

Senate Education Committee

Minutes
2006



MINUTES

SENATE EDUCATION COMMITTEE

DATE: January 11, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS PRESENT: Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett

MEMBERS ABSENT/ EXCUSED: Chairman Goedde, Senator Marley

MINUTES: The meeting was called to order at 3:05 PM by Vice Chairman Jorgenson in Chairman Goedde's excused absence.

Vice Chairman Jorgenson asked for decorum during the procedures and explained that voting will be suspended until all rules are reviewed. He then called on **Ms. Karen Echeverria**, Policy and Governmental Affairs Officer, to address the Committee on the first proposed rule.

**Docket No.
08-0202-0501**

Idaho Standards for Commercial Driving Schools. Ms. Echeverria distributed a manual relating to this pending rule and explained the reason for change between text of the proposed rule versus the pending rule. The State Board of Education adopted rules in 2004, which were submitted to the Legislature for review in 2005. The rules incorporated a document by reference, which was effective November 12, 2004. The Legislature rejected parts of the incorporated document. In order to be in compliance with the Legislature's directive, a completely new manual has been adopted, removing the rejected sections.

Senator Gannon asked if earlier criticism that was adopted in the driver's education program last year related to this change. Ms. Echeverria said that it did not.

**Docket No.
08-0202-0502**

Alternate Route to Certification. Ms. Echeverria explained that the rule is being amended to clarify the Board's intent to allow currently certified teachers to add additional certificates and endorsements through the computer-based alternative route, previously limited to individuals seeking initial certification. The Board had intended to allow teachers who are already certified to use this provision from inception of the rule.

Senator Gannon asked if the State Board has approved any other

programs for teacher certification.

Ms. Echeverria deferred to **Alison McClintick** for a more definitive answer, and she replied that she would research and advise at a later date.

With respect to a question from **Senator Burkett** about possible interest in an online program, **Ms. McClintick** said that no one has yet approached the Board with this request.

**Docket No.
8-0202-0503**

Standards aligning with best practices Re No Child Left Behind. Vice Chairman Jorgenson called on **Dr. Robert West** to review this proposed rule. Dr. West stated that the purpose of the rule change is to ensure that the standards align with best practices, No Child Left Behind requirements of K-12 student achievement. Dr. West distributed revisions to the Committee members for review. The State Board of Education had approved the revisions on October 18, 2005.

Senator Schroeder asked Dr. West if everyone on the Board was satisfied with the changes, to which Dr. West replied affirmatively.

**Docket No.
08-0202-0505**

Professional Standards Commission. Dr. West reviewed the recommended changes in State licensing for teachers. The proposed rule recommended revision of Idaho endorsement requirements for teachers of the social studies, sciences, visual-performing arts, foreign languages, interdisciplinary humanities, and mathematics. It was also recommended that American Government and Political Science be merged into one endorsement. He stated the rule has been reviewed and public hearings were held September 12 and 31. Thirty-seven comments were made—some positive, some negative. Changes were made as a result of these comments.

There were no comments or questions from Committee members.

**Docket No.
08-0202-0506**

Code of Ethics for Idaho Professional Educators. Dr. West stated that a necessary part of the section, "Educator Perspective," had not currently been made part of the code; the recommendation is to incorporate this section into the main body of the code. Minor clerical corrections were also made.

Senator Schroeder asked if the change includes superintendents and principals. Dr. West replied affirmatively.

Docket No.

Qualified status and process of Junior ROTC Instructors. Dr. West

08-0202-0507

stated that the Department of Education and the Professional Standards Commission developed a recommendation regarding the highly qualified status of Junior ROTC instructors, as well as a process ensuring that the status of the No Child Left Behind Act requiring all teachers in public schools to be highly qualified. In the pending rule, ROTC is clarified as Junior Reserved Officer Training Corps (Junior ROTC). Hearings were held on September 12 and 21 on this topic. There are no outstanding issues.

Senator Gannon asked if there is an infrastructure that determines certification. Dr. West replied that there is.

