

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Wednesday, January 09, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	Organizational Meeting	

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden  
Rep Pence  
Rep Kloc  
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, January 09, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Rep. Wills

**GUESTS:** Jennifer Swindell, Idaho Education News; Rob Winslow, Phil Homer, and Harold Ott, Idaho Association of School Administrators; Robin Nettinga, Penni Cyr, and Bart Marley, Idaho Education Association; Portia Flynn and Luci Willits, Idaho State Department of Education; Tracie Bent and Marilyn Whitney, Idaho State Board of Education; Kathleen Eld, Heather Hert, and Harlene McGee, Idaho High School Activities Association; Karen Echeverria and Jess Hansen, Idaho School Boards Association; Colby Cameron, Sullivan and Reberger; Jason Kretzenbeck, Lobby Idaho LLC; Jerry Helgeson

**Chairman DeMordaunt** called the meeting to order at 9:02 a.m.

**Chairman DeMordaunt** had each member give a short introduction of themselves. He then introduced new Committee Secretary, **Lynn Walker**, new Page, **Rebecca Failing** and Intern, **Paige Cooper**.

**Chairman Demordaunt** informed the committee that he would like to meet briefly with each member to discuss goals and expectations for the coming session. The secretary was asked to contact members and schedule appointments within the next week.

**Chairman DeMordaunt** discussed proper decorum. Chairman Demordaunt also brought up that he would like the committee to utilize technology as much as possible as opposed to print copy. Those members who would prefer hard copy were asked to let the Secretary know of their preference.

**Chairman DeMordaunt** turned the meeting over to **Vice Chairman Nielsen** who assigned **Rep. Shepard** as Subcommittee Chairman for Department Rules, and **Rep. Bateman** as Subcommittee Chairman for Board Rules.

**Vice Chairman Nielsen** turned the meeting back to **Chairman DeMordaunt**, who assigned Committee members to Rules Subcommittees as follows:

**Idaho Department of Education** Rules, will be chaired by **Rep. Shepard** with participating members **Reps. Horman, Boyle, Gestrin, Harris, Pence, Mendive, and DeMordaunt**.

**State Board of Education** Rules, will be chaired by **Rep. Bateman**, with participating members **Reps. Clow, Wills, VanOrden, Agiduis, Nielsen, Ward-Engelking, and Kloc**.

**Chairman DeMordaunt** shared his "near term vision" for what the Committee can expect for the coming session, referencing some of the presentations that will be coming up.

**ADJOURN:**      There being no further business to come before the Committee, the meeting was adjourned at 9:50 a.m.

---

Representative DeMordaunt  
Chair

---

Lynn Walker  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**SHEPHERD SUBCOMMITTEE**

Dept. of Ed Rules

**9:00 A.M.**

**Room EW41**

**Thursday, January 10, 2013**

<b>DOCKET NO.</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>08-0201-1301</u></a>	Rules Governing Administration	Luci Willits
<a href="#"><u>08-0203-1204</u></a>	Rules Governing Thoroughness	Luci Willits
<a href="#"><u>08-0202-1201</u></a>	Rules Governing Uniformity	Luci Willits
<a href="#"><u>08-0202-1202</u></a>	Rules Governing Uniformity	Luci Willits
<a href="#"><u>08-0202-1203</u></a>	Rules Governing Uniformity	Luci Willits
<a href="#"><u>08-0202-1204</u></a>	Rules Governing Uniformity	Luci Willits
<a href="#"><u>08-0202-1206</u></a>	Rules Governing Uniformity	Luci Willits
<a href="#"><u>08-0203-1202</u></a>	Rules Governing Thoroughness	Luci Willits
<a href="#"><u>08-0203-1205</u></a>	Rules Governing Thoroughness	Luci Willits
<a href="#"><u>08-0203-1206</u></a>	Rules Governing Thoroughness	Luci Willits

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Shepherd

Rep.Horman

Rep.Boyle

Rep.Gestrin

Rep.Harris

Rep.Pence

Rep.Mendive

Rep.DeMordaunt

COMMITTEE SECRETARY

Lynn Walker

Room: EW49

Phone: 332-1148

email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**  
**SHEPHERD SUBCOMMITTEE**  
Dept. of Ed Rules

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

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Shepherd, Representatives Horman, Boyle, Gestrin, Harris, Pence, Mendive, DeMordaunt

**ABSENT/  
EXCUSED:** None

**GUESTS:** Pat Stewart, Lisa Kramer, Christina Linder, and Scott Cook, Idaho State Department of Education; Kelly Miller, Idaho Coalition Against Sexual and Domestic Violence; Penny Cyr, Robin Nettinga, and Bert Marley, Idaho Education Association; Brad Hunt, Idaho Office of the Administrative Rules Coordinator; Tracie Bent and Marilyn Whitney, Idaho State Board of Education; Representative Lance Clow, Harold Ott and Phil Homer, Idaho Association of School Administrators; Tyler Mallard, Risch Pisca; Leroy Filer, John Iagl

**Chairman Shepard** Called the meeting to order at 9:05 a.m.

**Chairman Shepard** opened the meeting with a brief explanation for new members on what the committee can and cannot do in regard to rules. **Luci Willits**, State Department of Education, further explained the process of rulemaking.

**DOCKET NO. 08-0201-1301:** **Ms. Willits**, State Department of Education, explained changes to **Docket No. 08-0201-1301**, relating to open meetings and collective bargaining limitations with respect to compensation and benefits. This rule is no longer administrative code, as a result of a referendum. **Rep. DeMordaunt** commented in support of seeing the open meetings rule return in the future.

**MOTION:** **Rep. DeMordaunt** made a motion to recommend approval of **Docket No. 08-0201-1301** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0203-1204:** **Ms. Willits**, State Department of Education, presented **Docket No. 08-0203-1204**, which relates to online course approval and the establishment of a fee for online textbook review.

**Rep. Demordaunt** and **Rep. Harris** requested further clarification regarding the fees, **Scott Cook**, State Board of Education, took the podium and explained the fee is based on retail prices.

**MOTION:** **Rep. Pence**, State Department of Education, made a motion to recommend approval of **Docket No. 08-0203-1204** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0202-1201:** **Ms. Willits**, State Department of Education, explained changes to **Docket No. 08-0202-1201**, regarding the clarifications of endorsements. Ms. Willits explained this is clarifying an existing rule.

**Christine Linder**, State Department of Education, took the podium and further explained the rule is to clarify the difference in endorsement requirements between 6-12 and K-12.

**MOTION:** **Rep. Gestrin** made a motion to recommend approval of **Docket No. 08-0202-1201** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0202-1202:** **Ms. Willits**, State Department of Education, explained changes to **Docket No. 008-0202-1202**, pertaining to Idaho Educator Credentials. This rule is specific to "Mathematical Thinking for Instructors", and clarifies who must complete the course.

**Penny Cyr**, Idaho Education Association, testified in opposition of **Docket No. 08-0202-1202**

**Rep. Boyle** asked a question regarding the agencies latitude in making changes to this rule. **Brad Hunt**, Idaho Office of the Administrative Rules Coordinator, explained they could not make substantive changes without promulgating the rule.

**MOTION:** **Rep. Pence** made a motion to recommend approval of **Docket No. 08-0202-1202** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0202-1203:** **Ms. Willits**, State Department of Education, referred the Subcommittee to **Docket No. 08-0202-1203**, involving a date change to Standards for the Initial Certification of Professional School Personnel, Standards for Idaho School Buses and Operations, and Operating procedures for Idaho Public Driver Education Programs.

**MOTION:** **Rep. DeMordaunt** made a motion to recommend approval of **Docket No. 08-0202-1203** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0202-1204:** **Ms. Willits**, State Department of Education, presented **Docket No. 08-0202-1204**, which pertains to definitions, Idaho Educator credentials, and endorsements.

**MOTION:** **Rep. DeMordaunt** made a motion to recommend approval of **Docket No. 08-0202-1204** to the full committee with the exception of **Sections 08-0202-022(04) and 08-0202-022(06)(a)**. **Motion carried by voice vote.**

**DOCKET NO. 08-0203-1202:** **Ms. Willits**, State Department of Education, presented **Docket No. 08-0203-1202**, concerning Safe Environment and Discipline.

**Kelly Miller**, Idaho Coalition Against Sexual and Domestic Violence, testified in favor of **Docket No. 08-0203-1202**.

**MOTION:** **Rep. Boyle** made a motion to recommend approval of **Docket No. 08-0203-1202** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0203-1205:** **Ms. Willits**, State Department of Education, explained **Docket No. 08-0203-1205**, pertaining to English Language Development. In response to questions, Ms. Willits explained this rule is an enhancement to existing Standards. . Ms. Willits explained all the rules have passed the Professional Standards Committee.

**MOTION:** **Rep. Gestrin** made a motion to recommend approval of **Docket No. 08-0203-1205** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0203-1206:** **Ms. Willits**, State Department of Education, presented **Docket No. 08-0203-1206** regarding definitions. **Rep. DeMordaunt** had questions concerning mobile computing devices and data driven instruction. Ms. Willits further clarified the rule.

**MOTION:** **Rep. Horman** made a motion to recommend approval of **Docket No. 08-0203-1206** to the full committee. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the subcommittee, the meeting was adjourned at 10:29 a.m.

---

Representative Shepard  
Chair

---

Lynn Walker  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**BATEMAN SUBCOMMITTEE**  
Board Rules  
9:00 A.M.  
Room EW41  
Monday, January 14, 2013

DOCKET NO.	DESCRIPTION	PRESENTER
<a href="#">08-0110-1201</a>	Idaho College Work Study Program	Tracie Bent
<a href="#">08-0111-1201</a>	Registration of Post-Secondary Educational Institutions and Proprietary Schools	Tracie Bent
<a href="#">08-0114-1201</a>	Idaho Rural Physician Incentive Program	Tracie Bent
<a href="#">08-0202-1206</a>	Rules Governing Uniformity	Tracie Bent
<a href="#">08-0203-1201</a>	Rules Governing Thoroughness	Tracie Bent
<a href="#">08-0204-1201</a>	Rules Governing Public Charter Schools	Tamara Baysinger
<a href="#">08-0301-1201</a>	Rules of Public Charter School Commission	Tamara Baysinger
<a href="#">47-0101-1202</a>	Rules of Idaho Division of Vocational Rehabilitation	Tracie Bent

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman Bateman  
Rep.Clow  
Rep.Wills  
Rep.VanOrden  
Rep.Agidius  
Rep.Nielsen  
Rep.Ward-Engelking  
Rep.Kloc

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**  
**BATEMAN SUBCOMMITTEE**  
Board Rules

**DATE:** Monday, January 14, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman Bateman, Representatives Clow, Wills, VanOrden, Agidius, Nielsen, Ward-Engelking, Kloc

**ABSENT/  
EXCUSED:** None

**GUESTS:** Tracie Bent, Tamara Baysinger, and Marilyn Whitney, State Board of Education; Ed Hawley, Idaho Administrative Rules; Kris Ellis, Northwest Career Colleges Federation; Jane Donnellan and Nanna Harchett, Idaho Division of Vocational Rehabilitation; Harold Ott and Rob Winslow, Idaho Association of School Administrators; Penny Cyr, Idaho Education Association

**Chairman Bateman** called the meeting to order at 9:01 a.m.

**DOCKET NO. 08-0110-1201:** **Tracie Bent**, State Board of Education, presented **Docket No. 08-0110-1201**, relating to the Post-secondary Work Study Program and allocation of funds. Ms. Bent explained only degree seeking students are included in the formula for fund distribution.

**MOTION:** **Rep. Wills** made a motion to recommend approval of **Docket No. 08-0110-1201** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0111-1201:** **Ms. Bent**, State Board of Education, explained changes in **Docket No. 08-0111-1201**, regarding registration of post-secondary educational institutions and proprietary schools. Ms. Bent also went over the addition of a truth in advertising rule.

**MOTION:** **Rep. Kloc** made a motion to recommend approval of **Docket No. 08-0111-1201** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0114-1201:** **Ms. Bent**, State Board of Education, reviewed **Docket No. 08-0114-1201**, regarding the Rural Physicians Program. This rule has been repealed in its entirety.

**MOTION:** **Rep. Clow** made a motion to recommend approval of **Docket No. 08-0114-1201** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0202-1206:** **Ms. Bent**, State Board of Education, presented **Docket No. 08-0202-1206**, relating to teacher certification, specifically the alternate route to certification. Ms. Bent explained that the alternate route allows Idaho school districts to request endorsement/certification when a professional position cannot be filled with someone who has the correct endorsement/certification. The authorization is valid for up to three years and is nonrenewable.

In response to questions regarding annual review, Ms. Bent stated that it is up to the districts, but will be addressed by the board in the future.



**MOTION:** **Rep. Wills** made a motion to recommend approval of **Docket No. 08-0202-1206** to the full committee. **Motion carried by voice vote.**

**Rep. Nielsen** would like to see in the minutes, and the Subcommittee agreed, "that the board encourage the school districts to require that those who take the alternative route to certification show some evidence on a regular basis that they are working toward meeting the requirements and not just waiting for the three year period to end."

**DOCKET NO. 08-0203-1201:** **Ms. Bent**, State Board of Education, presented **Docket No. 08-0203-1201**, which concerns Home Schooling. Ms. Bent explained to the committee how home schooled students are evaluated at the end of High School, and that the requirements for being recognized as home schooled are based on Idaho Code, not on Rules.

**MOTION:** **Rep. Nielsen** made a motion to recommend approval of **Docket No. 08-0203-1201** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0204-1201:** **Tamara Baysinger**, State Board of Education, presented **Docket No. 08-0204-1201**, regarding Public Charter Schools. Ms. Baysinger explained this rule update will reflect Statute changes.

**Rep. Nielsen** noted a typographical error on page 114. Ms Baysinger stated that it will be corrected.

**MOTION:** **Rep. VanOrden** made a motion to recommend approval of **Docket No. 08-0204-1201** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 08-0301-1201:** **Tamara Baysinger**, State Board of Education, explained changes to **Docket No. 08-0301-1201**, concerning Charter Schools. The changes to this rule are to bring it into compliance with the Idaho Statutes.

**MOTION:** **Rep. Nielsen** made a motion to recommend approval of **Docket No. 08-0301-1201** to the full committee. **Motion carried by voice vote.**

**DOCKET NO. 47-0101-1202:** **Ms. Bent**, State Board of Education, presented **Docket No. 47-0101-1202**, relating to the Vocational Rehabilitation Field Services Policy Manual. Changes to this rules are being made to clarify language regarding the customer appeal and mediation processes.

In response to questions regarding the change in disability limitations from two to three. **Jane Donnellan**, Idaho Division of Vocational Rehabilitation, explained the number of factors considered will be more specific. Numerous typographical errors were noted by the committee. **Ms. Bent** noted that they will be corrected.

**MOTION:** **Rep. Kloc** made a motion to recommend approval of **Docket No. 47-0101-1202** to the full committee. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Subcommittee, the meeting was adjourned at 10:04 a.m.

---

Representative Bateman  
Chair

---

Lynn Walker  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Tuesday, January 15, 2013**

SUBJECT	DESCRIPTION	PRESENTER
Presentation	Fiscal Impact of Propositions 1, 2, and 3	Paul Headlee, Legislative Services Office Budget & Policy Analysis

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, January 15, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/EXCUSED:** None  
**GUESTS:** Phil Homer, Rob Winslow, Harry Ott, Idaho Association of School Administrators; Penni Cyr, Idaho Education Association; Tracie Bent, State Board of Education; John Foster and Kate Harris, Kestrel West; Jen Visser, Gallatin; Phil Kelly, Suzanne Bridge, Jessica Hamson, Idaho School Boards Association

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**Paul Headlee**, Legislative Services Office, spoke to the committee on the fiscal impact of Propositions 1, 2, and 3. Mr. Headlee explained that Proposition 1 impacts labor laws (**S 1108**), Proposition 2 impacts pay for performance bonuses (**S 1110**), and Proposition 3 impacts Technology and mobile devices (**S 1184**). When asked if county funds were included in the totals, Mr. Headlee clarified these are only state and federal funds, and county funds are not appropriated by the State.

**Mr. Headlee**, went over the fiscal impact of Propositions 1, 2, and 3 on the FY 2013 Public Schools Appropriation (**S 1410**). He discussed the programs/provisions that were repealed, resulting in savings, and the programs/provisions that were reinstated, resulting in a cost. He reviewed the figures with a breakdown of the programs. These figures show a net amount of \$30.5 million remaining in appropriation.

**Mr. Headlee** presented the options for FY 2013. Option 1: If no further legislative action is taken, the \$30 million remains in the appropriation until the end-of year reconciliation. If the funds remain after the end-of year reconciliation, then those remaining funds are transferred into the Public Education Stabilization Fund (PESF). If there is a negative variance after the end-of-year reconciliation, the funds would be withdrawn from PESF.

**Mr. Headlee** explained Option 2: Legislative action is taken to distribute the \$30+ million to school districts in FY 2013 to address funding disbursements repealed by Propositions 1, 2, and 3. This is 2.4% of the districts' General Fund appropriation. Mr. Headlee presented figures of the fiscal impact if certain programs are reinstated. This would result in money being withdrawn from PESF leaving a negative balance.

**Mr. Headlee** reviewed Option 3: Legislative action is taken to redirect the funds for purposes other than Public Schools. This would require a 2/3 majority vote by JFAC to reopen the FY 2013 Public Schools Budget.

**Mr. Headlee** reviewed a breakdown of figures by school district. This breakdown does not include Charter schools, as the "Use it or Lose it" law does not apply to them. Mr. Headlee briefly went over some of the figures for FY 2014.

**ADJOURN:**      There being no further business to come before the committee, the meeting was adjourned at 9:52 a.m.

---

Representative DeMordaunt  
Chair

---

Lynn Walker  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Wednesday, January 16, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
Presentation	Public School Finance	Tim Hill, Idaho State Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, January 16, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/EXCUSED:** None  
**GUESTS:** Tim Hill, Julie Oberle, Marilyn Whitney, and Luci Willits, State Department of Education; Bert Marley, Idaho Education Association; Clark Corbin, Post Register; Jen Swindel, Education News; Harold Ott, Phil Homer, and Rob Winslow, Idaho Association of School Administrators; John Foster, Kestrel West

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**Tim Hill**, State Department of Education, provided the committee with a presentation on Public School Finance and How We Fund Our Schools. He explained the largest percent of General Fund Revenue comes from individual income tax (47.3%), followed by sales tax (40.6%), corporate income tax (6.7%), and other sources (5.4%).

**Mr. Hill** reviewed how the General Fund is appropriated, the largest amount going to public schools. The figure for public schools includes approximately 7 million for the Idaho Educational Services for the Deaf and Blind. Public school funds come primarily from state general funds, and are supplemented by state dedicated funds, which include State Lands Endowment and lottery funds; federal funds, and local funds from property taxes. The "Other Education" portion of the budget is comprised of agricultural research and extension services, the office of the State Board of Education, special technical education, educational public broadcasting system, and vocational rehabilitation as examples.

**Mr. Hill** explained funding for districts are based on Actual Daily Attendance (ADA) and is calculated from public school data submitted to the State Department of Education on a monthly basis. Funding is based on two calculations: 1) from the first day of school through the first Friday in November, and 2) the best twenty-eight weeks of the school year. State Board of Education rules define a day of attendance as a minimum of 2 1/2 hours for kindergarten students and a minimum of 4 hours for grades 1-12.

**Mr. Hill** explained how ADA is converted to Support Units. He said support Units based on the first reporting period are used to calculate Salary and Benefit apportionment. Support Units based on the second reporting period are used to calculate discretionary funds. He explained the Staff Allowance ratios for each Support Unit, and that staffing is categorized as either instructional, administrative, or classified. Mr. Hill gave examples of how the Experience and Education Multiplier is used for salary calculations.

**Mr. Hill** summarized that the amount per Average Daily Attendance (ADA) that a School District or Charter School receives is generally based on size (in terms of ADA), student mix (grades served) and staff hired (Experience and Education Multiplier).

**ADJOURN:**      There being no further business to come before the Committee, the meeting was adjourned at 10:38 a.m.

---

Representative DeMordaunt  
Chair

---

Lynn Walker  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
9:00 A.M.  
Room EW41  
Thursday, January 17, 2013

SUBJECT	DESCRIPTION	PRESENTER
Presentation	"Common Core"	Luci Willits State Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)



MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, January 17, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/  
EXCUSED:** Vice Chairman Nielsen, Representative Gestrin  
**GUESTS:** Tracie Bent, State Board Of Education; Scott Cook, State Department of Education; John Fosh; Jess Hamson, Idaho School Board Association; Phil Homer, Idaho Association of School Administrators; Robin Nettinga, Idaho Education Association; Harold Ott, Idaho Rural Schools Association; Russell Westerberg, Rocky Mountain Power; Tony Smith, Benton Ellis; Marilyn Whitney, School Board Of Education; Luci Willits, State Department of Education; Rob Winston, Idaho Association of School Administrators; Matt Keenan Idaho Reporter.com

**Chairman DeMordaunt** called the meeting to order at 9:08 a.m.

**Luci Willits**, State Department of Education, gave basic understanding and background to the Common Core program. She defined 'standard' as what a student should be able to know and use at certain grade levels. Standards were started about 20 years ago and were driven by curriculum. She explained there were different standards for different counties and states. This drove the need for a baseline for student knowledge. She said because there was no alignment they could not compare Idaho students to students from other states.

**Ms. Willits** explained that in 2009, educators got together for math and English language standards. They did extensive outreach, then took those standards to the colleges to see if those standards were applicable to college students. Their goal was to have fewer, clearer and higher standards. The main Common Core standards in Idaho are English, language arts and math. She explained they compared new standards to standards across the country and found math standards were not being reached and they needed to engage in professional development for teachers. She continued by saying one of their main goals were to have college and career ready students when they graduate.

In response to questions, **Ms. Willits** said they provide a suggested list for curriculum but let the schools finalize the curriculum. She explained standards are the basics and curriculum is how you get there.

Presently, **Ms. Willits** explained next school year (Fall 2013) Common Core will be taught in math and English. Then Spring 2015 school year a new ISAT will be given that will give teachers more information. She explained the standards will be more rigorous than ever before and aligned to college and work expectations.

In response to questions, **Ms. Willits** explained that Idaho's initial test scores will be lower because the standard has been raised. She also said there will be outreach to parents and families so they will understand the meaning of test scores and program scope.

**Dr. Carissa Miller**, Deputy Superintendent, Idaho State Department of Education, gave background on the Smarter-Balanced Assessment Consortium (SBAC). She stated they received a four year grant of \$175 million to help in building test engines for online testing, which will include writing, performance tasks and multiple choice questions. It will have adaptive testing, meaning if a student gets an answer correct the questions will get harder and vice versa. She explained that on this consortium, Idaho is a governing state and has a vote on everything at the same weight as other states. She said 20,000 Idaho students have been taped to do a pilot test without consequences. They will then open up to any schools that want to participate. She mentioned one of the benefits of using online testing is it creates a technology assessment of IT readiness in schools to determine how many computers and bandwidth they have.

In response to questions regarding whether other subjects will be ignored in order to teach to the test, **Dr. Miller** said there is always the opportunity for people to ignore other subjects but there are opportunities to embed Common Core standards in other subjects.

**Stephanie Zimmerman**, spoke in opposition to the Common Core program. She explained Common Core takes control out of the hands of Idaho and puts it in federal hands. She said states are not allowed to take any standards away and only add 15% of additional standards/material. In regards to the Smarter-Balanced Assessment Consortium she said if Idaho did not like the tests given they would have to go to every member state and ask for changes. She said the college and career readiness standards is equivalent to a 2 year community college. She said algebra would start freshman year and would not allow calculus until senior year under Common Core and there could be a loss of student family privacy under Common Core, creating student identifiable information.

In response to follow up questions, **Dr. Miller** stated students have the opportunity to advance to higher levels in subjects if they test out of them. She said no effort has been made to collect identifiable student data, however, there is data about students on free or reduced lunch and those eligible for special education but not used in the context of Common Core or SBAC. She addressed cost by saying it is around \$33 per student in Idaho. She said there is nothing that prohibits them from adding more than 15% to the curriculum, only they would have to create testing for any additional curriculum.

**Rep. Bateman**, commented in favor of Common Core but sees a need to watch it closely to avoid a national curriculum.

**ADJOURN:**

There being no further business to come before the Committee the meeting adjourned at 10:29 a.m.

---

Representative DeMordaunt  
Chair

---

Jackie Wright  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Tuesday, January 22, 2013**

SUBJECT	DESCRIPTION	PRESENTER
Presentation	Idaho State University	Arthur Vailas President
Presentation	Legislator's Guide to Educator Effectiveness	Michelle Exstrom National Conference of State Legislatures
<a href="#">RS21767</a>	Cursive Handwriting in Public Schools	Representative Bateman

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, January 22, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/  
EXCUSED:** Rep. Boyle, Rep. Kloc  
**GUESTS:** Harold Ott, Rob Winslow, and Phil Homer, Idaho Association of School Administrators; Russ Joki, Phil Kelly, Clark Corbin, Idaho Education News; Christina Lords, Post Register; Marilyn Whitney, State Board of Education, Jess Harrison, Idaho School Boards Association; Luci Willits, State Department of Education

**Chairman DeMordaunt** called the meeting to order at 8:59 a.m.

**Arthur Vailas**, President of Idaho State University (ISU), gave a presentation to the Committee. He stated that ISU educates 19,288 students annually at campuses in Pocatello, Meridian, Idaho Falls, Twin Falls - where there is a focus on teacher education, and the Health Science Center in the Treasure Valley. Mr. Vailas said they have some satellite programs in other small towns and communities.

**Mr. Vailas** mentioned that of the degrees awarded by the University, 70% were at the undergraduate and associate level, and 30% at the graduate level. He said there is a global trend toward an increase in credentials for the same jobs, and employers are looking for a highly educated workforce. Mr. Vailas stated that 38 to 40 percent of ISU degrees awarded are in the health care professions. He said there are 12 clinics in the state where research is executed, and training and accreditation requirements are fulfilled.

**Mr. Vailas** talked about the career path internship program that ISU started. This program tries to find mentors willing to spend time with students to give them the experience employers are looking for in the workforce. Students in this program work in both public and private sectors.

**Mr. Vailas** discussed the increase in online learning, stating enrollment in online courses has increased from 9% to 30% in the last two years. The number of online courses has increased from 4,699 to 6,436. He said that online learning allows students to be flexible with their scheduling and this has contributed to an increase in degrees awarded.

**Mr. Vailas** reviewed some budget figures and funding requests for 2014, and concluded by reviewing ways the university is looking to improve the efficiency of the university. That involves restructuring and consolidation.

**Michelle Exstrom**, National Conference of State Legislatures, presented a Legislator's Guide to Educator Effectiveness. She said NCSL created an educator effectiveness partnership which consists of 10 Legislators, 6 Legislative staff, and 8 foundation member partners. This group created the guide for all state legislators to follow.

**Ms. Exstrom** discussed ways for preparing teachers including a new effort from Education Teacher Performance Assessment (EdTPA) for preparation performance assessments of pre-service teachers, and a 3 part "bar exam". She reviewed standards that could be adopted for licensing educators, and ways of recruiting and retaining effective educators.

**Ms. Exstrom** presented information on the "Measures of Effective Teaching" (MET) study which has been investigating ways to evaluate effective teaching. Using test scores from current and prior years, student surveys, and additional classroom observers are among these studies. Ms. Exstrom talked of work condition studies that are being conducted in North Carolina, that inform legislators of what teachers want and need.

**RS 21767:** **Rep. Bateman** presented **RS 21767**. This proposed legislation requests that the State Board of Education commence rulemaking to provide that cursive handwriting be taught in the public schools of the State of Idaho. He stated the reasons for the decline in cursive writing are the use of electronics, the Federal Government "No Child Left Behind" law, and that teachers are not being trained to teach cursive. Rep. Bateman stated that this should not be left to the local districts, the State needs to take leadership.

**MOTION:** **Rep. Shepherd** made a motion to introduce **RS 21767**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 10:53 a.m.

---

Representative DeMordaunt  
Chair

---

Lynn Walker  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Wednesday, January 23, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
Presentation	North Idaho College	Joe Dunlap President
Presentation	Lewis and Clark State College	J. Anthony Fernandez President

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, January 23, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/  
EXCUSED:** Representative Boyle  
**GUESTS:** Tony Fernandez, Lewis and Clark State College; Mark Browning and Kathie O'Brien, North Idaho College; Harold Ott and Phil Homer, Idaho Association of School Administrators; Clark Corbin, Idaho Education News; Robin Nettinga, Idaho Education Association; Marilyn Whitney, State Board of Education

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**Joe Dunlap**, President of North Idaho College (NIC), gave a presentation to the committee. Mr. Dunlap stated that NIC was established in 1933 and is the oldest Community College in the State of Idaho. NIC is located in Coeur d'Alene. Mr. Dunlap introduced members of the staff.

**Mr. Dunlap** said NIC is a comprehensive college that embraces the traditional five missions of a community college; transfer programs, professional technical education, continuing education, adult basic education and customized training. NIC has 42 degree programs that prepare students for transfer to four year institutions. On their higher education campus they have Lewis and Clark State College and the University of Idaho as partners. He said the average age of their students is 27, with a makeup of 40% male and 60% female.

**Mr. Dunlap** reviewed figures of the total student head count and the various programs they are enrolled in, as well as the economic impact of NIC. He stated that the dual credit program increased 50% last year and is on track for an additional 50% increase this year. Mr. Dunlap said this year NIC will have 32 students who receive their High School Diploma and Associate Degree on the same day. He stated that the outreach centers, distance learning program, and dual credit program present the greatest growth opportunities.

**Mr. Dunlap** reported a 46% growth rate in student head count, a 14% decline in state funding, and a tuition increase of 50%. There are waiting lists for the 39 professional technical programs offered, primarily due to a lack of capacity. He stated NIC can only accommodate 12-15 students per lab, when they should be serving 20-24 students. Mr. Dunlap said that building a new career technical facility in the future will become a priority.

**Mr. Dunlap** reviewed budget figures and funding requests, which included the dual credit program, the Sandpoint Center, the Veterans Center, and a One-Stop Student Services Center. He explained how NIC disperses financial aid to students by spreading it out over the semester and requiring students to complete a financial literacy course.

In response to questions, **Mr. Dunlap** stated there is a difference in salaries between Washington and Idaho. However, over the last several years they have made strides to increase salaries and are seeing some employees return to Idaho. In regard to property tax funding equity, Mr. Dunlap stated there has been discussion between the three community colleges. Although they have not yet done so, it was suggested they put a formal proposal together for consideration. NIC only receives property tax income from a single county.

**Mr. Dunlap** spoke about Massive Online Open-ended Courses (MOOC). Currently there is no credit for these courses, but NIC is in the process of reviewing and evaluating offering credit. He said he hopes to be able to make decisions on this initiative by next year.

**J. Anthony Fernandez**, President of Lewis and Clark State College (LCSC), gave a presentation to the committee. Mr. Fernandez introduced the staff that accompanied him. He stated LCSC was founded in 1893, and it is believed that Reed Centennial Hall is the oldest publicly supported building in Idaho that is still functioning for its original purpose.

**Mr. Fernandez** reviewed the college's role and mission of connecting learning to life through academic programs, professional technical programs and community programs. LCSC is a four year college that offers both Associate and Bachelor degrees. He discussed the college's primary emphasis areas, including teacher education, which was the initial reason LCSC was founded.

**Mr. Fernandez** presented figures on enrollment, dual credit head count, and degrees/certificates awarded for both academic and professional technical studies. He stated there has been an increase in student credit hours with no increase in faculty. Mr. Fernandez mentioned that LCSC places 90% of their students into the workforce or higher education institutions.

**Mr. Fernandez** spoke about the development of a two-year Electronic Engineering Technology degree program for Schweitzer Engineering Laboratories. He said Schweitzer has 14-20 positions they cannot fill.

**Mr. Fernandez** reviewed LCSC's outreach centers in Coeur d'Alene, Grangeville, and Orofino. He said the current facilities in Coeur d'Alene are portable buildings and they are asking for a joint facility. This facility will be used by the University of Idaho, North Idaho College, and LCSC. Mr. Fernandez discussed other outreach programs to include community programs, workforce training, the Small Business Development Center, and the Department of Corrections.

**Mr. Fernandez** presented budget data and requests which include employee salaries, enrollment workload adjustment, inflation costs, and capital equipment replacement. He summarized that LCSC runs a lean and practical operation, focused on professions that promote economic development.

In response to questions regarding unfilled positions, because there is not enough trained workforce **Mr. Fernandez** explained that LCSC is listening to industry and working on programs to meet the need of employers, including the offering of noncredit certificates for specialized classes.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 10:36 a.m.

---

Representative DeMordaunt  
Chair

---

Lynn Walker  
Secretary



AGENDA  
**HOUSE EDUCATION COMMITTEE**  
9:00 A.M.  
Room EW41  
Thursday, January 24, 2013

SUBJECT	DESCRIPTION	PRESENTER
Presentation	College of Southern Idaho	Dr. Jerry Beck President
Presentation	University of Idaho	M. Duane Nellis President

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius	Rep VanOrden
Vice Chairman Nielsen	Rep Clow	Rep Pence
Rep Shepherd	Rep Gestrin	Rep Kloc
Rep Wills	Rep Harris	Rep Ward-Engelking
Rep Bateman	Rep Horman	
Rep Boyle	Rep Mendive	

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, January 24, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/  
EXCUSED:** Rep. Nielsen  
**GUESTS:** Gerald Beck, College of Southern, Idaho; Tracie Bent and Marilyn Whitney, State Board of Education

**Chairman DeMordaunt** called the meeting to order at 9:02 a.m.

**Jerry Beck**, President of College of Southern Idaho (CSI), gave a presentation to the committee. CSI is located in Twin Falls, and has off campus centers in the Burley-Rupert area, the Hailey-Sun Valley area, the Gooding area, and a number of other locations in the eight counties that CSI serves. They also have numerous dual credit programs across the State of Idaho. Mr. Beck stated in the last five years, CSI has grown six times faster than the population of the State of Idaho, and enrolls 51% of the students in lower division classes.

