

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Tuesday, January 28, 2014
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Nonini, Patrick and Ward-Engelking
- ABSENT/ EXCUSED:** Senators Thayn and Buckner-Webb
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the Senate Education Committee (Committee) to order at 3:07 p.m., and a silent roll was taken. **Chairman Goedde** introduced the subcommittee chairs of the Governor's Task Force (Task Force), Dr. Linda Clark, Superintendent, Joint School District No. 2 (Meridian), and Bob Lokken, CEO, WhiteCloud Analytics and member of the Idaho Technology Council executive committee.
- [Note: Questions from the Committee appear following each speaker, rather than in the chronological order in which they were asked.]
- PRESENTATION:** **Dr. Clark** explained that the Task Force quickly coalesced around the State Board of Education's goal of a 60 percent population with post-secondary certificates or degrees by the year 2020 (60 percent goal). Initially several subcommittees were formed, but when it became clear that duplicative issues were being studied, the Task Force formed two major subcommittees. Dr. Clark's subcommittee was tasked with the joint issues of achieving fiscal stability and producing great teachers and leaders.
- Dr. Clark's subcommittee found that restoring operational funding was the highest priority in achieving fiscal stability. Significant funding reductions in recent years have created instability in those districts which cannot pass supplemental levies. Operational funds include lights, heat, supplies, books, medical insurance, and other items which are not discretionary. In addition, Idaho's current method of paying teachers creates instability. Non-competitive salaries make it difficult to hire and retain good teachers; movement on the salary scale is difficult to anticipate; some districts must pay above the state scale to hire and retain teachers; and the system lacks incentives and accountability. The subcommittee conducted extensive research into teacher compensation methods, and recommends a career ladder and a tiered licensure system. Each tier – novice, professional and master teacher – would be tied to state licensure and certificate requirements. Movement between tiers would carry specific requirements – experience, additional credentials, and accountability based upon performance. The top two tiers include additional salary based upon additional leadership responsibilities to be determined at the local level. A career ladder model requires additional funding, but it can be phased in. More work needs to be done on this element.

In order to produce excellent teachers, **Dr. Clark** stated that Idaho needs to re-establish and fund a strong mentoring system at the novice teacher levels. Expanded professional development is best accomplished at the local level, however, districts lack the funding for this training. **Dr. Clark** also advocated changing Idaho's school funding system from Average Daily Attendance (ADA) to Average Daily Membership (ADM) (enrollment based system). An ADA based system adds to fiscal instability due to unknown enrollment and attendance, and the Idaho System for Educational Excellence (ISEE) data reporting causes significant stress in reporting. Both committees recommended enrollment based funding, and that funding should follow the student. All agreed that a multi-year strategic plan is needed.

Senator Thayn asked Dr. Clark to describe Meridian's funding needs in more detail. **Dr. Clark** replied that between 2008 and the current year, nearly \$6,000 per unit was cut. At the same time, the Meridian district has grown significantly. Under the ADA funding system, 34 schools receive only 95 percent funding. Under an enrollment based system, the funding would cover 100 percent of students. **Dr. Clark** stated that next year's supplemental levy of \$14 million has purchased back nine school days of the 24 days that were cut. The levy allowed one-time funding for the general fund; additional one-time federal money aided staff requirements. If the current budget is approved, Meridian will receive \$4 million more to its operational fund, but needs \$6.5 million just to maintain current levels, and will have a \$4 million deficit if all factors remain equal. Another plant facility is needed as well, but Meridian is simply trying to maintain.

Senator Thayn asked how moving to an enrollment system would improve ISEE uploads. Dr. Clark replied that under an ADA system, attendance is recorded several times per year and uploaded into ISEE. With millions of data pieces, the system is very complex, does not always upload accurately, and requires additional staff to verify and correct it. This problem is not unique to Meridian. Idaho is one of the few states that continues to use an ADA model, and changing to an enrollment based system would greatly simplify the process. **Chairman Goedde** noted that data is less valuable when the numbers cannot be trusted.