**Docket No.
08-0202-0508**

Recommendations for Special Education Programs. Dr. West explained the purpose for this change is to align teacher certification and clarify roles of competency. The State Board of Education approves the more precise text of the rule. Additionally, the Hearing Impaired and Visually Impaired endorsements have been aligned with the Idaho preparation standards for teachers of the visually and hearing impaired to ensure teachers meet the necessary requirements. Definitions were also added to clarify the roles of the teachers. Dr. West reported that teams of experts reviewed the text. Hearings were held September 12 and 21, resulting in five comments.

Senator Gannon asked if the Board has received correspondence from a group asking for certification not currently provided in Idaho. Dr. West stated that the Board does provide teacher certification for the hearing impaired.

Senator Fulcher stated that he had received similar correspondence, which raised concerns that there are no standards and asked that Dr. West clarify the wording on page 41, Item (d). Dr. West replied that the teacher must meet the 30 semester credit hours in order to receive certification as a teacher for the hearing impaired and receive an institutional recommendation.

Senator Andreason stated that he is a member of the Performance Evaluation Committee, which has discussed the topic of closing the Deaf and Blind School in Gooding and teaching the impaired on a local basis. He expressed concern about closing the Gooding school and questioned the ability of the local regions to provide proper instructors for the hearing impaired. Dr. West replied there would be heavier need for regional teachers.

Regarding the possible closure of the Gooding school, **Senator Schroeder** asked if teachers would be available if the schools become regional? Dr. West stated that it is the obligation of the school district to find the teachers. It is Dr. West's understanding that the regional schools would work with other districts to share costs and resources.

Vice Chairman Jorgenson asked Dr. West to discuss the Idaho State University signing program and whether there are grants in place that will

allow instruction throughout the State. Dr. West said that currently there are 71 or 72 translators throughout the school system, of which only about one-third possess the basic adequacies. Currently there are no standards for the program. Dr. West said the last public hearing on this issue was March 2005, and that there will now be a code requirement. Approximately one-third of the educators have national "Professional Association" standards. It would be an impact on the system if guidelines were to be adopted.

Vice Chairman Jorgenson thanked Dr. West for his services.

**Docket No.
08-0203-0502**

Limited English Proficient. **Ms. Echeverria** referred the Committee to page 45 on the rules materials. The year determination for Limited English Proficient (LEP) students set forth in Title I of No Child Left Behind is for LEP students to take an alternate Standard Achievement Test (ISAT). This alternate assessment would be a native language version of the ISAT, which Idaho has decided not to implement. Idaho law requires that students may be in the program for only seven years and the Board now wants wording that will allow a student to be in the program for as long as needed. No hearings were held and no comments were received.

Ms. Echeverria introduced **Ms. Wendy St. Mitchell**, who will be presenting on this subject at the Monday, January 16 meeting.

**Docket No.
08-0203-0503**

National Assessment of Education Progress. The National Assessment Governing Board (NAGB) currently administers a national 12th grade National Assessment of Educational Progress (NAEP) test in a variety of subjects. Schools around the country are randomly selected to participate and provide information for the national report. **Ms. Echeverria** explained that Idaho currently volunteers to participate and believes it is important. No hearings and no comments. No outstanding issues.

With regard to questions posed by **Senators Burkett, Pearce**, and **Schroeder** concerning the NAEP and ISAT testing times and other details, Representative Wendy Jacquet offered to research their questions and get back to them.

**Docket No.
08-0203-0504**

Curricular Materials Adoption. **Ms. Echeverria** referred the Committee to page 59 of their pending rules packet. The State Board of Education currently adopts curricular materials on a five-year adoption cycle for many subjects. The purpose for the amendment is to extend the adoption cycle to six years to align it with adoption cycles of larger states, thus providing teachers and students with the most current publications of curricular materials.

A brief discussion ensued but there were no major questions or comments

at this time.

Vice Chairman Jorgenson thanked Dr. West for his time and service and reminded Committee members to keep notes for a vote when all rules have been heard.

He informed the Committee of the meeting on Public Charter Schools the following day and distributed comments with respect to the pending rule changes.

Adjournment There being no further business, the meeting was adjourned at 4:00 PM.

