

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Monday, February 15, 2016
- TIME:** 3:00 P.M.
- PLACE:** Lincoln Auditorium WW02
- MEMBERS PRESENT:** Chairman Mortimer, Vice Chairman Thayn, Senators Nonini, Patrick, Souza, Den Hartog, Anthon, 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 Education Committee (Committee) to order at 3:00 p.m. He opened the Committee with the poem "Courage," by Edgar A. Guest, from *A Heap O' Livin'*.
- S 1257** **Senator Bert Brackett** presented **S 1257**, Signatures for Write-In Candidates. He explained the legislation will mandate that the write-in candidates meet the same requirements as those that are on the ballot. Trustee candidates all must have five qualified signatures. He stated this bill is supported by the Idaho School Boards Association.
- MOTION:** **Senator Anthon** moved to send **S 1257** to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion. The motion passed by **voice vote**.
- RS 24484** **Karen Echeverria**, Executive Director, Idaho School Boards Association (ISBA), presented **RS 24484**, Relating to Executive Sessions under in Open Meetings Law. She explained the current legislation states that boards can discuss the purchase of public property in executive session, but they cannot discuss the sale in executive session. This legislation will allow those sales to be discussed in executive session to ensure the best price for the patrons in the district or the charter school. **Ms. Echeverria** asked if the Committee voted to print **RS 24484** that it be sent to the State Affairs Committee because it impacts all public entities.
- MOTION:** **Senator Thayn** moved to send **RS 24484** to print. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**.
- RS 24061C1** **Blake Youde**, Chief Communications and Legislative Affairs Officer, State Board of Education (SBE), presented **RS 24061C1**, Relating to Public Charter Schools. He explained the legislation addresses two issues of management of charter schools and seeks to replicate high-achieving charter schools. He outlined the processes entailed. **Senator Nonini** noted pg 16, section 10, line 39; he asked if there have been issues in the past to bring forward, specifically section B. **Mr. Youde** said this legislation addresses issues nationally as replication starts to come to Idaho. He indicated a mix of board members works best for charter schools.
- MOTION:** **Senator Anthon** moved to send **RS 24061C1** to print. **Senator Thayn** seconded the motion. The motion passed by **voice vote**.
- RS 24525** **Senator Patrick** presented **RS 24525**, Individualized Education Program (IEP)—Civics Tests to the Committee. **Senator Patrick** explained that the RS simplifies the language already in place for students with special education services.

MOTION: **Senator Souza** moved to send **RS 24525** to print. **Senator Buckner-Webb** seconded the motion. The motion passed by **voice vote**.

RS 24529 **Senator Den Hartog** presented **RS 24529**, Student to Possess and Use Certain Medications. She explained this related to students with type 1 diabetes. The board trustees must develop policies to address this medical issue.

MOTION: **Senator Patrick** moved to send **RS 24529** to print. **Senator Souza** seconded the motion. The motion passed by **voice vote**.

PASSED THE GAVEL: **Chairman Mortimer** passed the gavel to Vice Chairman Thayn.

RS 24497 **Chairman Mortimer** presented **RS 24497**, Public Education Stabilization Fund (PESF). He explained that 50 percent of the time the budget is spent on K-12 and how to take care of the funds. This legislation ensures that the PESF will receive funds when the receipts to the General Fund for the fiscal year have exceeded the receipts of the previous fiscal year by more than more 4 percent. The monies going into the fund will be kept at 1 percent.

MOTION: **Senator Nonini** moved to send **RS 24497** to print. **Senator Anthon** seconded the motion. The motion passed by **voice vote**.

RS 24509 **Chairman Mortimer** presented **RS 24509**, Opportunity Resource Act. **Chairman Mortimer** explained the RS would set up an Industry Partner Fund, where money, when available, would be set aside for relationships between industry and community colleges. He said they were not asking for funding at this time. **Senator Patrick** asked if the fund accepted the time of professional services towards education in the same way it accepts as money put into the fund. **Chairman Mortimer** affirmed that there is flexibility in the type of contribution.

MOTION: **Senator Den Hartog** moved to send **RS 24509** to print. **Senator Nonini** seconded the motion. The motion passed by **voice vote**.

