

MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, March 15, 2023

TIME: 8:00 A.M.

PLACE: Room EW41

MEMBERS: Chairman Yamamoto, Vice Chairman McCann, Representatives Boyle, Clow, Mendive, Ehardt, Wisniewski, Garner, Hawkins, Hill, Lanting, Nelsen, Price, Sauter, Berch, Galaviz, Mathias (Woodings)

**ABSENT/
EXCUSED:** Rep. Boyle

GUESTS: The sign-in sheet will be retained in the committee secretary's office; following the end of session the sign-in sheet will be filed with the minutes in the Legislative Library.

Chair Yamamoto called the meeting to order at 8:00 am.

MOTION: **Rep. Galaviz** made a motion to approve the minutes of February 28, and March 3, 2023. **Motion carried by voice vote.**

S 1100aa: **Rep. Hill** presented **S 1100aa**, legislation which would add to existing law to establish privacy and safety standards in public schools. He said students deserve to feel safe and secure, and school districts are begging for guidance. He said this bill is a fair accommodation and policy for schools and will help students and teachers feel safe.

Blaine Konzatti, President, Idaho Family Policy Center, spoke about the legal landscape of the school bathroom policy and said sexual discrimination policy allows for separate bathrooms and living facilities. He spoke about federal funding and the constitution. He said schools are for teaching students, not to fight cultural wars.

Kristi Hardy, Sandy Cardon, Cynthia Tria and Amy Henry spoke in support of **S 1100aa**. They spoke about uncomfortable experiences students have had while using the restroom. They said many children won't drink anything at school because they are afraid to use the restroom and everyone deserves to feel safe at school.

Nicole Trakel, Steven Keyser, and Christian Welp spoke in support of **S 1100aa**. They spoke about students who are uncomfortable using locker rooms as it is and this bill would make them even more uncomfortable. They said students thrive when they are comfortable and the majority of students should not be made to feel uncomfortable in order to accommodate a very small few.

Senator Trakel, testified in support of **S 1100aa** and said the republican party platform refuses to accept anything that might confuse bio-gender. He said by trying to make trans-gender students feel comfortable, all the other students feel uncomfortable.

Amy Dundon, ACLU of Idaho, spoke in opposition to **S 1100aa**. She spoke about sex and trans-gender based discrimination and hypothesized harm. She said trans-gender students have never caused harm to other students and they should not be discriminated against.

Committee members spoke about policy already in place to allow coaches of the opposite sex to enter locker rooms after mandatory permission. They said student safety is the priority, regardless of gender. They spoke about restitution if schools do not follow procedure and protection for schools who do.

- MOTION:** **Rep. Mendive** made a motion to send **S 1100aa** to the floor with a **DO PASS** recommendation.
- SUBSTITUTE MOTION:** **Rep. Berch** made a substitute motion to send **S 1100aa** to General Orders. **Motion failed by voice vote.**
- VOTE ON ORIGINAL MOTION:** **Chair Yamamoto** called for a vote on the motion to send **S 1100aa** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Hill** will sponsor the bill on the floor. **Rep. Woodings** requested to be recorded as voting **NAY**.
- H 311:** **Rep. Petzke** presented **H 311**, legislation which amends existing law to allow legislative appropriations for upper divisions in community college districts. He spoke about the costs associated with this bill.
- MOTION:** **Rep. McCann** made a motion to send **H 311** to the floor with a **DO PASS** recommendation.
- ROLL CALL VOTE:** Roll call vote was requested. **Motion carried by a vote of 16 AYE, 1 absent/excused. Voting in favor of motion: Reps. McCann, Clow, Mendive, Ehardt, Wisniewski, Garner, Hawkins, Hill, Lanting, Nelsen, Price, Sauter, Berch, Galaviz, Woodings, and Yamamoto. Rep. Boyle** was absent/excused. **Rep. Petzke** will sponsor the bill on the floor.
- H 309:** **Rep. Lanting** presented **H 309**, legislation which would replace **H 111** following amendments. He said schools used as polling locations on general election days would not hold in-person instruction. He said if a school is not being used as a polling location, school districts would have the authority to keep schools open or to provide on-line instruction.
- Phil McGrane**, Secretary of State, spoke about the desire for and importance of in-person voting. He said this bill would allow for adequate polling locations to keep voter lines minimal. He spoke about the delayed effective date to allow time for arrangements to be made by school districts.
- Committee members spoke about the option to make election day a holiday so parents can be home with children or use election day for in-service or parent/teacher conference days off.
- Quinn Perry**, Deputy Director, Idaho School Boards Association, **Dale Layne**, Idaho Rural School Association, and **Blake Youde**, Idaho Association of County Clerks, testified **in support of H 309**. They spoke about calendar challenges and said this bill would alleviate miscommunication between county clerks and school districts.
- MOTION:** **Rep. Galaviz** made a motion to send **H 309** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Reps. Hawkins and Price** requested to be recorded as voting **NAY**. **Rep. Lanting** will sponsor the bill on the floor.
- RS 30637:** **Rep. Nelsen** presented **RS 30637**, proposed legislation which would provide a remedy for local taxpayers should a community college be at risk of losing its accreditation. He said the interest of students is important and this bill would protect students.
- MOTION:** **Rep. Garner** made a motion to introduce **RS 30637**.
- Committee members spoke about the threat of a school losing accreditation, actually losing accreditation, and the appeals process if accreditation is lost.
- MOTION:** **Rep. Berch** made a motion to call for the previous question. **Motion carried by voice vote.**

ROLL CALL VOTE: Roll call vote was requested. **Motion carried by a vote of 12 AYE, 4 NAY, and 1 Absent/Excused. Voting in favor of the motion: Reps. McCann, Clow, Ehardt, Garner, Hill, Lanting, Nelsen, Sauter, Berch, Galaviz, Mathias, and Yamamoto. Voting in opposition to the motion: Reps. Mendive, Wisniewski, Hawkins, and Price. Rep. Boyle was absent/excused.**

RS 30641: **Rep. Sauter** presented **RS 30641**, proposed legislation which would revoke a community college district's property tax levy authority should the community college lose its accreditation and fail to regain accreditation within two years.

In response to questions, **Tracie Bent**, Chief Planning and Policy Officer, State Board of Education, said Northwest Commission on Colleges and Universities qualifies all public institutions in Idaho for accreditation.

MOTION: **Rep. Berch** made a motion to introduce **RS 30641. Motion carried by voice vote. Reps. Mendive, Hawkins, Wisniewski, and Price** requested to be recorded as voting **NAY**.

ADJOURN: There being no further business to come before the committee, the meeting ended at 10:32 am.

Representative Yamamoto
Chair

Amy Bengtzen
Secretary