Senator Mike Jorgenson
Vice Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

DATE: January 12, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS PRESENT: Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley

MEMBERS ABSENT/ EXCUSED: Chairman Goedde

GUESTS: Ms. Karen Echeverria, Policy and Government Affairs Officer;
Ms. Jan Sylvester

MINUTES: **Vice Chairman Jorgenson** called the meeting to order at 3:05 PM, reminding the Committee that the meeting was for the purpose of rules review only, voting to take place only after all rules have been reviewed.

Vice Chairman Jorgenson called on **Senator Gannon**, who distributed a report by the Boise State College of Education Center for School Improvement and Neglect Status study for Idaho. It is believed that approximately 13,000 Idaho students are not enrolled in any type of learning facility, including home schooling. Senator Gannon invited interested members of the Committee to a meeting at 9:30 AM Friday at the J. R. Williams Building, where the Center for School Improvement will present this report.

Ms. Karen Echeverria, Policy & Governmental Affairs Officer, distributed material that answered questions posed by Committee members at the previous day's meeting and reviewed them briefly. There were no further questions.

Vice Chairman Jorgenson asked Ms. Echeverria to present the **Charter Schools review**.

Docket No. 08-0204-0501 **Rules Governing Charter Schools: Repeal.** This rule is being repealed in its entirety and will be replaced by the rules adopted in Docket 08-0204-0502, therefore making it unnecessary to review.

Docket No. **Drafting a New Set of Rules.** **Ms. Echeverria** reviewed the rules, which

08-0204-0502

clarify limitations and procedures of new public charter schools. The Office of the State Board of Education will track the number of charters being filed. The rules also clarify Department Education assistance and requirements of charter petitioners prior to filing their petition. The rules also discuss Executive Director authority to designate public charter schools as a Local Education Agency (LEA). Negotiated rule-making was conducted and written comments were received. A hearing was held, with four attendees; one individual testified. Extensive written comments were received and are included in the distributed packet.

Senator Andreason asked if any of the comments were negative in nature. Ms. Echeverria responded that some were negative, one of whom is an attendee of this meeting.

Vice Chairman Jorgenson asked if the dissenters represent any official group or if they are individuals. Ms. Echeverria replied that some do represent groups and some do not.

Senator Schroeder referred the Committee to the last three sentences on page 89, questioning whether or not the rules override the charter contract. Ms. Echeverria replied that she does not know.

Senator Gannon expressed an interest in hearing a brief summary of the remaining objections.

**Docket No.
08-0301-0401**

Public Charter School Commission. Senator Andreason asked about the rule that excludes siblings from attending the same charter school, and a general discussion ensued. **Senator Gannon** said that the rule specifically states that siblings will be given preference.

Senator Schroeder asked Ms. Echeverria if there is an inconsistency in the law and if there are any recommendations. Ms. Echeverria replied that last year the Commission was attempting to make changes. The Commission and Board said they would like the issue to ride for one year. Senator Schroeder said that last year one school wanted to keep families together. He questioned why not resolve it now, if there is going to be a recurrence of the debate. Ms. Echeverria reiterated that the Board and Commission are not moving forward this year.

Senator Andreason asked Ms. Echeverria to clarify the wording on page 91, 06 (a). Ms. Echeverria explained that this is verbatim language from the code, stating the preference must go to children of founders but is limited to 10% of the initial capacity of school registrants.

Senator Fulcher questioned what seems to conflict with the wording on page 94, item 13. Ms. Echeverria answered that the charter schools would be urged to follow the priority, that they must follow the sibling preferences and draw by grade.

Senator Schroeder asked how long are the lists kept and Ms. Echeverria stated that the rules require the lists be redone every year.

Senator Schroeder will work with Ms. Echeverria to agree on language for the amendments.

Vice Chairman Jorgenson asked if there were further questions. There being none, he called on Ms. Jan Sylvester, Meridian, who indicated on the sign-up sheet that she wished to testify.

