

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 07, 2017

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

**PLACE:** Room WW55

**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

**PRESENTATION: Idaho Vocational Rehabilitation (IDVR).** **Jane Donnellan**, Administrator, said IDVR has three distinct programs: Vocational Rehabilitation; Extended Employment Services; and the Council for the Deaf and Hard of Hearing. She explained the Vocational Rehabilitation program assists individuals with a diverse array of disabilities to prepare for and obtain, advance, or retain employment based on their unique skills, abilities, and disabilities. She explained this is a State and federally funded program (see Attachment 1). She emphasized it is not a welfare program but a means for self-sufficiency with a strong educational component.

**Ms. Donnellan** stated IDVR has 73 counselors statewide. She said in order to get their customers to the appropriate level of employment, IDVR counselors possess very unique skill sets which allow them to understand the diverse array of disabilities. She said there are eight regions statewide and within each region there are sub-offices and which collaborate with the Department of Health and Welfare (DHW) and other State agencies. She detailed the IDVR customers' accomplishments and spoke about successful employment outcomes and wage increases.

**Ms. Donnellan** said in 2014, the Rehabilitation Act of 1973 was re-authorized by the Workforce Innovation and Opportunities Act (WIOA) which aims to increase access and opportunities to employment training, supportive services, and education, particularly for individuals with the most significant barriers. She explained the key elements that help with pre-employment services, collaboration with employers, and coordination of education.

**Ms. Donnellan** explained depending on the customers' needs, they can access Extended Employment Services (EES) by one of two avenues: 1.) community supported employment; or 2.) work services. She explained each avenue has specific criteria that the customer must meet and maintain as well as requirements for employers. She reported to the Committee the total number of customers that are utilizing EES. **Ms. Donnellan** invited Steven Snow, Executive Director, Council for the Deaf and Hard of Hearing (CDHH) to report.

**Holly Thomas Mallory**, provided interpretive services for Mr. Snow.

**Mr. Snow** said the CDHH is an independent agency, but for administrative services they are embedded under IDVR and fully funded by the State General Fund. CDHH employs two full-time staff persons. He explained CDHH's statutory obligation is to work with State government, agencies, departments, and divisions for the purposes to ensure the programs are services are accessible for people who are deaf or hard of hearing.

**Mr. Snow** said in Idaho there are over 200,000 people, from cradle to grave, who have a hearing loss; thus the need for information for services exists. He spoke about the long time partnership with Idaho Shakespeare Festival to make sure that deaf and hard of hearing people had access to the theater.

**Mr. Snow** said CHHD has nine board members who all have been appointed by the Governor. They represent and oversee three categories of the population: deaf, hard of hearing, and professional. The philosophy at CHHD is about collaboration because deaf and hard of hearing people are in every facet of agencies across the State and he highlighted those agencies with whom they work to advance their quality of life. He said statutory mandates drive the very day activities at the CDHH and he listed and explained each one.

**PRESENTATION: IDeal – Idaho's College and Savings Program - 529. Christine Stoll**, Executive Director, presented a general update of the program. She explained the purpose of IDeal is a way for families to save for higher education of any kind, for any school, and in a tax-advantaged way. She said the program is self-sustaining; it does not receive any General Funds. The Idaho College Savings Board is comprised of Idaho's constitutional officers or designee (see Attachment 2). She reported how many people contribute to the fund and the average size of each account and stated they have experienced a 14 percent increase in assets. **Ms. Stoll** said IDeal allows people to gift electronically and has seen an increase of almost 70 percent, since the implementation of electronic giving. She said IDeal works diligently to inform and educate families about the benefits of saving for college and the variety of ways the 529 accounts can be invested.

**RS 25201**  
**RS 25202**  
**RS 25463** **Chairman Mortimer** said **RS 25201**, **RS 25202**, and **RS 25463** are in regards to rules rejections the Committee determined earlier in the Session. He explained that in order for them to be considered, unanimous consent is needed to send to a privileged committee for print.

**MOTION:** **Vice Chairman Thayn** asked for a unanimous consent to send **RS 25201**, **RS 25202**, and **RS 25463** to Senate State Affairs Committee to print. There were no objections.

**RS 25461** Chairman Mortimer said **RS 25461** relates to Career Technical Education. It is legislation that needs to be addressed because there is a recommendation for funding.

