

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Thursday, February 26, 2015

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

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Mortimer, Vice Chairman Thayn, Senators Keough, Nonini, Patrick, Souza, Den Hartog, Buckner-Webb and Ward-Engelking

**ABSENT/ EXCUSED:** None

**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 Mortimer** called the meeting to order at 3:00 p.m.

**GUBERNATORIAL VOTE:** **Vice Chairman Thayn** moved to send the gubernatorial appointment of David Hill the floor with the recommendation that he be confirmed by the Senate. **Senator Nonini** seconded the motion. The motion passed by **voice vote**. Senator Ward-Engelking will carry the appointment on the floor.

**PRESENTATION:** **Rod Gramer**, Executive Director and CEO, Idaho Business for Education (IBE), presented "The Passport to the American Dream-EDUCATION." He stated IBE represents 119 business leaders from every corner of the state. IBE fundamentally believes education is the passport to the American dream. Furthermore they believe that in the 21st Century education and human talent for companies will be the number one driver for economic vitality. The mission of IBE is to try to create the highly educated and skill workforce that businesses across the state need for the coming century. He explained that the key word for IBE is focus on the state's 60 percent post secondary education goal.

**Mr. Gramer** explained why businesses care about education and what will happen to the economic future without the push for better education. He explained what IBE believes to be some of the problems in Idaho education. He outlined what could be done to accomplish that goal: focus, set measurable goals, strive for continuous improvement, and transparent reporting to state and local school boards. He stated IBE's recommendations as to how to achieve those objectives. **Mr. Gramer** explained in detail why the legislature should support following items; **H 122**, Idaho core standards for English and math, tiered licensure and career ladder, reading appropriations, and career college coaching. He concluded by saying the secret sauce for this, is to have non waivered focus (see attachment 1).

**Senator Souza** asked if the curriculum in the community colleges is in alignment with each other to make the transfer seamless. **Mr. Gramer** replied the community colleges will be working with the high schools in their regions to get a direct connection between the local community college and the students they serve. There will be communication between the community colleges. Local control determines the curriculum so that could pose some issues.

**PASSED THE GAVEL:** Chairman Mortimer had to leave for another meeting and passed the gavel to Vice Chairman Thayn.

**Senator Patrick** asked at what level are the counselors most effective; high school or college. **Mr. Gramer** said the current ratio of counselors to students is very high; it averages 1 to 500 students. To have the counselors in the colleges allows for better counseling for those students that are going forward. He explained that Idaho is very much a first generation college bound state and community colleges are the gateway to post learning. **Senator Patrick** said there is a bill coming forward soon to address career counseling.

**PRESENTATION:**

**Carson Howell**, Director of Research, State Board of Education, presented the Statewide Longitudinal Data System, P-20W SLDS (SLDS). He explained that many people are concerned with the privacy of Idaho children's data. There has been much confusion as to what data has been and is being collected. The goal of data collection is to help drive performance in order to improve Idaho's educational and employment systems. **Mr. Howell** explained one of the most powerful tools to make improvement occurs in with the SLDS. He illustrated the three distinct and separate databases the State uses: State Department of Education (SDE), State Board of Education (SBE), and Idaho Department of Labor (IDL). Each of these is independent of the other and none have direct access to each others' data. He explained that any data matching that does occur must be user initiated; masked identifiers are used, meaning no person is identified by name.

**Mr. Howell** said there are two different dictionaries that define the phrases in data collection. He outlined each site and explained the differences. To see what data Idaho collects, he recommended the Committee go to [dd.boardofed.idaho.gov](http://dd.boardofed.idaho.gov). **Mr. Howell** illustrated on the screen the website and stressed that the website does not connect to the databases. He clarified if agencies want to collect new data there must be prior legislation. This is in accordance with the Student Privacy Bill which was passed by the Legislature and signed by Governor Otter in 2014.

**Senator Den Hartog** asked of the cohorts that are being collected how many are non-educational data. **Mr. Howell** replied of the 400 points collected, 377 are educational data. **Will Goodman**, Chief Technology Officer, State Department of Education (SDE), illustrated the elements that are collected for the federal and state requirements.

**Senator Souza** asked if the SLDS security system could be hacked or breached by inside or outside entities. **Mr. Goodman** stated no, not without violating the law. There are very stringent guidelines as to how information could be accessed.

**Mr. Howell** continued the presentation and outlined the functions of the Data Management Council (DMC) and gave the members' names and employment positions. He explained that any data requests must be approved as required by the DMC policies and procedures. Any research that is done using the SLDS must be State and Family Educational Rights and Privacy Act (FERPA) compliant. Agencies outside the partner agencies must submit a memorandum of understanding (MOU) and why the data is being requested. If they receive the data, they must sign the waiver explaining the parameters of the data request and its disposal.

**Vice Chairman Thayn** asked if they have shared or signed the MOU with outside agencies to do research on educational outcomes of Idaho students. **Mr. Howell** replied in the negative.

**Senator Souza** asked in sharing information with the Idaho Department of Labor (IDL), is it done with identifiable student information or is it in aggregate form. **Mr. Howell** replied what would be shared is a masked identifier. He explained the three different systems were developed in a manner to protect a breach in the system. Each system has specific ID for each individual and alone those numbers cannot be tied to any specific person. If a system is breached they only get one piece to a puzzle and it wouldn't mean anything without the other two pieces.

**Senator Souza** asked who gets the FERPA rights. **Mr. Howell** explained that when the State is doing research they operate by means of two exemptions: evaluation and audit. He detailed each one's limitations.

