

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Tuesday, February 06, 2018

**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:** **Julie Ole-Johnson**, Director of Education, Idaho Department of Corrections (IDOC). **Ms. Johnson** introduced the IDOC staff members in the audience.

**Ms. Johnson** stated she was asked to answer two questions: What is your program doing differently from the presentation two years ago? and What are projects the Committee can help you with? She said the most important project completed was the implementation of the career ladder for non-traditional teachers at IDOC. She detailed the following areas of expansion and improvement: 1.) data reporting and offender class scheduling; 2.) Robert Janss School accreditation; 3.) pre-release classes; 4.) program delivery coordination; 5.) Idaho Maximum Security Institution instructor; 6.) inmate education incentive program; and 7.) employability skills framework.

**Ms. Johnson** said two areas where IDOC would like additional support are: 1.) grant-funded instructors; and 2.) technology support for inmate computer use (Attachment 1).

**Chairman Mortimer** asked if IDOC used any E-rate funding for their computer labs and networks. He wondered if she was aware how the program worked. **Ms. Johnson** replied in the negative. **Chairman Mortimer** recommended she pursue the E-rate funds, as it is available for educational entities.

**Senator Nonini** referenced "soft skills" and asked why inmates are not be able to get to their classes on time. **Bill Hale**, Education Program Manager, Idaho State Correctional Institution, replied inmates are not required to take coursework. He said experience has shown it is difficult to educate individuals who do not want to be educated. **Senator Nonini** asked if literacy skills statistics are available. **Ms. Johnson** replied the average reading level of offenders at IDOC is the tenth grade. About 14 percent are below the sixth grade reading level.

**MINUTES APPROVAL:** **Senator Crabtree** moved to approve the Minutes of January 10, 2018. **Senator Thayn** seconded the motion. The motion passed by **voice vote**.

**Senator Guthrie** moved to approve the Minutes of January 16, 2018. **Senator Winder** seconded the motion. The motion passed by **voice vote**.

**S 1266** **Relating to Education; Amend and Make Technical Corrections. Vice Chairman Thayn** presented **S 1266**. He said the proposed legislation is to revise high school graduation requirements. The bill would delete the requirement for students to take a math class their senior year. He emphasized the requirement for six semesters of math in high school will remain. **Senator Thayn** provided written testimony from two teachers supporting the proposed legislation (Attachment 2 and 3).

**TESTIMONY:** Testimony was taken from audience members. The following people spoke in favor of **S 1266** :

**Katie Bosch-Wilson**, Secondary Math Coordinator, Nampa School District.

**Dr. Teri Thaemart**, Math Supervisor, Boise School District.

**Vice Chairman Thayn** thanked Ms. Bosch-Wilson and Dr. Thaemart for the data. He reminded the Committee this proposed change does not alter the graduation requirements in rule.

**MOTION:** **Senator Ward-Engelking** moved to send **S 1266** to the floor with a **do pass** recommendation. **Senator Nonini** seconded the motion. The motion passed by **voice vote**.

**Senator Winder** thanked those who testified and indicated they were responsible for his "yes" vote.

**S 1263** **Relating to Education; Amend and Make Revisions. Senator Ward-Engelking** stated **S 1263** would impact few people in the area of education. She said teachers do not receive a cash buyout for their sick leave when they retire; however, they are able use the value to offset their health insurance costs. Currently, the statute reads: "The value of the unused sick leave is calculated at the rate of pay for such employee at the time of their retirement." **Senator Ward-Engelking** said some teachers decide to change their position in a school, thereby earning a lower wage. When they retire, their sick leave is calculated at the lower wage level. She emphasized the need to compensate the individual at their higher wage rate.

**Senator Thayn** asked if this bill would allow teachers who wanted to take a lower paying opportunity to be compensated for their sick leave at the earlier career level. **Senator Ward-Engelking** replied in the affirmative.

**TESTIMONY:** The following people spoke in favor of **S 1263**:

**John K. Hanson**, Paraprofessional, Jefferson Elementary, Boise School District.

**Mr. Hanson** gave a brief background on his work experience. He stated after many years of classroom teaching, he decided to move to a non-classified position in the school: at a lower pay scale. When he retires, his sick leave is measured at the last wage level and he is not able to capture what he paid into the program.

