

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, February 20, 2017
TIME: 3:00 P.M.
PLACE: Lincoln Auditorium
MEMBERS PRESENT: Chairman Mortimer, Vice Chairman Thayn, Senators Winder, Nonini, Den Hartog, Guthrie, Crabtree, 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 welcomed the Committee's new Page, Sidney Madsen and read a poem from the book *A Heap O' Living Along Life's Highway*, by Edgar A. Guest, titled "Patience."

PRESENTATION: **Day on the Hill.** **Karen Echeverria**, Executive Director, Idaho School Boards Association (ISBA) recognized the ISBA officers and the Superintendent of Twin Falls School District, who would be presenting on different subjects.

Funding and Local Governance. **Marg Chipman**, President, ISBA reviewed ISBA's scope and philosophy, stating that ISBA currently represents 114 school districts and 38 charter schools with nearly 900 school board members. **Ms. Chipman** said the two items most important to the ISBA are funding and local governance. ISBA strongly supports the preliminary discussions of the Funding Formula Committee to reduce the number of line items and increase flexibility at the local level. Toward that end, **Ms. Chipman** encouraged legislators to work toward providing as much flexibility as possible for Idaho's public schools.

School Facilities. **Jim Stoer**, President-Elect, ISBA and Trustee of the Soda Springs School District. He said Idaho's school districts and charter schools will always have a need for construction of new school facilities or repairs on existing facilities. **Mr. Stoer** noted that charter schools have unique problems, as they cannot levy property tax. He discussed finding funding through bond elections, which require a super majority to pass; the exploration of a local option sales tax; and construction bill mechanisms to provide facilities funding. **Mr. Stoer** said all options are being explored to address this issue and encouraged the Funding Formula Committee to recognize facilities as a critical piece of school funding.

Chairman Mortimer asked what percentage of the budget is spent on facilities repair and maintenance. **Mr. Stoer** could not specify the percentage. **Senator Nonini** asked if there had been discussion with fellow Trustees about a recently introduced bill to change trustee election dates. **Mr. Stoer** said there had been discussion but they would not support such a bill at this time.

PRESENTATION: School Based Medicaid. **Jennifer Parkins**, Vice President, ISBA discussed school-based Medicaid as it affects local school districts, especially small districts, and focused on the federal Individuals with Disabilities Education Act, which requires public schools to provide services to special needs students. ISBA believes Idaho is leaving nearly \$30 million on the table and, under current rules, public schools do not have the ability to seek reimbursement for those funds.

Ms. Parkins explained that the Idaho Department of Health and Welfare (H&W) rules do not allow for reimbursement of services until after a physician has signed and dated those services, resulting in several days or weeks of services that are provided without reimbursement.

Ms. Parkins stated that school districts are not allowed to submit claims for reimbursement for Medicaid administrative claiming, such as locating the students, determining services and filing paperwork, which imposes a financial hardship, especially on small rural schools. ISBA believes **S 1095** will alleviate the pressure on school districts regarding Medicaid reimbursement and will also provide additional financial resources to public schools.

Senator Ward-Engelking asked how the complexities of Medicaid paperwork are being handled by small districts. **Ms. Parkins** said duties are combined to save manpower.

Senator Guthrie expressed concern about the penalties being imposed by H&W and asked for details. **Ms. Echeverria** provided a brief history and spoke of a letter sent to H&W three years ago by former Senate Education Committee Chair, John Goedde, in which he asked H&W to discontinue civil monetary penalties related to the audits that were being occurring because of the magnitude of those penalties.

Ms. Echeverria said the letter is no longer enforced, and H&W is going back those three years to do the audits and impose penalties, which at times are in the thousands of dollars. **Chairman Mortimer** requested the letter for the Committee's review. **Ms. Echeverria** noted recent information from the National Alliance for Medicaid in Education citing Idaho as the only state in the nation that imposes a civil monetary penalty on a public entity.

PRESENTATION: Continuous Improvement Planning. **Bernie Jansen**, Chairman, Board of Trustees, Twin Falls School District (see Attachment 1) discussed the process involved in continuous improvement planning (see Attachment 2). **Chairman Mortimer** asked that hard copies of the improvement plan referenced by Mr. Jansen be made available for the Committee's review .

Vice Chairman Thayn asked if the plans have made an impact on student achievement. **Mr. Jansen** said that they have and described the testing and measuring process.

Chairman Mortimer asked if the successes of the Twin Falls district could be shared with other districts as a learning tool. **Mr. Jansen** yielded to Dr. Dobbs for more details.

Dr. Wey Dobbs, Superintendent, Twin Falls School District, explained the district's use of a program called Mileposts and described how it has helped in organizing and tracking data.

S 1059

Relating to Master Educator Premiums: Amend and Revise Terminology. **Mr. Blake Youde**, Chief Communications and Legislative Affairs Officer, State Board of Education (SBE), presented **SB 1059**, which allows pupil service staff to be eligible for the Master Teacher Premium. **Mr. Youde** reviewed the history of the Master Teacher Premium (MTP) program and explained the legislation would bring in pupil service staff (school counselors, nurses, psychologists, speech language pathologists, audiologists and social workers) with a change in name to Master Educator Premium. **Mr. Youde** reviewed the details of the plan and how it is structured (see Attachment 3).