Senator Ward-Engelking commented that she had participated on Dr. Clark's committee. She clarified that in funding career ladders, the committee wanted a better system for appropriation, not a salary schedule that every district had to follow. **Dr. Clark** agreed.

Referencing the decreases in support unit dollars and the impact to operational funding, **Senator Nonini** asked if the subcommittee had studied the inflationary factor and how it affected districts statewide. **Dr. Clark** replied that the committee had numbers for Meridian and that utilities had increased every year. **Senator Nonini** asked Dr. Clark to research those figures statewide over a five-year period.

Senator Patrick asked Dr. Clark to clarify whether operational funds were paying teacher salaries in order to remain competitive. **Dr. Clark** replied affirmatively. She also stated that operational funds sometimes pay for unfunded positions such as special education. **Senator Patrick** asked if supplemental levies were needed because operational funds were exhausted. **Dr. Clark** replied that budgeting is a very complex process. When funds were first reduced, the Meridian district decided to shrink all line items, rather than simply cut pieces. She said it was very painful. By the third year, staff and teachers were affected. Kindergarten bussing was eliminated. Many things were cut. **Vice Chairman Mortimer** asked if Dr. Clark knew how much of operational funding was going to salaries. **Dr. Clark** said she did not. She said the amount used to prop up salaries has diminished because staff has been eliminated. When American Recovery and Reinvestment Act (ARRA) money flowed, Meridian's fund balance was \$19 million; currently the balance is only \$2.5 million. Some districts have completely exhausted their ARRA funds and

their fund balances. **Chairman Goedde** referenced proposed legislation which would codify \$16 million for leadership awards, and asked if some of those funds would be used for mentoring. **Dr. Clark** agreed with his understanding.

Senator Nonini asked about the difference in interest rates when the district has \$19 million versus \$2 million. **Dr. Clark** replied that in the last state bond, the state guarantee was used. She believes the Meridian district soon will be downgraded by the rating agencies.

PRESENTATION: Mr. Lokken said that the structural subcommittee began with the premise that schools are not factories, teachers are not machines and students are not widgets. It defied their logic to take a large system, implement a small program, and expect the changes that would achieve the Board's 60 percent goal. Instead, the subcommittee looked at how to set priorities, how to focus people, how to allocate resources and how to make structural change. Technology plays an important role, along with good support systems. A mastery based educational system is critical.

A large portion of the subcommittee's time was spent discussing accountability and autonomy so that the school system would function in a different way. **Mr. Lokken** described two systems models – the mechanical model, which favors top down management and focuses on process and procedures, and the biological model which recognizes multiple pieces, each with its own decision making needs. A biological model defies top down control, and recognizes that teachers are professionals who work with, and need to adapt to, a wide variety of students.

The second major question is how to achieve accountability within the framework of autonomy. The subcommittee favored strategic planning and transparency. Each district would outline for the Board, the State and their community what specific goals they wish to set for the coming year, what they want to improve, and where their energy and efforts lie. These are local goals, and **Mr. Lokken** stated that those goals will provide a pathway to the 60 percent goal. A mastery based system, together with higher standards for accountability, is critically important. Once freed from rigid rules, the brightest students can move faster. The subcommittee supports Idaho Core Standards and technology to support individualized learning to further accelerate students. Structural change – setting priorities, focusing energy, unleashing spirit and creativity – is the cornerstone and does not carry large dollar investments. The subcommittee studied many models nationwide, including Massachusetts and New Plymouth, and found that nearly every best practice came from those who bent or skirted existing rules. **Mr. Lokken** advised, "clean out some of the clutter in the rule book and bring people's own intellect into their jobs."

