

MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, March 02, 2022

TIME: 8:00 A.M.

PLACE: Room EW41

MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Boyle, Mendive, DeMordaunt, Moon, Ehardt, Marshall, Wisniewski, Galloway, Yamamoto, McCann, McCrostie, Berch, Toone

**ABSENT/
EXCUSED:** Rep. Boyle

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

Chairman Clow called the meeting to order at 8:00 am.

MOTION: **Rep. Toone** made a motion to approve the minutes of February 22, 2022. **Motion carried by voice vote.**

Rep. McCann introduced **Hannah Liedke** who will be substituting for her.

Chairman Clow turned the gavel over to **Vice Chairman Kerby**.

H 627: **Chairman Clow** presented **H 627** to the committee and recommended **H 627** be tabled.

MOTION: **Rep. Yamamoto** made a motion to table **H 627**. **Motion carried by voice vote.**

RS 29705: **Chairman Clow** presented **RS 29705** and shared how this proposed legislation would be similar to a temporary rule. He explained it would bring stability to schools and for the next two years schools would follow Full-Time Equivalent Enrollment. This would provide funding and the capability to create an interim committee to study the funding formula. **RS 29705** would change the funding formula to be based off of FTE-E

MOTION: **Rep. Ehardt** made a motion to introduce **RS 29705** and recommend it be sent directly to the Second Reading Calendar.

In response to Committee questions, **Chairman Clow** shared this proposed legislation was created. He gave an example of how in **H 293** (2019) interim committees were created to review FTE-E. The fiscal note was explained and he shared how the interim committee would function.

Tracie Bent, Chief Planning and Policy Officer, State Board of Education, shared how there would be an issue with kindergarten students and attendance with the change to FTE-E. She shared how SBE would be looking at ways to clarify this issue.

Andy Grover, Executive Director, Idaho Association of School Administrators, voiced their support for **RS 29705** and how it would help give stability to schools.

**VOTE ON
MOTION:** **Motion carried by voice vote. Rep. Clow** will sponsor the bill on the floor

Vice Chairman Kerby turned the gavel over to **Chairman Clow**.

H 684: **Rep. Ehardt** presented **H 684** and shared how this legislation would protect both students and universities and prevent lawsuits. This legislation would uphold free speech on campuses and much of the language came from Supreme Court decisions. She shared her appreciation for contributing stakeholders and **Rep. McCrostie's** work on **H 684**.

Rep. McCrostie discussed how previous legislation has been brought to ensure free speech on campus and shared his appreciation for the contributing stakeholders and **Rep. Ehardt's** work on **H 684**. He explained how **H 684** is an omni-partisan piece of legislation. Rep. McCrostie shared why freedom of speech is important especially on a higher education campus. Sections of the bill regarding protected activities and free expressive activity were defined and explained. He shared how this legislation would not only protect students but also universities.

In response to Committee questions, **Rep. Ehardt** shared how **H 684** does not impact what happens in a classroom, but pertains to outdoor areas. She described how there have been four documented cases of lawsuit action from Boise State University (BSU) within the past few years. It was explained where invited guests are defined and covered under this **H 684**. She shared how they collaborated with the colleges and universities, but mostly discussed this legislation with BSU.

In response to Committee questions, **Zack Pruitt**, Senior Council, Alliance Defending Freedom, shared how student journalism is not covered under **H 684**. He shared the definition of an invited guest and shared how prior legislation will protect the student's right to form a group.

MOTION: **Rep. McCann** made a motion to send **H 684** to the floor with a **DO PASS** recommendation.

MOTION: **Vice Chairman Kerby** made a motion to call for the previous question. **Motion carried by voice vote.**

VOTE ON MOTION: **Chairman Clow** called for a vote on the motion to send **H 684** to the floor with a **DO PASS** recommendation. **Motion carried by voice vote.** **Rep. Berch** requested to be recorded as voting NAY. **Reps. Ehardt** and **McCrostie** will sponsor the bill on the floor.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:31 am.

Representative Clow
Chair

Elbia Christensen
Secretary