Ms. Sylvester's main issues dealt with the meaning of the word "final" with respect to enrollment deadlines. It was the general consensus of the Committee that the word "final" should be interpreted to mean up to the first day of the school year. Ms. Sylvester also had issues with the selection lists. Ms. Echeverria explained that there will be several categories to the final selection list.

Vice Chairman Jorgenson thanked Ms. Sylvester for her time and effort and asked Ms. Echeverria to move to the next rule.

**Docket No.
08-0301-0501**

Additional Petition Requirements. Ms. Echeverria stated that this rule includes two parts. The Commission adopted an initial set of rules governing the Public Charter School Commission at their July 2004 meeting. Since that time, the Commission found that further clarification and information is required. These rules clarify the petition submission process: Information is needed by the Commission for compliance monitoring and oversight, how public hearings before the Commission will be conducted, and the format of all petitions that are submitted to the Commission. No hearings were held; they did receive comments from Legislative Services, which were incorporated and amended..

Senator Schroeder asked if the Commission gives 24 hours of notification of public meetings and if additional agenda items are advertised before the hearing or added at last minute. Ms. Echeverria replied that agenda items can be added at last minute, but she does not think this has happened in the past.

Vice Chairman Jorgenson complimented the participants and Committee and outlined the agendas for next week's meetings.

ADJOURNMENT

There being no further business to come before the Committee, the meeting was adjourned at 3:50 PM.

Senator Michael Jorgenson
Vice Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

DATE: January 16, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS PRESENT: Chairman Goedde, Senators Jorgenson, Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, and Marley

MEMBERS ABSENT/ EXCUSED: None

GUESTS: **Dr. Michael Rush, Administrator, Idaho Division of Professional-Technical Education;**
Ms. Wendy St. Michell, Limited English Proficient (LEP) Program Manager

Chairman Goedde called the meeting to order at 3:00 p.m. and asked each Committee member to express his view on priorities and concerns for the new session. Overall, key issues were: facilities funding, community colleges, school redesign, and charter schools.

LEP PRESENTATION: **Limited English Proficient (LEP) Report.** **Chairman Goedde** called on **Ms. Wendy St. Michell** to report on the LEP program and the program's forecast for 2006 and beyond. She distributed material outlining her presentation, stressing the importance of working with students entering the Idaho school system who are not fluent in the English language. An LEP Subcommittee was appointed to: (1) examine the overall learning environment for LEP students; (2) identify the gaps in programming; and (3) provide recommendations for the State to move forward in serving these students.

Title III funding for 2005-2006 is \$2,107,363 (approximately \$241 per student). Of that amount, \$1,932,363 will go directly to the districts with \$175,000 reserved for federally required LEP program administration. Federally required LEP program administration: (1) Ensuring a Statewide English language proficiency assessment, (2) Providing Statewide professional development, (3) Providing district monitoring and evaluation, (4) Administering program funds and ensuring district compliance, and (5) Providing technical assistance to districts.

On July 12, 2005, the Division of Purchasing awarded a three-year contract in the amount of \$350,000, with a potential two-year extension, to Touchstone Applied Sciences Associates, Inc. (TASA) to operate the Idaho English Language Assessment (IELA).

Senators Gannon, Burkett, Marley, Andreason and Jorgenson asked **Ms. St. Michell** for specifics concerning costs, duration and longevity of

the TASA assessment. Questions arose about the need for an outside vendor, considering funds have already been granted and used toward a State data collection system. Ms. St. Michell explained that the funds previously used for LEP will be incorporated into TASA's program. She stated that the cost of the TASA assessment will be approximately \$28.00 per student, compared with the ISAT test, which is approximately \$4.00 per student.

Senator Gannon asked about TASA's qualifications and experience. Ms. St. Michell replied that the Division of Purchasing awarded the contract to TASA on the basis of price and qualifications, as they do with all vendors.

Ms. Echeverria distributed materials for the next day's Committee meeting on school redesign.

ADJOURNMENT: The meeting was adjourned at 4:30 p.m.