Speaking to accountability and local control, **Chairman Goedde** noted that districts usually could find a way to take advantage of any new system, such as holding a "hamburger event" on the days that attendance is taken. He asked, "How do you require local control?" **Mr. Lokken** replied that the subcommittee had 31 great ideas and then put them to the following test: if a district is graduating 100 percent of its students, with 80 percent going to post-secondary education, and 0 percent remediation, do we care how they achieved it? Only three ideas survived that test. If a district is producing a great education, the subcommittee did not care how they achieved it. Complete autonomy, or laissez-faire, does not meet Idaho's constitutional responsibility. Idaho does expect teachers to educate, and Idaho cares about the outcome. But accountability should be at the community level with year to year improvements. Pure block funding would be optimal because it is hard to determine what is best from 600 miles away. The subcommittee found that consistently high level outcomes had high standards with freedom for people to take ownership of their own result.

Vice Chairman Mortimer asked about performance, and funding following performance. **Mr. Lokken** said that the subcommittee discussed this in depth. It did not make sense to take money away from a district that was struggling, nor would sending in an expert be a good idea. The best approach would be to encourage people to collaborate to solve the problem themselves. It becomes a tougher problem when a district is not meeting its goals. Massachusetts allows public transparency to provide accountability – superintendents publish their plans, their evaluations are televised, and compensation is based on their ability to meet the targets they set. The subcommittee did discuss a governance structure if a district is not meeting its goals. **Senator Fulcher** asked if the subcommittee had addressed parental involvement. **Mr. Lokken** said that a full accountability model would push decision making as close to the student/parent as possible, then to the classroom, then to the building, to the district, and finally to the state, however, the subcommittee did not pursue that model. **Chairman Goedde** outlined a model from North Carolina. **Senator Pearce** voiced concerns about assessments and asked whether more stringent testing is moving Idaho forward. **Senator Pearce** said he favors end-of-course assessments. **Mr. Lokken** replied that the highest best use of testing is learning about what is working and how to adapt to what is not.

Senator Thayne commented that Idaho has moved to a more top down system. He is concerned whether the Task Force recommendations will be interpreted that way. He did not see the recommendations empowering students or parents. Even though the recommendations could be applied either way, **Senator Thayne** said he will be very interested to see that they are applied from the bottom up and if they will offer more autonomy. He asked Mr. Lokken how he sees the recommendations being implemented. **Mr. Lokken** replied that the subcommittee favors a one-page strategic plan, signed by the school board. **Senator Ward-Engelking** asked Mr. Lokken to elaborate on how such a plan might be put together by a district. **Mr. Lokken** replied that senior staff within a district, working closely with the school board, might look at current results and compare them to like-kind districts, then pick two or three target area to work on as an annual plan. Modeled after Massachusetts and New Plymouth, it would be a collaborative process between the school board and the State Board so that a public record exists. Oversight needs to occur to ensure that plans are neither too soft nor too ambitious. **Mr. Lokken** said that the Superintendent of New Plymouth found that sometimes their goals were too high, so he put groups of teachers together to formulate their own plan for improving math performance, and local collaboration became the catalyst for change. Each district needs to find its own solution.

**PASSED THE
GAVEL:
RS 22353**

Chairman Goedde passed the gavel to Vice Chairman Mortimer.

Chairman Goedde presented the revised Statement of Purpose for **RS 22353** which clarified that no school busses currently in service would need to be repainted by updating the language of Idaho Code pertaining to school bus color. When a school bus is sold, all district information is stricken. Often, another school district purchases the bus and the color remains. However, if the bus is used for purposes other than a school bus, it must be repainted.

MOTION:

Senator Nonini made a motion to print **RS 22353**. **Senator Fulcher** seconded the motion. The motion carried by **voice vote**.

**PASSED THE
GAVEL:**

Vice Chairman Mortimer returned the gavel to Chairman Goedde.

**PASSED THE
GAVEL:**

Chairman Goedde passed the gavel to Vice Chairman Mortimer for continuation of rules review.