**MOTION:** **Senator Guthrie** asked for unanimous consent to send **RS 25461** to Senate State Affairs Committee to print. There were no objections.

**S 1095** **Relating to Special Education. Karen Echeverria**, Executive Director, Idaho School Boards Association (ISBA), said this legislation is related to the School Based Medicaid. She said she is representing school districts, charter schools, the Idaho Association of School Administrators, and the over 900 school board members who govern them. She said in the Committee Members packets there is an updated red-lined version of purposed changes to **S 1095**. She stated this is an entirely new chapter in the statute and she will review for the Committee the changes (see Attachment 3). She asked the **S 1095** be sent to the 14th order for the possible amendments.

**Senator Nonini** asked if the red-lined version reflects the proposed amendments to **S 1095** to be offered in a separate format on the Senate floor. **Chairman Mortimer** replied in the affirmative. He said in the packets provided, the Committee will find the original version of **S 1095** and the revised **S 1095** which are proposed amendments due to negotiations with different parties.

**Chairman Mortimer** said Committee should know and understand the history of the civil penalties moratorium and the proposed changes brought forward through the negotiations before they act on **S 1095**. He asked Ms. Echeverria to explain the past history regarding school Medicaid reimbursements.

**Ms. Echeverria** explained the history of the civil monetary penalties moratorium to the Committee. She said there was a six year moratorium for civil penalties; the goal was for schools to have the time to properly train staff regarding the rules and procedures of filling out and submitting Medicaid reimbursement forms. In January of 2017, the DHW determined enough time for training had transpired and they were now going to assess civil monetary penalties. DHW began the audits the first of the year. She explained the amendments in **S 1095** the changes and compromises were achieved through a newly formed committee with the desired outcome to help school districts avoid civil monetary penalties regarding Medicaid reimbursements.

**MOTION:** **Senator Nonini** moved to hold **S 1095** in Committee. The motion died due to the lack of a second.

**MOTION:** **Senator Winder** moved to send **S 1095** to the 14th Order for amendment. **Senator Crabtree** seconded the motion.

Senators expressed their concerns regarding the civil monetary penalties imposed on school districts. They stated they would like this issue addressed and remedied.

The motion passed by **voice vote**. **Senator Nonini** asked to be recorded as voting nay.

**H 108** **Relating to Proprietary Schools.** **Jason Kreizenbeck**, Lobby Idaho, LLC presented **H 108** on behalf of his client Yoga Alliance. He briefed the Committee about the history of Yoga Alliance. He said **H 108** amends Idaho Code § 33-2403 to add an exemption for the practice of instruction of yoga from the registration requirements of proprietary schools under the State Board of Education (SBE). This bill includes an emergency clause to take into effect immediately. **Mr. Kreizenbeck** explained yoga studios in Idaho host advanced yoga training which is often referred to as "yoga teacher training programs" (see Attachment 4). Under the State's proprietary school statute, those programs must be regulated by the SBE. He asked that the Committee to send **H 108** to the floor with a do pass recommendation.

**MOTION:** **Senator Den Hartog** moved to send **H 108** to the floor with a **do pass** recommendation. **Senator Nonini** seconded the motion. The motion passed by **voice vote**. Senator Guthrie will carry on the floor.

**HCR 12** **Stating Findings of the Legislature; Study of the Public School Funding Formula.** **Representative Horman** said **HCR 12** authorizes the Legislative Counsel to appoint an interim committee to continue a study of the public school funding formula initiated by the 2016 Public School Funding Formula Interim Committee. The interim committee will evaluate the existing formula to assess how it meets the needs of different learning module realities, serves Idaho students, and provides fiscal stability to public school districts and public charter schools. Recommendations will then be made. **Representative Horman** said there is the need for a consultant and some computer modeling software. There is the expectation that the cost could be as high as \$400,000 to retain the services. She said if the funds are not used in the first year they would be carried over to subsequent years or returned to the General Fund.

**MOTION:** **Senator Den Hartog** moved to send **HCR 12** to the floor with a **do pass** recommendation. **Senator Winder** seconded the motion. The motion passed by **voice vote**. Senator Winder will carry on the floor.

**H 106** **Chairman Mortimer** stated because the time is late, **H 106** will be held for another day.

**ADJOURNED:** There being no further business at this time, **Chairman Mortimer** adjourned the meeting at 4:25 p.m.

---

Senator Dean M. Mortimer  
Chair

---

LeAnn Mohr  
Secretary