Senator John W. Goedde
Chairman

Jeanne' Clayton
Secretary

MEETING MINUTES

SENATE EDUCATION COMMITTEE

DATE: January 17, 2006

TIME: 3:00 PM

PLACE: Gold Room

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Pearce, Gannon, Fulcher, Burkett, and Marley

MEMBERS ABSENT/ EXCUSED: None

GUESTS: Sign-in sheet(s) will be held in the Committee's office until the end of the 2006 legislative session, after which they will be retained in the Legislative Library, Basement E.

Chairman Goedde called the meeting to order at 3:05 PM

He welcomed the visitors and asked that those testifying please hold their comments to three minutes to allow everyone the opportunity to be heard. He asked **Mr. Dwight Johnson, Interim Executive Director of the State Board of Education**, to introduce **Mr. Rod Lewis, President of the State Board of Education**.

**DOCKET NO.
08-0203-0506**

High School Redesign. **Mr. Lewis** presented a background on the rules process, explained the need to better prepare our children for college, and examined the benefits and issues associated with increased high school core credit hours and required middle school curriculum.

Vice Chairman Jorgenson asked if public hearings on the rule change had been held. **Mr. Lewis** replied that six public hearings had been held throughout the state and adjustments had been made in response to specific concerns expressed at those hearings.

Vice Chairman Jorgenson asked if the Idaho Education Association supports these pending rule changes. **Mr. Lewis** responded affirmatively. He stated that much of the support by various groups was subject to receiving the funding necessary to support increased math and science teachers.

Senator Gannon asked if incentives were in place to attract math and science teachers, especially in the rural areas. **Mr. Lewis** said this issue had been discussed and acknowledged the problem, but he was optimistic that a solution would be forthcoming.

Senator Gannon asked if the proposed budget provides for incentives. **Mr. Lewis** said the Board believes the numbers are reasonable. **Senator Andreason** expressed concern about funding relative to the long time

frame required to put the rules totally in place (through 2012).

Senator Fulcher brought up the publicity surrounding the National Governor's Association's (NGA) and the Gates Foundation's push toward increasing standards. He asked if there was a connection between these entities and the pending rule changes. Mr. Lewis said there is no connection at all.

Senator Goedde asked how the increased math and science requirements would fit into the professional-technical curriculum. Mr. **Lewis** said the professional-technical programs also want to increase academic standards for math and science and deferred to Dr. Michael Rush of the Professional-Technical program for details.

Senators Pearce, Marley, Schroeder, and Burkett asked several questions concerning: (1) funding, (2) the rules process, (3) integration of the new program into the rural school districts and advanced learning programs, and (4) Idaho's current national high school standing. **Mr. Lewis** answered all questions fully, explaining the Board's rationale.

TESTIMONY:

Chairman Goedde called on the first of those who expressed a wish to testify and asked that each testifier limit comments to three minutes to allow time for everyone to testify. Summaries of the testimonies follow, the entire text of which will be held in the Senate Education Committee office until the end of the session, after which they will be retained in the Legislative Services Library.

Mr. Mike Vuittonet, Chairman, Meridian School Board supports the bill if it provides adequate funding.

Mr. Randall Hudspeth, member of the Patient Care Administration at St. Alphonsus Regional Medical Center and Chairman, Idaho State Board of Nursing. Mr. Hudspeth strongly supports the bill, stating it would reinforce the 63% of their employees who require science-based education.

Ms. Linda Clark, Superintendent, Meridian School District strongly supports the rule changes and answered questions from Committee members.

Ms. Sona Andrews, Boise State University, spoke in favor of the proposal and on behalf of the Boise State University President, who believes students come unprepared for college courses.

Mr. F. Willard Robinson, Ed. D. Retired, spoke in opposition for the proposal.

Ms. Parra Byron, Education Policy Advisor, testified on behalf of **Governor Kempthorne,** who supports the proposed changes.

Ms. Pat White, Chief of the Bureau of Educational Improvement for the Department of Education, and who also served as a member of the

Accelerated Learning Task Force, believes students must be provided a rigorous, relevant education, along with positive relationships between teachers, families and the community.

Mr. Cliff Green, Executive Director, Idaho School Boards Association (ISBA) spoke in support of the new rules and took questions from Committee members.

