

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Wednesday, February 17, 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 3:01 p.m.
- MINUTES APPROVAL:** **Senator Nelson** moved to approve the Minutes of February 9, 2021. **Senator Cook** seconded the motion. The motion carried by **voice vote**.
- H 22** **Relating to Public Charter Schools; Removes a Dated Section of the Education Funding Formula in 33-5208.** **Chairman Thayn** reopened the discussion to approve H 22, by outlining three options to move this bill forward.
1. Send it to the floor with a **do pass** recommendation to remove the cap to fund the schools;
 2. Send it to the 14th Order of Business with a recommendation to remove the cap for this year only to fund the schools; or
 3. Hold it in Committee and let the bill die.
- DISCUSSION:** **Senator Cook** said it was his understanding that if the bill dies in this Committee, the Joint Finance-Appropriations Committee (JFAC) could write a motion and pass the supplemental using "notwithstanding" language, and if that failed in JFAC, the motion could be brought back to this committee. **Vice Chairman Crabtree** said he would not wish to speculate if JFAC would make that motion. **Senator Woodward** seconded the concern that JFAC would need a consensus, and the motion might not move forward in that committee.
- Senator Cook** asked Jared Tatro, Principal Budget and Policy Analyst, Idaho Legislature, if he would take the podium and clarify if the payment requested by the two virtual schools was for profit or costs associated with this fiscal request. **Mr. Tatro**, said that, based on current law, the virtual schools did not violate the law since they were only paid up to the 130 cap limit. He was also not comfortable in talking profit over costs. He did say the fiscal impact to pay the two virtual schools was between \$6.1-\$6.5 million. The breakdown would be \$5.1-\$5.5 million to Idaho Virtual Academy and \$1 million to Inspire Connections Academy.
- Chairman Thayn** provided a copy of a possible **H 22** amendment to the members of the Committee (see Attachment 1). **Senator Woodward** asked Mr. Tatro if money would need to be removed from the General Fund to pay the schools. **Mr. Tatro** said if the law is set aside, funding would be subject to the Public Education Stabilization Fund (PESF), so the schools will be funded by the end of the year.
- MOTION:** **Vice Chairman Crabtree** moved to hold **H 22** in the Committee. **Senator Johnson** seconded the motion.

SUBSTITUTE MOTION: **Senator Den Hartog** moved to send **H 22** to the 14th Order of Business for possible amendment. **Senator Lent** seconded the motion.

DISCUSSION: **Senator Johnson** said he was not comfortable moving this motion forward. **Senator Ward-Engelking** said money coming out of PESF was not acceptable and she would not support this bill.

ROLL CALL VOTE: **Chairman Thayn** called for a roll call vote on the substitute motion for **H 22**. **Senators Den Hartog, Lent, Cook** and **Chairman Thayn** voted aye. **Senators Woodward, Johnson, Ward-Engelking, Nelson,** and **Vice Chairman Crabtree** voted nay. The motion failed.

ADJOURNED: There being no further business at this time, **Chairman Thayn** adjourned the meeting at 3:43 p.m.

Senator Thayn
Chair

Florence Lince
Secretary