RS 24522 **Chairman Mortimer** presented **RS 24522**, Opportunity Resource Act. He explained it would provide broadband and related services to students. He said the legislation defines how a committee will be set up in the State Department of Education (SDE) and details their role. **Senator Nonini** commented that he served on the interim committee and that it was a great experience to work with Co-Chair Mortimer and Co-Chair Malek. He stated that the RS should be printed.

MOTION: **Senator Nonini** moved to send **RS 24522** to print. **Senator Ward-Engelking** seconded the motion. **Vice Chairman Thayn** asked how does differs from the Idaho Education Network. **Chairman Mortimer** answered that it sets up a committee in SDE that will make recommendations for broadband, e-rates and how money will be distributed to the schools. The committee would assist and make recommendations for funds disbursement. **Senator Den Hartog** asked how the committee will be appointed or chosen. **Chairman Mortimer** replied that the committee would have eight members. He outlined the make-up of the committee. The motion passed by **voice vote**.

RS 24528 **Chairman Mortimer** presented **RS 24528**, Broad Band Infrastructure Improvement Fund (BIIG). He explained this will establish the fund and provide opportunities for schools districts that need to invest in broadband infrastructure.

MOTION: **Senator Nonini** moved to send **RS 24528** to print. **Senator Den Hartog** seconded the motion. The motion passed by **voice vote**.

PASSED THE GAVEL: **Vice Chairman Thayn** returned the gavel to Chairman Mortimer.

PRESENTATION: Ms. Echeverria introduced John Menter, President of ISBA. **Mr. Menter** explained Idaho is the first state in the nation to admit charter schools and this is still the only association to have charter schools. The issues that have been brought before the Committee have the approval of both public and charter schools. **Mr. Menter** stated that on this occasion he wanted to speak about Recommendation No. 6 of the Governor's Task Force for Improving Education. Recommendation No. 6 addresses the improvement of local autonomy, flexibility and innovation in schools. The ISBA seeks to work with the Idaho Legislature to support Recommendation No. 6. He assured the Committee that if that flexibility is granted to districts, they will also take on the associated greater responsibility.

PRESENTATION: Chairman Mortimer invited Wally Hedrick, Meridan Technical Charter School Board member for the past 17 years, to present regarding charter schools in ISBA. **Mr. Hedrick** asserted that it is important for public schools and public charters to work together because they have common interests. He said **S 1248** does not promote collaborative efforts because it sets up two kinds of teacher contracts for school districts and charter schools, respectively. **Senator Souza** asked if Mr. Hedrick was aware that the different contracts would be optional. **Mr. Hedrick** answered he knew that was a possibility but he was concerned with the end result. **Senator Souza** confirmed that when **S 1248** was printed, it was worded to be optional. She also noted that several charter schools support it. **Mr. Hedrick** suggested that charters should be required to a fund balance of 12 to 15 percent, instead of year-long contracts.

PRESENTATION: Margie Chipman, President-Elect of ISBA, came forward to present on the budgets of public schools. **Ms. Chipman** addressed the two main components in the budget request: competitive salaries and rising overhead costs. She stated the ISBA is interested in more flexibility in where appropriated funds are spent. **Senator Den Hartog** stated she supports increased flexibility in spending; she asked what kind of return on investment in education the State will see and encouraged members of the ISBA to report back later with relevant statistics. **Ms. Chipman** agreed that accountability to the Legislature is important. **Vice Chairman Thayne** noted there was a \$5 million increase for career coaching, and he asked how the schools planned to use it and what anticipated outcomes would be. **Ms. Echeverria** answered that the ISBA has yet to see the individual plans from districts for the funding, so they cannot answer the question at that time. She said they do not know what outcomes to expect.

PRESENTATION: Jim Stoor, Vice President of ISBA and 12-year trustee of the Soda Springs Joint School District, came before the Committee to speak on school facilities. **Mr. Stoor** explained there are many districts with aging buildings that have safety issues. Skipping a scheduled repair causes a domino effect, and currently there are districts that are working on bonding elections to repair buildings. He outlined solutions to help fund building improvements and educate the public on the need to fund facility improvement. **Senator Patrick** said it would probably be difficult to change the bond elections from using a super majority to a simple majority. **Mr. Stoor** agreed that it would be difficult but a task force could help change public attitude on the type of majority used. **Senator Den Hartog** asked if voter turnout had a significant impact on the outcomes. **Mr. Stoor** affirmed that voter turnout matters and noted that election consolidation is important to all trustee members to decide when the bond elections should be held.