**Senator Nonini** asked how much of a difference this makes in his retirement. **Mr. Hanson** replied several thousand dollars.

**Kari Overall**, President, Idaho Education Association (IEA).

**Don Drum**, Executive Director, Public Employees Retirement System of Idaho (PERSI), said PERSI is the administrator of the sick leave program for public employees and it is well-funded. He stated employees normally have their highest salary at the end of their careers. This legislation would enable PERSI to take the highest annual wage in the 42 month period and use that salary to calculate the sick leave account. The 42 month figure is a part of the PERSI code. It is justified and easily administered.

**Senator Thayn** said the language reads "during the employee's highest year of salary" rather than highest 42 months. **Mr. Drum** replied his interpretation of the code is to factor the highest annual salary in the 42 month period. This would be the salary used to calculate the sick leave balance.

**Senator Nonini** asked what the minimal fiscal impact would be to the account. **Mr. Drum** stated the majority of individuals earn their highest salary in their last year of work. Amounts contributed were on both the low salaries and high salaries. He stated about 98 percent of the employees contributed enough to the fund to off-set whatever they receive in their sick leave account. **Senator Nonini** asked if this minimal impact would reduce the 160 percent in the fund. **Mr. Drum** stated there would be an insignificant impact on the fund.

**Chairman Mortimer** asked for clarification on either a highest 12 month or 42 month amount of sick leave. **Mr. Drum** responded the proposed legislation states it is the "highest annual salary" in a 42 month period to calculate the sick leave benefit; the average 42 months are not necessarily the last 42 months of employment. He emphasized the highest consecutive 42 months are calculated.

**Senator Ward-Engelking** reiterated to the Committee the small impact the proposed legislation would have on the retirement fund. She emphasized the importance of allowing former teachers to receive full retirement benefits.

**Senator Den Hartog** asked if this encourages teachers to remain in schools and not have a regular classroom. **Senator Ward-Engelking** replied in the affirmative. She said the expertise of those teachers can be a great resource for new teachers.

**Senator Winder** asked if the plan which permits teachers to donate sick leave days to a bank for use by other teachers is still available. **Senator Ward-Engelking** replied in the affirmative. She said each district handles it differently.

**Senator Nonini** stated PERSI is the highest performing fund in the nation and he has great confidence in its continued performance.

**MOTION:**

**Senator Nonini** moved to send **S 1263** to the floor with a **do pass** recommendation. **Senator Crabtree** seconded the motion. The motion passed by **voice vote**.

**S 1212**

**Relating to Career Technical Education; Amend and Revise.** **Tracie Bent**, Chief Policy and Planning Officer, State Board of Education ("SBE"), stated the proposed legislation allows Career Technical Education (CTE) programs to be moved into seventh and eighth grades and have the same cost funding as ninth through twelfth grades. The proposed legislation includes technical changes to update terminology to current usage.

**TESTIMONY:**

**Dwight Johnson**, Administrator, CTE, explained the proposed legislation was a result of a Governor's Task Force on Education. The recommendation was to increase career advising by focusing on career opportunities beginning in seventh and eighth grades. There will be two new full-time employment positions added to the program.

**Senator Den Hartog** said she is concerned with an emphasis on careers in these grades. **Mr. Johnson** replied this will introduce students to applied learning CTE classes, helping to make learning more meaningful. He stated seventh grade is an excellent time to start considering different career options.

**Senator Buckner-Webb** expressed concern about some students not being encouraged to pursue an academic education and being directed to a technical field. **Mr. Johnson** stated due to teachers' backgrounds, they tend to direct students to pursue an academic career. By adding CTE in the seventh grade, students will be exposed to more career options.

**MOTION:** **Senator Buckner-Webb** moved to send **S 1212** to the floor with a **do pass** recommendation. **Senator Thayn** seconded the motion. The motion passed by **voice vote**. **Senator Den Hartog** voted **nay**.

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

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Senator Dean M. Mortimer  
Chair

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LeAnn Mohr  
Secretary

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Sharon Pennington  
Assistant Secretary