Mr. Kevin Kostelnik, Idaho National Laboratory (INL), supports the rule changes, stating that many new hires by Battelle (current contractor for the INL) must be hired from out of state.

Mr. Ren McKnight, Senior at Liberty Charter High School, supports the new rules, stating the minimum requirements to graduate high school do not meet the requirements for acceptance to most universities.

Mr. Nick Housh, Senior at Liberty Charter High School supports the rule changes.

Ms. Monica Martin, Senior at Liberty Charter High School spoke in support of high school redesign.

Chairman Goedde announced that testimony would continue the following day, Wednesday, January 18, 3:00 p.m. in the Gold Room.

ADJOURNMENT: The meeting was adjourned at 5:10 p.m.

Senator John W. Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

DATE: January 18, 2006

TIME: 3:00 p.m.

PLACE: Gold Room

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley

MEMBERS ABSENT/ EXCUSED: None

GUESTS: Sign-in sheets will be retained in the Committee's office until the end of the 2006 legislative session, after which they will be retained in the Legislative Library (Basement E).

Chairman Goedde welcomed the 50-plus attendants and introduced **Mr. Dennis Stevenson, Administrative Rules Coordinator**, who explained the Idaho rules process and answered questions posed by Committee members.

Chairman Goedde then called for testimonies from those who had expressed an interest in testifying. Following is a synopsis of those testimonies. Complete transcripts will be located in the Legislative Services Library after the 2006 legislative session:

Mr. Marty Peterson, Assistant to the President of the University of Idaho spoke in support of strengthening high school guidelines.

Mr. Stephen Thayn, a parent, believes the goal of students to learn more math and science is a proper goal, but believes students need to first master problem-solving skills.

Mr. Mark Nish, private citizen, feels this proposal will have a disastrous impact on education in Idaho.

Mr. Sam Stone, Caldwell teacher representing **Idaho Music Educators Association**, believes these rules will negatively affect middle-of-the-road students in music classes.

Ms. Virginia Christensen, parent, is against the proposal and hoped citizens will be able to keep the right to make choices for their children.

Ms. Sheri Wood, President of the Idaho Education Association (IEA), special education teacher for 28 years. Ms. Wood represents 12,000 members of IEA. She feels there are challenges with the implementation of the rule and said she could not support it without

continued adequate funding.

Pat Burnum, Vice President of Idaho Eagle Forum and certified teacher. Ms. Burnam expressed opposition to the new rules for various reasons, especially lack of local control.

Mr. Michael Gallagher, President of Idaho State University, sees this proposal as modest but said it requires an enormous amount of cooperation. High schools must improve student preparation and increase student rigor. He feels there is a need to compete in a global economy by raising the bar.

Dr. Bob Kustra, President of Boise State University, is discouraged about the split decisions among people who are in the business of teaching and is concerned about disagreement over music. He feels that enough years have been given to put the plan in place so that all issues can be resolved.

Mr. John Eikum, Executive Director, Idaho Rural Schools Association expressed concern about lack of representation from the Hispanic or Native American communities, or from school districts that have enrollment under 500. He is very concerned about the supply and demand of teachers and the resultant fiscal implications. He also feels that many students are not capable of learning via the Internet and believes this proposal to be unrealistic for rural districts.

Ms. Tracy Warren, Idaho Counsel of Developmental Disabilities feels this proposal must provide for students with disabilities and those on Individual Education Plans (IEP). She is concerned for the students who have challenges but don't meet the eligibility for an IEP. **Senator Burkett** asked if the "opt out" plan would alleviate the situation. Ms. Warren feels the plan would not adequately meet those special needs.

Mr. Milford Terrel, Owner, DeBest Plumbing, spoke in favor of the proposal, stating that most of his employees are not college-educated but that they do need math skills and feels it is important that students coming out of high school have good math, science, and reading skills.

Ms. Connie Pratt, Chairman, Melba School Board, is not opposed to the plan but is concerned about funding, which has already caused shortages in rural schools. She believes a lack of counselors will have an adverse impact on the Hispanic and migrant populations with limited English proficiency needs and unique learning issues. Biggest concern: loss of local control.