**Mr. Beck** reviewed data on student head count, enrollment, and annual student costs at CSI. He stated that since the 2007-08 academic year head count growth has been 18% and full-time equivalent growth has been 23%. Mr. Beck said this is the first year the number of campus credits has gone down and the number of online credits has gone up. He stated CSI is working with the College of Western Idaho (CWI) and North Idaho College (NIC) to transfer some of their dual credit classes over to them. He spoke of other programs at CSI, which include industrial maintenance training, dairy training, and a new program that starts this week in partnership with Sage Truck Driving Schools. Mr. Beck said CSI has established a partnership with the new Chobani plant to be the primary provider of training for the new workforce.

**Mr. Beck** reviewed some budget figures and funding requests for 2014. This included occupancy cost for the new Applied Technology and Innovation Center. Mr. Beck also is requesting funds for Voluntary Framework of Accountability, Idaho Science Technology Engineering Mathematics (ISTEM), the Idaho Falls Outreach Center, and funds to hire additional people to improve graduation rates.

In response to a question on whether any of CSI's numbers will change when they are fully accredited, **Mr. Beck** stated he doesn't anticipate the numbers dropping because of the specialized programs that CSI has. He said CSI has the only Vet Tech program in the state, a very large nursing program, and there are more students from Ada and Canyon counties now.

**Duane Nellis**, President of the University of Idaho, gave a presentation to the committee. University of Idaho (U of I) is the state's first higher education institution, with a historical mandate to serve the entire state as one of only 72 national land-grant universities. Mr. Nellis said under the Morrill Act, public lands are sold to help support higher education. In addition to the core campus in Moscow, they have campus centers in Coeur d'Alene, Boise, Idaho Falls, and extension offices in 42 of the state's 44 counties.

**Mr. Nellis** presented information on the College of Business and Economics, which was reaccredited and received national recognition in four different areas. He also spoke of the College of Engineering, the Capstone Design Program, the College of Education, the College of Letters, Arts, and Social Sciences, and the College of Science. Mr. Nellis said the University of Idaho has programs in four of their colleges that are unique in Idaho; the College of Art and Architecture, the College of Law, the College of Natural Resources, and the U of I Rangeland Center. Other programs Mr. Nellis presented information on the Washington, Wyoming, Alaska, Montana and Idaho (WWAMI) medical program, which now has at least one doctor in every county in Idaho, as well as the Idea Network of Biomedical and Research Excellence (INBRE), and the Regional Approaches to Climate Change project.

**Mr. Nellis** discussed two of the successes from U of I nanotechnology research. He passed around to the Committee a screw used in orthopedic implants that increases bone bonding. Mr. Nellis also showed a small chemical sensor that senses particles in the air, and analyzes their chemical properties. This sensor is designed to detect explosives, and is being developed through funding from the Department of Defense for use by the military.

**Mr. Nellis** reviewed budget requests for FY14, which include funds that would add five new seats for WWAMI, a second year curriculum to the College of Law, and funds for the new Rangeland Center to help address issues such as wildland fire and the sage grouse status. Mr. Nellis is also requesting funds for salary increases and enrollment workload adjustment.

In response to questions of who owns the patents on inventions, **Mr. Nellis** explained the patents are owned, in part, by the inventor, U of I, and the business that produces the product.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 10:32 a.m.

---

Representative DeMordaunt  
Chair

---

Lynn Walker  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
Upon Adjournment  
Room EW41  
Friday, January 25, 2013

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">RS21803</a>	FY13 Statutory Budget Allocation	Rep. DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Friday, January 25, 2013

**TIME:** Upon Adjournment of the House

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Pence

**GUESTS:** Clark Corbin, Idaho Education News; Bill Spence, Lewiston Tribune; Harold Ott, Idaho Association of School Administrators.

**Chairman DeMordaunt** called the meeting to order at 8:29 a.m.

**RS 21803:** **Rep. DeMordaunt** presented **RS 21803**. He explained this proposed legislation addresses the consequences created by referendum repeal of **S 1108 S 1110**, and **S 1184**. Based on this repeal, Public Schools would receive over \$30 million less in fiscal year 2013 than was originally appropriated. Rep. DeMordaunt said he believes the Committee has an obligation and a responsibility to look at what needs to be done for education.

**Rep. DeMordaunt** reviewed the Statement of Purpose, specifically the Fiscal Impact of **RS 21803**. He went over the original FY13 figures, the FY13 repeal, and the new "fix" allocations. This "fix" would restore funding that was removed by the appeal. He stated these were funds the districts budgeted based on laws that were in place. Rep. DeMordaunt said the Albertson's Foundation has put in funds for Technology and Professional Development, and that if we don't agree to match that, there is a possibility that money could disappear. He explained that the bottom line number would be less the Pay for Performance because those funds have already been distributed.

**Rep. DeMordaunt** reviewed the specific legislation by sections.

**MOTION:** **Rep. Wills** made a motion to introduce **RS 21803**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 8:59 a.m.

---

Representative DeMordaunt  
Chair

---

Lynn Walker  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Monday, January 28, 2013**

SUBJECT	DESCRIPTION	PRESENTER
	Joint Finance-Appropriations Committee Presentation	Tom Luna - Superintendent Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, January 28, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None

**GUESTS:** Clark Corbin, Idaho Education News; Karen Echeverria, Idaho School Boards Association; Jason Hancock, State Department of Education; Russ Joki, parents; Harold Ott, Idaho Rural Schools Association; Marilyn Whitney, State Board of Education; Rob Winslow, Idaho Association of School Administrators

**Chairman DeMordaunt** called the meeting to order at 9:04 a.m.

**MOTION:** **Rep. Pence** made a motion to approve the minutes of January 9, 2013. **Motion carried by voice vote.**

**MOTION:** **Rep. Horman** made a motion to approve the minutes of January 16, 2013. **Motion carried by voice vote.**

**Tom Luna**, Idaho State Superintendent of Schools, reviewed the progress made in the Idaho education system and presented recommendations for the upcoming fiscal year. He reviewed the accomplishments of the past year to include; outperforming in reading and math and high graduation rates. He stated too few are not going on to higher education and those that do are not prepared. Due to that, he stated, they made a goal to have sixty percent of Idahoans earn a post secondary education by 2020.

**Mr. Luna** discussed the states longitudinal data system, the Idaho System for Educational Excellence (ISEE). He stated Idaho was the last state in the nation to put a longitudinal data system in place. ISEE has streamlined data collection and improved data quality. He explained the more accurate data helped produce the fiscal report card. He said for the future they will work to expand the fiscal report card and provide easy access of this information to the public. He showed examples of ways to chart this information using bubble charts.

For the FY13 budget, **Mr. Luna** stated there was an increase in the General Funds to Idaho's public schools and an increase in compensation for teachers. He went over the breakdown of the budget in categories to include; classroom technology and professional development, math and science teachers and dual credit. The FY14 budget was submitted with a 3% increase in General Funds. He said there was a request for continued funding for high school graduation requirements and discussed ways to help these requirements. The budget also requests funds for a math initiative, reading initiative and ISAT remediation. He explained how Idaho moved out of the tenants of no-child-left-behind and started a star rating system for accountability. He said it allows people to track a schools performance in proficiency, academic growth, graduation rates, advanced opportunities and college entrance exams. Currently, he said they are able to put federal funds to one and two star schools but requested additional funding for technical assistance. He discussed the dual credit program and how it helps cut post secondary education costs. He mentioned other states have been enjoying these benefits for many years and requests funding to restore this program. He said school technology

spending is not a one time expenditure and needs to be treated as a utility bill. He gave examples of schools using technology and stated there was a need for additional funding. He explained the Idaho Education Network where teachers can share classes and students can take courses from other schools. He explained School Net, which makes sure data gets back into the classroom and teachers can track student performance.

**Mr. Luna** presented the Idaho Common Core Standards stating they are updated every five years. He discussed the development process and adopting the standards. He stated the federal government has never reviewed Idaho's standards or Common Core. He requested more funding for professional development for Common Core. He explained it will take several years to master these standards. He mentioned the Safe Schools Task Force and discussed plans to bring ideas for better school security. He also said the budget requests more compensation of Idaho teachers. He closed by stating the solutions to these subjects will require challenging and difficult decisions.

In responses to questioning regarding teacher compensation and early retirement, **Mr. Luna** stated he requested an increase in teachers minimum pay. He explained the early retirement was an incentive to teachers and a way to save money. He stated the number of people retiring early did not increase and it became an ineffective use of money. In regards to the Think Through Math Program, he stated it is a widely successful program and they are having conversations to make it accredited.

**Mr. Luna** explained the '8 in 6' program and dual credit funds. He said students can complete eight semesters in six with funding from the program. Dual earning allows you to use funding for college credit. He said the budget request for these programs is an estimate and that they have seen a decrease in students applying for these programs due to the uncertainty of the availability of funds. In regards to no-child-left behind mandates and the star program, he explained Idaho has more flexibility with the star program since the repeal of no-child-left-behind but still has to work under the federal system.

**Mr. Luna** explained that the math and reading initiative and ISAT remediation are three separate programs that work independently of each other. He stated math is done on the computer in the classroom, reading is based on assessments of in-class reading scores and the ISAT is not distance learning. He explained the dual credit learning is done online, in the classroom and through distance learning. He mentioned the Idaho Education Network is also used statewide to provide access to those teachers that can teach dual credit classes.

In response to questions of teacher bonus pay in regards to base pay, **Mr. Luna** explained bonus pay was additional to base pay. He stated teacher performance pay is based on how many years they have taught and their education and it is also additional to base pay. He explained base pay will stay the same with the potential for bonuses each year.

**Mr. Luna** explained the multiple consortium groups throughout the different school districts. He stated they are all connected to the Idaho Education Network in which one classroom per school has the ability to do real time distance learning. He said the state board setting a graduation requirement to have distance learning credits helped some schools that would otherwise not have it. Schools conformed by adopting the same schedule and calendar.



**ADJOURN:**      There being no further business to come before the Committee the meeting adjourned at 10:29 a.m.

---

Representative DeMordaunt  
Chair

---

Jackie Wright  
Secretary

**AMENDED AGENDA #2**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Tuesday, January 29, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	College of Western Idaho	Bert Glandon, President
<a href="#"><u>RS21811</u></a>	Education	Karen Echeverria, Idaho School Boards Assoc.
<a href="#"><u>RS21814</u></a>	Education, contracts/vacancies	Karen Echeverria
<a href="#"><u>RS21826</u></a>	Education and contracts	Karen Echeverria

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, January 29, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/  
EXCUSED:** Representative Wills  
**GUESTS:** Bert Glandon, College of Western Idaho; Cheryl Wright, College of Western Idaho; Jeff Shirun, College of Western Idaho; Harold Ott, Idaho Rural Schools Association; Karen Echeverria, Idaho School Boards Association; Phil Homer, Idaho Association of School Administrators; Rob Winslow, Idaho Association of School Administrators; Clark Corbin, Idaho Ed News; Marilyn Whitney, State Board of Education; Tracie Bent, State Board of Education; Colby Cameron, Sullivan & Reberger; Robin Nettinga, Idaho Education Association; Matt Keenan, Idaho Reporter; Emma Roemhildt, Idahoans for Choice in Education; Bert Marley, Idaho Education Association

**Chairman DeMordaunt** called the meeting to order at 9:00 a.m.

**Dr. Bert Glandon**, President, College of Western Idaho (CWI), presented CWI's programs. He explained one of their main goals is to provide open access to comprehensive learning that is affordable and accessible. He said CWI offers programs in four areas of emphasis to include; general education, professional technical education, workforce development and adult basic education. He stated the school began three years ago and enrollment has increased 250% in that time. He explained they strive to be a bridge for all citizens to become productive and have worked to expand their dual credit program.

**Dr. Glandon** reviewed several counties they are located in and outlined the campus locations that provide access to their students. He explained the new Micron center for PTE, which has two labs in which they use traditional classroom and online learning. He outlined the demographics of CWI and stated they are accredited with six fully online degrees, which provides greater flexibility to students. He stated CWI is driven by results with the majority of students being successfully placed through their professional placement program. In order to be successful in their professional placement program, he outline their components for success; to include businesses, the State of Idaho and CWI working together.

**Dr. Glandon** explained that in order for CWI to be an educational resource for communities it needs financial support to keep up with the demands of the work force. He showed more than half their budget is tuition and fees with other revenue areas being state funds, property taxes and other self-support. He stated they want to work toward lightening the load for students. He outlined the FY14 budget request, including funding for student success, nursing, new buildings, alterations and repairs. He explained CWI has partnerships with high schools, community centers, foundations, business/industry and government agencies. For the future, he said, they were working on a direct transcript transfer agreement for seamless transition for their students.

**Dr. Glandon** explained CWI has worked with the University of Idaho to develop new forms of remediation to include math labs with mentoring/tutoring to help retain more students than in the past. By doing so they help to motivate more teachers to be more involved with the remediation process. He stated using go-go labs will make it appealing to students.

In response to questions regarding CWI's most popular courses, **Dr. Glandon** said those in the health care areas. He explained CWI has a program that reaches out to businesses and provides workforce development training to help place students. In response to questions regarding CWI's source of funding for self sustainment he stated they come from business partnerships and grants. He said by running CWI more like a business, it has become self sustaining and debt free with reserves in place and they have started distributing their own financial aid. He explained it is the goal of the three community college presidents to be connected with all school districts within the next two years. He outlined the shuttle bus the CWI has in place and stated they would like to connect all sites together to provide easy access to students who have classes in multiple locations.

**RS 21811:** **Karen Echeverria**, Executive Director of the Idaho School Boards Association, introduced this legislation and explained it will require a master agreement negotiation be held in public and with notices. It gives school boards the last offer when an agreement is not reached. She explained it should be the decision of the locally elected school officials.

In regards to questions about the scope of the negotiations if one side has final say, **Ms. Echeverria** stated both parties are still required to negotiate in good faith. She responded to questions regarding support for Proposition 1 by explaining all of the members of the Idaho School Board voted on it and as a whole supported it.

**MOTION:** **Rep. Sheperd** made a motion to introduce **RS 21811**.

**ROLL CALL VOTE:** **Rep. Pence** requested a roll call vote. **Motion carried by a vote of 12 AYE, 3 NAY and 1 Absent/Excused. Voting in favor of the motion: Reps. Nielsen, Shepherd, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Chairman DeMordaunt. Voting in opposition to the motion: Reps. Pence, Kloc, Ward-Engelking. Rep. Wills was absent/excused.**

**RS 21814:** **Ms. Echeverria** explained this legislation allows contracts to be sent via E-mail rather than the postal system. She said it will save money in postal costs.

**MOTION:** **Rep. Horman** made a motion to introduce **RS 21814. Motion carried by voice vote.**

**RS 21826:** **Ms. Echeverria** presented this legislation stating it will provide orderly business operations for public school districts to use when considering a reduction of force. She said it still allows for seniority if other factors have first been considered, if candidates are equal then seniority can be used.

**MOTION:** **Rep. Bateman** made a motion to introduce **RS 21826. Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:58 a.m.

---

Representative DeMordaunt  
Chair

---

Jackie Wright  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Wednesday, January 30, 2013**

SUBJECT	DESCRIPTION	PRESENTER
	College of Education, Boise State University	Dr. Diane Boothe, Professor & Dean
	Chinese Language in Schools	Christian Zimmermann
<a href="#">RS21621</a>	Sunset clause and purchasing contracts	Marilyn Whitney, State Board of Education
<a href="#">RS21631</a>	Workers Compensation	Marilyn Whitney
<a href="#">RS21668</a>	Surety Bond	Marilyn Whitney
<a href="#">RS21669</a>	Approved Projects Purview	Marilyn Whitney

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, January 30, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Bateman

**GUESTS:** Christina Linder, State Department of Education; Harold Ott, Idaho Rural Schools Association; Tracie Bent, State Board of Education; Selena Grace, State Board of Education; Allison McClintick, State Board of Education; Rob Winslow, Idaho Association of School Administrators; Phil Homer, Idaho Association of School Administrators; Michael Meyers, College of Western Idaho; Tyler Mallard, Risch Pisca; Christian Zimmermann, Cascade Schools/Chinese; Lin Meichun, student Northwest Nazarene University/China; Luci Willits State Department of Education

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of January 15th, January 17th and January 22nd, 2013. **Motion carried by voice vote.**

**Dr. Diane Boothe**, Professor and Dean of the College of Education at Boise State University, introduced herself and the deans of other Idaho institutions. She explained that the deans and board of directors meet collectively five or six times a year. She responded to questions regarding tracking teacher effectiveness and working toward using feedback by stating they work closely with schools and agencies. She said most often they request improvement in classroom management and standardized testing. **Dr. Cori Mantel-Bromley**, Dean of the College of Education at the University of Idaho stated they have devised a number system that follow the teacher to help provide data and they work with a formal feedback group. **Dr. Paula Kellerer**, Program Director Education Specialist, Superintendent and Educational Leadership at Northwest Nazarene University, stated they follow up with students and principle surveys.

**Christina Linder**, Director of Certification and Professional Standards at the State Department of Education explained they are working with all the deans and will now have placement data on how teachers were placed. She said this will provide a final performance assessment where all teachers will be assessed using that rubric and principles will be able to see how teachers are performing.

**Dr. Diane Boothe** responded to questions regarding teacher preparations to working within the Common Core Standards by explaining they are working cooperatively with Common Core Standards and the Smarter Balanced Assessment Consortium. She said they will revamp the professional year to measure the Common Core experiences which will provide professional development at BSU. She explained they are helping their students move into project based learning environments and to incorporate those learning activities and hands on learning into the curriculum.

**Dr. Cori Mantel-Bromley** explained the state has required a mathematical thinking structure course and other areas of professional development around the STEM (Science, Technology, Engineering and Math) areas with national funding in science education specific to the STEM fields. She stated almost all deans are working with school districts in the STEM fields. In answer to questions regarding teachers taking refresher courses to count as continuing education, she explained there is nothing to prohibit a teacher from taking an algebra class, for example, but it may not fit within a particular degree structure.

**Dr. Diane Boothe** explained the Smarter Balanced Assessment Consortium will measure the student progress of the Common Core Standards. **Tracie Bent**, Chief Planning and Policy Officer at the State Board of Education confirmed the state of Idaho has been involved in a multi state effort to make Common Core, it was not a federal mandate. She said the standards were approved by the State Board of Education.

**Christian Zimmermann**, former representative, presented his pilot program for teaching Chinese language in elementary schools. He explained the Chinese language can be taught if done at a young age. He outlined how the pilot program came into place from the Department of Education. He said they have a student that teaches for free one day a week to second graders. He explained his ultimate goal is to continue this program. He said if the Chinese language is started in 2nd grade and kept up with, the student could be fluent by college. He explained this program provides a cultural interaction as well and teaches children about other countries. He believes it is scalable to expand to other areas around the pilot program and possibly the whole state. He introduced **Julie Lin Meichun**. She teaches the second graders Chinese every Friday. She explained the program helps the brain open up a certain area to learn different languages.

**RS 21621:** **Marilyn Whitney**, Chief Communications and Legislative Affairs Officer at Idaho State Board of Education reviewed this legislation. She stated it removes the sunset clause and allows institutions to continue to have sole discretion on state purchasing contracts. She said after a three year review, all parties concluded to remove the sunset clause.

**MOTION:** **Rep. Nielsen** made motion to introduce **RS 21621. Motion carried by voice vote.**

**RS 21631:** **Marilyn Whitney**, presented this legislation by saying it aligns workers compensation laws so that post secondary students will receive the same coverage as K-12 students. She said it allows universities or colleges to purchase coverage through the State Insurance Fund.

**Ms. Whitney** explained the need for the legislation by stating there had been a change to the K-12 students that did not include post secondary students. This legislation remedies that.

**MOTION:** **Rep. Agidius** made a motion to introduce **RS 21631. Motion carried by voice vote.**

**RS 21668:** **Marilyn Whitney** explained this will allow flexibility in establishing surety bond requirements by allowing them to obtain an alternative source as approved.

**Ms. Whitney** gave some examples of options to include another insurance or collateral insurance.

**MOTION:** **Rep. Clow** made a motion to introduce **RS 21668. Motion carried by voice vote.**

**RS 21669:** **Marilyn Whitney** presented this legislation. She said it amended existing cooperative funding to specify that all projects remain under the funding panel until finalized. She said it will eliminate jurisdiction issues with local agencies by specifying the Division of Building Safety responsible.

**Ms. Whitney** explained the need for this legislation by saying there has been confusion with local agencies as to who certifies new projects. This would make it clear the Division of Building Safety would provide certificate of occupancy and other certifications.

**MOTION:** **Rep. VanOrden** made a motion to introduce **RS 21669**. **Motion carried by voice vote.**

**ADJOURN:** There being no further business to come before the Committee, the meeting was adjourned at 9:54 a.m.

---

Representative DeMordaunt  
Chair

---

Jackie Wright  
Secretary



JOINT  
HOUSE EDUCATION COMMITTEE  
AND  
SENATE EDUCATION COMMITTEE  
8:00 AM - 10:30 AM  
Auditorium WW02  
Friday, February 01, 2013

SUBJECT	DESCRIPTION	PRESENTER
	Public Listening Hearing on Education	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
JOINT MEETING  
**HOUSE EDUCATION COMMITTEE**  
**SENATE EDUCATION COMMITTEE**

**DATE:** Friday, February 01, 2013

**TIME:** 8:00 AM - 10:30 AM

**PLACE:** Auditorium WW02

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Thayn, Patrick, Durst, Buckner-Webb

**ABSENT/  
EXCUSED:** Representative Wills; Senators Fulcher, Thayn

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman Goedde** called the meeting to order at 8:02 a.m. He welcomed guests and explained the rules of the meeting and legislative procedures. He introduced **Chairman DeMordaunt**, who gave guidelines and explained that the legislative process is open and welcome to the public.

**Penni Cyr**, President of the Idaho Education Association, explained their members care about the students they teach. She asked the chairmen to hold another public listening hearing so teachers can be present for comments. She discussed the recent legislation that brought back portions of Proposition 1, stating that voters rejected them. She suggested the need to collaborate.

**Anne Ritter**, President of the Idaho School Boards Association, explained the trustees had 17 responsibilities and are in partnership with many parents. She asked for legislative assistance. She said school districts are dependent on state funding as a result of flat financing. She said levies can only take effect for two years and fears if a levy fails they are still required to balance the budget. She explained her concerns with the change in what can be bargained as written in Proposition 1 was not what they were asking for.

**Alan Dunn**, Idaho Association of School Administrators, spoke on behalf of the Board of Trustees. He said monetary rewards have helped and asked the committees to consider continuing with this plan. He explained employees should double up on tasks to save money.

Members of the public made comments about Sage International School, **Max Keller** and **Dylan Andrade**, students, spoke about the positive programs and teachings at their school. In addition, **Don Keller**, Charter School Network; **Chris Marshall**, **Frank Coprivnicar**, **Katie Bush**, **Graham Hill**, **Bryan Moore**, **Carolyn Robinson**, **Lily Gregory** and **Bailey Schieve** expressed the need to increase funding for charter schools. **Isaac Wells** and **Chris Schieve** spoke about the positives of school choice. **Keith Donahue** and **Alek Komrul** spoke of the need for more funding for charter schools and the positives of school choice. **Zach Parker** expressed the need for more funding for charter schools and explained all school boards and administrators need more flexibility.

Members of the public spoke about Village Charter School. **Penny Sites, Aidan Sites** and **Holland Stull** spoke about the positives of school choice. **Alyssa Knox** and **Berkli Smith** explained the need for more funding for charter schools. **Nichole Stull** spoke of the positives of school choice and the need for better parent involvement.

In regards to charter schools in general, **Leslie Mauldin**, Coalition of Idaho Charter School Families, explained the funding gap between public and charter schools and the need to make it equal. **Dallas Gudgell, LeAnn Simmons** and **Lalaneya Henderson** expressed the need for more funding for charter schools and the positives of school choice. **Ronalee Linsenmann** said the need for charter schools was to start and mold ideas for the public schools. She also explained the importance of teaching cursive handwriting. **Rosemarie Schmarzenberger** spoke of the positives of school choice and the need for better communication between schools.

**Peter Peterson** spoke in opposition to the return of the 'Luna Laws'. **Mike Lanza, Brad Cederbloom**, Idaho State American Federation of Labor & Congress of Industrialized Organizations; **Penelope Manning, Ed Wardwell** and **Anne Pasley-Stuart** also expressed concern regarding the reintroduction of 'Luna Laws' of which voters voted against and explained the need to allow the Governor's task force on education to do their work. **Sue Lovelace** agreed and added the need to invest in teachers to teach high rigor classes and prep courses.

**Rod Morse** spoke about the Governor's task force on education and expressed the need to let them do their work. **Russ Joki** agreed and added the need to replace lost revenue and remove all inequities.

Members of the public **expressed opposition** against **H 67**. **Sue Philley**, Transform Idaho and **Betty Richardson** expressed their concern with the open negotiation and final say portions of this bill. **Nancy Gregory** agreed and also **expressed opposition** to **H 69** and **S 1040**.

**Gary Smith** explained the need to adopt a plan to hold the state accountable to be competitive in producing better prepared students. **Steve Smylie** said it is imperative to have all parties on the same page and a goal of those parties should be to make every school excellent, staffed by good people and safe. **Steve Berch** explained the need for more constructive funding ideas. **Victoria Young** expressed the need for a new approach to focus on school improvement.

**Beth Oppenheimer**, Idaho Association of the Education of Young Children, explained the benefits of early childhood education. **Anna-Marie Rhodes** agreed and added the importance of the continuance of adult and technology education.

**Bill Zimmerman** spoke in opposition to the Common Core Standards. **Ryan Riley** spoke about the art education at Fresco Art Academy. He said school vouchers can be put to good use and expressed interest in dual enrollment between public and private schools. **Jennifer Leuck** spoke in opposition to the current public school class sizes.

**ADJOURN:** There being no further business to come before the joint Committees, the meeting was adjourned at 10:34 a.m.

---

Representative DeMordaunt  
Chair

---

Jackie Wright  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
9:00 A.M.  
Room EW41  
Monday, February 04, 2013

SUBJECT	DESCRIPTION	PRESENTER
	Education Update - Department of Corrections	Director Reinke, Department of Corrections
<a href="#">H 81</a>	Sunset clause and purchasing contracts	Marilyn Whitney, State Board of Education
<a href="#">H 82</a>	Workers Compensation	Marilyn Whitney
<a href="#">H 83</a>	Surety Bond	Marilyn Whitney
<a href="#">H 84</a>	Approved Projects Purview	Marilyn Whitney

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 04, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Reps. Boyle and Agidius

**GUESTS:** Shane Evans, Idaho Department of Corrections; Clark Corbin, Idaho Education News; Tracie Bent, Marv Lyter and Marilyn Whitney, State Board of Education; Russell Westerberg, Westerberg & Associates; Rob Winslow and Harold Ott, Idaho Association of School Administrators; Chris Ellis, North West Career Colleges Federation; Bruce Newcomb, Boise State University; Karen Echeverria, Idaho School Board Association; Larry Benton, Benton Ellis; Kate Haas, Building Officials

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of the January 23, 2013, meeting. **Motion carried by voice vote.**

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of the January 24, 2013, meeting with the following correction: On page 1, paragraph 1, change committee to Committee. **Motion carried by voice vote.**

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of the January 25, 2013, meeting. **Motion carried by voice vote.**

**Brent Reinke**, Director of the Idaho Department of Correction (IDOC), gave a presentation to the Committee. He stated IDOC has four divisions: Prisons; Probation and Parole; Education, Treatment, and Reentry; and Management Services. Mr. Reinke said the focus in the new year will be on staff, population and settling the federal Balla lawsuit.

**Mr. Reinke** stated there are 8,097 inmates in 11 prisons. Three of the prisons are privately-operated by Corrections Corporation of America (CCA), one of them located in Colorado. He said because the prison population is down in the first five months of the year, he is exploring the possibility of returning some inmates to Idaho.

**Shane Evans**, IDOC Division Chief of Education, Treatment, & Re-entry, presented information on programs available to inmates. These include Adult Literacy, GED, Adult Basic Education, Professional Technical Education, and transition support for those re-entering the workforce.

In answer to questions, **Mr. Reinke** stated it is not easy for an ex-inmate to re-enter the workforce, but the IDOC has an extensive list of felony friendly employers and they work closely with the Department of Labor.

**H 81:** **Marilyn Whitney**, State Board of Education, presented **H 81**. She stated it removes the sunset clause and allows institutions to continue to have sole discretion on state purchasing contracts. She said after a three year review, all parties concluded to remove the sunset clause.

**Bruce Newcomb**, Boise State University, testified **in favor of H 81**. He stated it will prevent duplication of efforts, and will allow purchases to be completed in a more timely manner.

**MOTION:** **Rep. Bateman** made a motion to send **H 81** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kloc** will sponsor the bill on the floor.

**H 82:** **Marilyn Whitney**, presented **H 82** saying it aligns workers compensation laws so that post secondary students will receive the same coverage as K-12 students. She said it allows universities or colleges to purchase coverage through the State Insurance Fund.

**MOTION:** **Rep. Kloc** made a motion to send **H 82** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Clow** will sponsor the bill on the floor.

**H 83:** **Marilyn Whitney** presented **H 83** explaining this legislation will allow flexibility in establishing surety bond requirements by allowing for an alternative source to be used in place of, or in conjunction with the surety bond. Alternate financial instruments must be of equal value to the surety bond requirements.

In answer to questions about the formula used, **Ms. Whitney** explained it is based on the prior fiscal year revenue.

**MOTION:** **Rep. Harris** made a motion to send **H 83** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Harris** will sponsor the bill on the floor.

**H 84:** **Marilyn Whitney** presented **H 84**. She explained the changes in this legislation will eliminate jurisdictional conflicts with local agencies by specifying the Division of Building Safety's responsibility in regards to inspection and issuance of certificates of occupancy.

**Kate Haas**, Association of Building Officials, testified **in opposition of H 84**. She stated Title 39 of the Idaho Code already allows districts to choose who reviews plans, and this legislation will remove that decision.

In answer to questions, **Ms. Whitney** explained this legislation will clarify when the hand off to local jurisdiction takes place.

**MOTION:** **Rep. Bateman** made a motion to **hold H 84** with recommendation that the State Board come back with new language.

**SUBSTITUTE MOTION:** **Rep. Harris** made a substitute motion to send **H 84** to the floor with a **DO PASS** recommendation.

**Rep. Clow** and **Rep. Bateman** spoke **in opposition** to the substitute motion. **Rep. Bateman** stated local school districts should have some latitude in who approves projects.

**VOTE ON SUBSTITUTE MOTION:** **Chairman DeMordaunt** called for a vote on the substitute motion to send **H 84** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Nielsen** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:25 a.m.

---

Representative DeMordaunt  
Chair

---

Lynn Walker  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
9:00 A.M.  
Room EW41  
Tuesday, February 05, 2013

SUBJECT	DESCRIPTION	PRESENTER
	Eastern Idaho Technical College	Steve Albiston, President

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, February 05, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/  
EXCUSED:** Rep. Pence  
**GUESTS:** Harold Ott, Idaho Rural Schools Association; Phil Homer and Rob Winslow, Idaho Association of School Administrators; Clark Coburn, Idaho Education News; Marilyn Whitney State Board of Education; Jessica Hansen, Idaho School Boards Association

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**MOTION:** **Rep. Agidius** made a motion to approve the minutes of January 28, 2013. **Motion carried by voice vote.**

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of January 29, 2013. **Motion carried by voice vote.**

**Steve Albiston**, President, Eastern Idaho Technical College (EITC), said he had been a vocational counselor since 1981 and has just become president in the past year. He explained the stand-alone, technology school to the committee, stating they were governed by the State Board of Education, the State Board for Professional-Technical Education, and an advisory council. He related the nine eastern Idaho counties served by EITC. Mr. Albiston said the outreach programs include adult basic education, workforce training and health professions. The enrollment for Fiscal Year 2012 included 1,364 in Associated Applied Sciences (AAS) pursuing a certificate, 14,143 enrolled in workforce training, 581 full time equivalent (FTE), 647 in adult basic education and 3,338 involved in tech prep education. He noted that of the workforce training students, 6,000 graduates were trained specifically for Idaho National Laboratory (INL).

**Mr. Albiston** described the annual student outcome as follows: 91 receiving AAS degrees, 141 achieving certificates and 328 receiving a GED. Approximately 73 percent of 2012 graduates were placed in training related positions. He explained the financial benefit of paying \$92 per credit and \$1,000 per semester at EITC as compared with \$300 per credit at a university. He said 75 percent of the students at EITC receive financial assistance. Foundations contributing \$484,400 to student scholarships are: the EITC Foundation Scholarships and the J.A. & Kathryn Albertson Foundation.

**Mr. Albiston** explained the collaborative work with Idaho State University and the College of Southern Idaho. He also explained the success of EITC EDUcloud. Since its conception, EDUcloud technology has been utilized in 1,018 different sessions averaging 59 minutes per session.

Responding to a question from the committee, **Mr. Albiston** said the expansion of the programs offered students is dependent upon the needs of the graduate to acquire a particular job. He noted that as companies come to the region, EITC collaborates and finds the requirements needed to be employed in that company. That information drives the curriculum modification and/or expansion.



