied that in the report of line items for FY 12 and FY 13, it is actually shown in the statutory based apportionment. It came out of the base because of the repeal, and **S 1092** puts it back in. If successful, these dollars will be ongoing in future years and part of the base. **Vice Chairman Mortimer** asked if **S 1092** contains a sunset clause. **Mr. Hancock** replied no because no sunset clause exists in the math and science graduation requirements. **Senator Durst** asked why alternative

schools were not included. **Mr. Hancock** explained that in most alternative schools around the state, high school staff is shared with alternative schools. A discussion ensued concerning the definition of alternative schools. **Mr. Hancock** stated that charter schools would be included in this funding if they taught the 10th-12th grades. **Senator Thayn** asked for clarification as to how these funds would be allocated. **Mr. Hancock** responded that an exhaustive study was conducted to study the impact of the math and science requirements, the impact upon schools, and how prepared the districts were to meet the requirements. At the direction of the SDE, they looked at every school in every district which did not have access to a supplemental levy. If a district had additional resources and enough students, they could hire an additional math or science teacher on their own. In districts with no additional resources, and smaller number of students, they could demonstrate need. A provable, documentable need formed the basis of the distribution formula. In schools that demonstrated need, but had fewer than 30 enrollments, funding would support the Idaho Educational Network or other online classes. In schools with more than 30 enrollments and a documented need, funding would support a whole teacher.

Robin Nettinga, Executive Director for the Idaho Education Association (IEA) voiced opposition to **S 1092**, not because it was a bad idea, but because **H 65** also addresses a "fix" for a shorter term, rather than **S 1092** which would make the funding permanent. She would like to see the governor's task force finish its work and make recommendations. **Chairman Goedde** explained that **H 65** deals with the 2013 budget, but did not address the 2014 budget. **S 1092** would ensure that funding for math and science teachers would be available next year. **Vice Chairman Mortimer** further explained that the increased requirement for math and science has been in place since 2007, well before the 2012 propositions. **Senator Durst** asked Jason Hancock his perspective on adding a sunset clause. **Jason Hancock** responded that this funding was rolled into Proposition 1 by happenstance; it would have run as a stand-alone bill without a sunset clause, just as graduation has no sunset.

MOTION:

Senator Fulcher made a motion to send **S 1092** to the Senate floor with a **do pass** recommendation. **Senator Pearce** seconded the motion.

SUBSTITUTE MOTION:

Senator Durst called for a substitute motion that **S 1092** be sent to the 14th Order for amendment. **Senator Buckner-Webb** seconded the motion. In discussion, **Senator Durst** felt it prudent to fund math and science for the current year, but wanted to wait for the task force to finish its work. If the task force had no solution, then he would support this bill. **Senator Thayn** asked Rob Winslow, Executive Director of the Idaho Association of School Administrators, whether or not a sunset clause would make a difference to administrators. **Mr. Winslow** replied that a sunset clause creates uncertainty because administrators would always be concerned if the funding would continue and whether or not they could hire.

VOTE ON SUBSTITUTE MOTION:

Chairman Goedde called for a vote on the substitute motion to send **S 1092** to the 14th Order for amendment. The motion failed by **voice vote**.

ROLL CALL VOTE:

Chairman Goedde called for a vote on the original motion to send **S 1092** to the floor with a **do pass** recommendation. **Senator Durst** requested a **roll call vote**. **Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Vice Chairman Mortimer** and **Chairman Goedde** voted **aye**. **Senators Durst** and **Buckner-Webb** voted **nay**. The motion carried. Senator Fulcher will sponsor the bill on the floor.

PASSED THE GAVEL:

Chairman Goedde passed the gavel to Vice Chairman Mortimer.

S 1093

Chairman Goedde introduced **S 1093** by recalling that prior to 2010, transportation costs of the school district were reimbursed at 85 percent of what had been spent the prior year. The districts had no incentive to save money. In 2010, a block grant program was instituted whereby districts were reimbursed 40 percent of their actual costs. Under this plan, any funds the districts saved out of the remaining 60 percent would transfer to the district's discretionary fund. This block grant was originally funded through intent language in a joint resolution before the Joint Finance and Appropriations Committee (JFAC). Through **S 1093**, the SDE seeks is to make the block grant permanent in the Idaho Code.

Senator Durst asked Jason Hancock to explain how it impacts local districts. **Mr. Hancock** replied that every district would be reduced proportionally. However, the more a district spent on transportation, the more impact they might experience. Districts which have spent more money on transportation may have more opportunity for savings than districts running on a lower budget. Through intent language, this policy has already been in place and has yielded some result. The money saved has shifted down to discretionary funds to provide more flexibility to the district. **Vice Chairman Mortimer** clarified further: Last year, \$69,973,600 was spent on transportation. If this change is not made, the state would be required by statute to spend \$75 million. If **S 1093** is adopted, the new budget requests transportation funds of \$67 million. The remaining \$7 million would be transferred into discretionary funds.

MOTION:

Senator Thayn made a motion to send **S 1093** to the Senate floor with a **do pass** recommendation. **Senator Fulcher** seconded the motion. In discussion, **Senator Durst** asked Mr. Hancock to provide a detailed report by district prior to the third reading of this bill. The motion carried by **voice vote**.

S 1097

Mr. Nick Smith, State Department of Education, began discussion of **S 1097** by detailing the history which gave rise to the bill. An Alaska school district determined that one of its students would be better served by placement in a Meridian group home. The Meridian school district accepted the child; however, the receiving home had no input. The child had severe emotional disabilities and required two full-time aids at a substantial expense to the district. This additional expense exceeded the amount that the state provides to the district to educate Idaho children. Under **S 1097**, the receiving district would be allowed to charge the sending district for the additional funding. **Senators Durst, Patrick** and **Fulcher** raised concerns about the residency status of such a child, since 30 days in Idaho constitutes residency. They also questioned the definition of "home or homes", and did not want confusion with foster care homes. **Vice Chairman Mortimer** agreed that the language needed to be very clear in order to avoid arbitrary decisions.

MOTION:

Senator Nonini made a motion to send **S 1097** to the 14th Order for amendment. **Senator Thayn** seconded the motion. The motion carried by **voice vote**.

ADJOURNED:

Having no further business before the committee, **Chairman Goedde** adjourned the meeting at 4:09 p.m.

Senator Goedde
Chairman

Elaine Leedy
Secretary