

MINUTES  
**HOUSE EDUCATION COMMITTEE**

**DATE:** Thursday, March 26, 2015

**TIME:** 8:30 A.M.

**PLACE:** Room EW41

**MEMBERS:** Chairman DeMordaunt, Vice Chairman VanOrden, Representatives Shepherd, Wills, Boyle, Clow, Gestrin, Harris, Mendive, McDonald, Dixon, Kerby, Pence, Kloc, Rubel

**ABSENT/  
EXCUSED:** None

**GUESTS:** Anthony Rickard, The Village Charter School; Emily McClure, Terry Ryan, and Marc Carignan, ICSN; Robin Nettinga, IEA; Harold Ott, Rural Schools; Bill Russell, North Star Charter School; Rod Gramer, IBE; Suzanne Metzgar, Sage International School; Tim Corder and Pete Koehler, SDE; Phil Homer, IASA; Adrian San Miguel, PTE; Marilyn Whitney, Governor's Office; Nicki Anderson, Vision Charter School

**Chairman DeMordaunt** called the meeting to order at 8:31 a.m.

**MOTION:** **Rep. Mendive** made a motion to approve the minutes of the March 18, 2015, meeting. **Motion carried by voice vote.**

**RS 23913:** **Marilyn Whitney**, Sr. Special Assistant for Education, Governor's Office, said the proposed legislation adds language to Section 33-1002, Idaho Code, allowing Education Support Program funds to be used toward academic and college or career advising. She said the committee has previously reviewed the legislative proposals of the RS within **H 278**. One change is found on Page 6, Section 2, subsection 2, which defines increased opportunities for counselors and more district flexibility. She explained the change in **RS 23913** from the previous bill was to delete the specific list of duties and responsibilities that are and are not appropriate for counselors to perform. This change was based on concerns from the committee and stakeholders saying the list was too prescriptive.

**MOTION:** **Rep. Clow** made a motion to introduce **RS 23913**. **Motion carried by voice vote.**

**RS 23918:** **Tim Corder**, Special Assistant to the Superintendent, State Department of Education, said the purpose of **RS 23918** is to remove the "opt out" provision from Idaho's Elementary and Secondary Education Act Flexibility Document (Waiver). He said keeping the provision might jeopardize all the change that was put into the waiver. It could be a \$11.6 million error that would be levied against the state if the 95% proficiency standard for measures of student testing is not met.

**MOTION:** **Rep. Harris** made a motion to introduce **RS 23918**. **Motion carried by voice vote.**

**H 309:** **Rep. Clow** presented **H 309**. He said the bill will establish a public charter school debt reserve. Since Idaho's Public Charter Schools struggle to afford facilities and since bonding is not available to Public Charter Schools, keeping interest rates low means every dollar spent goes toward educating students instead of going to interest. He said the bill provides for a pool of money established by the Joint Finance and Appropriations Committee (JFAC) which creates the debt reserve.

**Emily McClure**, attorney and lobbyist, Idaho Charter School Network (ICSN), testified **in support of H 309**. She said funds going into the State Treasury can be surplus funds, one time appropriations, continuing appropriations or whatever the legislature decides. She stated the writers of the bill have not requested a specific dollar amount. Also, there is a delayed effective date of July 2016, giving two years of advanced notice for the budgeters to start accumulating funds. In addition, she described the process for using the debt reserve and the criteria for application.

To a question concerning the amount of money necessary in the debt reserve before charters could make application, **Ms. McClure** said \$5 Million is needed. **Terry Ryan**, ICSN President, was called to respond to a question regarding the percentage of charter schools who may need the assistance of a debt reserve. He said they estimated 10 percent may need assistance. A discussion was also held regarding the nonprofit status of charter schools and their inability to defer to taxpayers, if they default on a loan.

**MOTION:** **Rep. Wills** made a motion to send **H 309** to the floor with a **DO PASS** recommendation.

**Bill Russell**, board member, North Star Charter School, spoke **in support of H 309**. He describe the high interest experience of the North Star Charter School and said the bill will allow charters to present a better credit risk portfolio to banks and lenders.

**Jess Harrison**, Policy and Government Affairs Coordinator, ISBA, said ISBA had some concerns with the bill and would like it to be vetted prior to the passage of **H 309**.

In closing discussion, **Rep. Clow** said the legislation helps to sustain the Public Charter Schools and the many students attending charters means less state funds paying for school facilities.

**VOTE ON MOTION:** **Chairman DeMordaunt** called for a vote on the motion to send **H 309** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. Clow** will sponsor the bill on the floor.

**SCR 119:** **Rep. VanOrden** presented **SCR 119**. She said the tiered licensure portion of this rule was included in the Career Ladder legislation, that rule is now in statute, making the rule unnecessary.

**MOTION:** **Rep. Gestrin** made a motion to send **SCR 119** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote. Rep. VanOrden** will sponsor the bill on the floor.

**SCR 121:** **Rep. VanOrden** explained it is necessary to concur with the Senate on this resolution, even though the House Education Committee rejected all of **Docket No. 08-0203-1401**, the Senate accepted one subsection. She said if the House does not concur, the entire docket will become rule.

**MOTION:** **Rep. Kerby** made a motion to send **SCR 121** 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 9:13 a.m.

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Representative DeMordaunt  
Chair

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Jean Vance  
Secretary