In response to a question from the committee, **Mr. Albiston** said the GED and high school diploma were not equal in classroom time or the knowledge attained. He noted the last certificate or diploma, the terminal degree, is what equates with success. To further questions from the committee, he said EITC offers both dual enrollment and that high school students, especially professional-technical high school students, may attend half day at EITC in such classes as automotive.

**Mr. Albiston** said their curriculum for job placement at the INL changes as the mission at the site changes. EITC job placement of graduates at INL has remained constant but the school has grown in the health care programs. He said the head count changes because of the amount of part time students. But that retention of full time students remains about 60 percent from fall to fall. To answer the question from the committee regarding the prospective changes to address the 60 percent retention, Mr. Albiston said they are offering the students one-on-one tutoring where the student is either referred or comes in voluntarily.

Responding to a question from the committee regarding the profitability of the school, **Mr. Albiston** said the school usually breaks even or sometimes makes money on a contract such as the one from INL.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 9:41 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Wednesday, February 06, 2013**

SUBJECT	DESCRIPTION	PRESENTER
	American Government Textbooks for grades 9-12	Anita VanGrunsvan, North Council Precinct
	Western Interstate Commission for Higher Education (WICHE)	David Longanecker, President Brian Prescott, Director of Policy Research

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Lynn Walker  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, February 06, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Rep. Wills

**GUESTS:** Luci Willits, and Elizabeth Frasnick, State Department of Education (SDE); Selena Grace, Chief Academic Officer SDE; Brian Prescott and David Longanecker, Western Interstate Commission for Higher Education (WICHE)

**Chairman DeMordaunt** called the meeting to order at 9:02 a.m.

**MOTION:** **Rep. Clow** made a motion to approve the minutes of January 30, 2013. **Motion carried by voice vote.**

**Anita VanGrunsvan** explained an issue regarding the current instruction on American Government in the State of Idaho. She gave examples from the Magruder's American Government by William A. McClenaghan, 2009 edition, which she said were attempts to indoctrinate the students instead of presenting to students the factual truths. She explained that the text was the most popular for use in high school classrooms across the nation, however, she said Idaho should have textbooks that were more in line with Idaho's conservative values.

**Ms. VanGrunsvan** compared language from the same Magruder textbook used in Texas where explanations on such subjects as Second Amendment rights differed. She said Idaho has the same opportunity to adopt textbooks with more accurate, historic references.

**Ms. VanGrunsvan** referenced a State Republican Central Committee Resolution to the committee which recommends: to rewrite the goals used to evaluate the American Government textbooks; to review the current texts, disallowing those that do not meet new goals; and to develop a comprehensive test on the Declaration of Independence, the U.S. Constitution, the Bill of Rights and the Idaho Constitution.

Responding to questions from the committee, **Ms. VanGrunsvan** explained there were other books that appeared on the highly approved list. She said that the content standards for Government in Idaho needed to be changed and an exam needed to be developed for the US and Idaho governing documents.

**David Longanecker**, President of the Western Interstate Commission for Higher Education (WICHE), explained his regional organization was created by the Western Regional Education Compact. He said it was created to facilitate resource sharing among the higher education systems of the West and is located in Boulder, Colorado. He listed the commissioners for Idaho as: Mike Rush, State Board of Education; Mack Shirley, former Legislator; and President Dwayne Nellis, University of Idaho.

**Mr. Longanecker** reported on comparative data showing that the United States ranked 15th in the world when compared to populations attaining an associates and higher degree. Idaho ranked 45th when compared to states within the nation. In relationship between education attainment, personal income and economic strength, Idaho ranks in the 23rd percentile.

**Brian Prescott**, Director of Policy Research, WICHE, explained that in the newest projections released three weeks ago on Idaho public high school graduates by race or ethnicity, it shows Idaho's Hispanic population to be increasing by 29 percent by the year 2020 with the White non-Hispanic population remaining mostly constant. He added the attainment of an Associates Degree or higher within the 25-44 age group remains at only 12 percent of the Hispanic population and only 39 percent of the White, non-Hispanic population, while Idaho Asian populations are at 60 percent.

**Mr. Longanecker** explained WICHE's goal was to get states to think of appropriations, tuition, and financial aid together when considering higher education finance and when achieving educational goals. In consideration of Idaho's record of appropriations per student, Idaho ranks 30th in the nation and has the 4th largest cuts in per student funding for 2006 through 2011. Mr. Longanecker stated Idaho's colleges and universities were ranked 8th lowest in net tuition and fees. However, the students are bearing more of the cost of their education.

Referring to the financial aid for students awarded in Fiscal Year 2009-10, **Mr. Longanecker** stated that Idaho ranked 47th in nation for total state grant aid, 50th for total state need-based aid, and 20th for institutional grant dollars. He said, in regard to Idaho's policy for higher education, improving college completion is the most compelling issue facing the state.

Speaking of data collection for accountability and informed decision-making, another policy goal for Idaho higher education, **Mr. Prescott** said Idaho has made huge gains in tracking individual students from high school to college and into the workforce, despite modest commitment of resources.

**Mr. Longanecker** said Washington, Oregon, Idaho and Hawaii are part of the collaborative focused on improving the "common core" of English Language Arts and Mathematics in preparing students for college. He noted that Idaho is working with Complete College America which emphasizes improving remedial education. He said assisting students in choosing a college program and monitoring progress is one of the changes being incorporated.

**Mr. Prescott** explained that improving affordability for those most in need may be Idaho's best opportunity to achieve students' college completion. He said research indicates the low-income student is the one who does not complete college and so there is a "need" versus "merit" dilemma. Those receiving scholarships may also be the ones most able to pay for their own education. He said that may have to change.

In response to questions from the committee, **Mr. Longanecker**, said the financial aid institutions have been benevolent to a fault. Student loans have made it possible for students to buy cars, move into apartments and take on other debt which then becomes a burden. He noted that in the next federal reallocation of funds, this issue will be part of the equation. He explained that Oregon has a shared responsibility plan. He said borrowing is a reasonable component; but scholarships, parent assistance, student savings and work are considered first, then federal and state aid fills in the gap.

**Mr Prescott** said the Oregon plan was a frugal one with class attendance being calculated into the financial assistance package.

Responding to questions from the committee, **Mr. Longanecker** said there are not statistics on whether those who received a certificate or a two year degree were equally successful in comparison with those earning a four year degree. He said high value certificates in welding and applied health fields are of great value and can be a step on the career ladder to move up. He also said that all of the figures presented had come from the 2010 Census data.

**ADJOURN:**      There being no further business to come before the committee, the meeting adjourned at 10:10 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
9:00 A.M.  
Room EW41  
Thursday, February 07, 2013

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">HCR 3</a>	Cursive Handwriting	Rep. Bateman

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, February 07, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Rep. Boyle

**GUESTS:** Peter Wolheim, Ph.D; Harold Ott, Idaho Rural School Assn; Kathleen Wright and Tammie Odenbrett, Zaner-Bloser/Highlights for Children; Phil Homer, Idaho Assn of School Administrators; Rian Van Leaven, Idaho AFL-CIO; Camillea Wells, Idaho State Dept of Education; Clark Corbin, Idaho Education News; Robin Nethnge and Bert Marley, Idaho Education Assn; Ronalee Linsenmann and Steve Berch, citizens; Marilyn Whitney; State Board of Education

**Vice Chairman Nielsen** called the meeting to order at 9:00 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of February 1, 2013. **Motion carried by voice vote.**

**MOTION:** **Rep. Harris** made a motion to approve the minutes of February 4, 2013. **Motion carried by voice vote.**

**HCR 3:** **Rep. Bateman** presented **HCR 3**, the concurrent resolution that requests the State Board of Education commence rulemaking to provide cursive handwriting be taught in the public schools of Idaho. He reported he had received mail from all over the United States, written in cursive. Many respondents were concerned about grandchildren who could not read cursive. He said that with the passage of "No Child Left Behind" the youth are unable to write or read cursive well. He reported that young teachers who did not possess the skills to teach cursive were the least likely to embrace the cursive writing legislation. Rep. Bateman said Georgia and Indiana had recently included cursive writing back into the Common Core Standards

**Peter Wolheim, Ph.D**, Boise State University teacher emeritus, explained his background was in mass media and social change, philosophical perspectives of inquiry and communication. He said he would report on the research and not the bias that may exist. He clarified he was not a paid lobbyist for the pen and ink industry.

In relating the research to the committee, **Dr. Wolheim** said it was far easier for children to go from block writing to cursive. They cannot proceed the other direction successfully. He said cursive is unique because children connect letters. It is two-sided: detailed and spacial. He explained children who are trained in cursive "think about thinking" better and their hand, eye coordination is improved. He added children with developmental problems do better when learning cursive. Dr. Wolheim said 17 percent of student populations suffer from dyslexia but flourish in the cursive writing setting, as do the 10 percent of left handed students.

**Dr. Wolheim** related the esthetic value of cursive handwriting goes beyond making artistic letters, it binds time and space. He said the Internet binds space, handwriting binds both. He clarified the tying of handwriting to social proprieties and social stability. He said we want our students to maintain a sense of civility. He added that when his students text him they begin with "hi" or "yo." When they write him a letter, they begin: "Dear Dr. Wolheim."

In response to questions from the committee, **Dr. Wolheim** said when handwriting is reintroduced to the Common Core it is important, from the teacher's standpoint, to not make it burdensome. Incentives could be used. He noted that software has been developed that can scan handwriting and make it much more legible. He also noted that the breathing and flow when writing, becomes almost musical.

**Kathleen Wright**, Zaner-Bloser/Highlights for Children, National Product Manager, Handwriting, explained she holds seminars around the country explaining the research on the benefits of handwriting. She said she hears many concerns about children who cannot read cursive handwriting. She noted that reading of old handwritten documents, diaries and letters could become a lost art. She said when anyone writes something down, it is remembered longer. Also cursive writing helps all students, especially multicultural students, pay attention to all the letters in a word.

In response to questions from the committee regarding the most appropriate time to teach cursive handwriting, **Ms. Wright** explained when a child begins to read well, start cursive. Starting in third grade is an appropriate time and then continue up through the life span of the child. She said it needs to be practiced, but not more than 15 minutes of instruction a day. To further questions from the committee, Ms. Wright said students capture information better when it is written by hand and that when they cease cursive, students cannot capture complete thought as well, thus the presence of graduates who cannot spell, write a complete paragraph, or file comprehensive reports.

Responding to a question regarding brain research on handwriting, **Ms. Wright**, explained the research only shows what is happening in the brain while children are writing. There is no research to tell what is happening in the brain when they are not writing. She noted the proposed standard in Indiana and Georgia is to include cursive writing into the Common Core.

**Vice Chairman Nielsen** turned the gavel over to **Chairman DeMordaunt**.

In response to a question from the committee, **Ms. Wright** related that children will see the relevance of cursive writing when we celebrate what they do well. They can be encouraged to consider their audience and realize that their handwriting represents them when they are no longer there. She told of a national handwriting contest where 3,500 students entered and that a disabled student entry caused the sponsors to open up a separate category. She suggested enthusiasm be built into the instruction by using a smart board with a stylus for presentations and student practice, also on electronic tablets.

**Ronalee Linsenmann**, representing self, testified saying she was a supportive parent and emphasized the need to pass the legislation. She added the lost courtesy of writing thank you notes was part of society's problem of incivility. **Steve Berch**, representing self, asked the sponsor to clarify the intent of the legislation.

**Rep. Bateman** explained that cursive handwriting had been included in state standards until 2011, but was dropped with the adoption of the Common Core.

**Chairman DeMordaunt** explained that the Concurrent Resolution was a recommendation to the State Board of Education to act in a certain way.

**Mr. Berch** said the issue was one of priority. He said the music and art programs were also disappearing from schools curriculum. He encouraged the return of the five day school week.



**Rep. Bateman** closed debate on **HCR 2** by stating he was concerned if the matter was left to local control and if the state did not have a cursive handwriting standard, the important developmental skill of handwriting would be lost. He said the request for this legislation had come from the local level and that is was of grave concern to most parents and grandparents.

**MOTION:** **Rep. Wills** made a motion to send **HCR 2** 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 adjourned at 10:00 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

JOINT  
**HOUSE EDUCATION COMMITTEE  
AND  
SENATE EDUCATION COMMITTEE**  
4:00 P.M.  
WW02  
Monday, February 11, 2013

SUBJECT	DESCRIPTION	PRESENTER
---------	-------------	-----------

Listening Session

Rules:

-Please limit your statement to three (3) minutes.

-Please provide a copy of your written statement to the House Page so that you may be recorded accurately in the minutes.

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 11, 2013

**TIME:** 4:00 P.M.

**PLACE:** WW02

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman DeMordaunt** called the Joint Education Meeting to order at 4:05 p.m. He welcomed the guests and explained the rules and protocol of the hearing.

**Co-Chairman Goedde** explained the Idaho School Board Association brought seven proposed legislations before the two committees for their consideration. Stakeholders involved were: Parent Teacher Association, Rural School Administrations, Idaho School Administrators and the Idaho Education Association (IEA). He said the new proposed legislation contains better language and as the bills come through the two committees, they will again have public testimony. He noted the Governor's Task Force has completed it's third meeting. During those sessions, it was determined that labor relationships were out of their scope. There are presently five subcommittees looking at school improvements with some good recommendations coming out of those regional meetings.

**Robin Nettinga**, Executive Director, IEA, said she respected and valued the legislative process. She said the Task Force needed time and space; authentic discussion had not been done. She noted that the defeat of Propositions 1, 2, and 3 during the November election proved that there was no public support for similar proposed legislation coming before the 2013 Legislature. **John Olovich** told the committees that passing legislation prior to Task Force findings, would threaten success of representative reform. He said he was concerned that continued passage of legislation without stakeholder input would discourage the Task Force and lower teacher morale.

**Anne Ritter**, President, Idaho School Boards Association (ISBA) and Trustee of Joint School District #2, Meridian, explained that the Governor has asked the ISBA to take the leadership role on labor issues. She said the reallocation of funds left on the table when the Students Come First laws were repealed threaten the fiscal health of the school districts.

**Rob Winslow**, Executive Director, Idaho Association of School Administrators, explained he represented the superintendents and principals of Idaho's school districts.

**Rep. JoAn Wood** explained the challenges facing Idaho's rural schools. **Erika Kemery**, Superintendent and Principal, South Lemhi School District 292, also spoke of the problems facing the rural schools. She said South Lemhi is a 4-star remote district with 2 school buildings 25 miles apart: one is 100 years old and one is about 55 years old. There are a total of 82 students from an area of 22 square miles. She noted the failure of the Propositions has left many districts in jeopardy. She also said **H 69** did not provide enough funding to meet the cumbersome, financial emergency conditions. She stated it is the Legislature's constitutional duty to maintain the system of public, free common schools and urged lawmakers to provide the much needed fiscal stability and the critical flexibility in teacher contracts and operational funds. **Christy Castro**, Troy School District, said his district had 317 students. He focused on the problems of low income students and the need to cut services and positions in the rural schools.

**Amy Pancheri, Sandra Merrick, Chris Stokes, Deb Foster, and Gail Chumbley** addressed the problem of keeping the best and brightest teachers in Idaho. They were concerned with class size, the demands on teachers, the low morale and the failure to champion the great things teachers do for children and the community. Ms. Chumbley and Mr. Stokes feared the adversarial position of teachers and management during bargaining. Ms. Merrick asked lawmakers to restore respect for teachers and prioritize children over politics. **John McCostie** said teachers, alongside students, should be given funding priority and that equality of opportunity is a basic public responsibility. He asked the committees to abide by the November election mandate.

**Spencer Larson**, Butte County, spoke of the dwindling tax base. **Karen Pyron**, Superintendent Mackay School District 182, **Scott Rogers**, Minidoka County Joint School District 331, **Ron Perrenoud**, Superintendent and 2-8 Principal Ririe School District 252, and **Tammy Stevens**, Trustee Minidoka School District asked Legislators to review the tax structure and provide adequate school funding. She said technology was vital for poorer populations and districts. Supt. Pyron supports 21st Century technology and said pay for performance has been a success in her district. She testified her support for all ISBA bills, especially **H 69**, Reduction in Force, and "use it or lose it." She said equity in funding is partially achieved by providing local flexibility; but, there needed to be some form of equity in the tax base. She cited the local taxing abilities and agreed with **Dallas Clinger** and **Christy Castro** stating the loss of business personal property tax would put a burden on school districts.

**Dave Wagers, Scott Thomson, Dan Nicklay, Kelly Trudeau, Amber Scott Wilson, Allen Millar, Luda Miller, Heather Dennis and Troy Schultz** represented Idaho Charter Schools. They testified that Idaho Charter Schools have been award winning, but at a disadvantage without equal unit funding, without facilities funding, and with no ability to levy taxes. Mr. Wagers said he sees the charter school as an unsustainable business model. Ms. Trudeau said the charter school gives choice to parents whose children have different learning styles. She added charter schools cannot receive property taxes, only entitlement funds. The Albertson's Foundation and other benefactors were given credit for their contributions to keep some charter schools open.

**Jerry Helgeson** described his discussion with a Bosnian student. He told the committees that other countries have different ways of accomplishing student achievement. He asked for collaboration to continue and quoting President John F. Kennedy, he told the committee: "We choose to become a leader in education change, not because it is easy but because it is hard." **Cherri Sabala**, Northwest Professional Educators (NPE), said from a survey of NPE, most of the educators support increased access to technology but do not support mandated online classes. She added that 61 percent of her organization does not support the policy retaining teachers solely on the basis of seniority and 91 percent support requiring a local association representative during contract negotiations. She did not support on-line schooling.

**Gloria Tortoriquena**, iSchool Campus, explained the importance of technology and suggested the use of pilot programs as a way of reducing wasteful spending in redundancy.

**Brian Duncan**, Minidoka County Joint School District 331, said he favored Propositions 1, 2, and 3. Mr. Duncan noted good management practices have to be separated from personal relationships. **Todd Wells**, Castleford School District Trustee, said teacher negotiations within the terms of the repealed propositions had been civil and more fiscally healthy for the district. **Supt. Scott Rogers**, Minidoka County Joint School District 331, told the committees the funding of schools at an adequate level does not mean that you are funding the status quo. He said schools are eager to implement technology, maintain higher learning standards, and reward good teachers. He told the committee when finances become scarce, energy is placed on survival, not change. He asked that "use it or lose it" be removed from school funding policy. He said reforms will benefit all stakeholders.

**Ryan Kerby**, Superintendent of New Plymouth School District 372, and **Galen Smyer**, Superintendent, Cassia County Joint School District 151, told of their success implementing the Common Core. They agreed that districts must have control of the funds and the adjusting of salaries. **Joseph Kren**, Superintendent, St. Maries Joint School District 41, explained the challenge of running a supplemental levy with declining enrollment. He said operational expenses do not go down. He asked for adequate funding.

**Laurie Kiester** told the committee she had spent several years researching school structure and achievement studying education in countries like Finland. She said she had formulated an educational plan and said she would like to present it before the education committees.

**ADJOURN:**

There being no further business to come before the joint committees, the meeting adjourned at 6:01 p.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Monday, February 11, 2013**

SUBJECT	DESCRIPTION	PRESENTER
	Idaho Education Network	Julie Best, Communications Director
	Division of Professional-Technical Education	Todd Schwarz, Administrator
	Budget Discussion Introduction	Rep. DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 11, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/  
EXCUSED:** None  
**GUESTS:** Richard Ledington, Division of Professional-Technical Education; Vera McCrink, Division of Professional-Technical Education; Kristin Magruder, Idaho Education Network; Julie Best, Idaho Education Network; Roger DeMordaunt; Gary Zedum, Idaho Education Network; Camille Wells, State Department of Education; Brady Kraft, Idaho Education Network; Harold Ott, Idaho Rural Schools Association; Phil Homer, Idaho Association of School Administrators; Clark Corbin, Idaho Ed News; Marilyn Whitney, State Board of Education; Karen Echeverria, Idaho School Boards Association; Bert Marley, Idaho Education Association; Jane Wittmeyer, Coalitia; Jim Stoor, Idaho School Boards Association; Jason Hancock, State Department of Education

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**Julie Best**, Communications Director, Idaho Education Network (IEN), presented the Idaho Education Network by giving an example of how it works within Homedale High School. Homedale High School had a need for an advanced level math teacher and she explained how IEN helped to set up a 'receive room' so that students could take an advanced math class taught by a teacher from a different location. She noted the amount of trained users and teachers that have been through the IEN training program for blended interactive digital learning. She gave the accomplishments in dual credit courses, student completion rate, credits awarded and tuition savings gained. She explained IEN is much more than teleconferencing and outlined how they help with bandwidth utilization. She said with student use continuing to grow, bandwidth utilization has increased. In the future, she explained IEN will add more subjects to their interactive digital learning classes to include a virtual cadaver session.

**Ms. Best** explained the quarterly report for IEN gives a good overview of what they are doing now in the last quarter. She said the connectivity report shows all the districts in the state and the bandwidth each one uses. She stated this information is also posted to their website.

In response to questions, **Ms. Best** explained that every school in the state is connected to the bandwidth with one exception; Valley School District in Hazelton. She said every school has at least one teleconferencing unit. She explained that scheduling can be a problem, but the creation of consortiums and common schedules have helped. She said no one is currently pursuing or using on-demand type courses. In regards to questions about class size she explained that there can be up to four locations connected at one time. She said teachers will be the ones to decide what numbers they can handle, IEN will not set class size limits.

When asked about funding, **Ms. Best** responded by saying money is not changing hands. She explained that some schools charge a small fee for paper and photocopying, other courses are being offered on an exchange basis and others are just great citizens helping out students. She explained the Albertson study in which the funds stay with the student would certainly benefit the adoption of more of these exchange of classes. She said the online credit requirements helped increase an interest in coming up with a funding solution. She explained that the savings in tuition shown was per credit based on a part time student, that did not include what the state of Idaho saved.

**Brady Kraft**, Technical Director, Idaho Education Network (IEN), explained the wireless capabilities in the state. He explained they did a background study on the first third of school districts that received wireless and the majority of them had adequate infrastructure in place to connect with IEN. He said most of the schools have made some attempts to make wireless deployments. He explained how IEN is more cost efficient than other states by providing less bandwidth and monitoring the actual consumption and adjusting accordingly. He said this saves them from paying for bandwidth that is not used.

**Todd Schwarz**, State Administrator, Idaho Division of Professional-Technical Education (PTE) explained the history and background information on PTE. He said their primary goal is to prepare the youth and adults in Idaho to have the necessary skills for the current workforce environment. He said one of the challenges they face is lack of understanding. He explained PTE is an agency of the State Board of Education. This helps ensure the quality of their program to provide Idaho a highly skilled workforce directly lined with industry expectations. He said PTE works to provide valuable occupational skills through hands-on applied learning to those that do not go on to college, but they are finding that more people that complete their programs have gone on to higher education. He explained PTE's post-secondary programs to include the workforce training network which involves apprenticeships and custom and workforce training. He reviewed the projected education and job distribution needs for 2018. He said they need to work to focus their resources, better integrate business and industry into instruction, and align opportunity and education.

**Mr. Schwarz** responded to questions regarding the statistic that shows the majority of jobs requiring less than a four year degree as current and consistent to what the market demands. In regards to the possibility of making revenue, he cautioned the need to be sensitive when competing with private sector programs. He explained most of the training and education is done on a cash flow basis.

**Chairman DeMordaunt** reviewed the Public Schools Support Program Budget. He explained the budget chart for this year and the Governor and Superintendent Luna's recommendations for next year. He explained that he will make recommendations in terms of education on behalf of the Committee to JFAC. He asked the Committee review this budget and be prepared to discuss it on Wednesday.

**ADJOURN:**

There being no further business to come before the Committee, the meeting was adjourned at 10:08 a.m.

---

Representative DeMordaunt  
Chair

---

Jackie Wright  
Secretary



**AMENDED AGENDA**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room WW02**  
**Tuesday, February 12, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS21955</u></a>	Licensed Cosmetology as Post Secondary Schools	Kris Ellis, Benton, Ellis & Associates
	Idaho School Boards Association: Update	Anne Ritter, President
<a href="#"><u>RS21993</u></a>	Electronic Delivery of Standard Contracts; Setting Dates Certain for Employment	Karen Echeverria, Director, Idaho School Boards Assn
<a href="#"><u>RS21994</u></a>	Electronic Delivery of Standard Contracts; Setting Dates Certain for Employment	Karen Echeverria, Director, Idaho School Boards Assn
<a href="#"><u>RS21996</u></a>	Relating to Reduction in Professional Staff	Karen Echeverria, Director, Idaho School Boards Assn

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, February 12, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room WW02

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** The sign-in sheet will be retained in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

**Chairman DeMordaunt** called the meeting to order at 9:04 a.m.

**MOTION:** **Rep. Agidius** made a motion to approve the minutes of February 6 and 7, 2013 with the following correction to February 7, page 1, paragraph 7, President Nellis's first name should be "Dwayne" and not "Wayne". **Motion carried by voice vote.**

**RS 21955:** **Kris Ellis**, representing Northwest Career Colleges Federation and the Cosmetology School Owners Association, explained **RS 21955** was necessary to meet changes in federal rules. She said the cosmetology schools have to be defined as post secondary schools and must be licensed, by name, by the state board of cosmetology. She noted the schools could only admit, as regular students, individuals who meet the requirement of Idaho Code 54-805. She also explained that there was an emergency clause in the proposed legislation.

Responding to a question from the committee regarding objections from the cosmetology industry, **Ms. Ellis** said there had been none. She related a previous attempt at satisfying the federal rules with a letter of explanation to the US Department of Education, but the federal agency required legislation.

**MOTION:** **Rep. Nielsen** made a motion to introduce **RS 21955**.  
In response to questions from the committee, **Ms. Ellis** said some of the proprietary schools have been made post secondary. She said if they are not compliant, they take steps to come into compliance with federal rules. She related that if the committee were to receive more requests for post secondary status from proprietary schools, there would not be many. To a question regarding the result of not passing the proposed legislation, Ms. Ellis noted the Title IV funding for those schools could end.

**VOTE ON  
MOTION:** **Chairman DeMordaunt** called for a vote on the motion to introduce **RS 21955**. **Motion carried by voice vote.**

**Anne Ritter**, President, Idaho School Boards Association (ISBA) and Trustee in Joint School District No. 2, Meridian, explained discretionary funding, distribution factor and entitlement revenue. She spoke of the hardships of districts trying to do more with less funding. She related the challenges of covering the costs of classified staff, personnel benefits, school supplies and other line item expenditures from discretionary funds. She said the issues facing school districts were critical and urged lawmakers to take steps to improve the financial health of struggling school districts.

**Chairman DeMordaunt** asked for the clarification of "unit" as used in school funding. **Ms. Ritter** said it is a classroom unit. Larger schools receive fewer funds per student than do smaller schools.

**RS 21993:** **Karen Echeverria**, Director, ISBA presented **RS 21993**. She explained the purpose of the proposed legislation would change to electronic mailing of teacher contracts if the employee has not responded by a certain date and to an additional US Post Office mailing,

Responding to a question from the committee, **Ms. Echeverria** said the Idaho Education Association (IEA) was not in opposition to this proposal.

**Rep. Agidius** moved to introduce **RS 21993**. **Motion carried by voice vote.**

**RS 21994:** **Ms. Echeverria**, presented **RS 21994** to the committee. She said this would give school districts the opportunity to finalize negotiations with school personnel prior to the conclusion of the annual budgeting process. She noted if there was an impasse during negotiations the school district was able to give a "last, best offer."

Responding to a question from the committee, **Ms. Echeverria** said the IEA was not in favor of this proposal.

**Chairman DeMordaunt** made a clarification, stating the IEA did support splitting the language of the proposed legislation into two bills and had introduced those RS's into the Senate.

**Ms. Echeverria**, in response to questions from the committee, said the language in the RS was taken from Proposition 1. She said during the two years that Proposition 1 was in place, it worked well. The districts were able to complete negotiations by June 4th. She noted that 20 school boards imposed the "last, best offer" and the Idaho School Board Association reported negotiations were mostly positive. To answer a question regarding those polled by the ISBA, she said the surveys had been sent to all the superintendents in the state. In regard to a question from the committee asking if salary and benefits were all that was negotiable under the proposed legislation, **Ms. Echeverria** said that was correct.

**MOTION:** **Rep. Nielsen** made a motion to introduce **RS 21994**. **Motion carried by voice vote. Reps. Pence, Kloc and Ward-Engelking** requested that they be recorded as voting **NAY**.

**RS 21996:** **Ms. Echeverria** presented **RS 21996** which would provide for public school districts and public charter schools, when faced with the need to reduce professional personnel, to do so without incurring additional costs and expenses.

In response to a question from the committee, **Ms. Echeverria** said the IEA did not endorse the proposed legislation although much of the proposed legislation bears identical language to IEA's platform. She said the IEA did not want the performance evaluation to be the deciding factor when there was a reduction in staff.

**MOTION:** **Rep. Bateman** made a motion to introduce **RS 21996**. **Motion carried by voice vote. Reps. Pence, Kloc and Ward-Engelking** requested that they be recorded as voting **NAY**.

**Rep. Nielsen** clarified the implication of the emergency clause in each piece of proposed legislation. He said as the legislation passes the House and Senate and is signed by the Governor, it immediately becomes law.

**ADJOURN:**      There being no further business to come before the committee, the meeting adjourned at 9:42 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW42**  
**Wednesday, February 13, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
	<u>Boise State University Report</u>	Dr. Bob Kustra, President
	<u>Measures of Effective Teaching (MET) Report</u> -Video conferencing from Harvard Graduate School of Education	Dr. Thomas Kane
	<u>Committee Budget Discussion</u>	

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, February 13, 2013  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW42  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/  
EXCUSED:** None.  
**GUESTS:** Harold Ott, Idaho Rural Schools Association; Camille Wells, State Department of Education; Phil Homer and Rob Winslow, Idaho Association of School Administrators; Bert Morley, Idaho Education Association; Marilyn Whitney, State Board of Education

**Chairman DeMordaunt** called the meeting to order at 9:02 a.m.

**Dr. Bob Kustra**, President, Boise State University (BSU), explained the growth and change at Boise State. He related the progress in providing additional space on campus with the addition of the Micron Business and Technology Building as well as the student parking garage. Future buildings will include the Arts and Humanities Institute and the Physical and Material Science buildings. He said BSU will be adding more doctoral level programs, expanding its Computer Science program, and increasing efforts in the online arena. He noted BSU has met the goal of 60 percent degree output and is changing from a commuter/part-time culture to an on-campus culture.

**Dr. Kustra** explained BSU's partnerships with industry and with the Governor's IGEM initiative. He also explained the problems of Equity and Enrollment Workload Adjustment (EWA). He said the EWA calculation is directed toward each institution and does not include any adjustments for unfunded years which creates a disparity in funding per student over time. He expressed his concern of no mechanism in the higher education funding formula to ensure past year's growth is covered before current year's funding proceeds. He reviewed the Governor's recommendation for EWA funding and the impact on BSU.

**Dr. Kustra** told the committee Idaho's colleges and universities are the only major General Fund budget receiving less state funding today than it did 10 years ago. He added the average per person dollars in the Medicaid and correctional systems are now more than the average per student dollars in the K-12 and higher education systems. He said the economic benefits of postsecondary degrees produce exponential economic growth through tax revenue, and through less drain on government entitlement programs.

Responding to questions from the committee, **Dr. Kustra** said the University of Idaho and community colleges "optionally" utilize state support services, while BSU and other Idaho colleges are incumbered because they were created after the Idaho Constitution was written, requiring them to utilize state support services. They would like optional access to state support services. Referencing performance funding criteria, he said they would use metrics, productivity, number of dollars for student funding, and how well students are moved through the system. Although colleges and universities are in support of performance funding, he said the metrics are complicated.

In response to a question pertaining to the BSU's debt, **Dr. Kustra** discussed the significant construction, the bond pool and the ability of BSU to attract private donors. He said the operating budget is the challenge.

**Dr. Thomas Kane**, Deputy Director of Research and Data, presented findings of the Measures of Effective Teaching (MET) Study via live video conference from Harvard Graduate School of Education. Funded by the Bill and Melinda Gates Foundation, this three-year study began with the premise that some teachers perform better than others; some of the differences in teacher effectiveness are measurable; and that new teachers tend to have a one to two year learning curve. What MET suggests is that the United States is not going to see a dramatic change in student test scores unless a change in teaching takes place, and teaching cannot change without feedback from and for teachers. Dr. Kane noted teachers today receive very little valuable feedback.

**Dr. Kane** stated that the MET project was unique because of (1) the variety of indicators tested: five instruments for classroom observation, the student survey, and value-added on state tests; (2) its scale: 3,000 teachers, 22,500 observation scores, 900+ trained observers, 44,500 students completing surveys and supplement assessments in year one, 3,120 additional observations by principals and/or peer observers in Hillsborough County, FL; and (3) the variety of student outcomes studied, gains on state math and English language arts test scores, gains on supplemental tests, and student-reported outcomes (effort and enjoyment in class). Dr. Kane reviewed in depth how the study was conducted.

**Dr. Kane** summarized some of the key findings of the study (1) When assigned randomly, teachers perform consistent with their pre-study results. This finding suggests that teacher effectiveness, not student demographics, determines achievement outcome. (2) Students can discern the effectiveness between teachers. (3) Student survey models should be well-researched and tested. The MET student surveys were based on the Danielson model. (4) Reliability means obtaining the same score no matter which day is observed, or which observer participates. (5) Reliability is maximized by numerous samples. (6) Student surveys are more reliable than observational measures.

In response to a question from the committee, **Dr. Kane** said after watching videos of teacher performance in the classroom, either those chosen by the teacher as the one to observe, or those not chosen by the teacher as the video which he/she wanted the observer to watch, the performance evaluation was the same. He noted those who struggle during announced observations, struggle during unannounced observations. Responding to an additional question, Dr. Kane stated that the Gates Foundation was working on a separate report regarding the cost of the process of conducting the teacher evaluation. He said the Hillsborough County evaluation cost about one and one-half percent of payroll. He also related the value, of measuring effective teachers, comes when teachers learn to access their own strengths and weaknesses. Administrators can then gear teacher development to those weaknesses.