PRESENTATION: Janie Gebhardt, ten-year trustee of Pocatello-Chubbuck School District, presented "Parental Rights." She explained the ISBA suggested that there is an overreach of **SB 1213** of 2015. **Ms. Gebhardt** stated that trustees take an oath to uphold the Idaho Constitution. She said the requirements that were requested by some parents were outside the scope of the district's resources. She referenced that Senator Souza was supporting S 1293 to address some of these issues, but she stressed that the ISBA still had some concerns. She asked that rules not be put in place that obstruct them from doing what's required. **Senator Souza** stated that the changed wording should help clarify what parents can and cannot expect from schools. It should also put the responsibility on the parent to decide which activities their child should participate in, but the school does not have the responsibility to replace that activity for the child if the child is taken out of a scheduled activity.

Ms. Gebhardt specified that the ISBA was concerned that not all parents would understand the wording the same way. **Senator Souza** acknowledged her concerns and added **S 1293** should make the interpretation easier. **Senator Den Hartog** said there are a variety of ways that schools can handle the circumstances; she explained the Kuna School District was able to communicate with parents in a way that worked well for all involved.

PRESENTATION: Todd Wells, past President of ISBA, presented "Resolution 1, 'Blaine Amendment'." He outlined the opposition for **HJR 1**. **Mr. Wells** explained that in Idaho the resolution would allow public funds, originally for public schools, to be spent on private and parochial institutions, which violates the separation of church and state. He elaborated that tax dollars should not be distributed to organizations or individuals who are not held to standards of accountability. **Vice Chairman Thayn** commented on what he perceives as necessary for education: parent involvement, student interest, excellent teachers and adequate funding. He stated educational progress happens successfully when parents are fully engaged in the schools. **Mr. Wells** agreed that parental input is important, but the education community is against vouchers or tax credits.

Senator Souza mentioned that the Committee has tried to be receptive and give local school districts control over how their money is spent, and she encouraged everyone to view **HJR 1** as part of that goal. **Mr. Wells** remarked that to his knowledge there are students in Idaho using State and Federal dollars to attend postsecondary private institutions as long as those institutions meet accreditation standards. For K-12 that is not the case, they don't have the same standards or accountability in place. He emphasized individuals can use their own funds for private education. **Senator Ward-Engelking** agreed that there's an important distinction to be made about where public funds go, and she appreciated that Mr. Wells had brought the issue forward. **Mr. Wells** noted that the "Blaine Amendment" wasn't added to the U.S. Constitution because they decided it was best left up to the states.

PRESENTATION: Ms. Echeverria addressed the Committee on the topic of the Continuous Improvement Plan and Training. She explained ISBA began its own training program around the State to help districts cut down on travel costs. She elaborated on the different types of qualified people who train and how they receive training. She shared a letter of support from James Gilbert, Superintendent of Mountain Home School District, who appreciated the involvement of the ISBA to support team building of their school board. **Ms. Echeverria** told the Committee that there has been positive feedback, but that there are many districts that need training or don't value it. She affirmed that the ISBA would continue to promote the importance of continuous training throughout Idaho.

Vice Chairman Thayn asked if Ms. Echeverria had a breakdown of the line items that go into training. **Ms. Echeverria** said yes, they do document all of those costs. **Chairman Mortimer** inquired as to how many districts have submitted their implement plans and are participating. **Ms. Echeverria** believed that all had submitted their plans, but that most have not participated in training. Tracie Bent, Chief Planning and Policy Officer ISBA, was invited to come forward with more information. **Ms. Bent** confirmed that 100 percent of the school districts have submitted plans, however not all plans met the requirements. **Chairman Mortimer** asked approximately how many were compliant with the requirements. **Ms. Bent** answered that approximately 50 percent were in compliance. **Chairman Mortimer** acknowledged all who had presented and thanked them for their time and information.

ADJOURNED: There being no more business, **Chairman Mortimer** adjourned the meeting at 4:23 p.m.

Chairman Dean M. Mortimer
Chair

LeAnn Mohr
Secretary

Anna Roser
Assistant