

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Thursday, March 16, 2023

**TIME:** 2:00 P.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Lent, Vice Chairman Toews, Senators Den Hartog, Nichols, Carlson, Herndon, Lenney, Ward-Engelking, and Semmelroth

**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 Lent** called the meeting of the Senate Education Committee (Committee) to order at 2:00 p.m.

**H 220** **SCHOOL ATHLETIC EVENTS - Adds to existing law to require cash be accepted for entry to school athletic events. Representative Shepherd** said the inspiration for the legislation came after a series of interactions with people who were denied entry to the state basketball tournaments last year and this year because they only had cash to pay admission, and it was not accepted. He said this legislation was important because elderly people were less likely to have and use cell phones that supported digital ticket purchasing and management.

**DISCUSSION:** **Senator Ward-Engelking** said she believed people would follow the law, and had a problem with a provision of the bill that would have vendors fined \$100 for each person that was denied admission due to a failure to pay using a means other than cash. **Representative Shepherd** referred to the example of people that were rejected admission to the state basketball tournament, and said the \$100 fine was not a concern, because many of the families that looked to attend the tournament would have had to pay much more than that for gas, food, and accommodations. **Senator Ward-Engelking** expressed concern over potential law enforcement involvement to enforce or require vendors to pay the fines.

**Senator Den Hartog** asked if those sort of transactions were restricted at all of the tournaments or if there was variance. **Representative Shepherd** said the practice of limited cash transactions came during the COVID-19 period, when many vendors restricted cash payment to prevent potential contact. After those vendors became used to the convenience, he noted many continued the practice. He insisted **H 220** was not intended to limit those other means of payment, but rather to ensure that cash was accepted. **Senator Den Hartog** also expressed concern about the fine provision in the bill.

**TESTIMONY:** **Brian Stutzman**, Idaho Falls, spoke in support of **H 220**. He said it would be unfortunate for someone to travel to an event, only to have their admission denied because their phone died or it was left at home. He also mentioned the difficulty seniors had using technology for so many different services.

**MOTION:** **Senator Herndon** moved to send **H 220** to the floor with a **do pass** recommendation. **Senator Carlson** seconded the motion. The motion carried by **voice vote**.

## H 281

**EDUCATION - Amends existing law to revise provisions regarding classroom behavior management.** **Representative Erickson** said he was approached by parents that informed him of instances where young students were punished at school by being placed in seclusion. Those conversations led to Representative Erickson reaching out to the State Board of Education (SBE) and other partners to create a legislative response to the issue. He said teachers would still be able to use their regular behavior management techniques in the classroom, but any time out or detention-type punishments could not be unsupervised. **H 281** had language to require parents receive notification of punishments that separated their child from their peers. **Representative Erickson** said schools and school districts would have the ability to design and develop their own policies to carry out the provisions included in **H 281**, and the SBE would offer trainings on behavior management best practices.

### TESTIMONY:

**Laura Wallis, Brittany Shipley, Charmaine Thaner, Theresa Boyer, and Richelle Tierney** spoke in favor of **H 281**. The legislation received support from the Idaho Council on Developmental Disabilities, Idahoans for Safe Schools, and a regional affiliate of the National Alliance on Mental Illness. This group spoke to the negative, long-term impacts restraint and seclusion punishments had on young students, especially those that already had mental health or disability diagnoses. With over 80 percent of Idaho's schools designated as rural, the creation of materials and best practices by the SBE could greatly help teachers in those areas help their students. They stressed that, for some of those kids, the results of repeated, aggressive restraint and seclusion punishments could be dire.

**Jaclyn Evans** of Nampa, spoke in opposition to the bill. **Ms. Evans** said she registered in opposition to the legislation because she thought it did not go far enough. Her desire was for a comprehensive ban on seclusion and restraint behavior management techniques, and cited an incident that involved her child. Another wish of hers was to have additional oversight over school behavior management practices and increase school district accountability.

### DISCUSSION:

**Vice Chairman Toews** asked if there had been any consideration of omitting private schools from having to comply with the regulations in **H 281**. **Representative Erickson** said **H 281** was more of a recommendation that schools and school districts adopted those behavior management policies, and it was not forced. **Vice Chairman Toews** asked if chemically-induced restraint was a permissible response without parental consent if the bill passed. **Representative Erickson** said it would not be. He said there was language to prevent the administration of chemical restraints.