Responding to further questions from the committee, **Dr. Kane** explained the value of the baseline test scores (end-of-course scores) in predicting good teachers. He also cautioned tempting the teacher to teach to the test. He said there is plenty of evidence for teachers learning on the job, but eventually that learning curve flattens and needs professional development support. He said there is no "perfect picture" of what a masterful teacher looks like. Dr. Kane told the committee, the masterful strategies must be present in classroom teaching, but there has to be room left for individual creativity.

**Chairman DeMordaunt** led a budget discussion prior to his recommendations to the Joint Finance and Appropriations Committee. The committee suggestions centered around the use of the Education Reform Funding's \$33.9 million left untouched after the defeat of Propositions 1, 2, and 3. The committee supported funding for implementation of the Common Core, funding for technology, and monies for well-targeted professional development. Some legislators agreed school districts needed additional discretionary funds. It was suggested there be a reserve fund, and early retirement incentives be eliminated. There was support for raising the minimum teacher salary and for funding "pay for performance" with local district distribution. It was also suggested the Legislature review enrollment workload adjustment versus performance funding within higher education. The committee supported "use it or lose it". (See attached.)

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:45 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary



**AMENDED AGENDA #2**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Thursday, February 14, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>H 65</u></a>	Setting of Budgets for School Districts	Rep. DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, February 14, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None

**GUESTS:** Rob Winslow, Idaho Association of School Administrators; Karen Echeverria, Idaho School Boards Association; Harold Ott, Idaho Rural Schools Association

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of February 5, 2013. **Motion carried by voice vote.**

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of 9:00 a.m., February 11, 2013. **Motion carried by voice vote.**

**H 65:** **Chairman DeMordaunt** explained that as a result of the repeal of the Students Come First Legislation, Public Schools would receive less money in FY13 than was originally appropriated. This legislation recommends the allowance of this funding to flow to the Public Schools at the expectations prior to the repeal. He explained each line item in the fiscal note on the statement of purpose. He noted the Pay for Performance line had already been committed and paid. The difference in the Technology & Professional Development line comes from the addition of the Mobile Computing Devices line. Regarding the National Board Certified line, the money was not in the original budget, the repeal brought it back and this legislation allows it to continue, as it was thought to be beneficial to teachers.

**Chairman DeMordaunt** explained the language changes to the legislation. He stated the stricken language from the Experience and Education Multiplier section would unfreeze teacher grid movement who received higher education in FY10 and qualified for earnings based on that higher education in FY11. He explained the Online Portal section is limited to Idaho schools and curriculum and will provide a clearinghouse of information for parents and students.

In response to questions regarding the funding for dual credit, **Chairman DeMordaunt** said it provides funds for early completers only. He explained this will meet the expectations that were already set. He explained the technology clearinghouse will allow parents and students to view a ratings system of classes. He explained the funding for the 5th Factor affects the allocation of the salary area of the budget and is calculated using the classroom support units. He said it was unique to FY13 and is not ongoing. He clarified the monies used to expand wireless technology will serve high schools, specifically to focus on a wireless gap study to determine technology needs.

**Jason Hancock**, Deputy Chief of Staff, State Superintendent's Office, Idaho Department of Education, clarified the stricken language from the Experience and Education Multiplier section. He said when this language was put into place during the 2010 Legislature it was setting the FY11 budget as an ongoing reduction to prevent people from moving over. He said it was only in place for one year but the repeal brought it back. If this language is kept in the legislation, he explained, they would need to figure out which credits teachers have, when they got them and freeze them on the grid not allowing them to earn based on their education level. He explained it applies to those who received degrees in FY10 and wanted recognition in FY11, it has no impact on people earning degrees now or in the future.

The committee expressed positive comments regarding this legislation.

**MOTION:** **Rep. Ward-Engelking** made a motion to send **H 65** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Chairman DeMordaunt** will sponsor the bill on the floor.

**Chairman DeMordaunt** recognized the service of Legislative Page **Rebecca Failing**, who has been assigned to the committee for the first half of the session.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 9:43 a.m.

---

Representative DeMordaunt  
Chair

---

Jackie Wright  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Monday, February 18, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 177</a>	College Savings Program	Rep. Lynn Luker
<a href="#">H 163</a>	Electronic and US Postal Delivery of Contracts	Karen Echeverria, Director, Idaho School Boards Assn
<a href="#">S 1027</a>	State Scholarship Programs	Marilyn Whitney, Chief Communications and Legislative Officer, Idaho State Board of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 18, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Rep. Doyle

**GUESTS:** Kevin Jensen, College of Western Idaho; Curtis Eaton, Marilyn Whitney, Tracie Bent, and Mike Rush, State Board of Education; Karen Echeverria, Idaho School Board Association; Rob Winslow and Phil Homer, Idaho Association of School Administrators; Harold Ott, Idaho Rural Schools Association; Penni Cyr and Bert Marley, Idaho Education Association

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of February 12 and February 14, 2013 with the exception of deleting the word "session" on the motion approval line of the February 14 minutes. **Motion carried by voice vote.**

**H 177:** **Rep. Luker** explained **H 177** was brought to the committee by way of the treasurer's office regarding the Idaho College Savings Plan, the 529 Program. He said the Idaho College Savings Program Board would like some flexibility dealing with funds. Rep. Luker noted that much of the language had been stricken to bring clarity and to simplify the statute.

In response to a question regarding the support of all parties involved, **Rep. Luker** stated there had been no dissent. Regarding the discharging of staff and the savings to the 529 Program, Rep Luker deferred to **Jace Perry**, Investment Accountant, Office of the State Treasurer, Chairman of the Board for the Idaho College Savings Plan. He said the college savings program was pretty young and as those programs have gotten larger, the cost of the program has lowered, giving investors high yield. He explained the hiring of independent companies to administer the program. He noted with the proposed legislation, Idaho could look into running an "in house" program and/or partnering with established PERSI, discharging some of those companies. The benefit to the 529 Program would be the savings in administration of the program. He said there was currently \$250 million in savings; New York and Utah have the largest investment in college savings in the nation with a lower cost to the investor.

**Rep. Clow** invoked Rule 38 stating he has 529 Plans for his grandchildren, but he would be voting on the legislation.

To further questions from the committee, **Mr. Perry** explained partnering with PERSI would be through collaboration and not pooling of funds. Mr. Perry said the "board" is the Idaho College Savings Program Board which administers the 529 Program. He also said the board could expand the investment options. The proposed legislation is to make the statute easier to understand and provide it at a lower cost.

**MOTION:** **Rep. Horman** made a motion to send **H 177** to the floor with a **DO PASS** recommendation.

Responding to further questions from the committee, **Mr. Perry** said there were 11,000 investors in the 529 Program. He said the competitive nature of the type of investment organization would act as a check to discourage building a bureaucracy within the state savings board and plan administration. He noted it would be difficult to reduce costs to those of New York and Utah. He said the proposed legislation could cut the present costs by 50 percent.

**VOTE ON  
MOTION:**

**Chairman DeMordaunt** called for the vote on the motion. **Motion carried by voice vote. Rep. Luker** will sponsor the bill on the floor.

**H 163:**

**Karen Echeverria**, Director, Idaho School Boards Association, presented **H 163** to the committee. She explained the legislation would change contract delivery to electronic mailing of teacher contracts if the employee has not responded by a certain date, and to an additional US Post Office mailing if the deadline was not met.

**Penny Cyr**, President, Idaho Education Association, stated the IEA had agreed upon the legislation.

**MOTION:**

**Rep. Kloc** made a motion to send **H 163** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Horman** will sponsor the bill on the floor.

**S 1027:**

**Marilyn Whitney**, Chief Communications and Legislative Affairs Officer, Idaho State Board of Education, presented **S 1027** to the committee. She explained the legislation adds to and amends existing law relating to education scholarships. It establishes the Idaho Opportunity Scholarship Program, and provides for the Opportunity Scholarship Program account. It will also provide for an evaluation and establish provisions relating to scholarship program reporting requirements. Ms. Whitney said six previously offered scholarships had been channeled into one.

Responding to questions from the committee, **Ms. Whitney** explained the bill would not provide loan forgiveness for nurses and teachers. She said, after careful study, the scholarship programs committee determined that it was a better use of state funds to redirect funding to a hybrid scholarship that addressed both student need and merit and supports the state's 60 percent completion goal. She noted that instead of giving some 7,000 students smaller scholarships of \$200-\$400. The scholarship recipients could receive as much as \$2,000. She explained the Idaho Opportunity Scholarship would be based 70 percent on economic need and 30 percent on merit. The recipient would have to have a 2.5 GPA to apply, and students could keep the scholarship throughout their college career. After the first year, the scholarship will be renewed for another year if the student meets performance measures including maintaining a 2.5 GPA and completing a minimum number of credits.

**Ms. Whitney**, responding to additional questions from the committee, stated most institution scholarships are merit based. She told the committee a report developed by the University of Idaho shows that of the scholarships granted by the public higher education institutions, \$18.2 million is given in merit based aid, while \$4.3 million is given in need based aid.

**Curtis Eaton**, Special Assistant to the President, College of Idaho, explained that the scholarship modifications were completed under the guidelines and research data supplied by the Western Interstate Commission for Higher Education (WICHE). He said the key focus of the program is to provide students incentives to continue with their education. He said in previous years, the small amount of scholarship monies would get high school graduates into college but was not enough to help them finish. He added that most of Idaho's middle class are closer to the poverty level, which brings those students into the need based range. He also said federal guidelines will not apply to the Idaho Opportunity Scholarship, but "shared responsibilities" is being added to all scholarship requirements, both state and federal.

**Kevin Jensen**, Financial Advisor, College of Western Idaho, told the committee the Rules governing the change in Idaho Code pertaining to the Idaho Opportunity Scholarship are still being drafted.

**MOTION:** **Rep. Clow** made a motion to send **S 1027** to the floor with a **DO PASS** recommendation.

**Rep. Horman** said she would support the legislation to go to the floor, but stated she may oppose the bill on the floor. **Rep. Nielsen** opposed the bill stating that a 2.5 GPA was not a sufficient measurement for predicting student success. **Chairman De Mordaunt** said the Rules should "shed light" on the details of the scholarship.

**VOTE ON MOTION:** **Chairman DeMordaunt** called for a vote on the motion. **Motion carried by voice vote.** **Reps. Neilson** and **Harris** requested that they be recorded as voting **NAY**. **Rep. Clow** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:31 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Tuesday, February 19, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1028</u></a>	Ending Pilot Phase for Mastery Advancement Program  <u>Charter School Facilities Study</u> -Jim Griffin, Executive Director, Colorado League of Charter Schools	Sen. Thayn

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)



MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, February 19, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Rep. Bateman

**GUESTS:** Hannah Crumrine, Senior Performance Evaluator at Office of Performance Evaluations; Harold Ott, Idaho Rural School Association; Phil Homer, Idaho Association of School Administration; Marilyn Whitney, State Board of Education; Tamara Baysinger, Director at Idaho Public Charter School Commission

**Chairman DeMordaunt** called the meeting to order at 9:02 p.m.

**Chairman DeMordaunt** welcomed Legislative Page **Christina Nelson**, who will serve the committee for the second half of the session.

**Rep. Kloc** made a motion to approve the minutes of February 11, 2013, 4:00 p.m. "listening" session. **Motion carried by voice vote.**

**S 1028:** **Sen. Thayn** explained **S 1028** to the committee. He said the bill would end the pilot phase for the Mastery Advancement Program (MAP) removing the sunset clause. He noted that the program will permit students in Idaho public schools, including Idaho public charter schools, to successfully proceed through school curriculum at their own pace. He explained the savings to the General Fund when students graduate early. He also explained that students are given 35 percent of the savings as a scholarship if they attend in-state institutions. To date, \$40,000 has gone to students in the form of scholarships and \$90,000 has gone to the participating school districts.

**Sen. Durst** explained students use the MAP program for different reasons. He said they may be tired of high school, or the students may really like taking dual credits and/or accelerated classes. He noted the sunset clause made some districts apprehensive to be involved.

Responding to questions from the committee, **Sen. Thayn** said, if a student graduated his/her junior year, the school district still gets a percentage of the ADA during, or what would have been, the student's senior year. They said the MAP bill was previously passed, however, the sunset clause and broadening student opportunity for all high schools is contained in **S 1028**.

**MOTION:** **Rep. VanOrden** made a motion to send **S 1028** to the floor with a **DO PASS** recommendation.

In response to questions from the committee, **Sen. Durst** said students who do not go immediately into college from early graduation, still have access to the scholarship when they decide to attend. He said students have to meet the qualifications in order to graduate early. **Sen. Thayn** noted there has only been one student in the program's history who has graduated from high school in two years.

**VOTE ON  
MOTION:** **Chairman DeMordaunt** called for a vote on the motion to send **S 1028** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Horman** will sponsor the bill on the floor.

**Jim Griffin**, Colorado League of Charter Schools (CLCS), told the committee in 2007 there were 130 charter schools in Colorado. Together, they launched a Facilities Task Force whose goal was to advocate for removal of barriers to adequate and equitable access to public school facilities. The Task Force found that a key missing piece was reliable data on the condition and cost of charter school facilities. As a result, they developed a comprehensive survey. He said, with the data collected, they published a report which provided the Task Force with the necessary information to build its policy framework.

**Mr. Griffin** explained, CLCS went on to survey 9 more states. What the surveys found was charter schools spend between 2.8 percent and 13 percent of per pupil funding operating revenue on facilities, 13 percent being more typical. He said Idaho charter schools spend an average of 10.7 percent of per pupil funding operating revenue on facilities, or \$542 per student. He also explained nationally, 5 of the 10 states studied do not permit charter schools access to local tax revenue, and only 10-24 percent of charter schools in the ten states surveyed meet grade level standards for overall square footage per student. He added less than 50 percent of charters have an on-site kitchen facility. In Idaho, only 35 percent of charters had qualifying kitchens. He warned lawmakers that as Idaho charter schools grow, facility challenges may worsen. Mr. Griffin related the policy challenges which need to be addressed: (1) access to public space/local property tax revenue (i.e. revenue stream), (2) per pupil funding, (3) state grant programs that may be tied to facility repair and/or replacement, (4) a financing conduit, and (5) stability and security to attract credit lenders and credit enhancements.

Responding to questions from the committee, **Mr. Griffin** said, Colorado has done a variety of things to fill the funding gap. He addressed bond equalization and per pupil equalization. He stated the local school district has the taxing authority and charter schools are given what they have been authorized. He also said if a project specific bond levy passes in a district, the charter schools have access to it. He told the committee if charter schools close after a building has been bought, the charter is gone, the bond people look for a new tenant to make the best of their situation. He noted the building is usually inhabited by another school.

**Mr. Griffin**, in response to questions from the committee, said Colorado has 178 school districts, 50 have authorized charters; Denver has a large portfolio of charters. He added, superintendents manage the schools of the district. He told the committee that the preferences, or preferential treatment given to some subjects such as values training, is defined by the founding parents of the charter school.

**Tamara Baysinger**, Director at Idaho Public Charter School Commission, at the request of the committee, explained the circumstance behind the reported closing of the Di Vinci Charter School on February 22, 2013.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 10:36 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #2**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Thursday, February 21, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS22057</u></a>	Repeal of Education Credit Freeze	Jason Hancock, Deputy Chief of State, Dept. of Education
<a href="#"><u>RS22079</u></a>	State Support of Public Programs: Charter Schools	Jason Hancock, Deputy Chief of State, Dept. of Education
	Teacher of the Year	Katie Pemberton, Canfield Middle School, Coeur d'Alene
	North Idaho Consortium for Higher Education	Mark Browning, State Board of Education
	Northwest Professional Educators	Cindy Omlin, Executive Director

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, February 21, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Mark Browning, Marc Stewart, and Kathy Martin, North Idaho Consortium of Higher Education; Cindy Omlin, Executive Director, Northwest Professional Educators; Katie Pemberton, Teacher of the Year; Phil Homer, Idaho Association of School Administrators, Harold Ott, Idaho Rural Schools Association; Bert Marley, Idaho Education Association

**Chairman DeMordaunt** called the meeting to order at 9:00 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of February 13, 2013. **Motion carried by voice vote.**

**RS 22057:** **Jason Hancock**, Deputy Chief of Staff, Department of Education, explained the legislation dealt with the frozen movement on the state's funding grid for educator salaries for those educators who earned additional college credits applicable to FY11. He told the committee **S 1184** in 2011 previously repealed this freeze, however, with the repeal of **S 1184** through Proposition 3, reinstated the freeze. The proposed legislation reinstates the repeal of the freeze, which will allow school districts to receive full state funding for actual college credits earned by their professional educator employees.

**MOTION:** **Rep. Kloc** made a motion to introduce **RS 22057**. **Motion carried by voice vote.**

**RS 22079:** **Jason Hancock**, Deputy Chief of Staff, Department of Education, explained the legislation includes the financial components of the recommendations made by a group of stakeholders that met and examined Idaho Charter School Laws. The two recommendations with fiscal impact include a new requirement that charter schools pay an authorizer fee to the entity that authorized their charter and oversees their performance. He said the purpose of the authorizers fee is to help defray the cost of providing oversight, thus encouraging more school districts to act as authorizers for charter schools. He stated the second recommendation with a fiscal impact involves the creation of a state facilities funding stream for charter schools, since currently charter schools have no discrete, identified source of revenue to pay for their facility costs. He noted that charter schools must divert state funds intended for employee salaries and operating costs to pay for facilities.

**Mr. Hancock**, explained the state facilities funding created for charter schools by this legislation is pegged to a percentage of the average amount of facility levy funds being raised by school districts, on a per student basis. For FY14, the distribution would be equal to 20 percent of this amount. For FY15, this percentage would increase to 30 percent. After this, the percentage would increase or decrease in 10 percent increments, based on triggers built around the level of increase or decrease in the public schools appropriation. He clarified the percentage is limited to a low of 20 percent and a high of 50 percent. Mr. Hancock told the committee, the net fiscal impact will be approximately \$1.4 million in FY14 and \$2.1 million in FY15, and subject to adjustments up or down thereafter, depending on overall public school budget increases and decreases. He explained the legislation to be a reform of charter school education laws, thus it could be paid from the money identified for education reform. The dedicated authorizer funds received by the state could also allow for up to \$135,000 in additional oversight capacity for the Idaho Charter School Commission and the State Department of Education.

In response to questions from the committee regarding stakeholders involved in the process, **Mr. Hancock** said the Idaho School Administrators, the Idaho School Boards Association, the Idaho Commission of Charter Schools, the Coalition of Idaho Charter School Families, the State Department of Education and the Idaho Charter Schools Network. He explained that the calculation formula for the authorization fee was explained on the bottom of page 7 and the top of page 8 of **RS 22079**.

Responding to additional questions, **Mr. Hancock** indicated the path of facilities funding for the traditional public school district is to go to the voters and get a bond approved. They need to get a 2/3 majority vote. He said the legislation before the committee provides a dedicated funding stream for the charter school facilities, instead of having to carve 15-30 percent out of their state issued operational funds. He said charter schools are funded on the same formula, the same salary grid as other public schools, the only difference is the bond level equalization program. Charter schools cannot run bonds. He added the funds for charter schools come from the general fund and not from property tax.

To questions from the committee, **Mr. Hancock** said when a school passes a bond, the state receives some of those monies. However, the public schools in districts which are property poor can be given additional state assistance. He noted that virtual charter schools have a 50 percent equivalency reimbursement. He added that charter schools, who run buses, do get transportation funds. Charter schools can and do get donations, but they cannot get the same percentage rates from facilities lenders because they do not have a secure funding stream.

**MOTION:**

**Rep. Nielsen** made a motion to introduce **RS 22079**. **Motion carried by voice vote.**

**Katie Pemberton**, Teacher of the Year, Canfield Middle School, Coeur d'Alene, told the committee of her experience bringing her classroom from educational technology of the past and to the present. She wrote thousands of dollars worth of grants in order to bring her classroom to a 21st Century classroom. She said that each day her students are greeted at her classroom door with a hand shake, and smile because in Idaho we still believe in the value of a firm handshake and personal connection. She related her vision for Idaho schools which included a state wide weekly collaboration with teachers, teachers being asked to select the instructional technology they need to support 21st Century learning, while meeting all students needs. She said a quality evaluation system should be used to hold all teachers accountable while treating them like professionals. Ms. Pemberton told the committee of an experience related to her by the 2012 National Teacher of the Year, **Rebecca Nielowocki**. On her trip to China, Ms. Nielowocki indicated the teachers, whose students rank number one in test taking, wanted to know the

secret of American education. They wanted to know about teaching creativity, problem solving and confidence.

Responding to questions from the committee, **Ms. Pemberton** said she does not depend on the district, she writes grants to update the technology in her classroom. She stated that classroom management changes when students are working on laptops. She emphasized the need to use the programs which show constant monitoring of all students' screens and of being proactive in checking them. She related the interactive nature of her classroom, and the success with one-on-one instruction time. She said the Governor's Task Force, of which she is a part, is making excellent progress with broadening perspectives, and giving all stakeholders a voice.

**Mark Browning**, explained the North Idaho Consortium for Higher Education (NICHE) to the committee. He said it began in 1999 with North Idaho College, Lewis-Clark State College, and the University of Idaho. He said when the consortium received funding from the Idaho Legislature in 2002, Boise State University and Idaho State University were added to the consortium. He noted the group of higher education institutions work cooperatively to recruit, retain and facilitate student completion and success. They offer a full array of programs, degrees and certificates. Mr. Browning also noted the transfer of credits and articulation agreements between institutions.

**Mr. Browning** emphasized the success of North Idaho College's IDAHOGUES! Program as a focus program for keeping students engaged in Associates and 4-year degrees. In response to questions from the committee, Mr. Browning said the goal of the consortium is to keep students on the path to graduation, protecting the students from loss of credits as a result of changed majors. He said the consortium guides students to graduate from the college that can support and validate their credits and their career change. He stated the synergy in education is definitely in the professional technical field. He related the success of the professional technical high school that recently opened in North Idaho. It was planned for 250 students. One thousand applications were received the first year. It is now running two shifts of 500 students daily.

**Cindy Omlin**, Northwest Professional Educators (NPE), related her experience working with the teacher's union as a speech-language pathologist in Spokane, Washington. She said she challenged the amount of dues and the compulsory fees paid by the teachers. She represented 300 teachers in a class action lawsuit against the Washington Education Association. After she gained legal and financial assistance of the National Right to Work Legal Defense Foundation, she was able to win the lawsuit on the basis of free speech. She helped in creating the Northwest Professional Educators in 2001, partnering with the Association of American Educators (AAE), a national nonprofit, nonunion organization with members in all 50 states. She explained the beliefs and mission of the organization as well as the problems facing the non-union teachers. She asked lawmakers to consider a bill that will require districts to provide teachers with a state-produced register of education associations providing legal/liability services, and equal access for both union and non-union associations.

In response to questions from the committee, **Ms. Omlin** said 700 teachers belong to NPE in Idaho and the organization is affiliated with the AAE, their national association. She also stated NPE, although not aligned politically, does speak out on legislation affecting teachers and students. On a membership survey, 75 percent of member respondents must agree with a position before NPE advocates or opposes an education issue.

**ADJOURN:**      There being no further business to come before the committee, the meeting adjourned at 10:32 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #2**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Monday, February 25, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS22075</u></a>	Issuance of School Bonds	Rep. Wendy Horman
<a href="#"><u>H 205</u></a>	Repeal of Education Credit Freeze	Jason Hancock, Deputy Chief of State, Dept. of Education
	Battelle for Kids "Advancing Student Growth and Educator Effectiveness"	Jim Mahoney, Executive Director, Battelle for Kids Nadja Young, Education Specialist, SAS EVAAS ® for K - 12

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)



MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, February 25, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative(s) Boyle, Gestrin

**GUESTS:** Charlott Merritt, Rita Wood, and Cordelia Koelsch, United Methodist Women; Phil Homer and Rob Winslow, Idaho Association of School Administrators; Harold Ott, Idaho Rural Schools Association; Nick Miller and Eric Heringer, School Districts; Rich Bauscher, Middleton School District; Marilyn Whitney, Jason Hancock, Nancy Price, and T. J. Bliss, State Department of Education; Jane Whittmeyer, Coalition of Idaho Charter School Families, Inc.; Joni Pace, citizen.

**Chairman DeMordaunt** called the meeting to order at 9:00 a.m.

**RS 22075:** **Rep. Horman** presented **RS 22075** to the committee. She explained that a number of provisions in the Idaho Code governing issuance of school bonds need to be updated, modernized and made consistent. The proposed legislation eliminates obsolete provisions. It also replaces vague language with objective measures of when a school district's bond amortization plan requires the approval of the State Superintendent of Public Instruction. She said the legislation, in addition, would change the limit bond amortization from 20 years to no more than 30 years.

**MOTION:** **Rep. Shepherd** made a motion to introduced **RS 22075. Motion carried by voice vote.**

**H 205:** **Jason Hancock**, Deputy Chief of Staff, Department of Education, explained the legislation dealt with the frozen movement on the state's funding grid for educator salaries for those educators who earned additional college credits applicable to FY11. He told the committee **S 1184** in 2011 previously repealed this freeze, however, with the repeal of **S 1184** through Proposition 3, the freeze was reinstated. The legislation repeals the freeze, which will allow school districts to receive full state funding for actual college credits earned by their professional educator employees.

**MOTION:** **Rep. VanOrden** made a motion to send **H 205** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Ward-Engelking** will sponsor the bill on the floor.

**Dr. James W. Mahoney**, Executive Director of Battelle for Kids, Columbus, Ohio, explained to the committee that Battelle is a national, not-for-profit organization that provides strategic counsel and solutions to address complex educational-improvement challenges. He told the committee that 25 percent of the nation's populations is kids, but 100 percent of the future depends on these kids. Dr. Mahoney said he has partnered with state departments of education, school districts and education-focused organizations to advance these strategies with the shared goals of improving teaching effectiveness and student progress.

**Nadja Young**, Education Specialist, SAS Education Value-Added Assessment System (EVAAS) for K-12, explained the research of **Dr. William Sanders**, who began research in 1982. He discovered measuring student growth was complex if it was to be done reliably. He also discovered that different teachers and schools had a large impact on the amount of growth students made. Ms. Young said, Dr. Sanders, a Knoxville, Tennessee professor, initiated statewide district reporting in 1993, statewide school reporting in 1994, and statewide teacher reporting in 1996. She said that 20 years later, EVAAS has expanded to 2,000 districts, 25 states and over 6.7 million students.

**Ms. Young** showed the progress of socioeconomic disadvantaged students on several charts. She pointed to the benefits of the robust EVAAS Approach. (A copy of the charts will be in the Committee Secretary's Office until the end of the session. Following the end of the session, this will be filed with the minutes in the Legislative Services Library.)

Responding to questions from the committee, **Dr. Mahoney** said the resources needed would be web reporting and bringing rural schools together for a single point of communication. **Ms. Young** stated they need the internet connection. Regarding the cost of the Battelle for Kids and the SAS Programs, Dr. Mahoney said the smaller schools come together in a collaborative effort making it more affordable. It can be proportionately shared or it could be cost per student. He also said in regard to measuring teachers, they put teachers with complimentary skills working together. Their programs also rely on mentorship, and the data showing where kids are making extraordinary gains. With that data, they are able to determine the circumstances and teacher instruction strategies which prompted that gain.

In response to a question from the committee, **John Hussey**, Chief Strategy Officer, Battelle for Kids, said when their company goes into a school they work to win the hearts and minds of the people. They do capacity building and teacher development. They do not put teacher performance on a observation scale, they help teachers learn strategies and improve.

To answer another questions from the committee, **Ms. Young** stated there were limitations to any value model. She said they have collaboratives of teachers in the arts, science and social sciences, not just math and language arts. She added the SAS Program does as much data collection as possible, and often teachers will look at the data and immediately know what strategies are needed to improve student learning. Ms. Young noted the goal was to get more than expected performance.

**Dr. Mahoney**, in answer to a question from the committee, said the status of a teacher should not depend on who you teach, but what you do with who you teach. Each teacher should be taking kids from where he/she finds them, and take them to where they need to be. He related the findings of his research of "looping," a strategy used in Finland. He said it can be dangerous, and depends on who you "loop" with, if the practice is effective. He told lawmakers the success of a program lies in trust building, data collection and team collaboration using best practices.

In regard to moving teachers around the districts so a struggling teacher might be mentored by a superior principal, **Ms. Young** said in North Carolina some schools received federal grant monies to give incentives encouraging effective teachers to transfer into schools with reportedly lower student achievement. She said there had been cases where bus loads of teachers from underachieving schools have gone to high achieving schools to learn best practices and better strategies. She also said meritorious pay can act as an incentive for teachers.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:00 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #4**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Tuesday, February 26, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS22102C1</u></a>	Charter School Governance	Jessica Harrison, Director of Policy and Government Affairs, Idaho School Boards Association
<a href="#"><u>H 206</u></a>	Facilities Funding for Charter Schools	Jason Hancock, Deputy Chief of Staff, Dept. of Education
	Subcommittee Report on Rules	Reps. Bateman and Shepherd
	<b>Department of Education Administrative Rules:</b>	
Docket No. <a href="#"><u>08-0202-1204</u></a>	"Teacher Leader" and Credential Renewal Requirements	Luci Willits, Chief of Staff, State Department of Education
Docket No. <a href="#"><u>08-0203-1203</u></a>	High School Requirements for Online Courses	Luci Willits, Chief of Staff, State Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, February 26, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Bert Marley and Robin Nettinga, Idaho Education Association; Harold Ott, Idaho Rural Schools Association; Tamara Baysinger, Public Charter Schools Commission (PCSC); Karen Echeverria and Jessica Harrison, Idaho School Boards Association; Don Keller and Ken Burgess, Idaho Charter Schools Network (ICSN); Jason Hancock and Luci Willits, Idaho State Department of Education (ISDE); Rob Winslow, Idaho Association of School Administrators; Marilyn Whitney and Tracie Bent, ISDE; Kelly Trudeau, Compass Charter School; Teresa England, The Village Charter School; Dennis Stevenson, Rules Coordinator; Emma Ruemhildt, Idahoans for Choice in Education; Steve Berch, citizen

**Chairman DeMordaunt** called the meeting to order at 9:03 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of February 18, 2013. **Motion carried by voice vote.**

**RS 22102C1:** **Jessica Harrison**, Policy and Government Affairs Director, Idaho School Boards Association, presented **RS 22102C1** to the committee. She said the proposed legislation includes the governance and oversight components from the recommendations made by a group of stakeholders that included: the Idaho School Boards Association, the Idaho Charter School Network, the Public Charter School Commission, the Idaho Association of School Administrators, the Idaho State Board of Education and the Idaho Charter School Families Coalition. She said the stakeholders met to examine Idaho's charter school laws, for a period of eight months, from June 2012 through February 2013. She said the proposed legislation is considered the companion piece to the charter facilities funding legislation known as **H 206**. She summarized the recommendations from the stakeholder group contained in **RS 22102C1**. (See attached.)

Responding to questions from the committee, **Ms. Harrison** stated 501(c)(3) organizations can be colleges, universities and private authorizers such as the Albertson's Foundation. They can be entities separate from the school district and they can be public or private, but nonsectarian. She noted the policies described in the proposed legislation would give more opportunity for opening charter schools.

**Jason Hancock**, Deputy Chief of Staff, ISDE, was called upon to answer questions from the committee. He said the 501(c)(3) organizations are covered in a new section of Idaho Code describing everything required to be an authorizer of an Idaho charter school. He noted the guidelines for the organization were taken from the State of Minnesota, a state with a longer history of charter schools. He said Idaho's governance and oversight components will be a "tightened up" version of Minnesota's.

**MOTION:** **Rep. Wills** made a motion to introduce **RS 22102C1**. **Motion carried by voice vote.**

**H 206:**

**Jason Hancock**, Deputy Chief of Staff, ISDE, explained **H 206** to the committee. He said the bill contained changes to the original charter school law which reflected changes learned from the past nine years of charter school management and oversight. He described **H 206** as the companion bill to **RS 22102C1**. It originated from findings and decisions made by the same stakeholders. He gave the committee members a chart entitled: Public Charter School Facilities Quality Funding. (See attached.) Mr. Hancock indicated the formulas and data from the chart explained the percentage of funding being requested for facilities funding and authorizers fees for charter schools.

Responding to questions from the committee, **Mr. Hancock** said a situation could exist when a traditional public school district levy failed, but charter schools still received compensation from that district. He noted that the State, in the case of an unsafe school building, can impose a property tax without a levy or the vote of the people. He also said the State currently distributes \$17 million per year to help pay for schools in desperate situations. He added, the money is a direct appropriation from the public school budget. He stated, anytime a statute dictates a new source of money, the Joint Finance and Appropriations Committee (JFAC) shows a Fund Shift. He informed the committee that bills with a fiscal impact sent forth from the House as law, must be funded through JFAC.

**Don Keller**, ICSN told the committee he was the superintendent at Sage International Charter School where they will have 700 students. He said the charter school started in 2010. For the next school year, 620 students have applied for 45 openings. He said their facilities issues are working with bonding agencies and having no secure funding stream. He noted the "school house" is the most important part of the charter school community.

**Teresa England**, Village Charter School, stated her charter school focuses on leadership. They started with a one year federal grant. They bought three portables for \$100,000 and are still having to send middle school students to a shared space for part of their activities. She said the staff is dedicated and willing to make sacrifices. She added there are 200 students on next year's waiting list for 20 openings. She indicated some charter schools fail because they use operating funds for rent.