Using a fictitious school and students, **Mr. Howell** demonstrated how data is gathered and used. He emphasized that gathered data is vital for policy discussion and making. He referred to the Governor's goal of 60 percent in 2020. Without proper data, the policy-makers would not know if the goals were being reached (see attachment 2).

**Senator Den Hartog** stated from this presentation, she understands that Idaho students are tracked from the time they enter public schools to when they enter the workforce. She asked him to state which agencies benefit the most from that information. **Mr. Howell** explained the benefits of the collection results are fundamental in explaining Idaho's economic and education progress. This data allows policy-makers to make logical and educated adjustments to address many predicaments. There are many benefits to this information for education.

**Senator Den Hartog** understands the necessity of data collection in education, especially between secondary and post-secondary institutions. She believes that the data collection for the IDL and Idaho Department of Commerce (IDC) is too far reaching. She asked how those agencies track this information without having the specific identifiers. **Mr. Howell** stated the post-secondary institutions gage their quality of education based on the data gathered. This enables them to evaluate their programs. They gather information with the individual identifiers from the agencies.

**Karen Singletary**, Senior Research Analyst and SLDS Project Manager, at IDL, stated the IDC is not involved. At this point IDL is providing information to SBE and not receiving anything from them. She explained how the two agencies work together in getting data. This information is useful for the SBE. It is valuable for IDL to perform workforce planning. It can be very useful tool for parents and students for career planning. Matching the educational and workforce data is a new process that came about with the linkage of the SDLS.

**DOCKET NO.  
08-0230-1406:**

**Tracie Bent**, Chief Policy Officer, State Board of Education presented **Docket No. 08-0203-1406**, Rules Governing Thoroughness: Data Collection. She stated there was a request to update the rules however those changes are no longer need. She asked that the docket be rejected.

**MOTION:**

**Senator Keough** moved to reject **Docket No. 08-0203-1406**. **Senator Patrick** seconded the motion. The motion passed by **voice vote**.

**DOCKET NO.  
08-0203-1401:**

**Ms. Bent** presented **Docket No. 08-0203-1401**, Rules Governing Thoroughness; High School Graduation Requirements. She explained there are two sections that have been added. The first in Section 105.01.i was added at the request of the 2014 Senate Education Committee. It is additional language to specify that when activities outside the high school qualify for physical education credits, the students must show mastery of the content standards.

**Ms. Bent** explained the piece of the rule that the SBE considered can be found in Section 105.06.e – g, the current requirement is that students show proficiency in the 10th grade on the ISAT. She highlighted how the changes would affect students regarding ISAT testing. There has been no formal action from the SBE to accept or reject this section. She explained if the revisions were to be rejected the rules would revert to those prior.

**Senator Ward-Engelking** asked if this is rejected, to clarify which ISAT the students would take. **Ms. Bent** explained in detail the tests. She stated it has been the SBE policy that students are always held harmless when rules are changed or rejected. In conclusion, she said if the rule is rejected there will be a new rule coming forward in 2016.

**TESTIMONY:** **Dr. Don Coberly**, Superintendent of Schools, Boise Independent School District (BISD), spoke against the rule and asked the Committee to reject the rule. He explained that the BISD is against using the SBAC as a requirement for high school graduation. In regards to the PE requirement the BISD is currently doing that and supports the change in that rule (see attachment 3).

**Robin Nettinga**, Executive Director, Idaho Education Association, said the stakeholders met prior to the Legislative Session with the SDE and shared their concerns regarding the graduation requirements. That opinion has not changed. The IEA will continue to register that there should not be high stakes tests at this point. They do not believe the students or schools are prepared at this point for the cut scores that have been set.

**MOTION:** **Senator Ward-Engelking** moved to accept **Docket No. 08-0203-1401** with the exception of **.105.06.e through i**. **Senator Patrick** seconded the motion. **Senator Ward-Engelking** expressed that she liked that the PE component is in place per the request of the 2014 Senate Education Committee. The motion passed by **voice vote**.

**HCR 3:** **Representative Luker**, District 15, presented **HCR 3** an education data system study. He stated there are many people who have continued concerns about data collection and data security. He outlined the problems of data collection capabilities, identifier numbers, and requirements from federal and state agencies. **Representative Luker** stated when the SLDS was developed the stakeholders were left out of the process. **HCR 3** will set-up a legislative interim committee to build upon the findings of the Office of Performance Evaluation's report: SLDS. The goal is to put Legislature back in the policy making seat. He explained what the interim committee will complete a study of the State's elementary, secondary and postsecondary longitudinal data systems. He disclosed the points the committee would study.

**TESTIMONY:** **Will Goodman**, SDE, spoke about Superintendent Ybarra's stance on data collection. He said her department shares the same fears and concerns. The SDE is evaluating every data collection point to determine its necessity and taking action. The SDE is in support of **HCR 3**.

**Mila Wood**, parent, explained the SLDS is a child and family tracking system, it is evasive. She described, from her research that Idaho does share data across state lines and detailed that information. She expressed her frustration with not being able to have access to her children's information. She is in support of **HCR 3**

**Stephanie Zimmerman**, parent, gave an example of data collection 75 years ago and how it sat in a vault and was never used beyond the local arena. She stated that today, people are not afforded that type of privacy. She spoke in favor of the bill.

**MOTION:** **Senator Keogh** moved to send **HCR 3** to the floor with a **do pass** recommendation. **Senator Souza** seconded the motion. The motion passed by **voice vote**.

**ADJOURNED:** There being no more business, **Vice Chairman Thayn** adjourned the meeting at 5:14 p.m.

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Senator Mortimer  
Chair

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LeAnn South  
Secretary