

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Tuesday, February 16, 2021

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Thayn, Vice Chairman Crabtree, Senators Den Hartog, Woodward, Lent, Johnson, Cook, Ward-Engelking, and Nelson

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 Thayn** called the meeting of the Senate Education Committee (Committee) to order at 3:00 p.m.

MINUTES APPROVED: **Senator Den Hartog** moved to approve the Minutes of February 8, 2021. **Vice Chairman Crabtree** seconded the motion. The motion passed by **voice vote**.

H 67 **Relating to Schools; Reduces the Number of Government Entities with the Authority to Close K-12 Schools, or Otherwise Limit any Aspect of School Programs or Activities to Prevent the Spread of Contagious or Infectious Disease.** **Representative DeMordaunt** explained the proposed bill and stood for questions.

DISCUSSION: **Senator Woodward** asked what the various state agencies thought of this bill. **Representative DeMordaunt** said none of the state agencies have opposed it. **Senator Nelson** asked about the increased liability that school districts might assume if this bill passes. **Karen Echeverria**, Executive Director, Idaho School Boards Association, took the podium and said districts were told early on that opening without permission from the health district would open them up to liability, so they all followed directives received from appropriate authorities. **Senator Woodward** asked about the section of the code mentioned in the bill that removes authority from the health district. **Representative DeMordaunt** said the bill helps to clarify that this information is directed toward schools. **Senator Den Hartog** asked for confirmation that this bill does not change the public health district's authority in making recommendations toward anyone who is sick or contagious. **Representative DeMordaunt** said it does not change the authority.

TESTIMONY: Kathy Dawes, retired teacher, submitted written testimony in opposition to the proposed bill (see Attachment 1).
Andy Grover, Executive Director, Idaho Association of School Administrators, took the podium and stated his support for this bill. **Mr. Grover** said the seven health districts in the State governed the pandemic differently, which caused problems. This legislation gives authority back to local authorities to make decisions.

DISCUSSION: **Senator Woodward** stated that charter schools have their own boards, so potentially there might be even more people making decisions. **Mr. Grover** said that was possible. **Senator Nelson** said many school districts do not have public health expertise and questioned why districts have authority to overrule the experts. **Mr. Grover** said many school districts brought in their own medical personnel to help decide to either keep their districts open or modifying school offerings. Many health districts only have one medical personnel on staff, he added.

MOTION: **Senator Den Hartog** moved to send **H 67** to the floor with a **do pass** recommendation. **Senator Lent** seconded the motion. The motion passed by **voice vote**, with **Senator Nelson** requesting that he be recorded as voting nay.

H 68 **Relating to Higher Education; Reduces the Number of Governmental Entities That Have the Authority to Close Higher Education Institutions.** **Representative Kerby** explained the proposed bill and stood for questions.

DISCUSSION: **Senator Ward-Engelking** said H 67 and H 68 seem similar, however H 68 seeks to tell Idaho universities how to govern. **Representative Kerby** said governance of the universities has been this way for years and this bill does not make any changes to how the universities govern. **Chairman Thayn** asked what the Idaho universities think of this bill. **Representative Kerby** said they are all in favor of this bill and hope it passes.

TESTIMONY: **Kathy Dawes**, retired teacher, spoke in opposition to **H 68**. **Ms. Dawes** said she was concerned that this bill would limit the public health department's authority in helping to limit the spread of diseases.

DISCUSSION: **Senator Ward-Engelking** asked Debbie Critchfield, President, Idaho State Board of Education, for her perspective on how the universities handled the pandemic. **Ms. Critchfield** said leadership from the universities took mitigation measures quickly and discussed how they could get students back into the classroom safely. **Ms. Critchfield** said the State Board of Education has not taken a stance on this legislation. She also said presidents of all Idaho colleges have sought input from various health personnel and other groups in how best to reopen schools to keep everyone safe.

Senator Woodward said a portion of the bill will require all four universities to come up with procedures to handle future health crises. **Representative Kerby** said, to his understanding, the universities are already working on the proposed procedures. **Senator Nelson** asked if prior to proposing this bill any research was done for how other states dealt with this issue. **Representative Kerby** said some conversations were made with those outside of the state but this was mostly an Idaho bill.

MOTION: **Senator Den Hartog** moved to send **H 68** to the floor with a **do pass** recommendation. **Senator Lent** seconded the motion. The motion passed by **voice vote**, with **Senator Nelson** requesting that he be recorded as voting nay.

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

S 1075 **Relating to Education; Creates a Kindergarten Jump-Start Program.** **Representative Kerby** explained the proposed bill and stood for questions.

DISCUSSION: **Senator Lent** wanted confirmation that this legislation would not conflict with Idaho Code 33-201, which describes school age as 5-21 years of age. **Chairman Thayn** read a statement from the State Attorney General that clarified that this legislation would not conflict with any Idaho Code. **Senator Woodward** asked if this program would be mandated statewide. **Representative Kerby** said this bill makes it clear that all schools can offer this program if they so choose.

TESTIMONY: **Karen Echeverria** took the podium to testify in support of **S 1075**. **Ms. Echeverria** believes this legislation will empower school districts to help students be able to read by the end of the third grade.

MOTION: **Senator Lent** moved to send **S 1075** to the floor with a **do pass** recommendation. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

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

ADJOURNED: There being no further business at this time, **Chairman Thayn** adjourned the meeting at 4:12 p.m.

Senator Thayn
Chair

Florence Lince
Secretary