**Ken Burgess**, ICSN reported there are 43 charter schools operating in Idaho with over 18,000 students: seven virtual schools, 36 "brick and mortar" schools. Although northern and eastern Idaho have a few, most reside in southwestern and south central Idaho. He said 10 charter schools own facilities and 24 lease them. A report from the Idaho Department of Education indicates the average annual per pupil funding for FY 09 was \$4,751; a report from an Analysis of Charter School Facility Landscape in Idaho, September 2012, states the average per pupil charters pay is \$549 for facilities from their ADA state funding. Mr. Burgess reported the average amount per pupil school districts earn is \$569, from bond levies and plant facility levies. He concluded facility funding is the single biggest challenge to charter school sustainability.

**MOTION:**

**Rep. Bateman** made a motion to send **H 206** to the floor with a **DO PASS** recommendation.

**Tamara Baysinger**, PCSC, Director, supports **H 206**. **Kelly Trudeau**, Compass Charter School, said her school had to double their enrollment to pay for their bond. **Rob Winslow**, Director, Idaho School Administrators Association, said there were superintendents involved in the committee work who support the legislation.

**Robin Nettinga**, IEA, testified Idaho Education Association supports the concept of charter schools and helped write the charter school law. However, IEA opposes **H 206**. She said charter schools know when they embark, that there will be no state funds for facilities.

In response to a question from the committee, **Ms. Nettinga** said charter schools do not have to abide by the "use it or lose it" policy.

**Steven Berch** said before money is siphoned off to use for charter schools, lawmakers should take care of the 95 percent of traditional public school students. He said with choice, comes responsibility to pay for that choice.

**VOTE ON  
MOTION:**

**Chairman DeMordaunt** called for a vote on the motion to send **H 206** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Pence, Kloc** and **Ward-Engelking** requested to be recorded as voting **NAY**. **Rep. Clow** will sponsor the bill on the floor.

**Rep Bateman** presented his subcommittee report on Administrative Rules.

**MOTION:**

**Rep. Ward-Engelking** made a motion to approve the subcommittee report. **Motion carried by voice vote.**

**Rep. Shepherd** presented his subcommittee report on Administrative Rules.

**MOTION:**

**Rep. Gestrin** made a motion to approve the subcommittee report. **Motion carried by voice vote.**

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 10:54 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Wednesday, February 27, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
Docket No. <a href="#">08-0202-1204</a>	"Teacher Leader" and Credential Renewal Requirements	Luci Willits, Chief of Staff, State Department of Education
Docket No. <a href="#">08-0203-1203</a>	High School Requirements for Online Courses	Luci Willits, Chief of Staff, State Department of Education
<a href="#">RS22053</a>	Contract Governance Bill	Jason Hancock, Deputy Chief of Staff, Dept. of Education
<a href="#">RS22066</a>	Average Daily Attendance Funding Protection	Jason Hancock, Deputy Chief of Staff, Dept. of Education
<a href="#">RS22077</a>	Calculating Support Units for Idaho Youth Challenge	Jason Hancock, Deputy Chief of Staff, Dept. of Education
<a href="#">S 1027</a>	State Scholarships Modification	Marilyn Whitney Chief Communications and Legislative Affairs Officer, Idaho State Board of Education
	Math Initiatives: Think Though Learning	Glenn Zollman

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)



MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, February 27, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Nielsen

**GUESTS:** Mike Rush, State Board of Education; Glen Zollman, Think Through Math; Byron Yankey, Idaho Business Coalition for Educational Excellence; Harold Ott, Idaho Rural Schools Association; Rob Winslow, Idaho Association of School Administrators; Marilyn Whitney, State Board of Education; Tracie Bent, State Board of Education; Dennis Stevenson, Rules Coordinator; Brad Hunt, Office of Administrative Rules Committee; Jess Hansan, Idaho School Boards Association; Tyler Mallard, Risch Pisca; Tony Smith, Benton Ellis

**Chairman DeMordaunt** called the meeting to order at 9:00 a.m.

**DOCKET NO. 08-0202-1204:** **Luci Willits**, Chief of Staff, State Department of Education, explained there were some issues with this rule when it was first presented, it was an inaccurate copy. She said it was replaced with the correct version that the board approved. She explained they have added the definition to the term Teacher Leader. She said it makes the Idaho Comprehensive Literacy Course requirements more consistent. She detailed what is required for bilingual, business technology and English as a New Language (ENL) education. She explained the Professional Standards Commission looked at creating these changes, and this was determined the best direction for these new rules.

**Ms. Willits** responded to questions regarding the scope of the Comprehensive Literacy Course, stating it is how literacy is taught over the K-12 spectrum. In regards to out of state applicants, she said there is an interim certificate that is good for up to three years.

**MOTION:** **Rep. Horman** made a motion to approve **Docket No. 08-0202-1204. Motion carried by voice vote.**

**DOCKET NO. 08-0203-1203:** **Chairman DeMordaunt** gave some background, explaining that as part of the Students Come First initiatives there was an online class requirement, but the repeal took the requirement away. He explained that the state board has decided the best course of action was to seek additional input and will revisit this issue.

**Luci Willits**, Chief of Staff, State Board of Education, explained this is a temporary rule that has been in place. She said it sets the minimum graduation requirements at the state level. She said it removes definitions for various types of online courses. She explained the math exemption portion for high school seniors that have completed six semesters of math to include either an advanced placement or dual credit course, they can opt out of taking a math class in their last year. She said it would only apply to a small number of students.

**MOTION:** **Rep. VanOrden** made a motion to approve **Docket No. 08-0203-1203. Motion carried by voice vote.**

**Chairman DeMordaunt** reminded the committee how a bill can be amended and explained General Orders.

**RS 22053:** **Jason Hancock**, Deputy Chief of Staff, Department of Education, explained this proposed legislation would provide clarity for school districts regarding which set of laws they should follow in terms of contracts. He said when contracts are signed at the end of the year for the following year, it will be based on the laws that were in place at the time of signing. He said this follows the guidance from the Attorney Generals Office.

**MOTION:** **Rep. Horman** made a motion to introduce **RS 22053. Motion carried by voice vote.**

**RS 22066:** **Jason Hancock**, Deputy Chief of Staff, Department of Education, explained this RS deals with clearing up uncertainty that resulted with the repeal of Proposition 1. He said it allows the established ADA funding protection of Idaho school districts to remain at 97%.

**MOTION:** **Rep. Bateman** made a motion to introduce **RS 22066. Motion carried by voice vote.**

**RS 22077:** **Jason Hancock**, Deputy Chief of Staff, Department of Education, said this provides new language that deals with the issue of the Idaho Youth Challenge program. He explained how it will allow the State Department of Education to recognize the full body of students who attend the program, due to the programs cohort-based system of having new students each semester.

**MOTION:** **Rep. Pence** made a motion to introduce **RS 22077. Motion carried by voice vote.**

**S 1027:** **Chairman DeMordaunt** explained this had originally passed out of committee but there was additional information that needed to be given to help clarify.

**Mike Rush**, Executive Director, State Board of Education, explained the legislature commissioned a group that recommended need based aid to students. He said the task force concluded that programs are fragmented and costly to distribute. He said this scholarship program was redesigned to target the right students and provide the right money.

In response to questions regarding a minimum grade point average requirement, **Mr. Rush** said there is no requirement specified now, but will be when rules are defined. He explained the funding numbers are yet to be determined.

Members of the committee spoke regarding the number of students receiving scholarships increasing while the funding has stayed the same. They spoke positively about the goal of this legislation to help students get through college, and in wanting to retain the best and brightest in Idaho. Some expressed concern about the move from a merit to a needs based type of scholarship.

**Byron Yankee**, Senior Policy Advisor from the Idaho Business Coalition for Educational Excellence, testified that the goal must focus on college access and completion. He explained that many agencies supported this legislation. He explained some of the key principles to include students who are not eligible, but have demonstrated a likelihood of success, and to provide a scholarship program that has the participation of community colleges and technical schools.

**MOTION:** **Rep. Clow** made a motion to send **S 1027** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Clow** will sponsor the bill on the floor.

**Glen Zollman**, Vice President of Implementation Services, Think Through Math, presented an update for the Think Through Math Program. He explained how they rebuilt the entire platform to ensure they were more aligned with the Common Core Standards. He said it was built around deep understanding that took what was good about APANGEA math and expanded upon it. He said it was originally meant for students that were struggling, and has now become a program for all students. He showed how the program works in schools and at home. He explained students have access to live certified teachers after regular school hours. He said it can also be used as a resource to teachers in their classrooms. He outlined the programs four key components, to include; student motivation, adaptive content, real-time instruction and actionable reports. He gave examples of some of the contest and rewards students can participate in that helps boost motivation. He outlined the program's metric information and accomplishments.

**Mr. Zollman** responded to question regarding their number of accounts by stating they have gone beyond the limit that was originally put in place, and will continue to sign up every student that requests an account. He said there are no fees associated with creating an account. He explained the program is designed for 3rd grade through algebra one and geometry. He said they are building to include 1st and 2nd grades. In regards to possible language barriers, he said they have bilingual teachers, and there is a text to speech function that will allow for the problem or explanation to be read in English and Spanish. He explained the program is optional for schools to participate in. In regards to allowing students to earn credits from this program, he said it is meant to be a supplementary program and does not cover 100% of the content required in all classes. He explained the State of Idaho pays \$1.15 million dollars for this program, which includes licenses for students and contests. **Luci Willits**, State Board of Education, explained the funds can be seen in the math initiative line of the budget. He said they are currently developing the process to give teachers bench marks progress reports.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 10:37 a.m.

---

Representative DeMordaunt  
Chair

---

Jackie Wright  
Secretary

**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Thursday, February 28, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1055</u></a>	Creation of Internet Based Expenditure Website	Sen. Goedde
<a href="#"><u>H 206</u></a>	Charter School Facilities Funding	Jason Hancock, Deputy Chief of Staff, State Dept. of Education
<a href="#"><u>H 221</u></a>	Governance and Oversight Components	Jessica Harrison, Director of Policy and Government Affairs, Idaho School Boards Association
<a href="#"><u>S 1092</u></a>	Educational Support Program	Jason Hancock, Deputy Chief of Staff, State Dept. of Education
	Idaho Commission of Libraries Report	Ann Joslin, Director

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, February 28, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Mark Dunham, Risch Pisca; Bert Marley and Penni Cyr, Idaho Education Association; Alan Millar, Ken Burgess, and Don Keller, Idaho Charter School Network; Harold Ott, Idaho Rural Schools Association; Mark Gabrylezyk, Supt. Blackfoot School District; Tamara Baysinger, Public Charter School Commission; Jane Whittmeyer, Coaliton of Idaho Charter School Families; Jess Harrison, Idaho School Boards Association; Suzi Budge, SBS Associates; Jason Hancock and Marilyn Whitney, State Department of Education; Rob Winslow, Idaho School Administrators Association

**Chairman DeMordaunt** called the meeting to order at 9:08 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes from February 21 and February 25, 2013. **Motion carried by voice vote.**

**S 1055:** **Sen. Goedde** presented **S 1055** to the committee. He said the bill reinstates the requirement that school budgets and master labor agreements be posted on a district's website. He added there would be a minor cost to the fiscal budget which would be the cost of placing digital copies on the website.

In response to a question from the committee, **Sen. Geodde** noted there was no opposition.

**MOTION:** **Rep. Kloc** made a motion to send **S 1055** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kloc** will sponsor the bill on the floor.

**H 206:** **Jason Hancock**, Deputy Chief of Staff, State Department of Education, was before the committee to answer questions on **H 206**.

**Mark Gabrylezyk**, Superintendent, Blackfoot School District, testified that he was having to ask voters to pass a \$900,000 bond levy. He said his district was in critical circumstances. He told legislators to even the playing field; if traditional public schools had to go to the voters, public charter schools should also have to get the approval of the voters. He said the legislation would siphon money to charter schools, bankrupting his district.

In response to questions from the committee, **Mr. Gabrylezyk**, said he did not think the Colorado model would work for his district. He said it does not make sense to pass legislation wherein the school board has no say. To another question, he noted his district did receive bond level equalization, a 35 percent subsidy from the state.

**MOTION:**

**Rep. Ward-Engelking** made a motion to send **H 206** to General Orders with an amendment attached. She said she would like to insert on page 6 line 33, the following: "The State Department of Education shall distribute facilities funds to public charter schools who have been in existence for two years and meet state academic standards. These funds will be allocated for each enrolled student in which a majority of the student's instruction is received at a facility that is owned or leased by the public charter school." In support of the amendment, Rep. Ward-Engelking said her original goal in offering an amendment was to ensure all students received facilities money from the state. However, this is not economically feasible at this time. She added this amendment makes this bill stronger as it provides for more transparency and accountability. This is similar to what school districts must provide when taking a facilities bond or levy to the taxpayers. She said charter schools are incubators of innovation, but experiments sometimes fail. Rep. Ward-Engelking said the amendment would protect successful charter schools from negative publicity regarding facility money that might be spent on unsuccessful charter school experiments.

In response to questions from the committee, **Rep. Ward-Engelking**, stated that this would protect the State from funding buildings that are vacant. She said the amendment asks a little more accountability from charter schools.

**Tamara Baysinger**, Public Charter School Commission Director, was called upon to answer questions from the committee. She said in the history of charter schools only two failed in their first year, not because of academics but because of fiscal problems. She related the Albertson's Foundation start-up grant for charter schools is \$250,000, and federal starter grants for charter schools are no longer available.

**Rep. Ward-Engelking**, responding to questions from the committee, said the amendment had priority. She stated she knew of no other amendments to **H 206**.

**SUBSTITUTE MOTION:**

**Rep. Harris** made a substitute motion to retain the original language in **H 206** and send it to the floor with a **DO PASS** recommendation.

**Reps. Clow** and **Nielsen** debated in favor of the substitute motion saying the original form has covered what is necessary and that parents of charter school students pay property taxes, but are getting no return on those taxes.

**Rep. Agidius** debated against the substitute motion saying her concern is about doing no harm. She said she thinks money should follow the child and the idea of waiting two years was a good compromise and a good safeguard against charters failing because they may not have adequate organizational support. **Rep. Pence** also debated against the substitute motion. She said the originators of charter schools look very carefully at how they set up the school. She added the charter schools should have a solid financial foundation before they receive facilities funding. She stated the committee is looking at a fundamental change; building funds are being appropriated to school facilities without the vote of the people. **Rep. Kloc** said the charter school, like a small business, has to have a plan for the first two years, and an optional plan, if it is not surviving the initial start-up.

**Rep. VanOrden** supported the substitute motion stating the bill, and it's companion bill **H 221**, address the standard pieces. She said they provide for public renewals, accountability and performance contracts. She noted everything has been considered in these two bills.

**VOTE ON MOTION:**

**Chairman DeMordaunt** called for a vote on the substitute motion. **Motion carried by voice vote.** **Rep. Clow** will sponsor the bill on the floor. **Reps. Pence** and **Kloc** requested to be recorded as voting **NAY**.

**H 221:**

**Jessica Harrison**, Policy and Government Affairs Director, Idaho School Boards Association, went through **H 221**, page by page, highlighting changes and additions. She testified **H 221** will eliminate notices of defect, and require periodic renewals of all public charter schools: 5 years for existing schools, and 3 years for newly opened schools. She said it creates performance contracts for charter schools that bind both the charter school and its authorizer, and it creates a process that allows school district authorized charter schools to become their own Local Education Agencies. It also allows the State Department of Education to reduce the front-loading of charter school funding if notified by the school's authorizer that the school is fiscally unsound. She related **H 221** will provide for procedures upon dissolution of a charter school; allow colleges and universities and certain approved 501(c)(3) organizations that wish, to become charter school authorizers; and establish standards and oversight for 501(c)(3) organizations, while maintaining the current school district notification and feedback procedures. Ms. Harrison said the bill will reform the qualifications and appointing authorities for members for the Public Charter School Commission, to better align Idaho law with best practices. She said since this is a governance bill, there is no fiscal impact.

Responding to questions from the committee, **Ms. Harrison**, stated the school district can be an authorizer. She said the authorizers do not assume any liabilities in the event that a charter school fails.

**Jason Hancock** was called upon to answer questions from the committee. He said the commission retains oversight, and the funding defrays the cost. If there is money left, it can be sent to the State Department of Education and can help other authorizers.

In response to questions from the committee, **Ms. Harrison** said the Albertson's Foundation is an example of a 501(c)(3). She said that the approval process is provided for on page 6 of the bill. She added the process includes a charter petition and the charter contract. The petition is the umbrella with the mission and vision statements. The contract gets to the specifics; it is stringent, with clear deadlines. She noted that charter schools can be transferred to a new authorizer (page 15). She indicated the bill provides safety nets for all new start-ups, and addresses the distribution of funds if the charter school has its contract terminated, and addresses tax obligations.

**Jason Hancock** said the stakeholders committee reviewed the original, 10 year old document creating charter schools in Idaho. He said there was restructuring to the model of charter. However, the Governor still has three representatives on the oversight board of charter schools.

**Bert Marley**, Idaho Education Association (IEA), testified passage of the bill would be a strategic mistake. He said the IEA opposed the bill. He noted, in deference to the Governor's Task Force, the timing was wrong and the legislation was usurping the responsibilities given the Task Force.

**Allen Millar**, Idaho Charter School Network, testified the process to get the bill, took compromise from all stakeholders. He said many entities made compromises to achieve the larger goal.

**Tamara Baysinger**, Public Charter School Commission Director, testified **H 221** will provide for a beneficial shift. She said, from an authorizer's perspective, the bill would facilitate maintaining high standards, upholding school autonomy, and protecting students and taxpayer interests. She stated the bill will also create a more attractive environment for potential grantors and charter management organizations in Idaho. In response to a question from the committee, Ms. Baysinger said charter schools need to be authorized by an Idaho entity.

Responding to a question from the committee, **Jason Hancock** said the work of the charter school stakeholders pre-dates the Governor's Task Force. He noted their work began in June of 2012, but the Task Force was formed in January 2013. He encouraged the committee to vote in support of the legislation, citing hard work and diligence by the stakeholders.

**Jane Whittmeyer**, Coalition of Idaho Charter School Families, asked lawmakers to support the bill. **Rob Winslow**, Director of the Idaho Association of School Administrators, testified superintendents served on the committee and they were in support of **H 221**.

**MOTION:** **Rep. VanOrden** made a motion to send **H 221** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. VanOrden** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:47 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary



AGENDA  
**HOUSE EDUCATION COMMITTEE**  
Upon Adjournment of the House  
Room EW41  
Friday, March 01, 2013

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">RS22133</a> <a href="#">S 1092</a>	"Create Idaho" Educational Support Program	Rep. Pence Jason Hancock, Deputy Chief of Staff, State Dept. of Education
<a href="#">H 224</a>	Professional Personnel Contracts	Jason Hancock, Deputy Chief of Staff, State Dept. of Education
<a href="#">H 225</a>	Special Application of Educational Support Program	Jason Hancock, Deputy Chief of Staff, State Dept. of Education
<a href="#">H 226</a>	Summer School Program Support Units	Jason Hancock, Deputy Chief of Staff, State Dept. of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius	Rep VanOrden
Vice Chairman Nielsen	Rep Clow	Rep Pence
Rep Shepherd	Rep Gestrin	Rep Kloc
Rep Wills	Rep Harris	Rep Ward-Engelking
Rep Bateman	Rep Horman	
Rep Boyle	Rep Mendive	

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Friday, March 01, 2013

**TIME:** Upon Adjournment of the House

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Boyle

**GUESTS:** Jason Hancock, Department of Education; Robin Netting, Idaho Education Association (IEA); Harold Ott, Idaho Rural Schools Association (IRSA); Jessica Harrison, Idaho School Boards Association (ISBA); Marilyn Whitney, State Board of Education

**Chairman DeMordaunt** called the meeting to order at 8:30 a.m.

**RS 22133:** **Rep. Pence** presented **RS 22133**, which would state legislative findings and declare support for an "Invent Idaho Day", to acknowledge and celebrate creative student work, and invite display of such projects at the Capitol rotunda after each State competition. Invent Idaho awards prizes including a \$1,000 scholarship to the University of Idaho. The competition supports science, technology, engineering and mathematics (STEM) goals and meets the demand for enabling Idaho's students to compete in the global economy.

In response to questions, **Rep. Pence** said Invent Idaho projects are done by individual students.

**MOTION:** **Rep. Wills** made a motion to introduce **RS 22133** and send it to the to the Second Reading Calendar. **Motion carried by voice vote.** **Rep. Pence** will sponsor the bill on the floor.

**S 1092:** **Jason Hancock**, Department of Education, presented **S 1092**, which would reinstate ongoing formula-driven funding of \$4.8 million for school districts and public charter schools to meet the State's increased high school graduation requirements for math and science courses. Previously, two years of math and science were required for high school graduation; the requirement increased to three years and the first class affected is the Class of 2013. **S 1184 (2011)** previously provided funding to hire additional math and science teachers, or pay for the necessary online math and science classes, at local school district discretion. The repeal of **S 1184 (2011)** through Proposition 3 eliminated this funding for schools.

Responding to questions, **Mr. Hancock** said this bill would provide a solution for FY2014 and beyond. The graduation requirement is not temporary. All schools will qualify for some level of funding. If this is approved, the \$4.8 million appropriation for this distribution will simply remain in place. Schools are required to ensure that their students meet graduation requirements. This bill only addresses the funding requirement; graduation requirements are made in administrative rule. The Joint Finance and Appropriations Committee (JFAC) makes budget decisions. It is possible that the \$4.8 million appropriation could change from year to year, depending on requirements. Charter schools with high school aged students would receive part of this funding. Distribution is made based on the number of students at each school. If a high school has only grades 10 through 12, that school

would count the 9th grade students at their related middle school(s) or junior high school(s) in their funding formulas.

**Robin Nettinga**, Idaho Education Association (IEA), spoke in opposition to **S 1092**. She said the IEA supports the graduation requirements and the need to hire additional teachers, however, they do not support creating a permanent line item in the budget for additional funding. She requested that a one-year sunset be added to the bill.

In response to questions, **Ms. Netting** explained that conversations could come from the Governor's Task Force and members of the public that would provide other ideas.

**Rep. Wills** commented that the Legislature would be able to make a change to this legislation with or without a sunset.

**ORIGINAL  
MOTION:**

**Rep. Nielsen** made a motion to send **S 1092** to the floor with a **DO PASS** recommendation. He spoke to his motion, saying that meeting the needs of all Idaho's high schools including charter schools, and providing additional math and science instruction, is important for Idaho. He reiterated that the Legislature can make a change without a sunset clause if a change is deemed necessary.

**SUBSTITUTE  
MOTION:**

**Rep. Pence** made a substitute motion to send **S 1092** to General Orders. She spoke to her motion, saying that flexibility is necessary and she would like to add a sunset clause.

**Rep. Clow** spoke in opposition to the substitute motion to send **S 1092** to General Orders, saying that new legislation can always be implemented.

**Rep. Nielsen** spoke in opposition to the substitute motion to send **S 1092** to General Orders, saying that a sunset clause could send the message that the Legislature is not sure they support the funding.

**VOTE ON  
SUBSTITUTE  
MOTION:**

**Chairman DeMordaunt** called for a vote on the substitute motion to send **S 1092** to General Orders. **Motion failed by voice vote.**

**VOTE ON  
ORIGINAL  
MOTION:**

**Chairman Demordaunt** called for a vote on the original motion to send **S 1092** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wills** will sponsor the bill on the floor.

**H 224:**

**Jason Hancock**, Department of Education, presented **H 224**, which would clarify that the employment contracts signed by educators for the 2012-2013 school year will continue to be governed by the laws that existed at the time contracts were made.

**MOTION:**

**Rep. Horman** made a motion to send **H 224** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Agidius** will sponsor the bill on the floor.

**H 225:**

**Jason Hancock**, Department of Education, presented **H 225**, which would clarify which version of Section 33-1003, Idaho Code, is current law. After the repeal of **S 1108 (2011)** through Proposition 1, the Attorney General's Office has written that the version established separately and more recently by **H 603 (2012)** takes precedence over the 2010 version of statute. The published version of Idaho Code does not recognize the changes brought about by that bill, and shows Section 33-1003 reverting to its 2010 version after the repeal of **S 1108 (2012)**. **H 225** would repeal and republish the entire code section.

**MOTION:**

**Rep. VanOrden** made a motion to send **H 225** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. VanOrden** will sponsor the bill on the floor.

**H 226:** **Jason Hancock**, Department of Education, presented **H 226**, which would provide a way to calculate support units for the Idaho Youth Challenge Program. Under current laws and rules, the State Department of Education would be unable to recognize all of the students who attend the program due to its accelerated, cohort-based approach to education. Currently only half of the students they serve could be funded.

**MOTION:** **Rep. Kloc** made a motion to send **H 226** to the floor with a **DO PASS** recommendation.

Responding to questions, **Mr. Hancock** said a large number of students in this program will graduate from high school through the program. He does not believe the school is designed for students to attend during multiple semesters. Students receive one year's worth of instruction in a single semester.

**VOTE ON MOTION:** **Chairman DeMordaunt** called for a vote on the motion to send **H 226** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Kloc** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 9:28 a.m.

---

Representative DeMordaunt  
Chair

---

Mary Tipps  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Monday, March 04, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>H 218</u></a>	Plan and Form of Bonds, Amortization Idaho Leads Project	Rep. Horman Roger Quarles, Co-director, Idaho Leads Project.

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, March 04, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Nick Miller, Hawley Troxell; Eric Heringer, Seattle Northwest; Rich Bauscher, Superintendent of Middleton School District; Roger Quarles and Lisa Kinnaman, Boise State University

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve minutes from February 19, 2013. **Motion carried by voice vote.**

**H 218:** **Rep. Horman** explained the history of **H 218**. She said, Title 33 as it relates to school bonds, needs to be updated and modernized. She testified the legislation will modernize the language and make technical corrections relating to the term of bonds and their repayment schedules. More specifically, it extends the life of a school bond from 20 years to 30 years, thus reducing the individual burden on each taxpayer and aligning more with the life of a facility.

**Nick Miller**, Hawley Troxell, acts as bond council for school districts. He said he acts independently and gives written statements as to the value of a bond. He agreed with **Rep. Horman** on the need to modernize the language, and in the low-interest market, give districts the opportunity to extend, but not mandate, the extensions.

**Eric Heringer**, Seattle Northwest, testified that currently the interest rate difference between 20-year and 30-year bonds is an increase from 2.5 percent to 2.8 percent. He said the legislation would provide for longer amortization flexibility.

**Rich Bauscher**, Superintendent of Middleton School District, stated the change in the legislation is needed by the superintendents. He said adding 10 years is an attractive assistance for conscientious school boards. He noted no opposition from the school districts regarding **H 218**.

Responding to questions from the committee, **Mr. Miller** indicated he was not aware of any historical precedent for the 20 year limit. He said there was a time the market would not accept more than a 20-year bond. He said the change in oversight from a Deputy Attorney General to the Superintendent of Public Instruction was brought about by the burden to re-educate a new Deputy Attorney General every few years. He testified the State Board of Education had no objection to the change.

Responding to a question regarding the percentage of schools using the 20-year limit, **Mr. Heringer** said, 80 percent of Idaho district bonds have 20-year bonds.

**Rep. Horman**, responding to a question from the committee, stated the maintenance of school buildings is not part of the bonding. She said districts use plant facilities levies for maintenance. She noted districts do not use one-time money for ongoing costs.

**MOTION:** **Rep. Bateman** made a motion to send **H 218** to the floor with a **DO PASS** recommendation.

In response to a question from the committee regarding the longevity of the appeal for the legislation, **Mr. Heringer** said the legislation was very appealing at this point in time, but in ten years the changes may not be as attractive. Future legislators and school administrators can make those choices and weigh those options. He indicated the market standpoint is what drives the desirability of the 30-year amortization.

**VOTE ON MOTION:** **Chairman DeMordaunt** called for a vote on the motion to send **H 218** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Horman** will sponsor the bill on the floor.

**Roger Quarles**, Co-director, Idaho Leads Project, Boise State University, told the committee that the Idaho Leads Project (ILP) is grounded in research. He said data shows that potentially powerful programs are presented to a district, and the program leaders go away expecting the program to be implemented. He said therein lies the fallacy. He related the goal of ILP was to build leadership capacity in Idaho's K-12 schools, ensuring success for all Idaho students in the 21st Century. He indicated the goal may seem lofty, but he has seen it succeed. He indicated the success of the ILP was dedication to building relationships, using effective practices, managing change and committing to systematic continuous improvement.

**Mr. Quarles** explained the purpose of his program is to teach and to instill leadership capacity. To do so, ILP uses every level of the district, from the student to the school board members, giving everyone a chance to get the vision and lead. He noted participants value the process of working with the 49 districts involved in ILP. He also noted the enthusiasm for making immediate shifts in direction for some schools. Most participating school districts reported improved results in student achievement for many students.

Responding to questions from the committee, **Mr. Quarles** said an interesting anomaly of working with school boards and superintendents is found when we ask the question: "Who is the most responsible for the management of the school districts?" Board members and administrators are mixed on their answers. He indicated leadership has to be taught at every level of the district.

To further questions, **Mr. Quarles**, said the program will not succeed unless all those involved in education get the "feeling." He told the committee, it begins by viewing standardized tests as checkups and not autopsies. He said money is not the answer; leadership, coordination and collaboration is where it starts, across the hall and across the state. Regarding a question referencing busy teachers' desire to be engaged in webinars, Mr. Quarles related successes in schools already participating.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:10 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Tuesday, March 05, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS22159</u></a>	Leaves of Absence	Karen Echeverria, Executive Director, Idaho School Boards Association
<a href="#"><u>RS22161</u></a>	Deadline for Mediation	Karen Echeverria, Executive Director, Idaho School Boards Association
<a href="#"><u>RS22134C1</u></a>	Reduction in Force	Karen Echeverria, Executive Director, Idaho School Boards Association
<a href="#"><u>S 1089</u></a>	Employing Retired Teachers and Administrators	Sen. Bayer

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)



MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 05, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Dr. Linda Clark, Joint School District 2; Harold Ott, Idaho Rural Schools Association; Phil Homer, Idaho Association of School Administrators; Bert Marley and Robin Nettinga, Idaho Education Association; Karen Echeverria, Idaho School Boards Association; Marilyn Whitney and Jason Hancock, Idaho State Department of Education (ISDE)

**Chairman DeMordaunt** called the meeting to order at 9:02 a.m.

**MOTION:** **Rep. Agidius** made a motion to approve the minutes of February 27, February 28, and March 1, 2013. **Motion carried by voice vote.**

**RS 22159:** **Karen Echeverria**, Idaho School Boards Association, presented **RS 22159**. She indicated the proposed legislation sets out criteria for paid and unpaid leave, and would allow the board of trustees to place an employee on unpaid administrative leave when that employee has a criminal court order that prevents them from complying with the terms of their contract. In addition, the legislation sets out criteria for paid leaves of absence and what will occur if two employees in a school district have competing "no contact" orders.

**MOTION:** **Rep. Wills** made a motion to introduce **RS 22159**. **Motion carried by voice vote.**

**RS 22161:** **Karen Echeverria**, Idaho School Boards Association, presented **RS 22161** to the committee. She said **RS 22161** contains an amendment clarifying that mediation can still be used if both parties reach an impasse in negotiations. However, mediation would still need to be concluded by June 10. Ms. Echeverria indicated the proposed legislation also contained a one year sunset clause. She said, after meeting with the IEA, one change was made to the proposed legislation and that was to change the term "good faith offer" to "last best offer."

**MOTION:** **Rep. Nielsen** made a motion to introduce **RS 22161**. **Motion carried by voice vote.** **Rep. Ward-Engelking** requested to be recorded as voting **NAY**.

**RS 22134C1:** **Karen Echeverria**, Idaho School Boards Association, presented **RS 22134C1**. She told the committee **RS 22134C1** sets out the criteria which can be used by a school district when considering a reduction in force. She said, in the past, seniority was the only factor that could be considered when imposing a reduction in force. She indicated the change in the proposed legislation still allows for the use of seniority as a factor in reduction in force, but clarifies that it cannot be the only factor. The proposal will also allow a school district to adopt a policy establishing an equitable recall of those employees who are subject to any reduction. She noted the IEA and the ISBA worked cooperatively to create **RS 22134C1**.

**MOTION:** **Rep. Nielsen** made a motion to introduce **RS 22134C1**. **Motion carried by voice vote.**

**S 1089:**

**Sen. Bayer**, presented **S 1089**. He explained the bill repeals the Early Retirement Incentive Program (ERIP) for teachers. He said the program distributes bonuses to teachers who are at least age 55 and are retiring before age 63, and before reaching the PERSI Rule of 90. The program was originally established in 1996 to encourage the retirement of teachers who did not wish to receive technology training nor incorporate technology into instruction. He said proponents of the program claim it saves the state money by encouraging more highly-paid, veteran teachers to retire and be replaced by younger, lower paid teachers. He related that Idaho's actual experience has shown the number of teachers retiring early has remained essentially unchanged during the most recent two years, in which the program was repealed, as compared to the previous five years. He concluded **S 1089** ensures that scarce education dollars will remain in the classroom, as they have been in FY12 and FY13.

**Robin Nettinga**, IEA, said ERIP has served as a tool to assist qualifying teachers to retire prior to reaching the Rule of 90. She stated, some claim the savings to the state are nonexistent or minimal. She said the opposite was true; it has been an important program for female teachers who leave the work force to raise children and then return, not able to attain full retirement. Ms. Nettinga indicated the tough, financial years prompt districts to reduce the staffing costs by hiring less experienced, and less expensive beginning teachers. She argued without ERIP, nothing will exist to help teachers be compensated for being unable to reach the Rule of 90; or, to push back against the management tool of cost reduction by hiring only the inexperienced.

