

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Monday, March 16, 2015

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

**PLACE:** Room WW55

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

**ABSENT/ EXCUSED:** Senator 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 Mortimer** called the meeting to order at 3:00 p.m.

**PRESENTATION:** **Tim Corder**, Special Assistant to the Superintendent, State Department of Education (SDE), introduced his colleagues in the audience and State Superintendent of Public Instruction Ybarra, who presented the overview of Idaho's No Child Left Behind (NCLB) flexibility waiver. She explained the history of NCLB and the reauthorization of the Elementary and Secondary Education Act better known as ESEA. She stated that NCLB proved to not work, so under the Obama administration states could be awarded ESEA flexibility waivers (FW). Under the FW there states were to create plans in the following areas: teacher evaluations tied to test scores, college and career ready standards, and college and/or career aligned rigorous test. She declared the reason Idaho has a FW is because NCLB was not successful in the State; 43 other states have a FW.

**Superintendent Ybarra** detailed Idaho's FW. It is comprised of three sections: 1) college and career ready expectations, 2) develop differentiated recognition and accountability, and 3) supporting effective instruction and leadership. She explained the criteria and requirements that were developed in each section so that the State could meet the standards. She emphasized that the State is bound by all of the requirements until June 2015, which includes the involvement of Common Core.

**Superintendent Ybarra** said the new waiver for the 2015-16 school year is due March 31, 2015, and this is an opportunity for the State to make substantial changes in requirements. She commented that too often the accountability practices are looking at the negative situations. This administration will move towards best practices at the local level. She emphasized that in the application for the new waiver the SDE will no longer specify products, programs, and or contracts. She pointed out this is a federal document, and when specifics are named there is more intrusion and less flexibility to adjust programs.

**Superintendent Ybarra** stated for the new FW, the SDE is working diligently on the new accountability piece, and that is generating excitement with local superintendents and school boards. She illustrated testing requirements and the function of the Smarter Balanced Assessment Consortium (SBAC) test. She outlined that the new vision at the SDE is one which has shared accountability, mutual responsibility, and learning from best practices (see attachment 1).

**Senator Souza** asked if there are any states that suffered consequences from the federal government for not fulfilling FWs. **Superintendent Ybarra** deferred the question to Marcia Beckman, Associate Deputy Superintendent over Federal Programs, SDE.

**Ms. Beckman** stated the 95 percent participation rate has created concerns. The SDE has been in contact with the federal government regarding this requirement. She said that the state of Washington had decided to not fulfill one of the FW requirements which resulted in them losing their FW all together. This caused them to have to go back to the NCLB standards. That meant any school in Washington that did not have 100 percent proficiency by their students immediately became a failing school. She explained the consequences and possible remedies for schools.

**Ms. Beckman** explained that if the State didn't use the money set aside for the prescribed remedies in a specific time frame, the money goes back to the federal government.

**Senator Ward-Engelking** asked if the State was able to suspend the five-star rating for one year to work on social, emotional accountability which also includes attendance and assessment. **Superintendent Ybarra** replied in the affirmative.

**Senator Ward-Engelking** asked if there would be a penalty imposed if Idaho is awarded the suspension. **Superintendent Ybarra** replied in the negative.

**Senator Ward-Engelking** asked if it is her understanding that with this new test and somewhat new curriculum, student growth will not be realized this first year of the SBAC; that in fact there may be a reduction of student performance.

**Superintendent Ybarra** stated the SDE is anticipating a drop in scores. To contain any surprises, a campaign has been established to address that issue.

**Vice Chairman Thayn** asked if teacher accountability is tied to student achievement, how is it measured. **Superintendent Ybarra** explained the waiver process of teacher accountability. While there is flexibility in the accountability measures, teachers will still be held accountable. **Vice Chairman Thayn** asked if the possibilities for accountability is that the school districts make the quantitative decision or will that level be set statewide by SDE. **Superintendent Ybarra** explained accountability under NCLB. She stated with the FW the accountability measurement is much broader. There would be multiple levels of measurement.

**Senator Den Hartog** asked what educational issues should Legislators be reviewing in regards to the 2015-16 FW. **Superintendent Ybarra** replied when legislation is being written avoid placing school districts' requirements in an uncompromising situation with the FW. Use broader language in legislation and not pinpoint rules. The goal is to remain flexible so that there is the opportunity for change.

**Vice Chairman Thayn** asked what reduced testing means based on the federal government requirements. **Superintendent Ybarra** stated the minimum requirements are grades 3-8 and once in the high school level. She then explained some options for testing in Idaho. **Vice Chairman Thayn** asked if the new FW would state an accountability test and not name a specific test. **Superintendent Ybarra** replied in the affirmative and explained that the name specific test does not need to be stated in the FW.

**Chairman Mortimer** asked if there is an option to have a variety of tests available to access for college and career readiness. **Superintendent Ybarra** replied the intent of the SDE is to reduce the amount of testing on students. **Chairman Mortimer** asked if the FWs require proficiency levels. **Superintendent Ybarra** stated that the FW requires SDE to rank the schools that need some help based on four criteria.

**Senator Souza** asked if the SDE is looking to change the SBAC test to another national norm test. **Superintendent Ybarra** stated they would like to see the students' results from the SBAC before they move to something else. The FW requires that the state must administer a college and career readiness test, and SBAC meets that criteria. **Senator Souza** asked if it was because of the contractual agreement that the State will use the SBAC, but in the future the SDE would be open to looking at alternative tests. **Superintendent Ybarra** answered in the affirmative. She stated they are waiting to see the results of the SBAC test before they move forward with something else.

**Pete Koehler**, Interim Chief Deputy Superintendent, SDE, said that the FW as it currently exists, binds the schools and does not provide flexibility. He gave examples of a specified improvement tool that has been extremely cumbersome for schools to use. **Mr. Koehler** concluded by stating that the new FW will bring a new flexibility to schools that will in turn benefit students.

**MINUTES APPROVAL:** **Senator Patrick** moved to approve the Minutes of February 17, 2015. **Vice Chairman Thayn** seconded the motion. The motion passed by **voice vote**.

**MINUTES APPROVAL:** **Senator Nonini** moved to approve the Minutes of February 18, 2015. **Senator Keough** seconded the motion. The motion passed by **voice vote**.

**MINUTES APPROVAL:** **Senator Keough** moved to approve the Minutes of February 19, 2015. **Senator Ward-Engelking** seconded the motion. The motion passed by **voice vote**.

**MINUTES APPROVAL:** **Senator Den Hartog** moved to approve the Minutes of February 23, 2015. **Senator Souza** seconded the motion. The motion passed by **voice vote**.

**MINUTES APPROVAL:** **Senator Souza** moved to approve the Minutes of February 24, 2015. **Senator Ward-Engelking** seconded the motion. The motion passed by **voice vote**.

**MINUTES APPROVAL:** **Senator Patrick** moved to approve the Minutes of February 25, 2015. **Senator Keough** seconded the motion. The motion passed by **voice vote**.

**ADJOURNED:** There being no more business, **Chairman Mortimer** adjourned the meeting at 3:58 p.m.

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Senator Mortimer  
Chair

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LeAnn South  
Secretary