**DOCKET NO.
08-0203-1306**

Luci B. Willits, gave a brief summary of the changes to graduation requirements in this rule. **Vice Chairman Mortimer** directed the Committee's attention to the section of physical education requirements which had previously raised questions. **Ms. Willits** described the three parts of this requirement: (1) 60 minutes of physical education per week at the elementary school level and (2) 200 minutes bi-weekly at the middle school level; and (3) a cardiopulmonary resuscitation (CPR) class was added at the high school level, as well as a mastery section which allowed students to earn one PE credit for certain approved sports. Ms. Willits distributed an Attorney General opinion. In answer to previous questions from the Committee, **Ms. Willits** stated that a recent survey showed that only one school district in Idaho, Bliss School District, did not have a certified PE teacher as needed to certify the mastery sports credit. To obtain this credit, the teacher of record would need to verify that the student participated, and that standards were achieved. Regarding liability, **Ms. Willits** advised that if the activity was not with the Idaho High School Activities Association (IHSAA), then the school district would need to ensure that a background check was performed for any supervising person.

Senator Pearce asked why certain school districts oppose the mastery sports section, given that all but one district have certified PE teachers. **Ms. Willits** replied that in her view, opposition came simply because the program was different from what some schools are doing now. **Senator Pearce** asked why the Department wanted this program operational in all districts in light of discussions of local control and autonomy. **Ms. Willits** replied that every district can offer these programs now, but emphasized that the State had a responsibility to ensure uniformity and advance disruptive change when change is not occurring naturally. **Senator Nonini** advised that he had concerns with the Attorney General opinion and would like time to reflect. **Senator Nonini** asked Ms. Willits what the House Education Committee had voted. **Ms. Willits** replied that the House had approved the rule with the exception of the minutes requirement for middle and elementary school. **Chairman Goedde** noted that, since the House had not seen the Attorney General's opinion and had approved this portion of the rule, the rule would stand if this Committee rejected it. He suggested that the Committee make the opinion available to the House for review. **Vice Chairman Mortimer** agreed to hold **Docket No. 08-0203-1306**.

**DOCKET NO.
08-0202-1306**

Ms. Willits reminded the Committee that this rule incorporates by reference the document Idaho Foundational Standards, Preparation for School Administrators, and Special Education Directors, containing standards for pre-service teachers, and administrators, and teachers in the areas of gifted and talented, library media specialist and literacy. The other included manual is the Drivers' Education Manual. Twenty percent of these Professional Standards Commission standards are reviewed every year. **Ms. Willits** reminded the Committee that previous presentations of this rule had raised questions concerning the literacy standards of the manual and reference to Common Core State Standards. Dennis Stevenson, Administrative Rules Coordinator, had agreed that the words "Common Core" could be replaced with Idaho Content Standards. **Senator Patrick** asked if the Task Force recommendation could result in significant revisions to these standards. **Ms. Willits** did not think significant changes would occur beyond the annual 20 percent review. **Senator Fulcher** asked Ms. Willits to what extent the Idaho Core Standards, or Common Core Standards, are being incorporated by reference in this rule. **Ms. Willits** replied that they are no longer referenced. The reference is to the Idaho Content Standards. The Department wanted to clarify that teachers should be prepared to teach that content.

MOTION: **Chairman Goedde** made a motion to adopt **Docket No 08-0202-1306**. **Senator Ward-Engelking** seconded the motion. In discussion, **Senator Pearce** asked Ms. Willits how the House had voted. **Ms. Willits** replied that they had passed the rule. **Senators Ward-Engelking, Vice Chairman Mortimer** and **Chairman Goedde** voted **aye**. **Senators Pearce, Fulcher, Nonini** and **Patrick** voted **nay**. The motion **failed**.

PASSED THE GAVEL: Vice Chairman Mortimer passed the gavel back to Chairman Goedde.

ADJOURNED: Having no further business before the Committee, **Chairman Goedde** adjourned the meeting at 4:38 p.m.

Senator Goedde
Chair

Elaine Leedy
Secretary