**Ms. Nettinga** distributed documents containing research to show the cost savings to the state, and to show the average age of teacher retirement. (See attached.) She concluded that the calculations demonstrate a savings to the state of an excess of \$100 million since ERIP's inception in 1996. Continual repeal of ERIP will represent a penalty to those teachers whose careers do not span to the Rule of 90. In response to a question regarding other public employees early retirement plans, Ms. Nettinga said ERIP is only for teachers.

**Jason Hancock**, Deputy Chief of Staff, ISDE, distributed handouts of an Experience and Education Index, and the PERSI early retirement data. (See attached.) He told the committee the premise is that teachers would not have retired early if they had not had the incentives. He compared his data to that gathered by the IEA. He said the IEA data does not stand up in the analysis. He indicated there should have been a drop in those teachers retiring if the incentives were the reason teachers retire early. In the past two years, during the repeal of ERIP, the number of teachers retiring has averaged the same as in years previous. He stated bonuses paid to retiring teachers in the previous years had averaged \$18,000. He added the data on early retirement for administrators, which has been repealed for nine years, supported the same conclusion.

To questions regarding additional factors which may have influenced the outcome of the data, **Mr. Hancock** said the tight budget, fewer students and no new hirings should have caused the index to go up; it actually went down. Responding to questions regarding a rise in health insurance costs and a decline in salary which may have prompted retirement, Mr. Hancock said ERIP has not been a benefit to the state. He noted the budget is tight, base salaries are down nine percent, the classroom has been hit hard and ERIP requires \$3.6 million for funding. To a question regarding the unquantifiable benefits, he said there were none.

Committee members questioned the reliability of the ISDE study stating non-hirings, over-worked professionals, punitive attitudes and no nationwide comparative data were factored into the outcome.

**Sen. Bayer** was called upon to close debate on **S 1089**. He indicate ERIP was a line item with zero funding from JFAC. He concluded that ERIP was a considerable cost to the state at the expense of students and classroom necessities.

**MOTION:** **Rep. Nielsen** made a motion to send **S 1089** to the floor with a **DO PASS** recommendation.

**ROLL CALL VOTE:** **Rep. Pence** requested a roll call vote. **Motion carried by a vote of 13 AYE, and 3 NAY. Voting in favor** of the motion: **Reps. Nielsen, Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden and DeMordaunt. Voting in opposition** to the motion: **Reps. Pence, Kloc and Ward-Engelking. Rep. Boyle** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:45 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Wednesday, March 06, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS22175</u></a>	Higher Education Administrative Functions	Rep. Bedke
<a href="#"><u>S 1098</u></a>	Negotiation in Open Session	Bert Marley, Idaho Education Association
<a href="#"><u>S 1057</u></a>	Staff Allowance	Sen. Thayn
<a href="#"><u>S 1091</u></a>	Educational Support Program	Sen. Thayn

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, March 06, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Horman

**GUESTS:** Dan Goicoechea, State Controller; Harold Ott, Idaho Rural Schools Associations; Rob Winslow, Idaho Association of School Administrators; Luci Willits and Marilyn Whitney, Idaho State Board of Education; Jessica Harrison, Idaho School Boards Association, Suzanne Budge, SBS and Associates

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes from February 26th, 2013. **Motion carried by voice vote.**

**RS 22175:** **Speaker Bedke** explained this proposed legislation grants exclusive authority and responsibility to Idaho's colleges and universities with regard to: finances, personnel, land use, insurance coverage and procurement. He said that some of these bodies use two different types of human resource systems, which takes longer to process. This legislation will help streamline the process. He explained it will help correct issues in cases of private donations used for land use, and development where the contracts are held by the Department of Public Works, who may make changes without notifying the university or college. He said it will allow these bodies to have access to the itemized breakdown of their insurance coverage.

**MOTION:** **Rep. Shepherd** made a motion to introduce **RS 22175**. **Motion carried by voice vote.**

**S 1098:** **Penny Cyr**, President, Idaho Education Association (IEA), explained this legislation provides for negotiations relating to education to be held in public meetings open to the public. She said it includes publicizing any notes and offers exchanged during negotiations, and provides meeting notices at the earliest possible time practicable or 24 hours.

**Ms. Cyr** explained all parties involved in the process of creating this legislation are in agreement and support it fully. She responded to questions regarding how various groups have responded to the open meetings by stating the members of the IEA were content to have them open, and felt they were done professionally. In regards to these bodies adjourning to executive sessions, she explained that each side would still have the ability to caucus with their own team. **Chairman DeMordaunt** helped clarify the reasoning behind the 24 hour meeting notice by explaining that in some instances these meetings can adjourn late in the day with another meeting the next afternoon, making it difficult to post meeting notices within strict time limits.

**MOTION:** **Rep. Bateman** made a motion to send **S 1098** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Bateman** will sponsor the bill on the floor.

**S 1091aa:**

**Senator Thayn** explained this legislation creates a funding formula for the Idaho Digital Learning Academy (IDLA), an online portal, dual credit for early completers and makes changes to the "8 in 6" legislation. He explained the change to the funding formula, saying that as student numbers increased, the dollar amount would increase and vice versa. He said the online portal funding is for future ongoing maintenance, and would allow for any provider in state or out of state.

**Senator Durst** explained the online portal in regards to allowing any providers, they added the language "and approved" because it is implied to the public that classes on the portal were approved by the State Department of Education.

**Senator Thayn** explained the portion regarding dual credit for early completers, saying the state will pay seventy-five dollars per credit. He said this would also include payment for Advanced Placement (AP) classes and College Level Examination Program (CLEP) tests.

**Senator Durst** explained the reasoning for adding the AP and CLEP portions was due to the fact that AP classes can be taught by teachers who have a bachelors degree. This change would open that program up to rural districts and teachers with masters degrees.

**Senator Thayn** explained the "8 in 6" program, stating it allows junior high students to receive high school credit through online summer classes. He said this legislation removes the language for one time funding of this program and defines the term "online course". He explained other added language which allows parents to enroll their child in online courses without the permission of the school district, but with the assistance of councilors to ensure students are enrolling in classes that will count for graduation.

**Senator Thayn** responded to questions regarding which portions of this legislation originates from the "students come first" legislation by stating the online portal and dual credit or early completers are components.

**Senator Durst** explained those portions were not added verbatim from the "students come first" legislation. He explained AP credits are weighed the same if taught by a teacher with a bachelors degree, and that they transfer better than dual credit classes due to their standardized curriculum. He responded to questions regarding the verbage for any provider for the online portal by stating that when the private providers asked for this amendment, they had to make a compromise so they added the words "approved provider". He said IDLA needed more predictability in their budget, and this legislation makes it scalable. He explained the funding formula, stating they increased the variable amount by allowing it to track with the average daily attendance (ADA).

**Luci Willits**, Idaho State Board of Education, helped clarify questions regarding IDLA's funding. She said they needed to devise a new funding formula that is continuous. She explained this legislation gives a base funding based on what it would take to keep the doors open for IDLA if no student takes a class, and a variable funding that adjusts based on how many students are taking classes. She responded to questions regarding approval of classes for the "8 in 6" program, stating those courses need to be accredited so they transfer, and are approved for quality.

**Penny Cyr**, President, Idaho Education Association (IEA), responded to questions regarding her organization's stance on this legislation by stating they are taking no position at this time.

**Senator Durst** explained the payment for AP classes would only cover those taking it in a dual credit role.

**MOTION:** **Rep. Harris** made a motion to send **S 1091aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Harris** will sponsor the bill on the floor.

**S 1057aa:** **Senator Thayn** explained this legislation allows for kindergarten teachers to visit the parents of their students the first week of the school year outside of school. He said this will allow students and families to transition better into school. He explained that this is not a mandatory program. He said studies have shown that teachers who meet with parents during that first week are able to use the rest of the school year much more efficiently.

**Senator Thayn** explained this will include charter schools. He responded to questions regarding teacher pay for this program by stating there is no additional money allocated. The teacher will receive their regular salary. He explained in some instances kindergarten teachers have too many students to effectively visit in the first week. He said in those cases the teacher will have to use their time wisely and maybe only meet with those they have not seen or do not know enough about. In regards to meeting in some possibly dangerous areas, he said they can choose a different location agreed upon by all parties.

**MOTION:** **Rep. VanOrden** made a motion to send **S 1057aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. VanOrden** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 10:07 a.m.

---

Representative DeMordaunt  
Chair

---

Jackie Wright  
Secretary

**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Thursday, March 07, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS22184</u></a>	Idaho Commission of Libraries: Report Staff Allowances: "Use it or Lose it"	Ann Joslin, Director Rob Winslow, Direction, Idaho Association of School Administrators

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)



MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 07, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Wills

**GUESTS:** Dr. Linda Clark, Joint School District 2; Harold Ott, Idaho Rural Schools Association; Phil Homer, Idaho Association of School Administrators; Bert Marley and Robin Nettinga, Idaho Education Association; Karen Echeverria, Idaho School Boards Association; Marilyn Whitney and Jason Hancock, Idaho State Department of Education (ISDE)

**Chairman DeMordaunt** called the meeting to order at 9:04 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of March 4, 2013. **Motion carried by voice vote.**

**Ann Joslin**, Idaho State Librarian and Director of the Idaho Commission for Libraries (ICL), explained that in the 112 years since the creation of the first library commission, Idahoans still want traditional library services. They also want 24/7 electronic information services and a place, physical and virtual, to participate in their community. She said a recent Pew Research Survey found: (1) Libraries are key technology hubs in communities. (2) Patrons would like even more tech-centered services, but remain loyal to print books. (3) Free access to technology in public libraries now rivals books and reference librarians as a key library service. She reported Idahoan's use of public libraries is consistent with these national findings.

**Ms. Joslin** noted, over the past five years, circulation and reference increased significantly; and, over the past two years, the use of the LiLI databases increased by 65 percent. She told the committee, the Idaho libraries focus on reading for early childhood, and have also joined in the fight against cyberbullying. Among the many offerings at the libraries, adult education, job search and e-commerce are very popular.

Responding to questions from the committee, **Ms. Joslin** said there is no way to collect or gather data on patron's library use preferences without invading the right of privacy. She indicated the funds were available to upgrade only 55 of Idaho's most rural and remote libraries. The broadband capability is now 11 megabytes per second. She said LiLI and other programs are technically available in any publicly funded library; Tumblebooks, the electronic, animated childrens books, were available through a grant. If someone has Wi-Fi, he/she can access LiLI and the other library programs. "Think through Math" is also available through the libraries.

In response to further questions, **Ms. Joslin** said the ICL was first under the umbrella of the State Department of Education, but is now a self governing entity, financed through the Governor's Budget. She related, the mini-grants used were state funded and she could not speak to the quality of the grants. She said monies should be spent on elementary school libraries focusing on making books available to kids in early grades. She added, school district budgets for elementary libraries are very inadequate. Responding to a question regarding the vision for libraries, Ms. Joslin, said there is an increase in library use by youth and young adults. The use goes down for mid-life adults, but then returns during retirement. She said the summer programs have become extremely popular with 12,000 more participants, statewide, than in 2011. She said ICL has joined with school libraries to increase attendance for "tweens" and teens. She indicated libraries try to reach people where they are; physical libraries are becoming civic centers; and some libraries are investing in such items as 3D printers for MakerSpace, keeping up with the pace of the patrons.

To further questions, **Ms. Joslin** said children are becoming more interested in non-fiction. She reported the 2012 legislation requiring all public libraries to have filters was finalized by October 1, 2012. She said the Idaho Education Network (IEN), and their providers, are very effective in bringing broadband to public schools. For libraries, the IEN costs are higher than what they are already paying.

**RS 22184:** **Rob Winslow**, Director, Association of Idaho School Administrators, presented **RS 22184**. He said the proposed legislation reinstates the funding for public schools' "use it or lose it" flexibility that was repealed in the November 2012 repeal of Propositions 1, 2, and 3. It also sets forth a one-year sunset clause.

**MOTION:** **Rep. VanOrden** made a motion to introduce **RS 22184**. **Motion carried by voice vote.**

**Chairman DeMordaunt** gave the committee a copy of the "intent language" which the Joint Finance and Appropriations Committee had promulgated for FY14. (See attached.) He said anything that is policy-related comes from the House Education Committee. He added, committee members should study the "intent language" addressing appropriations for public education.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:04 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #2**  
**HOUSE EDUCATION COMMITTEE**  
**Upon Adjournment of the House**  
**Room EW41**  
**Friday, March 08, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">RS22239</a>	Higher Education Administrative Functions	Speaker Bedke
<a href="#">H 259</a>	Leaves of Absences	Karen Echeverria, Idaho School Boards Association
<a href="#">H 260</a>	Deadline for Mediation	Karen Echeverria, Idaho School Boards Association

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Friday, March 08, 2013

**TIME:** Upon Adjournment of the House

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None

**GUESTS:** Brian Duncan, Minidoka School District; Karen Echeverria, Idaho School Boards Association (ISBA); Bert Marley, Paul Stark, Penni Cyr and Irene Keefer, Idaho Education Association; Jason Vlcek, Payette teachers; Mandy Simpson, Nampa Education Association; Luci Willits, State Department of Education; Marilyn Whitney, State Board of Education; Dan Goicoechea, Office of the State Controller; Linda Clark, Joint School District #2

**Chairman DeMordaunt** called the meeting to order at 8:25 a.m.

**RS 22239:** **Chairman DeMordaunt** stated that **RS 22239** replaces **RS 22175**. It contains a clarification that would allow institutions such as Idaho State University to continue working with state agencies for their insurance needs.

**MOTION:** **Rep. Pence** made a motion to introduce **RS 22239**. **Motion carried by voice vote.**

**H 259:** **Karen Echeverria**, Idaho School Boards Association (ISBA), presented **H 259**. She said **H 259** sets out requirements for voluntary and involuntary leaves of absence, and clarifies how certain situations would be handled, such as when there is a court order prohibiting two employees from being in the same building, or when there is a criminal charge, an investigation, or other situation that would necessitate an employee taking a leave of absence. It would provide for the orderly operation of district business in association with the financial limitations faced by public schools.

Responding to questions, **Ms. Echeverria** explained the ISBA's annual convention was held in November. Employees would only be put on unpaid leave if there were criminal charges involved. A criminal court order disallowing an employee from being around children would necessitate an employee taking unpaid leave; however, an arrest in and of itself would not, unless the employee was in jail and unable to fulfill the terms of his or her contract.

**Brian Duncan**, Minidoka School District, spoke **in support** of **H 259**. He cited two situations in his district during which employees committed crimes and the district was not able to take any action without the threat of lawsuits. He said the school district should not be responsible for paying employees who cannot meet the terms of their contracts, while also paying substitute teachers.

In response to questions, **Mr. Duncan** said if this law had been in place during the difficulties faced by his district, the school board could have taken action.

**Paul Stark**, Idaho Education Association (IEA), spoke **in opposition** to **H 259**. He said this law assumes an employee's guilt before the employee is proven guilty or innocent in a court of law. He stated that if an employee is falsely accused of a crime, that employee could have his or her livelihood removed before innocence can be proven. He objected to the language, "dual court orders", and stated that he does not understand what is meant. He also said that he objects to the lack of a sunset clause.

Responding to questions, **Mr. Stark** said if an individual was accused of a crime, he suggested putting that employee's salary into an escrow account. If the employee was found innocent of the allegations against him or her, the employee could then receive the back pay, less costs to pay a substitute. He acknowledged that the cost of not putting a restraining order or injunction in place could be devastating, if indeed the charges being leveled are true. He is not aware of any organizations that keep escrow accounts for employees who are on unpaid leave.

**Ms. Echeverria** responded to questions. She said school districts and taxpayers should not be responsible for paying employees who cannot comply with the terms of their employment contracts, while also paying substitutes. It would be difficult to consider how to pay an employee who was acquitted of a crime after having been on unpaid leave, because of costs such as substitute pay, insurance and retirement expenses. If an employee becomes able to fulfill the terms of his or her contract after an unpaid leave of absence, he or she would be reinstated. This legislation would not prevent wrongfully accused employees from entering negotiations with their districts. This legislation would not allow school districts to terminate contracts; it would allow districts to place employees who are unable to fulfill the terms of their contracts on unpaid leave until those employees could fulfill the terms of their contracts.

**ORIGINAL  
MOTION:**

**Rep. Boyle** made a motion to send **H 259** to the floor with a **DO PASS** recommendation.

Responding to additional questions, **Ms. Echeverria** stated that when an employee is able to comply with the conditions of his or her employment contract, that employee will be reinstated.

**Rep. Wills spoke in support** of the motion saying this is good legislation, however, he has seen people pay high prices when emotions overcome common sense.

**Rep. Horman spoke in support** of the motion. **Rep. Nielsen spoke in support** of the motion saying he is concerned about someone being treated as guilty before guilt is proven, however, he will support the bill. He objected to the language "other designee" in the bill and would like a specific individual to be named.

**SUBSTITUTE  
MOTION:**

**Rep. Kloc** made a substitute motion to send **H 259** to General Orders, with a committee amendment to establish an escrow account to pay back wages that were lost during an absence, should an accused employee be found innocent of the charges against him or her.

**Rep. Ward-Engelking** said both children and individuals can be protected, and she **supports** the substitute motion to send **H 259** to General Orders. **Rep. Harris spoke in opposition** to the substitute motion saying the proposed amendment will not solve the problem as discussed in committee. **Rep. Kloc** cited the possibility that students could decide to "get even" with a teacher and fabricate charges of sexual misconduct. If the court system became involved and the teacher faced criminal charges, (s)he should not be on unpaid leave while innocent.

**Rep. Horman** called for the question.

**ROLL CALL  
VOTE ON  
SUBSTITUTE  
MOTION:**

A roll call vote was requested on the substitute motion to send **H 259** to General Orders. **Motion failed on a vote of 3 AYE, 13 NAY. Voting in favor** of the motion: **Reps. Pence, Kloc and Ward-Engelking. Voting in opposition** to the motion: **Reps. Nielsen, Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, and Chairman DeMordaunt.**

**VOTE ON  
ORIGINAL  
MOTION:**

**Chairman DeMordaunt** called for a vote on the original motion to send **H 259** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Boyle** will sponsor the bill on the floor.

**H 260:** **Karen Echeverria**, Idaho School Boards Association (ISBA), presented **H 260**. She explained **H 260** will continue to allow for a mediation process and will provide for a negotiations process between school personnel. Language has been added to repeal and reinstate sections of this bill in case it does sunset.

**MOTION:** **Rep. Bateman** made a motion to send **H 260** to the floor with a **DO PASS** recommendation.

In response to questions, **Ms. Echeverria** said negotiations are not limited to salary and benefits.

**Brian Duncan**, Minidoka School District, **spoke in support of H 260**. He said school board members are required by Statute to be responsible for functions of school districts. He said this flexibility is needed in order to prioritize increasingly scarce resources.

In response to questions, **Mr. Duncan** said his district follows an intraspace bargaining process that brings together all the interests who would like to bargain. Solutions are narrowed down until agreements can be reached. Including patrons in the bond/levy process has been helpful. He said generally the last offer is the best offer.

**Penni Cyr**, Idaho Education Association (IEA), **spoke in opposition to H 260**. She said it eliminates valuable tools that have been part of successful collective bargaining for many years. She stated collective bargaining gives teachers a voice. Ms. Cyr indicated that giving the power to impose a "last, best offer" to the school board would create an uneven playing field and would cause the process to become more convoluted. She said the time frame created by this bill is too tight. Bargaining ensures that career education employees have respected voices in their workplaces and are involved in problem-solving.

Responding to questions, **Ms. Cyr** said this bill gives an unfair advantage to the trustees, who could make an offer and then simply wait until the deadline. She objected to the time frame proposed by this legislation.

**Jason Vlcek**, citizen and teacher, **spoke in opposition to H 260**. He said negotiating is a give-and-take process. He explained that last year he assisted in the Payette School District's salary and benefits negotiations. He said teachers are interested in negotiating reduction in forced policies and other issues that have become open to their participation. He cited the current budget problems and said they impact negotiations. He is not in favor of an "arbitrary date".

In response to a question, **Mr. Vlcek** said he was not involved in negotiations before last year.

**Mandy Simpson**, Nampa School District, **spoke in opposition to H 260**. She said last year, negotiations in her district began in March and due to the deadline, financial questions were not able to be adequately addressed. The June deadline makes that window of time for negotiating very small. Each teacher's first priority is to educate children and most of their time is spent in their classrooms, not negotiating.

**Dr. Linda Clark**, Joint School District #2 (Meridian School District), **spoke in support of H 260**. She said it provides tools to manage the largest part of school districts' budgets: salary and benefits for teaching staff members. Without a date-certain for negotiations to end, the budget cycle cannot be completed in a timely manner that will meet the needs of staff and students. School districts' budgets are and can be amended throughout the year; the salary and benefits are such a large portion of their budgets, they must know what those numbers will be.

**Dr. Clark**, responding to questions, said budget amendments must be approved individually by school boards and must be posted.

**Rob Winslow**, Idaho Association of School Administrators (IASA), **spoke in support of H 260**. He said the IASA believes this is an effective tool.

**Paul Stark**, Idaho Education Association (IEA), made a statement on behalf of **Darin Gonzales**, a Kimberly High School math teacher. He said this legislation will not make negotiations easier and would strip the process down to an informal meeting. He asked the Legislature to reject the bill because teachers "are not the enemy" and are dedicated to their students.

**Ms. Echeverria** said resolutions and permanent positions have been in place for over 20 years to address collective bargaining and labor issues, and that negotiating without a deadline has not worked well.

In response to questions, **Ms. Echeverria** said a Memorandum of Understanding (MOU) was drafted and signed to ensure that all parties would negotiate in good faith and gather sound data.

**Rep. Bateman** spoke to his motion saying school boards should have the final word in how schools operate, however, teacher input is important. **Rep. Ward-Engelking spoke in opposition** to the motion saying the process that is in place works well and does not need to be changed. **Rep. Horman spoke in support** of the motion, stating that allowing school boards to make responsible decisions on a time line is important. She said the State budget for salary and benefits for teachers is almost \$900,000,000 and she considers that a lot to talk about. **Rep. Pence spoke in opposition** to the motion saying the last, best offer does not provide a level playing field. **Rep. Clow spoke in support** of the motion saying school boards do not have a level playing field. Tax levies and certain budget decisions are made for them. When budgets are amended, it is generally to bring things into alignment.

**ROLL CALL  
VOTE ON  
MOTION:**

A roll call vote was requested on the motion to send **H 260** to the floor with a **DO PASS** recommendation. **Motion carried by a vote of 12 AYE, 3 NAY, 1 ABSENT/EXCUSED.** Voting in favor of the motion: **Reps. Nielsen, Shepherd, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden** and **Chairman DeMordaunt.** Voting in opposition to the motion: **Reps. Pence, Kloc** and **Ward-Engelking.** **Rep. Wills** was Absent/Excused. **Rep. VanOrden** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 10:41 a.m.

---

Representative DeMordaunt  
Chair

---

Mary Tipps  
Secretary

**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Monday, March 11, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1093</u></a>	Transportation Support Program	Sen. Goedde
<a href="#"><u>H 261</u></a>	Reduction in Force	Karen Echeverria, Director, Idaho School Boards Association
<a href="#"><u>S 1097</u></a>	Pupil Tuition-Equivalency Allowances	Nick Smith, Jason Hancock, Idaho State Department of Education
	State Board of Education Update	Mike Rush, Executive Director, Idaho State Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)



MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, March 11, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Phil Homer and Rob Winslow, Idaho Association of School Administrators; Dr. Linda Clark, Joint School District No. 2; Bert Marley, Idaho Education Association (IEA); Karen Echeverria, Idaho School Boards Association; Marilyn Whitney, Tracie Bent and Jason Hancock, Idaho State Department of Education (ISDE)

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**S 1093:** **Sen. Goedde** presented **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. He indicated the block grant was originally funded through intent language in a joint resolution before the Joint Finance and Appropriations Committee (JFAC). Through **S 1093**, the State Department of Education seeks to make the block grant permanent in the Idaho Code.

**Jason Hancock**, ISDE, explained how **S 1093** will impact local districts. He said every district would be reduced proportionally. However, the more a district spent on transportation, the more impact they may 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 savings. Last year \$69,973,600 was spent on transportation. If this change is not made, the state will be required by statute to spend \$75 million. If **S 1093** is adopted, the FY14 budget requests transportation funds of \$67 million. The remaining \$7.5M will be transferred into discretionary funds which will be distributed to public schools, based on units. Mr. Hancock stated he supported the legislation because historically, it works.

In response to a question from the committee regarding the transportation costs of virtual charter schools, **Sen. Goedde** said in traditional schools there is the expense of bringing the child to the school. In virtual schools there is the cost of bringing the school to the child. In 2006, that expense was factored into public school transportation expenses. To further questions, Sen. Goedde said the "cap" is to keep districts in line with their peers. He noted the Garden Valley School District is considered a "hardship route" and still has exemption status.

**MOTION:** **Rep. Nielsen** made a motion to send **S 1093** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Nielsen** will sponsor the bill on the floor.

**H 261:**

**Karen Echeverria**, Executive Director, Idaho School Boards Association (ISBA), presented **H 261**. She said the legislation sets out the criteria that a school district can use when considering a reduction in force. The change clarifies that seniority cannot be the only factor used when considering a reduction in force. She noted a one year sunset clause is included. She indicated it was the hope of the ISBA and the IEA to collect sound data over the next year to see what impact, if any, having the ability to use other factors, besides seniority, will have on employment in school districts.

In response to questions from the committee, **Ms. Echeverria** said the language was changed from "shall" to "may" in order to allow local districts autonomy. She stated the sunset clause made the legislation more palatable to the IEA.

**Bert Marley**, Director of Public Policy, IEA, gave a general statement on dialogues and debates circulating after the repeal of Propositions 1,2, and 3. (See attached.) He explained his support for **H 261**. He said, if the IEA had a preference, this legislation would not be seen this year. However, after changes were made to the initial piece of reduction in force legislation, the IEA could support the bill for two reasons: (1) The bill is comprised of language developed by the IEA which is less prescriptive and allows more latitude for local school districts. (2) This piece of legislation imposes a sunset date, assuring the Governor's Task Force time and space to give recommendations.

Responding to questions from the committee, **Mr. Marley** stated thousands of the members of IEA were not happy with the legislation, but in a spirit of cooperation, the leadership made the decision. He said seniority will be part of the equation of reduction in staff with five or six other factors being used by local districts.

**MOTION:**

**Rep. Agidius** made a motion to send **H 261** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Agidius** will sponsor the bill on the floor.

**S 1097aa:**

**Nick Smith**, Chief Deputy Superintendent, ISDE, said **S 1097aa** is the result of concerns raised by the Meridian and Nampa School Districts. He explained the bill will prevent Idaho School Districts from having to use Idaho taxpayer funds to educate out-of-state students who are placed in Idaho group homes. One concern is that the educating cost typically exceeds the amount sent to the district from the state, thereby taking valuable resources away from serving Idaho students. He indicated the state savings would be minimal, based on average daily attendance-driven funding of \$4,160 per enrolled pupil. However, local school district savings would be much more significant, based on an average expenditure of over \$28,000 per pupil for such students in the state's largest school district.

**Mr. Smith** stated the legislation states when students are assigned to an Idaho group facility from another state, our local school districts will be able to bill the group facility for the full cost of educating the student. It will then be the responsibility of the group facility to pass that cost on to whoever placed the student in the facility. This may include the home state's Department of Health & Welfare, home school district or parents. He said the legislation is broken into parts. One part addresses Special Education students who are on an Individual Education Plan (IEP) and those students who are not on an IEP. The bill language is written so that the local district must provide education to the out-of-state student if they are on an IEP, so Idaho does not run afoul of any federal Special Ed laws (provided the group facility pays for it), but may provide education to a non-IEP, out-of-state student (again, provided the group facility pays for it).

In response to questions from the committee, **Mr. Smith** said Idaho has pacts with other states for foster care. However, education monies do not follow a student out of the state. He noted, unless a student spends time in Idaho and establishes residency prior to his/her admission to a group home, he/she is not considered a resident. He also said many of the students are sent to Idaho from Alaska and the states along the East Coast. In response to a question regarding a student with an IEP, he said the state cannot deny a student with an IEP. He also said students with discipline issues may require one-on-one attendants, which is extremely costly.

To further questions from the committee, **Mr. Smith** said the legislation is not targeted at foster care or "kin-care." However, a parent may ultimately be responsible for the expense of the group home services.

**Dr. Linda Clark**, Superintendent, Joint School District No. 2, testified in support of **S 1097aa**. She said her district has 13 group home facilities. She noted it was an issue of fairness and limited resources. She told the committee, she is a public school advocate, however, the school districts need help from other states on this very complex and very expensive issue.

In response to questions from the committee, **Dr. Clark** said the costs are well calculated for all services rendered, and Idaho taxpayers are paying those costs. She indicated her district's relationship with the group homes was not a problem, their relationships are very amiable. She said when Idaho law changes, the group homes will rewrite the contracts which, in turn, should bring funds into the state to recoup the costs. To another question, Dr. Clark said the group homes vary from small facilities to larger institutions.

**MOTION:**

**Rep. VanOrden** made a motion to send **S 1097aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. VanOrden** will sponsor the bill on the floor.

**Mike Rush**, Executive Director, Idaho State Board of Education, gave his annual report to the committee. He explained the Idaho Constitution provides that the State Board of Education's responsibility is the general supervision of the state educational institutions and public school system of the State of Idaho. He said the Board, since education impacts income so directly, has set a goal of 60 percent of Idaho's citizens aged 25-34 will have at least a one year postsecondary credential by 2020. He outlined the Complete College Idaho Program addressing: transforming remediation, strengthening the connection from high school to postsecondary, structuring for success, rewarding progress and completion, and leveraging partnerships. He reported the accomplishments of the Board, the budget, and the special programs. He said data driven decision-making inspired their goal. He noted the Board will continue to work toward bringing the other 40 percent of Idaho's citizens to become more educationally proficient.

In response to a question from the committee, **Mr. Rush** stated, the future of educating Idahoans, is to educate them for jobs that did not exist 10 years ago. He said it is important to anticipate the change, not only in job opportunity, but change in culture.

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 10:20 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Tuesday, March 12, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS22106</u></a>	Disclosure at Proprietary Schools	Reps. Gannon and Kloc
<a href="#"><u>RS22241</u></a>	District's Salary-Based Apportionment	Jason Hancock, Deputy Chief of Staff, Idaho State Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 12, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative(s) Wills, Agidius, Gestrin

**GUESTS:** Harv Lyter and Marilyn Whitney, Idaho State Board of Education (ISBE); Barb DeHaan, Northwest Career Colleges Federation; Kris Ellis, Benton, Ellis and Associates

**Chairman DeMordaunt** called the meeting to order at 9:02 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of March 5, March 6, and March 7, 2013. **Motion carried by voice vote.**

**RS 22106:** **Rep. Kloc** presented **RS 22106**. He said the simple goal of the proposed legislation is to give prospective students at proprietary schools more transparency. He defined proprietary schools as an educational business or other entity, whether legally constituted or otherwise, which conducts, provides, offers or sells a course of study, but not degrees. He indicated the proposed legislation would insure these schools explain to the student "up front" what the outcomes will be in the form of job opportunity, and the necessity to pay back indebtedness. The proposed legislation would mandate these schools have student contracts that give complete disclosure.

**Rep. Gannon** presented the statistics on student loan defaults. He said the Federal Savings and Loan Insurance Corporation (FICO) labs, reported a 48 percent rise in student loan indebtedness from 2005 to 2012. Also, delinquency rates on existing student loans increased to 25.1 percent between October 2010 and October 2012, putting student load debt at over a trillion dollars. He reasoned that proprietary schools provide high-cost programs that have little chance of leading to high-paying careers, thus saddling the most vulnerable students with heavy debt.

**Rep. Gannon** explained students need to know bankruptcy will not dispose a student loan. They need to know that some occupations are unattainable, if a person has committed a misdemeanor. He said for nondisclosure, proprietary schools must refund the tuition costs. Students will have a 30 day period, from the time they sign the contract, to the time their contract is binding. During that period, they have time to think, attend a few classes and make a more informed decision.

To a question from the committee regarding other universities and colleges tied to a contract, **Rep. Gannon** said he would like to bring other legislation to tie all higher education entities to a mechanism for full disclosure. To a question regarding the names of the proprietary schools in Idaho, **Rep. Kloc** distributed a list to the committee. (See attached.)

To additional questions, **Rep. Gannon** said some of the proprietary schools are approved by the ISBE. He said the proposed legislation requires the schools to talk about job possibilities and job placement data prior to contract signing.

**MOTION:** **Rep. Bateman** made a motion to introduce **RS 22106**.

To a question regarding "right to privacy" for the students in surveying their financial records mentioned in Subsection E of **RS 22106**, **Rep. Gannon** said there is nothing in the subsection that is required, only a suggestion. To a question regarding the propensity for lawsuits, **Rep. Gannon** said the legislation is focused basically on good faith compliance; it is not a punitive bill. To further questions, he related Congress has not changed the federal laws regarding this subject; states have to act independently. He also said that schools doing a great job will not be affected negatively by the proposed legislation.

**Rep. Kloc** read from an article in the *Idaho Statesman*, July 17, 2011, regarding proprietary schools. It said, "Forty-six percent of all student loan defaults come from for-profit institutions, yet they account for only about 12 percent of college students." (See attached.) He urged lawmakers to print **RS 22106**.

**Rep. Kloc** responded to a question regarding the appropriateness of the state's role in private proprietary schools, by stating the financial aid debt brings the subject into the realm of the state. To a question regarding cosmetology schools, **Rep. Gannon** noted they are certificate-issuing institutions and are not considered proprietary.

