

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Monday, March 09, 2026

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Lent, Vice Chairman Cook, Senators Woodward, Nichols, Rundhaug (Carlson), Burtenshaw, Zito, 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) at 3:00 p.m.

PASSED THE GAVEL: Chairman Lent passed the gavel to Vice Chairman Cook.

S 1339 **Education - Repeals and adds to existing law to provide for strategic performance plans and training.** **Chairman Lent** presented this bill which would help modernize Idaho's public education system and replace the continuous improvement plan. This bill would keep education decisions at the school district level and focus on the performance and outcomes of students.

DISCUSSION: **Senator Nichols** asked if other states had implemented similar programs. **Chairman Lent** responded that school reform was not a new concept, and there were other states who were moving towards local control.

TESTIMONY: **Victoria M. Young**, Idaho parent, testified against the bill. In her testimony, she stated the bill reflected the issues of the No Child Left Behind Act (NCLB) and would single out schools who were performing poorly. She stated that NCLB did not help improve the education system. **Quinn Perry**, Idaho School Boards Association, testified in support of the bill. She stated it would deepen investment in the state education system.

MOTION: **Senator Ward-Engelking** moved to send **S 1339** to the floor with a **do pass** recommendation. **Senator Burtenshaw** seconded the motion. The motion passed by **voice vote**.

PASSED THE GAVEL: Vice Chairman Cook passed the gavel to Chairman Lent.

H 516 **Education - Amends existing law to revise provisions regarding prohibiting instruction on sexual orientation and gender identity for students in kindergarten through grade 12.** **Representative Dale Hawkins** introduced the bill and invited Doug Taylor to present the bill to the Committee. **Mr. Taylor** stated the bill would remove the language "if age appropriate or developmentally appropriate" from Idaho Code in H 352 (2025). The purpose was to eliminate confusion and provide legal certainty to the law. **Representative Hawkins** closed by stating that the bill was designed to change the line and fix the verbiage.

DISCUSSION: **Chairman Lent** asked Mr. Taylor for clarification about his comment that the Legislature had not intended for the law to read as it did currently. **Mr. Taylor** answered that the intent was to remove the language of "age appropriate" in H 352 (2025) which expanded to K-12 but was accidentally left in. **Chairman Lent** asked if there was a clear definition of "age appropriate" between kindergarten students and high school seniors. **Mr. Taylor** responded that he was not aware of a formal legal definition but there was an obvious difference between the two age groups.

Senator Woodward asked if **H 516** contradicted Idaho Code § Title 33-1608. **Representative Hawkins** answered that they were not re-considering the 2025 bill, only clarifying its language. **Senator Woodward** asked how the Legislature could require a district to adopt a policy which banned a certain topic of instruction while another statute gave districts the authority to decide whether such programs existed at all. **Representative Hawkins** responded that the bill was only to remove a line of code that was inadvertently left in. **Vice Chairman Cook** asked if the bill would prevent schools from teaching sex education in biology. **Representative Hawkins** responded that the bill would not ban biology education, it would only prevent instruction about sexual orientation and gender identity theories.

TESTIMONY: **Mary Brown, Dr. Jean Henscheid, Scar Rulien, Nissa Nagel, and Jeffery Watkins** all testified in opposition to the bill. They testified that the bill would create a blanket prohibition and prohibit teachers from discussing certain historical events and books, like Shakespeare, in the classroom. **Grace Howat**, Idaho Family Policy Center, testified in support of the bill. She stated that 66 school districts had not adopted policies required by H 352 (2025) and argued that **H 516** would prevent schools from teaching "radical gender instruction."

DISCUSSION: **Senator Woodward** asked Ms. Howat if she believed **H 516** was in violation of Idaho Code § Title 33-1608. **Ms. Howat** responded that the Legislature could change policy whenever it chose and that when a new law was passed, it override earlier policies. She added that courts could resolve the issue with a concept called "repeal by implication." **Ms. Howat** noted that if she could have drafted the legislation, she would have included a "notwithstanding" clause so that new laws would take effect over old ones. **Chairman Lent** asked her to clarify the "repeal by implication" concept. **Ms. Howat** explained that courts could determine that when a new law conflicted with an old one, they could override the older law even if the Legislature did not repeal it.

Senator Semmelroth asked if anyone could speak on the 66 school districts that were out of compliance. **Quinn Perry** answered that policy adoption took time due to school boards reading policies at least three times before they were adopted. **Senator Nichols** asked whether removing the "age-appropriate" clause clarified the law. **Ms. Perry** responded that the bill could create conflicts with other laws and could have a silencing effect on teachers who would choose to avoid certain topics for fear of triggering lawsuits.

MOTION: **Senator Nichols** moved to send **H 516** to the floor with a **do pass** recommendation. **Acting Senator Rundhaug** seconded the motion.

SUBSTITUTE MOTION: **Senator Burtenshaw** moved to hold **H 516** in Committee subject to call of the Chair. **Vice Chairman Cook** seconded the motion. The motion passed by **voice vote**. **Senator Nichols** and **Senator Woodward** requested to be recorded as voting nay.

ADJOURNMENT: There being no further business at this time, **Chairman Lent** adjourned the meeting at 4:05 p.m

Senator Lent
Chair

Lauren Young
Secretary