**Senator Herndon** asked if schools in Idaho that specialized in the education of troubled children were consulted, and if they were in support of the legislation. **Representative Erickson** said he received no communications from those schools, and all the iterations of this bill that were presented this session received largely positive feedback. **Senator Herndon** asked if there were any parts of Idaho Code that addressed the discipline of students at private schools. **Representative Erickson** said it was his understanding there was not.

**Senator Nichols** asked if the bill had any requirement that parents be notified of any restraint or seclusion punishments that were used on their children. **Representative Erickson** said that would be the case only if the school or school district were to adopt those policies created by **H 281** and the SBE. **Senator Nichols** noted the difference between notification and consent, and expressed her desire for consent to be included in the legislation.

**MOTION:** **Senator Herndon** moved to send **H 281** to the 14th Order for possible amendment. **Senator Nichols** seconded the motion. The motion carried by **voice vote**.

**DISCUSSION:** **Senator Herndon** said it was not his wish to motion for **H 281** to go to the 14th Order, but he thought the bill needed to go there so private schools could be consulted and an exclusion for them could be added.

**Senator Nichols** echoed those same concerns, and reiterated her desire for parental consent waiver requirements to be added to the bill.

**Vice Chairman Toews** said he was supportive of the intent of the legislation, but was concerned about the inclusion of private schools.

**Senator Den Hartog** said she was not as concerned about the notification and consent requirement element, because she believed **H 163** that passed earlier in the session addressed those issues. She also said she was not necessarily opposed to the inclusion of private schools in the bill's present form.

**Senator Ward-Engelking** said she was not opposed to the potential of amendments, but noted the importance of something being done to protect children.

**H 269**

**EDUCATION - Adds to existing law to establish career exploration courses.**

**Chairman Lent** said many high schoolers did not have plans for their lives after graduation, and that inspired this legislation. **H 269** was made to amend State Code to require 7th and 8th graders enrolled in a public, specially chartered, or public charter school to take a career exploration class, rather than complete a series of surveys like many were required to complete at the time.

**DISCUSSION:** **Senator Semmelroth** commented on the importance of programs that helped youth narrow down their plans after high school. She said the best practice was to have the conversations start in elementary school, but **H 269** was a step in the right direction.

**Senator Nichols** asked how grades 7 and 8 were chosen. **Chairman Lent** said an East Coast trip he took with other legislators and educators to learn about operations at schools there helped inspire the bill. He said those middle school grades were chosen because it gave the students several years to think more about and further develop their plans before high school graduation.

**Senator Ward-Engelking** highlighted another positive element of the bill she noticed, which was the potential for mentorship opportunities and improved community engagement.

**Chairman Lent** noted there were a couple of changes he wished to see made to the bill, and that he was amenable to **H 269** being sent to the 14th Order to have those changes incorporated. The first change was the inclusion of an opt-out clause for parents, because many of them were already very involved in assisting their child with career planning. The other change was to make the language more inclusive.

**Senator Lenney** asked for clarification about language in the bill that stated the course would be in alignment with standards set by the SBE. **Chairman Lent** said there were SBE requirements for curriculum development, which was what that language alluded to.

**TESTIMONY:** **Fred Birnbaum**, Idaho Freedom Foundation, expressed concern that the bill was too prescriptive, and thought the determination of curriculum tailored towards career exploration should have been left to local school districts.

**MOTION:** **Senator Den Hartog** moved to send **H 269** to the 14th Order for possible amendment. **Senator Ward-Engelking** seconded the motion. The motion carried by **voice vote**.

**DISCUSSION:** **Senator Den Hartog** said this was a great proposal to supplement the investments made into the expansion of Career Technical Education (CTE) in schools.

**Senator Herndon** expressed support for the bill, and liked the proposed amendments because they afforded flexibility for the kids and families that had an idea of what was in store for them after graduation.

**Vice Chairman Toews** also shared support for the proposed changes, and liked the idea of the creation of programs that helped kids decide what they could do after graduation, because it was a legitimate challenge for many.

**ADJOURNED:** There being no further business at this time, **Chairman Lent** adjourned the meeting at 3:14 p.m.

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Senator Lent  
Chair

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Linette Grantham  
Secretary

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Kieran Sprague  
Assistant Secretary