**Rep. Pence** called for the question.

**VOTE ON  
MOTION:**

**Chairman DeMordaunt** called for a vote on the motion to introduce **RS 22106**.  
**Motion carried by voice vote.**

**RS 22241:**

**Jason Hancock** presented **RS 22241**. He explained the proposed legislation restores the ability of the State Department of Education to calculate support units to the nearest hundredth, rather than the nearest tenth. This ability was lost through the repeal of **S 1184**, and related laws through Proposition 3. He added, calculating to the nearest hundredth allows funding to more accurately follow each student.

**MOTION:**

**Rep. Shepherd** made a motion to introduce **RS 22241**. **Motion carried by voice vote.**

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 9:41 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
9:00 A.M.  
Room EW41  
Thursday, March 14, 2013

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">SR 120</a>	Boise School District Reading Award	Sen. Buckner-Webb
<a href="#">H 275</a>	Staff Allowance for Districts	Rob Winslow, Director, Idaho Association of School Administrators
<a href="#">RS22240</a>	District's Salary-Based Apportionment	Rep. DeMordaunt
<a href="#">S 1078</a>	Campus Access for Religious Students	Sen. McKenzie

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 14, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Harold Ott, Idaho Rural Schools Association; Rob Winslow and Phil Homer, Idaho Association of School Administrators; Robin Nettinga, Idaho Education Association; Jessica Harrison, Idaho School Boards Association; Marilyn Whitney, Idaho State Board of Education; Monica Hopkins, American Civil Liberties Union (ACLU) of Idaho; Bruce and Charles Skaug, Jesse Barnum, Kyle Clifton, Nate Jansen, Kayla Cuvelier, Sam Kelly and Nathan McIndoo, citizens; Joe Stegner, University of Idaho, Special Assistant to the President for State Governmental Relations

**Chairman DeMordaunt** called the meeting to order at 9:02 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve minutes for March 8, March 11 and March 12, 2013. **Motion carried by voice vote.**

**SR 120:** **Sen. Buckner-Webb** presented **SR 120** commending the Boise Independent School District for exemplary dedication and commitment to the success of Boise students. She told the committee the Boise District received the 2013 Read Right Award of Excellence. She related the achievements the district has seen through implementation of the Read Right Program.

**MOTION:** **Rep. Agidius** made a motion to send **SR 120** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kloc** will sponsor the bill on the floor.

**H 275:** **Rob Winslow**, Director, Idaho Association of School Administrators, said **H 275** allows public schools "Use It or Lose It" flexibility in staffing certificated positions. He noted, a district may employ 9.5 percent fewer positions without a reduction in the number of funded positions being imposed. He said the measure was implemented during the "economic crunch," but the percentage may be reduced as more funding comes to public schools. He indicated the legislation comes with a one-year sunset clause.

In response to questions from the committee, **Mr. Winslow** said as the money is restored to the public education system, there will be a logical and prudent scaling back. He said they are currently maintaining the 9.5 percent because some districts, in crisis, require it. He noted the funds can be used for teachers; also, there are conditions for supplementary uses.

**Robin Nettinga**, Idaho Education Association (IEA), testified in support of **H 275**. She said the IEA has historically favored "Use it or Lose it," but is concerned about class size. She indicated, the IEA favors the sunset clause to assure continued collaboration between stakeholders.

In response to a question regarding teacher competence and class size, **Ms. Nettinga**, said "class size" is an easy label for a very complicated issue.

**Jessica Harrison**, Policy and Government Affairs Coordinator, Idaho School Boards Association, spoke in support of **H 275**, saying the flexibility is still needed.



**MOTION:** **Rep. Ward-Engelking** made a motion to send **H 275** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Ward-Engelking** will sponsor the bill on the floor.

**Chairman DeMordaunt** turned the gavel over to **Vice Chairman Nielsen**.

**RS 22240:** **Rep. DeMordaunt** explained the purpose of the proposed legislation is to direct funding that is included in the proposed budget. In the past 1.67 percent of the money directed for salary-based apportionment had been redirected. This legislation is to stipulate that the money will be used for either reducing class size by hiring new teachers or adding back teaching days; or, a combination of both of these.

To a question from the committee, **Rep. DeMordaunt** said if the proposed legislation was not implemented, the direction of those funds would not take place.

**MOTION:** **Rep Kloc** made a motion to introduce **RS 22240**. **Motion carried by voice vote.**

**Vice Chairman Nielsen** turned the gavel over to **Chairman DeMordaunt**.

**S 1078:** **Sen. McKenzie** presented **S 1078**. He explained that the legislation would prohibit Idaho public postsecondary educational institutions from discriminating against a religious student group, based on the religious student group's requirement that its leaders adhere to its sincerely held religious beliefs, or standards of conduct. He produced a copy of a letter from the Judiciary of the Associated Students of Boise State University (ASBSU) to the Cornerstone Ministries (CM) Officers, as justification for the legislation. The ASBSU letter pointed out language in the constitution of Cornerstone Ministries which they found to be in conflict with the nondiscrimination clause at the university. Sen. McKenzie indicated the requirements, regarded as questionable by the ASBSU Judiciary, were: (1) Be in good moral standing, exhibiting a lifestyle that is worthy of a Christian; (2) A Biblically compatible lifestyle; and, (3) Reference to *Matthew 18: 15-17*, which may cause CM members to treat others as "pagans." (See attached.) He also presented an opinion from the office of Idaho's Attorney General. (See attached.)

In response to questions from the committee, **Sen. McKenziesaid** designation of religious groups has been clarified by the U.S. Supreme Court as "free to function as a religion, unless the group advocates the breaking of law". He reported, presently at BSU, the constitutional requirements for leaders of some religious groups must be changed or they will be eliminated from campus. He noted the national organizations are not a part of the debate. He said, there is no loyalty oath, only a statement of belief and an agreement to live in accordance to the guiding documents of the organization.

**MOTION:** **Rep. Bateman** made a motion to send **S 1078** to the floor with a **DO PASS** recommendation.

**Bruce D. Skaug**, attorney, testified in support of **S 1078**. He explained his ties to Idaho, and his travels to Asia where he had witnessed bad government and unjust treatment of Christians. He cited religious freedom and freedom of speech as rights being challenged by the ASBSU. He said **S 1078** is needed to prevent arbitrary attacks on student religious groups. He testified the legislation will prevent public universities from discriminating against religious groups, based on any rule, which requires the leaders to give up a sincerely held tenet of their faith. He said he agreed with the opinion from the office of Idaho's Attorney General.

**Charles Skaug, Jesse Barnum, Kyle Clifton, Nate Jansen, Kayla Cuvelier, Sam Kelly and Nathan McIndoo**, citizens, testified in support of **S 1078**. They cited their ties to the religious organizations at Boise State University and their enhanced college experience because of their association with religious groups. They also told the committee their religious liberties were being challenged, and they were willing to leave the University rather than change their constitution and bylaws.

**Monica Hopkins**, ACLU of Idaho, testified in opposition to **S 1078**. She indicated the legislation seeks state sponsored preferential exemptions for religious student organizations. She cited the U.S. Supreme Court findings in the *Christian Legal Society v Martinez* (2010). She said the Court held that religious student clubs, receiving public funds, do not have a right to an exemption from nondiscrimination policies. She testified that official recognition on campuses means access to student funds compelled by state statute. She said many campus organizations thrive without the use of public funds. She supported ASBSU's Judiciary decision, and said **S 1078** may allow a religious student organization to discriminate against race, age or disabled students.

**Joe Stegner**, University of Idaho, Special Assistant to the President for State Governmental Relations, testified in opposition to **S 1078**. He stated that the University of Idaho has 200 clubs on campus. He said their policy is to get the clubs established and leave them alone. He said the legislation is a "solution looking for a problem." He related his concern for the precedence being set by **S 1078**.

To a question from the committee regarding the conceivability of persons infiltrating and overpowering the values of a student group, **Mr. Stegner** stated it may be conceivable; however, in his opinion, the students of like mind would leave the organization, regroup and create another club.

**MOTION:** **Rep. Boyle** called for the question. **Motion carried by voice vote.**

**VOTE ON THE MOTION:** **Chairman DeMordaunt** called for a vote on the motion to send **S 1078** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Reps. Pence, Kloc and Ward-Engelking** requested to be recorded as voting **NAY**. **Rep. Bateman** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:54 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #2**  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Monday, March 18, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>RS22293</u></a>	Higher Education Administrative Functions	Bruce Newcomb, Boise State University; Marilyn Whitney, State Board of Education
<a href="#"><u>RS22267</u></a>	An Escrow Account; Involuntary Leave	Rep. Ward-Engelking
<a href="#"><u>RS22254</u></a>	Education, Correction to Cross-Reference	Jason Hancock, Deputy Chief of Staff, Idaho State Department of Education
<a href="#"><u>RS22259</u></a>	Education, Flexibility in FY14 Budgets	Jason Hancock, Deputy Chief of Staff, Idaho State Department of Education
<a href="#"><u>RS22260</u></a>	Education, Written Evaluations	Nick Smith, Deputy Superintendent, Idaho State Department of Education

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Monday, March 18, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative(s) Boyle, Bateman, and Gestrin

**GUESTS:** Don Drum, PERSI Executive Director; Tony Smith, Benton, Ellis and Associates; Marilyn Whitney, Idaho State Board of Education; Harold Ott, Idaho Rural Schools Association; Dan Goicoechea, Chief Deputy, Office of the Idaho State Controller (SCO); Andy McGuire, SCO

**Chairman DeMordaunt** called the meeting to order at 9:01 a.m.

**RS 22293:** **Bruce Newcomb**, Boise State University, introduced **RS 22293**. He said the purpose of the proposed legislation is to provide efficiency and accountability in Idaho higher education and to provide equal status to the four state institutions of higher education. It will also provide increased flexibility to the Idaho State Board of Education to govern the state colleges and universities. He indicated the proposed legislation provides for colleges and universities to utilize the Idaho State Department of Education for services when it makes sense to do so. The proposed law would take effect July 1, 2014, in order to accommodate the process of implementation. He added, there is also a sunset clause of June 30, 2016, to allow the Legislature to evaluate the effects and outcomes, if the proposed legislation becomes law.

**MOTION:** **Rep. Wills** made a motion to introduce **RS 22293**.

Responding to questions from the committee, **Mr. Newcomb** said the agencies and the Idaho State Board of Education have thoroughly discussed the proposed legislation and are in agreement with its contents. He testified that authority for insurance regarding the state colleges and universities presently lies with the State Board.

**VOTE ON  
MOTION:** **Chairman DeMordaunt** called for a vote on the motion to introduce **RS 22293**. **Motion carried by voice vote.**

**RS 22267:** **Rep. Ward-Engelking** presented **RS 22267** indicating the proposed legislation is a trailer bill to **H 259**. She said, in the case of a school district employee's involuntary leave of absence, the district can establish an escrow account. If the involuntary leave is because an employee is removed by criminal court order, but found not guilty, the account funds will be remitted to the employee, along with any back benefits. However, the cost to the school district for hiring a substitute would have been subtracted from that amount. She noted that if the employee is found guilty of a criminal offense, the funds in the escrow account will be remitted to the school district.

In response to a question regarding the placement of the escrow account, **Rep. Ward-Engelking** said the escrow account would be under the umbrella of the school district and not a special bank account. To a further question regarding future exoneration of guilt and school district liability for back wages, she said, the proposed legislation does not speak to that scenario.

**MOTION:** **Rep. Nielsen** made a motion to introduce **RS 22267**. **Motion carried by voice vote.**

**RS 22254:** **Jason Hancock**, Deputy Chief of Staff, Idaho State Department of Education, presented **RS 22254**. He explained the proposed legislation corrects a code reference for online courses.

**MOTION:** **Rep. Agidius** made a motion to introduce **RS 22254** and send it directly to the Second Reading Calendar. **Motion carried by voice vote. Rep. Agidius** will sponsor the bill on the floor.

**RS 22259:** **Jason Hancock**, Deputy Chief of Staff, Idaho State Department of Education, presented **RS 22259**. He testified the proposed legislation will provide more flexibility to school districts coping with limited budgets, by providing two-thirds relief in FY14 from the requirement that school districts allocate a certain amount of funding for school building maintenance, under certain circumstances. He indicated the funds were referred to as "match funds." He said this relief was provided in full for the FY10-FY13 period, under the same circumstances. Mr. Hancock noted this legislation is consistent with the first year of a "three-year, phased-in reinstatement" of the maintenance match requirement approved in the FY14 Public Schools Appropriation Bill. He added that the amount would be reduced if there is a plant facilities levy in place. He said if money is left over, it can be used for one-time hiring of teachers.

In response to questions from the committee, **Mr. Hancock** said he was comfortable with the proposal because the dollars first need to provide safe school buildings. He noted that the proposal only applies to local match money.

In the committee discussion, **Rep. Pence** said the direction of funds, by the State, is the State's response to losing the facilities court decision. She said the court has required the State to do more to insure that children will not attend unsafe facilities.

**MOTION:** **Rep. Nielsen** made a motion to introduce **RS 22259** and send it directly to the Second Reading Calendar. **Motion carried by voice vote. Rep. Mendive** will sponsor the bill on the floor.

**RS 22260:** **Nick Smith** presented **RS 22260**. He said the proposed legislation clarifies that all certificated employees must receive at least one written performance evaluation each year; and, in the case of instructional staff, the evaluation must include at least two documented observations. He added that the proposed legislation came from an evaluations task force with all stakeholders involved.

In response to a question from the committee, **Mr. Smith** explained that the State standards for evaluation are basic minimum standards, leaving room for local control. The districts can use peers for observation; they can write their own plan, using the basic minimums for the skeletal structure.

**MOTION:** **Rep. Horman** made a motion to introduce **RS 22260**.

Responding to a question regarding self-reflection as part of the evaluation equation, **Mr. Smith** said the Danielson Evaluation Model, used by the State, incorporates self-reflection. To an additional question, he said the document's stricken language was deleted from the proposed legislation at the request of the superintendents, in order to protect principals in extraordinary situations.

**VOTE ON MOTION:** **Rep. DeMordaunt** called for a vote upon the motion to introduce **RS 22260**. **Motion carried by voice vote.**

**ADJOURN:**      There being no further business to come before the committee, the meeting adjourned at 9:45 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Tuesday, March 19, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">S 1133 aa</a>	School Security Plan	Sen. Hagedorn
<a href="#">H 295</a>	Educational Support Units	Jason Hancock, Deputy Chief of Staff, Idaho State Department of Education
<a href="#">H 307</a>	District's Salary-Based Apportionment	Rep. DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 19, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** The sign-in sheets will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheets will be filed with the minutes in the Legislative Services Library.

**Chairman DeMordaunt** called the meeting to order at 9:04 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of March 14, 2013. **Motion carried by voice vote.**

**S 1133aa:** **Chairman DeMordaunt** explained that **Senator Hagedorn** would not be able to present **S 1133aa**. He said it would be moved to the March 20 Agenda.

**H 295:** **Jason Hancock** presented **H 295**. He explained the legislation restores the ability of the State Department of Education to calculate support units to the nearest hundredth, rather than the nearest tenth. This ability was lost through the repeal of **S 1184**, and related laws. He added, calculating to the nearest hundredth allows funding to more accurately follow each student.

**MOTION:** **Rep. Kloc** made a motion to send **H 295** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kloc** will sponsor the bill on the floor.

**Chairman DeMordaunt** turned the gavel over to **Vice Chairman Nielsen**.

**H 307:** **Rep. DeMordaunt** said the purpose of **H 307** is to direct funding that is included in the Joint Finance and Appropriations Committee's (JFAC) proposed education budget. The legislation is to stipulate that 1.67 percent will be used for either reducing class size by hiring new teachers, or adding back teaching days; or, a combination of both.

Responding to a question, **Rep. DeMordaunt** said the 1.67 percent came from the salary-based apportionment (SBA). He related that if we increase days, that percentage will go directly to teachers. The district has a choice to add employees or add days. He indicated the 1.67 percent should not be discretionary funds. He added, JFAC's purposed education budget recommended restoring two steps back to the salary grid.

**Jason Hancock** was called upon to answer a question regarding furlough days and cuts to certificated staff. He said he was not aware of any districts that did not have to make some cuts in days or staff.

In response to a question, **Rep. DeMordaunt** clarified that the "5th factor" is part of a proposed restoration through JFAC in the education budget for FY14. He also clarified that the House has not yet voted on that budget.



**Robin Nettinga**, Executive Director, Idaho Education Association (IEA), said the IEA **opposes H 307**. She explained that prior to 2011, the 1.67 percent was included in the SBA that flowed to school districts. In 2011, the Idaho State Department of Education's proposal in **S 1184** moved the money out of SBA and used it to pay for some of the components of the Education Reform Laws. She reported, at the time that **S 1184** was introduced, it required that the amount of money increase each year from the 1.67 percent. She noted that last year, the Legislature introduced and successfully adopted **H 698** which eliminated all future increases in SBA, as outlined in the law. However, the 1.67 percent did remain in place and is in place for this fiscal year. In November 2012, when the voters repealed **H 698** and **S 1184**, it assured that the remaining 1.67 percent (\$12.8 million) would flow back through the SBA to districts. She said **H 307** would limit how districts could spend that SBA money. She related that the need to hire more staff and to increase contract days are both worthy of expending extra dollars. However, individual teachers should not have to pay for these important items. She noted if the State believes that districts should have funds to hire more staff, and increase contract days, then additional monies should be provided for those purposes by the State. She asked that **H 307** be held in committee.

In response to a question from the committee, **Ms. Nettinga**, said the option to use these monies for an increase in teacher salaries should be left open, and that decision should be made by local districts.

**Cherlyn Paris**, a teacher in Boise, spoke **in opposition to H 307**. She said the State should not take away local control, nor micromanage the distribution of funds. She said the 1.67 percent SBA should be restored to its original placement in school budgets. She illustrated her situation with an example of health insurance and deductible increases.

In response to a question from the committee, **Ms. Paris** said the \$12.8 million would go into the negotiation process on a local level.

**Mr. Hancock** related two points: (1) Putting the \$12.8 million back into negotiations would divert monies from the SBA, and (2) If the districts restore the furloughed days to the school calendar, teachers get a raise.

**Angelina Wilson**, teacher and parent, spoke **in opposition to H 307**. She explained her situation being the main source of income for her family. She argued that teachers are being asked to do more with less. She said she does not want her family to leave Idaho.

In response to questions from the committee, **Ms. Wilson**, explained the reduction in the base salary had not been restored, thus teachers lost days and wages, even if the State is planning make a positive change in the base salary for FY14.

Responding to a question, **Ms. Nettinga** clarified there was a reduction in number of days, but in addition, the minimum salaries were reduced.

**Adria Holzburg**, **Sandra Merrick** and **Jordan Sims** spoke **in opposition to H 307**. They agreed that local control would more likely compensate for lost opportunities to pay for advanced degrees and/or student loans. **Ms. Holzburg** and **Ms. Merrick** explained the position of those teachers who earned advanced degrees during the "salary freeze" years. **Ms. Sims** asked lawmakers to make Idaho more competitive.

**Rep. DeMordaunt** was called upon to close debate. He said **H 307** does not reduce salaries. The JFAC Education Budget for FY14 will restore two steps to the salary schedule and it restores education credits payments. He indicated that during the economic downturn, everyone has experienced a decrease or stagnation of salary.

**MOTION:**

**Rep. Clow** made a motion to send **H 307** to the floor with a **DO PASS** recommendation.

**Rep. Clow** spoke in opposition to **H 307**. He said the bill did not allow local school districts to determine their best use for restored "fifth factor" funding. The decision on distribution of the 1.67 percent should remain with the local school districts. **Reps. Wills, Harris, and Pence** spoke in favor of local control. **Rep. Ward-Engelking** objected to the micro-management by the State.

**Rep. VanOrden** debated in support of **H 307**. She said that during the listening hearing, she heard comments from individuals that some school districts had increased their class size to adjust to the reduction in state appropriation. She noted the bill would hopefully help with that situation. She also indicated, when talking with local school boards and superintendents, there was support for the bill. **Rep. Nielsen** also spoke in support of **H 307**.

**ROLL CALL  
VOTE:**

**Rep. Ward-Engelking** requested a roll call vote on the motion to send **H 307** to the floor with a **DO PASS** recommendation. **Motion failed by a vote of 8 AYE and 8 NAY. Voting in favor of the motion: Reps. Nielsen, Shepherd, Bateman, Boyle, Gestrin, Horman, VanOrden and DeMordaunt. Voting in opposition to the motion: Reps. Wills, Agidius, Clow, Harris, Mendive, Pence, Kloc, and Ward-Engelking.**

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 9:54 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Wednesday, March 20, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#">H 314</a>	Higher Education Administrative Functions	Bruce Newcomb, Boise State University
<a href="#">S 1133aa</a>	School Security Plan	Sen. Hagedorn

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, March 20, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Boyle

**GUESTS:** Donna Weast, DHR; Julie Hart, Idaho Press Club; Harold Ott, Idaho Rural Schools Association; Don Drum, PERSI; Dan Goicoechea and Brian Benjamin, State Controller's Office; Matt McCarter and Camille Wells, Idaho State Department of Education; Marilyn Whitney, State Board of Education; Wayne Hoffman, Idaho Freedom Foundation; Monica Hopkins, American Civil Liberties Union (ACLU) of Idaho; Kent Kunz, Idaho State University

**Chairman DeMordaunt** called the meeting to order at 9:04 a.m.

**Chairman DeMordaunt** explained a change in the agenda. He turned the gavel over to **Vice Chairman Nielsen**.

**H 307:** **Vice Chairman Nielsen** explained that incorrect protocol had been used in the handling of **H 307** during the March 19 Meeting. He said it is against the rules to make a motion that legislation "DO PASS" and then directly debate against that motion.

**MOTION:** **Rep. Clow** made a motion to reconsider to send **H 307** to the floor with a **DO PASS** recommendation.

**Rep. Wills** explained the procedure would be to vote on the motion to reconsider the motion, then debate **H 307** for the second time.

**VOTE ON  
MOTION:** **Vice Chairman Nielsen** called for the vote on the motion to reconsider **H 307**.  
**Motion carried by voice vote.**

**MOTION:** **Rep. VanOrden** made a motion to send **H 307** to the floor with a **DO PASS** recommendation.

**Rep. Harris** said from a fairness point of view, he had researched the information from the previous day's testimony and found there were lost days and lost positions, but the salary decreases, that had been referred to during previous testimony, did not happen. He wished to change his vote from March 19 to a "yes" vote. **Rep. Wills** said he would be willing to vote "yes" to send the bill to the floor, but could not guarantee a "yes" vote beyond that.

**Vice Chairman Nielsen** explained to persons assembled in the committee room, there would be no additional testimony taken. The debate and vote would take place only within the committee.

**Rep. Ward-Engelking** said that she was bothered by the new information, with no chance for others to testify. **Rep. Kloc** noted the teachers who visited his office, after the March 19 Meeting, were elated that **H 307** had been held in committee.

**Rep. Agidius** said she remains convinced that the control of salary-based apportionment funds should be with local districts. **Rep. Bateman** said he wished to change his vote from March 19 to a "no" vote. **Rep. Pence** argued that local control was working well in her district, and she would vote **in opposition to H 307**.

**Vice Chairman Nielsen** said, from conversations after the meeting, he found that the local districts, and not the State, had made many of the cuts that testifiers objected to in the March 19 Meeting.

**SUBSTITUTE  
MOTION:**

**Rep. Wills** made a substitute motion to **HOLD H 307** in committee until a time certain. **Motion carried by voice vote.**

**Vice Chairman Nielsen** turned the gavel over to **Chairman DeMordaunt**.

**H 314:**

**Bruce Newcomb**, Boise State University (BSU), presented **H 314**. He explained the legislation provides efficiency and accountability in Idaho higher education, and provides equal status to the four state institutions of higher education. Those institutions are: University of Idaho, Idaho State University, Lewis-Clark State College and Boise State University. He said the bill will provide increased flexibility to the State Board to govern the state college and universities. The legislation also provides that the State Board may allow colleges and universities to utilize state departments for services, when it makes sense to do so. Mr. Newcomb told the committee, all stakeholders had been included in crafting the legislation.

**Stacy Pearson**, Vice President for Finance and Administration, BSU, testified in support of **H 314**. She said the University needed to cut administrative costs and solve some of the challenges to reduce administrative expenditures. She said the intent of the legislation is to include all changes into the auditing account. She added, BSU will work with the State on providing the mail services, at a savings to the University; however, health insurance would be better left with the University.

**Kevin Satterlee**, Vice President and General Counsel, BSU, spoke in support of **H 314**. He said when constructing new buildings, because of BSU's "non-land-grant" status, it can only use the Department of Public Works. He said the legislation would give BSU choice and efficiency in working with State Agencies, and public and/or private industry.

**MOTION:**

**Rep. Wills** made a motion to send **H 314** to the floor with a **DO PASS** recommendation.

**Brian Benjamin**, Assistant Chief Deputy/Counsel, State Controller's Office (SCO) noted that SCO is not taking any position on **H 314**. He said SCO did have concerns about implementation and fiscal impact. He said the proposals in the legislation would be funded by the Statewide Cost Allocation Program monies, and costs will not go down. He indicated, current Idaho Code has direct conflict with the language in the bill, and many sections of code will have to be reexamined. He said items written into the bill which make it more palatable for SCO are: (1) the implementation will be delayed for one year; (2) when a University needs assistance they will petition the Idaho State Board of Education, however, the Board has 18 months to study that petition; and (3) the 2016 sunset clause will give lawmakers and stakeholders a chance to reexamine the effects of the legislation and identify possible conflicts.

In response to questions from the committee, **Mr. Benjamin** explained there are policy decisions to be made. He said **H 314** is a better bill after collaboration. He indicated, changes to the Administrative Rules, plus other considerations, will come before the 2014 Legislative Session as a result of this legislation.

**Marilyn Whitney**, Idaho State Board of Education, said the State Board of Education has met to considered the legislation, and their concerns have been resolved.

**Kent Kunz**, Idaho State University (ISU) spoke in support of **H 314**. He said ISU will continue to work with state agencies for the success of the measure.

**VOTE ON  
MOTION:**

**Chairman DeMordaunt** called for a vote on the motion to send **H 314** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Horman** will sponsor the bill on the floor.

**S 1133aa:**

**Sen. Hagedorn** presented **S 1133aa** stating the Newtown, Connecticut, school shooting has school officials and law enforcement across the nation reevaluating school security. He explained the intent of the legislation is to bring the complimentary core competencies of the local school boards and local law enforcement together to create, and continuously measure and improve, the effectiveness of the security and safety measures in Idaho's K-12 schools and transportation systems. He said some schools are already organized, but others are not. He indicated there is no statewide understanding; however, **S 1133aa** would get elected officials, such as Idaho County Sheriffs and local school boards working together to measure, to report and to improve school security, across the State.

**Sen. Hagedorn** told the committee the school security plan reports would not be made public and would not be available through the Freedom of Information Act.

Responding to questions from the committee, **Sen. Hagedorn** said local police and first responders would be a part of the local committee, however, sheriffs and school board members were specifically chosen because they are elected by the people and can be held accountable. He said a state metric would measure the competency of a school district's security plan. He indicated that the sheriffs and school board members would have the veto power.

In response to additional questions from the committee, **Sen. Hagedorn**, said the schools with existing comprehensive plans should easily dovetail into the proposed metric. He noted the sheriffs and school boards will work in tandem without either holding veto power over the other. He indicated the Governor's Task Force will depend on the state metric for guidance, and the Governor and **Colonel Jerry Russell**, Director of the Idaho State Police (retired), were involved in creating the language for **S 1133aa**. He said the sheriffs and police departments need to work together. He added public charter schools are included in the bill.

**Julie Hart**, representing the Idaho Press Club, spoke **in opposition to S 1133aa**. She testified, Idaho Code 9-340B covered school safety and security plans. She said additional language is unnecessary. She noted, the Idaho Press Club recognizes the details of school security plans ought to remain secure; however, there should be a general reporting.

In response to a question regarding public disclosure endangering students, **Ms. Hart** said, compliance to the security plans needs to be publicized.

**Matt McCarter**, Director, Idaho State Department of Education, said the State Department is **in support of S 1133aa**. He indicated the Board favors beginning with a threat assessment which includes, not only brick and mortar checks, but assessment of school climate such as incidents of suicide, alcohol abuse, and social unrest. He noted the Idaho Plan follows recommendations from the Texas School Safety Center.

**Wayne Hoffman**, Idaho Freedom Foundation, and **Monica Hopkins**, ACLU of Idaho, spoke **in opposition to S 1133aa**. They objected to the broad exemption the legislation will give to public records. Ms. Hopkins said Idaho's Criminal Justice System does give a report, but not specific names. She said the school security reports need to be examined. Mr. Hoffman said security plan discussions will not take place in open session, leaving no way to question the security plans.

**Sen. Hagedorn** was called upon to close debate. He said openness to the plan can be duplicitous. He said they will publish the State Metric. However, the decision has to be made as to how much information defeats the purpose of security. He said, regarding a threat, the "unknown" is a deterrent, in and of itself.

**MOTION:**

**Rep. Bateman** made a motion to send **S 1133aa** to the floor with a **DO PASS** recommendation.

**SUBSTITUTE  
MOTION:**

**Rep. Neilsen** made a substitute motion to **HOLD S 1133aa** in committee. He argued cost of implementation and reporting could be saved if school employees were allowed to carry arms, without disclosure of who does or does not carry.

**AMENDED  
SUBSTITUTE  
MOTION:**

**Rep. Horman** made an amended substitute motion to send **S 1133aa** to General Orders. She said the public charter schools need to be specifically named.

**Reps. Kloc and Wills** spoke **in support of** the amended substitute motion. Rep. Wills stated the amending order would give opportunity for the inclusion of city and state police personnel, who already have compatible relationships with school districts; and, who will most likely be the first responders to any school security issue.

**Chairman DeMordaunt** called for a vote on the amended substitute motion to send **S 1133aa** to General Orders. **Motion carried by voice vote.**

**ADJOURN:**

There being no further business to come before the committee, the meeting adjourned at 10:56 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

**AMENDED AGENDA #4**  
**HOUSE EDUCATION COMMITTEE**  
**8:30 A.M.**  
**Room EW41**  
**Thursday, March 21, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>H 307</u></a>	District's Salary-Based Apportionment	Rep. DeMordaunt
<a href="#"><u>RS22318</u></a>	District's Salary-Based Apportionment, Part Two	Rep. DeMordaunt
<a href="#"><u>S 1146</u></a>	Financial Emergency	Robin Nettinga, Executive Director Idaho Education Association
<a href="#"><u>H 317</u></a>	Education, Written Evaluations	Nick Smith, Deputy Superintendent, Idaho State Board of Education
<a href="#"><u>H 324</u></a>	Interstate Compact on Educational Opportunity for Military Children	Rep. Wills
<a href="#"><u>RS22314</u></a>	Concurrent Resolution: Joint Appointment for an Interim Committee on Education	Rep. DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)



MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 21, 2013

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

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Wills

**GUESTS:** Harold Ott, Idaho Rural Schools Association; Karen Echeverria, Idaho School Boards Association; Rob Winslow and Phil Homer, Idaho Association of School Administrators; Bryce Gestrin, Meridian Schools; Marilyn Whitney and Camille Wells, Idaho State Department of Education; Dr. Linda Clark, Joint School District No. 2; Robin Nettinga, Idaho Education Association

**Chairman DeMordaunt** called the meeting to order at 8:33 a.m.

**H 307:** **Chairman DeMordaunt** told the committee he had made a decision to **HOLD H 307** in committee. He explained that he would be presenting new legislation to replace **H 307** with the recommendation for the RS to be sent to the Second Reading Calendar. This action would allow the proposed legislation "hearing" status, thus allowing for testimony and debate on the RS.

**Chairman DeMordaunt** turned the gavel over to **Vice Chairman Nielsen**.

**RS 22318:** **Rep. DeMordaunt** presented **RS 22318**. He explained the deductions in state funding for salary-based apportionment (SBA) during the FY10-FY12 period caused school districts to reduce the number of certificated instructional positions, reduce the number of contract days, or a combination of the two. He said the proposed legislation contains a change from **H 307**, which resulted from concerns of those in the committee and those who testified before the committee. **RS 22318** restores the instructional positions and contract days that school districts have made since FY11, as in **H 307**. However, after those requirements have been achieved, the remainder of the 1.67 percent will go into SBA funds and will be distributed appropriately by the local districts.

In response to questions from the committee, **Rep. DeMordaunt** confirmed that a district must restore furlough days and number of certified teachers before the SBA monies can be used as discretionary funds. He said the shortened work week, where employees work longer days, would not be adversely affected. To another question, Rep. DeMordaunt said the SBA funds could be spent for teacher development days for implementation of the Common Core; or, to indirectly pay back supplemental levies. He noted the proposed legislation would not take additional reporting. He said all actions would be compared against the 2011 level.

**Karen Echeverria**, Executive Director, Idaho School Boards Association, said she **supported** the change in **RS 22318**.

In response to a question regarding **RS 22318** contradicting the "Use It or Loose It" legislation, **Ms. Echeverria** said the school districts will use both measures.

**Rob Winslow**, Executive Director, Idaho Association of School Administrators, said he was supportive of the new option within the proposed legislation. He noted the proposal adds flexibility.

Responding to a question from the committee, **Mr. Winslow** said districts would buy back furloughed days and teachers, then put money into salary-based apportionment.

**Robin Nettinga**, Executive Director, Idaho Education Association (IEA), spoke **in opposition to RS 22318**. She said the years of frozen steps, and nonpayment for education credits, cannot be fixed by the proposed legislation. She described the master contracts in many districts across the state. She added, in some districts, the state teacher salaries were reduced, not only as a result of furlough days, but also due to changes in the salary schedule. She provided negotiations' settlement information, and gave examples of salary schedules where the minimum salary is the "fixed" salary for several years of teaching. (See attached.)