Mr. Mark Jones, Principal, Adams Elementary School in Boise and Chairman of the Master Teacher Premium Committee presented an overview of the program and explained how the Committee arrived at the criteria for awarding the premiums. Teachers would create portfolios based on five categories: 1.) leadership; 2.) professional collaboration of partnerships; 3.) students and learning environments; 4.) content instruction and assessment; and 5.) professional growth.

Committee questions centered on: eligibility, evaluations, stipends for the evaluators, and scoring, with the major focus of discussion on the projected number of recipients and the related fiscal impact.

MOTION:

Senator Ward-Engelking moved to send **S 1059** to the floor with a **do pass** recommended. **Senator Buckner-Webb** seconded the motion.

Further discussion ensued on the estimated number of bonuses awarded and the resulting fiscal impact. Committee members expressed support for the legislation but felt that more specificity in the fiscal note should be addressed. **Mr. Youde** agreed to include more details in the fiscal note.

The motion carried by **voice vote**. **Senator Ward-Engelking** will carry the bill on the floor.

S 1094

Relating to Criminal History Checks: Amend and Authorize. **Senator Janie Ward-Engelking** presented **S 1094**, which she said will simplify background checks and save money. Currently, potential school employees, school districts or public charter schools must pay for two background checks on incoming employees, which then goes to the Department of Education. When an employee applies to a district for a job, they must again deal with another background check. This legislation will allow SDE to share an educator's background check with the employee's school district or public charter school, which eliminates the need for another check.

MOTION:

Senator Buckner-Webb moved to send **S 1094** to the floor with a **do pass** recommendation. **Vice Chairman Thayn** seconded the motion.

Senator Winder wondered if, under this legislation, there would still be proper verifications to provide for the safety of students. **Senator Ward-Engelking** said there will be a six-month caveat requiring another background check after six months has elapsed.

The motion carried by **voice vote**. **Senator Ward-Engelking** will carry the bill on the floor

PASSED THE GAVEL:

Chairman Mortimer passed the gavel to Vice Chairman Thayn.

S 1096

Relating to Schools: Amend and Add a New Section. Chairman Mortimer noted there will be a full hearing on this bill, but the Committee will not be voting at this time. The legislation establishes a new section of education spending titled, School District Employer Health Care. This section adds a line item allocation to provide the districts with funds for school district employee health insurance costs in an amount equitable and in the same proportion as state employee health care cost adjustments (see Attachment 4). This amount is appropriated for the employer cost adjustment per full-time equivalent employees of the State of Idaho State Employee Group Insurance Plan authorized under Idaho Code § 67-5764.

Chairman Mortimer emphasized the need for fairness and equity among public school K-12 employees and State employees. He said the bill allows flexibility and, as a line item, it ensures funding is appropriated each year. **Chairman Mortimer** also reviewed the arguments against and the rationale in favor of supporting the bill at this time.

Senator Ward-Engelking questioned if districts would be able to negotiate cheaper insurance, and if the funds were coming out of discretionary funds. **Chairman Mortimer** replied that districts could negotiate for cheaper insurance, and the money was new money that would not come from discretionary funds.

Senator Den-Hartog asked if other big budget items might come along at a later date. **Chairman Mortimer** didn't anticipate similar budget requests.

TESTIMONY:

Mary Ollie, representing herself as a citizen, testified in opposition to the legislation, citing overregulation and lack of innovating incentives at the local level.

George Boland, Superintendent, Idaho Falls School District No. 91 testified in support of the bill, citing an increase in health insurance costs of 123% in his district. He said health insurance is a primary factor in recruiting and retaining teachers, and the legislation would make districts more competitive with adjacent states.

Penni Cyr, President, Idaho Education Association (IEA), testified in opposition to the bill because it was seen by IEA to restrict local control and flexibility and asked for time to gather more information and bring recommendations to the Committee.

Mr. Rob Winslow, IASA, testified in support of the bill and thanked Chairman Mortimer and Vice Chairman Thayn for their work on this legislation.

Ms. Karen Echeverria, ISBA, testified in support of the bill. She said it would take pressure off operational funds and would not restrict districts from negotiating each plan in a way that suits them at the local level.

Vice Chairman Thayn commented on the benefits of health savings accounts. **Chairman Mortimer** reiterated the importance of equitable health insurance for everyone. He said local control is absolutely important, but the bill will remind the Legislature of its responsibility to help districts.

PASSED THE GAVEL:

Vice Chairman Thayn passed the gavel to Chairman Mortimer.

Chairman Mortimer reminded the Committee that **S 1096** would be held at the call of the Chair.

ADJOURNED: There being no more business, **Chairman Mortimer** adjourned the meeting at 5:00 p.m.

Senator Dean M. Mortimer
Chair

LeAnn Mohr
Secretary

Jeanne Clayton
Assistant Secretary