In response to a question from the committee, **Ms. Nettinga** said the examples were not representative of all school districts, only those responding to the IEA Survey.

**Dr. Linda Clark**, Superintendent, Joint School District No. 2, spoke **in support of RS 22318**. She told the committee, Joint School District No. 2 has lost 30 teachers and 19 administrators. She said they had restored nine instructional days, however, not all of the furloughed days have been restored. She said the proposed legislation will allow a reversal in her district.

**Rep. DeMorduant** was called upon to close debate. He said the committee, through its efforts, has helped to bring a better bill which addresses all contingencies. He noted **H 205** has already unfrozen the educational credits. He said, our kids have paid the price for the downturn in the economy. This proposed legislation will rollback some of the shutdowns.

**Rep. Ward-Engelking** said she was concerned that the proposed legislation did not do enough to keep talented beginning teachers in the classroom.

**MOTION:**

**Rep. Gestrin** made a motion to introduce **RS 22318**, and recommend it be sent to the Second Reading Calendar.

**Reps. Clow** and **Nielsen** spoke **in favor** of the motion. Rep. Clow said the proposed legislation gives back days and teachers, with surplus funds going to discretionary spending.

**Reps. Pence** and **Kloc** spoke **in opposition** to the motion. Rep. Pence said her district wants local control and she wants the fate of the 1.67 percent to be decided by local school boards. Rep. Kloc. said he was in agreement with Rep. Pence; however, his opposition included no testimonies from teachers in the RS hearing.

**Vice Chairman Nielsen** called for a vote on the motion to introduce **RS 22318**, and recommend it be sent to the Second Reading Calendar.

**ROLL CALL  
VOTE:**

**Rep. Ward-Engelking** requested a roll call vote on **RS 22318**. **Motion carried by a vote of 11 AYE, 4 NAY, 1 Absent/ Excused. Voting in favor** of the motion: **Reps. Nielsen, Shepherd, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, and DeMordaunt. Voting in opposition** to the motion: **Reps. Batemen, Pence, Kloc and Ward-Engelking. Rep. Wills was absent/excused. Rep. DeMordaunt** will sponsor the bill on the floor.

**Vice Chairman Nielsen** turned the gavel over to **Chairman DeMordaunt**.

**H 324:**

**Sen. Brackett** presented **H 324**. He said the purpose of the legislation is to have Idaho join the Interstate Compact on Educational Opportunity for Military Children. He said the compact provides various mechanisms so that military children are not unfairly disadvantaged because of school attendance in multiple states or countries. He noted 44 other states have joined the compact, and it is a priority for the Mountain Home Air Force Base.

To a question regarding waivers for children, **Sen. Brackett** said the legislation is not asking for preference; it is concerned with helping individual children in individual situations. To an additional question regarding the advisory board, he said the legislation outlines the board as: the State Superintendent of Public Instruction, the superintendent of the school district with the largest concentration of military children, a representative from the military installation, a representative from the legislative branch, and a representative of the executive branch.

**MOTION:** **Rep. Nielsen** made a motion to send **H 324** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Wills** will sponsor the bill on the floor.

**S 1146:** **Robin Nettinga**, Executive Director, Idaho Education Association (IEA), presented **S 1146** to the committee, relating the genealogy of the legislation. She explained, in the past four years, Idaho's Financial Emergency statute has provided school districts with a tool to deal with funding shortfalls. She said **S 1146** makes several modifications to the current statute. Those changes are: (1) reduction from 5 percent to 1.5 percent, the bar a district would be required to meet in order to reduce personnel costs, and (2) a school district could declare a financial emergency if the amount of property tax revenue is reduced from the prior fiscal year, and represents more than 1.5 percent of the district's general fund budget; or, if the school district's general fund has decreased by at least 1.5 percent from the previous year's level due to a decrease in funding or national disaster.

In response to questions from the committee, **Ms. Nettinga** said **S 1148** would not be parallel to **S 1146** because it has no triggers. She stated, in the case where a district may lose its supplemental levy, the legislation would make it possible to receive emergency funds. **Ms. Nettinga** said there is a safety net for the State in the district's declaration of 1.5 percent. Since the Idaho State Department of Education receives a budget from every school district, every year, for approval, transparency is established. So, a district can have no more than 5.5 percent in its rainy day fund before it can lower salaries.

**MOTION:** **Rep. VanOrden** made a motion to send **S 1146** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Pence** will sponsor the bill on the floor.

**H 317:** **Nick Smith**, Deputy Superintendent, Idaho State Department of Education, presented **H 317**, clarifying that all certificated employees must receive at least one written performance evaluation each year; and, in the case of instructional staff, the evaluation must include at least two documented observations.

In response to a question from the committee, **Mr. Smith** explained the State standards for evaluation are basic minimum standards, leaving room for local expansion and/or development of a district evaluation plan built upon the State framework.

**MOTION:** **Rep. Kloc** made a motion to send **H 317** to the floor with a **DO PASS** recommendation.

Responding to further questions, **Mr. Smith** said, with the November 2012 repeal of "Students Come First," Idaho was put out of compliance with the US Department of Education. Idaho must establish a statewide evaluation criteria to reestablish compliance.

**VOTE ON MOTION:** **Chairman DeMordaunt** called for a vote on the motion to send **H 317** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Kloc** will sponsor the bill on the floor.

**Chairman DeMordaunt** turned the gavel over to **Vice Chairman Nielsen**.

**RS 22314:** **Rep. DeMordaunt** presented **RS 22314**, stating the proposal is a concurrent resolution requesting the President Pro Tem of the Senate and the Speaker of the House of Representatives appoint an Interim Committee to study issues relating to Idaho's K-12 education system. He explained that much of the 2013 Legislation from the House Education Committee contains a sunset clause, requiring stakeholders to study the effects of the legislation. That task will fall to the Interim Committee, among others. He added the Interim Committee will also complete a study of how to improve and strengthen Idaho's K-12 system, report findings and recommend legislation for the 2014 Legislative Session.

In response to questions, **Rep. DeMordaunt** said the Minority and Majority Parties would be represented on the Interim Committee. He said they would not be working jointly with the Governor's Task Force; the committee's tasks would be policy-focused.

**MOTION:** **Rep. Bateman** made a motion to introduce **RS 22314** and recommend it be sent to the Second Reading Calendar. **Motion carried by voice vote. Rep. DeMordaunt** will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 10:07 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
8:00 A.M.  
Room EW41  
Tuesday, March 26, 2013

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">S 1147aa</a>	Education: Garnishment for Tax Payment	Karen Echeverria, Idaho State School Boards Association
<a href="#">S 1149</a>	Education: Employment Negotiations	Karen Echeverria, Idaho State School Boards Association

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 26, 2013

**TIME:** 8:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Wills

**GUESTS:** Harold Ott, Idaho Rural Schools Association; Rob Winslow, Idaho Association of School Administrators; Paul Stark, Legal Counsel, Idaho Education Association (IEA); Bert Marley, IEA; Luci Willits, Idaho State Department of Education; Marilyn Whitney, Idaho State Board of Education

**Chairman DeMordaunt** called the meeting to order at 8:03 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of March 19 and March 20, 2013. **Motion carried by voice vote.**

**S 1147aa:** **Karen Echeverria**, Executive Director, Idaho School Boards Association (ISBA), stated the main point of **S 1147aa** is to prevent the "evergreen clause" from being written into Master Agreements. She said the legislation will limit the length of any negotiated Master Agreement, and would require that salaries and benefits in a Master Agreement be in effect for one year beginning on July 1, and ending on June 30. All other matters may have a length of two years. She noted, teacher contracts and the Master Agreement are not the same thing. Teacher contracts are the individual, one-page contracts which teachers sign each year, and commits the school district and the individual teacher to employment for the next year. The Master Agreement is the agreement which is negotiated between the local union and the local board, and includes all items that are negotiated. Ms. Echeverria said the provisions which have been negotiated with the Idaho Education Association, include a two-year term for all issues not related to salaries and benefits and a one-year sunset clause. She testified the ISBA has made this bill retroactive to November 21, 2012 to ensure that any Master Agreement that was reached during the last year remains in effect until a new agreement is reached between parties.

In response to questions from the committee, **Ms. Echeverria** said the time period set forth in the legislation to finish negotiation, and receive signed contracts, is doable. She stated only compensation and benefits must be negotiated every year. Other items such as lunch duty, or how many students in a classroom may constitute the hiring of an aide, are done every two years.

**Rob Winslow**, Executive Director, Idaho Association of School Administrators, said the district superintendents stand with the ISBA. He said the legislation provides a good tool with which to negotiate.

**Paul Stark**, General Counsel, IEA, cited substantive and procedural objections to **S 1147aa**. He said, since nothing in the current law requires any school board to make ongoing agreements, and nothing in the current law forbids a school district to negotiate every item, every year, if they choose. Then the local boards ought to have the choice at their discretion, to make agreements and negotiate contracts. He said, there is nothing in **S 1147aa** that could not be implemented on the local level. Mr. Stark noted, from a procedural point-of-view, page 2, lines 8-10, of the legislation, is a "cut-and-paste, back into existence" of the repealed proposition. He also said, allowing contracts to be retroactive to November 21, 2012, would negate lawful contracts negotiated after November 21, if not in accordance with **S 1147aa**. He said, to pass a law that impairs existing contracts directly violates the Idaho Constitution.

Responding to a question regarding the contractual agreements being cancelled by **S 1147aa**, **Mr. Stark** said, a Memorandum of Understanding is an example. When the propositions were repealed, they return to their original state. If there are existing contracts, it will violate the constitution. There cannot be an "after the fact" action. He noted that negotiations can go quickly. To other scenarios set forth by the committee, he said, all that is being described, can be done with the current law, and should be decided by the local board, not mandated by the State.

To further questions from the committee, **Mr. Stark** said those who set forth the legislation did not report that 25-30 percent of the boards did not want the bill. He said the ISBA weights their vote, and that everything contained in the legislation can be accomplished right now, without striking down the sunset clause. He said the legislation compels the local boards to negotiate every year or two when in reality they may want to negotiate for a 5-year contract. He noted, with the legislation, the lawmakers are tying the hands of the local boards.

**Ms. Echeverria** was called upon to close debate. She said she would stand for questions. In response to questions from the committee, she said the legislation is needed because when "Students Come First," all was taken away. It is needed to protect into the future. She said in the past, there could be an 80-page Master Agreement. Under those agreements, if the board and the union did not agree, no items were ever removed. She explained that most Idaho school districts have less than 1,500 students. The ISBA vote is not weighted on student population. If it were, only the large schools would be policy-makers. She said the Attorney General's office has looked at the retroactive portion of the legislation, and she believes the legislation is constitutional.

**MOTION:** **Rep. VanOrden** made a motion to send **S 1147aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. VanOrden** will sponsor the bill on the floor.

**S 1149:** **Karen Echeverria**, Executive Director, Idaho School Boards Association (ISBA), presented the elements of **S 1149**. She explained, the legislation contains two elements that deal with collective bargaining. She said, the first amendment of this bill found on page 1, lines 20 and 23, is clarifying language that makes the section of the law easier to understand. Subsection 3, found on page 1, lines 29-35, sets out the first major element of the bill that the local education organization must prove they represent "50 percent plus one" of the professional employees in order to negotiate. Subsection 5, found on line 39-41, states the second major requirement of the bill, and requires that both the local education organization and the board of trustees must provide written evidence that their respective parties have ratified the agreement. She noted, the requirement to prove representation only has to be done if the local school board requests it. In addition, if requested by the local school board, this proof must be provided annually. She noted, the bill also defines good faith bargaining, and clarifies who may negotiate.

**MOTION:** **Rep. Gestrin** made a motion to send **S 1149** to the floor with a **DO PASS** recommendation.

**Bert Marley**, Director of Public Policy, IEA testified **in opposition** to **S 1149**. He said the IEA has difficulty accepting the terms of the legislation because he said it can be a form of harassment. It requires the educational organization to poll their membership yearly as well as contract a negotiator. He remarked, there are few people who will negotiate for teachers. He said unless teachers are unhappy, the process is redundant. He explained that requiring written evidence to ratify the contract is an added burden and it comes at a time of year when most teachers are off contract. Mr. Marley also objected to creating a culture of distrust when school boards and teachers can only negotiate through attorneys or designated representatives. He noted that the bill would be more palatable if it contained a sunset clause.

During debate within the committee, it was discussed that there were school districts where fewer than 30 percent of the teachers are members of IEA, and that negotiations can take place without a representative from the IEA. Committee members mentioned the Northwest Professional Educators (NPE) teacher organization does not negotiate. It was clarified, however, that if the membership of NPE vote to choose a designated representative, they will negotiate under those conditions.

**VOTE ON MOTION:** **Chairman DeMordaunt** called for a vote on the motion to send **S 1149** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Pence, Kloc** and **Ward-Engelking** requested to be recorded as voting **NAY**. **Rep. Gestrin** will sponsor **S 1149** on the floor.

**ADJOURN:** There being not further business to come before the committee, the meeting was adjourned at 9:12 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary



AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**9:00 A.M.**  
**Room EW41**  
**Wednesday, March 27, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1150</u></a>	Professional Personnel	Karen Echeverria, Executive Director, Idaho School Boards Association

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, March 27, 2013

**TIME:** 9:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Paul Stark, Legal Counsel, Idaho Education Association (IEA); Harold Ott, Idaho Rural Schools Association; Rob Winslow and Phil Homer, Idaho Association of School Administrators; Tom Luna, Superintendent, and Camille Wells, Idaho State Department of Education

**Chairman DeMordaunt** called the meeting to order at 9:06 a.m.

**S 1150** **Karen Echeverria**, Director, Idaho School Boards Association, presented **S 1150**. She explained the legislation and the change. She noted amendments found in the legislation outlines what decisions can be made by the District Court should a teacher termination be appealed. She said, under the current law, the board of trustees will conduct a hearing on a teacher termination and make a decision based on the information that has been presented. Once that decision is made, an employee has the option to appeal the board's decision to the District Court. Again, under the current law, a whole new trial begins at that level. Ms. Echeverria told the committee, the problem comes when the certificated employee's attorney now has all the information that was presented to the school district. No record is forwarded to the judge, and he is free to take new evidence not presented to the school district. In the end, the judge will make a decision that is completely separate from the one made by the local board of trustees. Ms. Echeverria said the option is not available with either city or county employees and the option is also not available for non-certificated employees in a school district. She asked lawmakers to make clear, that an employee give the same evidence to both the school board and the District Court judge.

To a question from the committee, **Ms. Echeverria** said the District Court should not be able to change the judgment of the board.

**Paul Stark**, General Counsel, IEA, spoke **in opposition** to **S 1150**. He explained the reasons the legislation should not become law. He cited (1) lack of fairness in the process; (2) infringement of individual rights to a neutral, unbiased decision maker, in favor of a government mandated process; and (3) school boards sitting in a judicial capacity. He said in the case of teacher dismissal, the school board and superintendent must hire different attorneys; however, the IEA has found that the hearing officer, or the attorney of the school board, is often handpicked by the attorney representing the superintendent. He said the legislation will require the teacher to create an exhaustive record before the school board because the teacher will be limited to that record in District Court. He also objected to the deadlines in the legislation. He noted six days to three weeks is too short a time period to gather evidence, interview witnesses, and prepare for a hearing. He cited the school board's deadline is 15 days to render a decision. Mr. Stark said the deadlines create due process problems. In addition, the Rules of Civil Procedure will not apply and there is no subpoena power, and no right to a jury. He concluded

the provisions within the bill mirror provisions existing in the propositions of the November 2012 repeal.

To a question from the committee, **Mr. Stark** said it would be egregious if the teacher was terminated because of rumors and hearsay. He felt the rules of the board procedures could not avoid a "trial by ambush." He said the issue of fairness is not part of the legislative proposal for school boards to receive the only evidence permissible for both hearings. He said during the past 10 years, 17 cases have been taken to trial by the office of the general counsel for the IEA. He noted, most often teachers choose to resign.

**MOTION:**

**Rep. Ward-Engelking** made a motion to **HOLD S 1150** in committee.

**Tom Luna**, Superintendent, Idaho State Department of Education (ISDE), spoke in favor of **S 1150**. He said the responsibility of ISDE is to have a competent and effective teacher in each classroom in Idaho. He explained, as a school board member, he had to buy out teachers' contracts and send them on with no evidence of wrongdoing or ineffectiveness in their permanent files. He said, Idaho is not plagued with ineffective teachers; however, children suffer when ineffective teachers are present. He noted school boards need to have the power to remove those ineffective employees. He added, if wrongfully dismissed, a teacher has due process.

To a question from the committee, **Mr. Luna** said there is nothing in the legislation that says they cannot subpoena records. Responding to a question regarding the power given to school boards, he said the power given to the school board is similar to that found in other private and public employment. The board reviews the action; they do not try the case again. To another question, Mr. Luna said there are many steps prior to the board decision. The teacher is evaluated by the administrator, given guidance, and put on probation. The teacher is well aware of the facts prior to the school board hearing and the decision making.

**Ms. Echeverria** was called upon to close debate. She said that school board members do sit in quasi-judicial positions, similar to city councils. She noted the legislation does not change time-lines for teacher dismissal. She said it is essential to have the same evidence brought before both the school board and the District Court.

In response to questions from the committee, **Ms. Echeverria** said the time-lines have not been an issue in past proceedings. She related the script of the school board meeting hearing is not available for public viewing.

**SUBSTITUTE  
MOTION:**

**Rep. Gestrin** made a substitute motion to send **S 1150** to the floor with a **DO PASS** recommendation.

**Reps. Horman, Bateman and Nielsen** spoke in favor of the motion. Rep. Horman said, from her experience serving on a school board, dismissal of a teacher is a long process. The administration has to be very careful to get the facts and to carefully review only those facts. She said school board members are not rubber stamps for the superintendent. Rep. Bateman stated that he loved his profession and loved his colleagues. However, in his 37 years of experience as a teacher, there was never a tenured teacher removed; but there should have been. He said the cost to remove an incompetent teacher is high. He asked lawmakers to think of the kids, the ones that suffer from adults who should not be in the classroom. Rep. Nielsen said **S 1150** is an excellent bill.

**ROLL CALL  
VOTE ON  
SUBSTITUTE  
MOTION**

Roll call vote was requested on the substitute motion to send **S 1150** to the floor with a **DO PASS** recommendation. **Motion carried by a vote of 12 AYE and 4 NAY.** **Voting in favor** of the motion: **Reps. Nielsen, Wills, Shepherd, Boyle, Bateman, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, and DeMordaunt.** **Voting in opposition** to the motion: **Reps. Agidius, Pence, Kloc and Ward-Engelking.** **Rep. Boyle** will sponsor the bill on the floor.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 10:02 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**10:00 A.M.**  
**Room EW41**  
**Tuesday, April 02, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1040</u></a>	Issuance of Annual Contracts	Karen Echeverria, Idaho School Boards Association

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Tuesday, April 02, 2013

**TIME:** 10:00 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** Representative Wills

**GUESTS:** Paul Stark, Legal Counsel, Idaho Education Association (IEA); Phil Homer and Rob Winslow, Idaho Association of School Administrators; Karen Echeverria, Idaho School Boards Association; Karen Pyron, Mackay School District; Luci Willits, Idaho State Department of Education

**Chairman DeMordaunt** called the meeting to order at 10:03 a.m.

**MOTION:** **Rep. Kloc** made a motion to approve the minutes of March 21, March 26 and March 27, 2013. **Motion carried by voice vote.**

**S 1040aa:** **Karen Echeverria**, Executive Director, Idaho School Boards Association, explained that the changes to **S 1040aa** reflect removal of language from the initial version which has been addressed by the Legislature in other bills during this session. For example, administrative leave is addressed through **H 259** and is no longer a necessary component of **S 1040aa**. Subsections under section 33-515, Idaho Code, are now contained in **S 1040aa**.

**Ms. Echeverria** explained the three subsections affecting annual contract issuance in **S 1040aa**: Subsection (a) addresses a July 1st date for renewable contract teachers. This date is consistent with all other contractual issuance dates and would be the last date to issue a contract. Subsection (b) allows a district to issue a letter of intent to a renewable contract for the following school year. These letters can be issued during May of each school year and provide a level of security to the school's employees, even if the contract sum or contract length is not yet finalized. Subsection (c) is an entirely new subsection. This language contains two "triggers." Ms. Echeverria said the "triggers" are: (1) The 2013-2014 contract length for renewable teachers can be reduced if the parties negotiate and ratify a reduction. (2) Before a school district can reduce the length of the renewable teacher's contract, they must account for, and apply, the funds associated with the 1.67 percent in salary-based apportionment.

In response to questions from the committee, **Ms. Echeverria** said the "trigger" would apply if the teachers were paid more than the State Salary Schedule. She said school budgets are public record and are published on the district's website. She noted, when the teacher's union is not present in a district to negotiate, the school board can make decisions without negotiation. Ms. Echeverria said many districts offer contracts earlier than July 1. She said districts can declare financial emergencies. She added, cities, counties and other public employers have the ability to manage salaries in this way. School districts should be able to do business similarly.

**Paul Stark**, Legal Counsel, IEA, testified in **opposition** to **S 1040aa**. He said school teachers are significant employees and there is a reason to protect them. He noted that other public employees are "at will" employees, but school teachers are contractual employees. He related the history of the legislation which he reported were pieces from the repealed Proposition 1. He stated the legislation was a sweeping and devastating action for teachers which takes away "all things essential" in a renewal contract. He added, the provisions in **S 1040aa** let the school districts offer whatever salary or condition they want to offer.

In response to questions from the committee, **Mr. Stark** said there is no requirement to show there is a financial emergency before putting the provisions in **S 1040aa** into play. He said the lawmakers are giving school boards a blank check to write in any amount. He noted, although many school board members have integrity, some may be willing to lower salaries and change conditions in teacher contracts, even without a financial emergency.

**Rob Winslow**, Executive Director, Idaho Association of School Administrators, said his organization **supported S 1040aa**.

Responding to a question from the committee, **Mr. Winslow** said school superintendents meet together and take a vote on proposed legislation. He stated he did not know the exact number of districts that supported **S 1040aa**.

**Rep. Ward-Engelking** said she had spoken with the superintendent of the Boise School District today and he opposed **S 1040aa**.

**Karen Pyron**, Superintendent, Mackay School District No.182, spoke in **support** of **S 1040aa**. She related, **S 1040aa** is critical legislation for Mackay and for many school districts in Idaho. She said Mackay has 197 students, K-12, and 16 teachers. She said Mackay is a 5-star school with a three percent tax base. It has a \$449,000 gap in the school budget largely due to loss of Craig-Wyden funds, and a 20 percent decrease in state funding. She indicated reducing teacher salaries is the last thing her district wants to do. However there is not an alternative. The administration of her district, sat down with the teachers and staff and they all accepted a 5 percent reduction rather than dismiss any certificated or non-certificated staff. She said the amiable bargaining was made possible because of legislation that allows the local school board to act accordingly.

**Ms. Echeverria** was called upon to close debate. She clarified, the salary cuts found in **S 1040aa** have to be uniformly applied with negotiation. She noted, reduction in force has always been a responsibility of the school boards.

**MOTION:**

**Rep. Ward-Engelking** made a motion to **HOLD S 1040aa** in committee.

**SUBSTITUTE  
MOTION:**

**Rep. Gestrin** made a substitute motion to send **S 1040aa** to the floor with a **DO PASS** recommendation.

**Reps. Bateman, Horman and VanOrden** spoke in **support** of the substitute motion.

**Rep. Bateman** said the story of Mackay is multiplied in towns across the state. He said it is not only the problem of teachers or education; it is the problem of everyone in town. **Rep. VanOrden** said, as a member of a school board, she found her colleagues work with teachers. **Rep. Horman** said it is not necessary for a district to declare an emergency. If a school district's financial obligations outweigh its income, the district is in an emergency.

**Reps. Ward-Engelking** and **Pence** spoke in opposition to the substitute motion. Rep. Ward-Engelking said the legislation is not necessary. The legislation in place all ready works with teachers and salaries. She noted, **S 1040aa** guts teachers salaries. It leads them to agree to a contract without the substance of that contract, only to find later, that the conditions agreed to are no longer in existence. She indicated, July 1 is too late in the year to find another job; and, breaking a contract has negative consequences. Rep. Pence explained teachers have a feeling they cannot control their destiny. She said she did not like to do that to teachers.

**VOTE ON  
SUBSTITUTE  
MOTION:**

**Chairman DeMordaunt** called for a vote on the substitute motion to send **S 1040aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps Pence, Ward-Engelking, Kloc,** and **Agidius** requested to be recorded as voting **NAY**. **Rep. Horman** will sponsor **S 1040aa** on the floor.

**Chairman DeMordaunt** noted the passing of **Janet Orendorff**, a prominent educator. He also explained the combined Education hearing for **S 1199** on Tuesday, April 3, 2013, at 8:00 a.m., in the Lincoln Auditorium (WW02). In response to a question, he said advance publication of the bill will give Representatives opportunity to study prior to the hearing.

**ADJOURN:**

There being no further business to come before the committee, the meeting was adjourned at 11:12 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary



**AMENDED AGENDA #1**  
**HOUSE EDUCATION COMMITTEE**  
**AND**  
**SENATE EDUCATION COMMITTEE**  
**8:00 A.M.**  
**Lincoln Auditorium WW02**  
**Wednesday, April 03, 2013**

<b>SUBJECT</b>	<b>DESCRIPTION</b>	<b>PRESENTER</b>
<a href="#"><u>S 1199</u></a>	Education Budget, Sections 25 and 26 pertaining to differential pay and technology pilot projects	Chairman Goedde; Chairman DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, April 03, 2013  
**TIME:** 8:00 A.M.  
**PLACE:** Lincoln Auditorium WW02  
**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking  
**ABSENT/EXCUSED:** None.  
**GUESTS:**

Dick Selby, Idaho News Service; Phil Homer and Rob Winslow, Idaho Association of School Administrators; Colleen Johnson and Ashley Johnson, Paul Elementary School; Karen Echeverria, Idaho School Boards Association; Ryan Kerby, New Plymouth School District; Lisa Boyd, Vallivue School District; Jason Hancock and Luci Willits, Idaho State Department of Education; Marilyn Whitney, Idaho State Board of Education; Robin Nettinga, Idaho Education Association; Darwin Olberding, Idaho Farm Bureau; Lars Sandven, Jan Sylvester and Liz Clayton, citizens

**Chairman DeMordaunt** called the meeting to order at 8:03 a.m.

**Chairman DeMordaunt** explained the combined meeting was for the purpose of hearing testimony on **S 1199**. He said testimony would only be taken on the subjects of differential pay and technology pilot projects.

**S 1199:** **Tom Luna**, State Superintendent, Idaho State Department of Education, explained **S 1199** provides for two programs which carry a one-year sunset clause. The first program concerns differential pay and provides for the distribution of monies to school districts requesting grant funds for local excellence in achievement awards. Of these funds 40 percent could be used for professional development and leadership; the other 60 percent would be used at the discretion of the local districts. The achievement awards are subject to a variety of criteria, including: (1) the awards shall be based upon excellence in achievement plans approved by the local districts with evidence that various local stakeholders provided input to the plan; (2) the plans are not subject to collective bargaining; (3) the plans allow for expenditure on professional development; (4) the plans shall establish goals and objective measures of growth relating to student achievement; and (5) each district receiving grant funds must submit a detailed report to the Idaho State Department of Education reflecting student achievement.

**Mr. Luna** detailed the second program of **S 1199**, technology pilot projects. It provides that grant funding will be made available to public schools and public charter schools for technology pilot projects designed to improve student academic growth. He said a competitive grant process will be prescribed by the Superintendent of Public Instruction. The program also provides requirements for grant applications.

Responding to a question regarding clarification of Section 8 of **S 1199** concerning discretionary funds, **Mr. Luna** said **S 1199** provides for the flexibility that school districts already have. However, the Legislature recognizes that some districts are using discretionary funds to pay salaries and benefits. Under **S 1199**, the differential pay provisions will allow school districts to free up those discretionary funds for other uses.

In response to further questions, **Mr. Luna** said **S 1199** will not impact collective bargaining. He indicated the criteria used for awarding grants for technology pilot projects would be developed by a task force comprised of educators, school board members, business personnel and others. He said the grants in 2014 will most likely be fewer in number and larger in scope. However, the criteria must be "scalable and sustainable" statewide.

**Rob Winslow**, Executive Director, Idaho Association of School Administrators (IASA), stated that the IASA **supports S 1199**. The differential pay section gives flexibility to districts for professional development needed with implementation of the Common Core State Standards, and also provides for technology grants.

In response to a question, **Mr. Winslow** replied that most administrators support **S 1199**.

**Colleen Johnson**, Principal, Paul Elementary School, described the iSchool in her district, the product of a technology pilot project grant. The school is equipped with a full school deployment of iPads for every student and staff member, high definition TV, Apple TV, classroom audio systems, a reliable high speed network and training on the use of iPads. She said there is widespread acceptance by both parents and teachers. She noted the increase in academic achievement, along with the high student engagement and excitement.

In response to a question regarding the technology infrastructure, **Ms. Johnson** said their systems were extremely reliable.

**Ashley Johnson**, a 5th grade teacher at Paul Elementary School described how technology has accelerated learning and creative thinking. She said students now research projects on their iPads and present iMovies. She found individualized learning happens quickly and "time on task" has increased. Ms. Johnson explained high level students can pursue topics in more depth while slower learners have the time and assistance they need to stay on path.

Responding to a question, **Ms. Johnson** said the students "treasure those iPads." They know how important it is as their learning device. There has been no abuse or damage to the devices.

**Karen Echeverria**, Executive Director, Idaho School Boards Association (ISBA), explained her organization represents 113 school districts and over 550 school board members. In addition, over 40 charter schools are affiliate members of ISBA. She stated the ISBA stands **in support of S 1199**. Ms. Echeverria said the goal of the ISBA will be to work with any school district who wishes to submit a grant application for either the differential pay plan or technology plan, and to assist them to ensure that school districts make the best use of these funds.

**Ryan Kerby**, Superintendent, New Plymouth School District, stated he and Dr. Heather Williams, Superintendent, Gooding School District, work with superintendents all over Idaho. He said **S 1199** seems stronger now and expectations are clearer. He added the stakeholder groups are closer together, and have a better working relationship on these concepts, than in many years. He invited the committee members to visit with superintendents, administrators, teachers and parents in their districts to describe how **S 1199** was crafted, and discuss expectations for the coming year.

**Lisa Boyd**, Principal, Desert Springs Elementary School in the Vallivue School District, discussed how her district had used discretionary funds to purchase iPads and upgrade their technology infrastructure. She said, in her school of 660 students, a high number are low-income students and students who are just learning English. She testified that her students love their learning devices.

**Robin Nettinga**, Executive Director of the Idaho Education Association, spoke **in support of S 1199**. She said IEA realizes while the public school funding bill is yet to be written and vetted, **S 1199** codifies certain areas that were of concern to members of the committee. She noted the language, at least in terms of differentiated pay, is almost identical to **H 323** and the IEA supported **H 323**. Ms. Nettinga reported the IEA's white paper, "Ensuring a World Class Education for Every Idaho Child," notes its commitment to encouraging, recognizing and rewarding excellence in teaching because it leads to increased student achievement. She added, changing the way school employees are paid is complex. If done well, it can drive achievement, while if done poorly, it can create dissension. She said IEA also supports **S 1199** because it allows for local decision-making.

**Mr. Luna** was called upon to close debate. He noted the broad support for **S 1199** and asked lawmakers to pass **S 1199**.

**ADJOURN:** Having no further business to come before the committee, the meeting adjourned at 8:42 a.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary

AGENDA  
**HOUSE EDUCATION COMMITTEE**  
**12:20 P.M.**  
**Room EW41**  
**Wednesday, April 03, 2013**

SUBJECT	DESCRIPTION	PRESENTER
<a href="#">S 1199</a>	Education Budget, Sections 25 and 26 pertaining to differential pay and technology.	Chairman DeMordaunt

***If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.***

COMMITTEE MEMBERS

Chairman DeMordaunt	Rep Agidius
Vice Chairman Nielsen	Rep Clow
Rep Shepherd	Rep Gestrin
Rep Wills	Rep Harris
Rep Bateman	Rep Horman
Rep Boyle	Rep Mendive

Rep VanOrden
Rep Pence
Rep Kloc
Rep Ward-Engelking

COMMITTEE SECRETARY

Jean Vance  
Room: EW49  
Phone: 332-1148  
email: [hedu@house.idaho.gov](mailto:hedu@house.idaho.gov)

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Wednesday, April 03, 2013

**TIME:** 12:20 P.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman Nielsen, Representatives Shepherd, Wills, Bateman, Boyle, Agidius, Clow, Gestrin, Harris, Horman, Mendive, VanOrden, Pence, Kloc, Ward-Engelking

**ABSENT/  
EXCUSED:** None.

**GUESTS:** Luci Willits, Idaho State Department of Education

**Chairman DeMordaunt** called the meeting to order at 12:20 p.m.

**MOTION:** **Rep. Agidius** made a motion to approve the minutes of April 2, 2013. **Motion carried by voice vote.**

**S 1199:** **Chairman DeMordaunt** presented **S 1199**, and stated it was properly before the committee.

**MOTION:** **Rep. Wills** made a motion to send **S 1199** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. DeMordaunt** will sponsor the bill on the floor.

**Chairman DeMordant** recognized the service of Legislative Intern **Paige Cooper**, who has been assigned to the committee during the 2013 Legislative Session; and, Legislative Page **Christina Nelson**, who has been assigned to the committee for the second half of the session.

**ADJOURN:** There being no further business to come before the committee, the meeting adjourned at 12:27 p.m.

---

Representative DeMordaunt  
Chair

---

Jean Vance  
Secretary