Ms. Maureen O'Keefe, Vice President for Human Resources for Strategic Planning for St. Luke's Hospital believes health workers need math and science. She feels that students need to reach for a "raised bar."

Ms. Donna Vakili, Director of Idaho Digital Learning Academy. Ms. Vakili believes that accelerated learning opportunities are available to all

Idaho students via a rigorous online curriculum delivered by highly qualified faculty.

Dr. Michael Rush, Director, Professional-Technical Education spoke in support of increased graduation requirements. He feels the key to the program's success will be implementation and said that we owe it to our students to resolve issues and make this program work.

Ms. Brenda Laws, parent and college graduate cannot support the rule as it is currently presented. She feels that not all students are interested in taking four years of math.

Ms. Joann Arnold, Vice President of Human Resources, Micron Corporation. Ms. Arnold said that Micron needs employees with strong math and science. In 2005, Micron spent approximately \$1 million on remedial and worker readiness training. Micron is in favor of the proposal.

Mr. Curtis Gonzales, parent and Managing Director of Technology Intelligence Group. Mr. Gonzales supports the proposed rule and believes there is no alternative if our students are to compete on a global level.

Dr. Stan Olson, Boise School District Superintendent. Dr. Olson recognizes the need to move forward but feels there is much to do to ensure that the rural districts are able to experience the same type of success as do the Boise and Meridian Districts. **Senator Fulcher** asked how to implement on different levels. **Dr. Olson** feels implementation would differ from district to district and that adjustments would have to be made. **Senator Andreason** asked how many different languages are in the Boise School District. **Dr. Olson** replied there were about 82 different languages throughout the districts.

Ms. Teresa Molitor, Vice President of Human Resources for Idaho Association of Commerce and Industry (IACI), spoke in support of the proposal and submitted IACI's policies.

Mr. Tim Haener, representing American Council of Engineering Companies of Idaho, University of Idaho Civil Engineering Department Advisory Board, and JUB Engineers, Inc., spoke in favor of the rule and the necessary financial support to ensure the rule's successful implementation.

Ms. Lyn Darrington, Principal representing AMI Semiconductor, Inc. (AMIS) in Pocatello. AMIS supports the proposal.

Ms. Christine Warner, parent. Ms. Warner strongly believes that math and science proficiency is key to providing choices for graduating seniors entering the job market or going to college.

Mr. Ray Stark, Boise Metro Chamber of Commerce spoke in favor of the rule.

Mr. Jacob Ferrin, senior at Skyview High School feels the program should offer students a choice.

Dr. Michael Friend, Executive Director of the Idaho Association of School Administrators. Dr. Friend believes there must be a broader-based analysis of the cost of implementation of the rule and would like to see data that can be relied upon.

Ms. Sue Thilo, State Board of Education, Chairman, Accelerated Learning Task Force for Rule Change. Ms. Thilo believes all students deserve the opportunity for the same education. She feels the proposal is not a radical one but a common-sense proposal backed by data based on research.

Chairman Goedde announced that testimony will continue tomorrow, January 18 at 3:00 p.m. in the Gold Room.

ADJOURNMENT: The meeting was adjourned at 5:45 p.m.

Senator John W. Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

DATE: January 19, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley

MEMBERS ABSENT/ EXCUSED: None

GUESTS: **Ms. Parra Byron, Education Policy Advisor for Governor Kempthorne; Ms. Jane McClarran, Senior Financial Management Analyst of Financial Management**

Chairman Goedde called the meeting to order at 3:00 p.m. and asked the secretary to take a silent roll call.

Chairman Goedde introduced **Ms. Parra Byron** and **Ms. Jane McClarran** to the Committee and asked Ms. Byron to bring everyone up-to-date on the Governor's initiative for community colleges.

PRESENTATION: **The Governor's Idaho College Initiative for Community Colleges.** **Ms. Byron** distributed material outlining the Governor's vision for a 21st Century Community College System in Idaho, stressing: (1) accessibility and affordability; (2) open access and reasonable tuition rates; and (3) low division transfers and professional technical courses. Ms. Byron also distributed a white paper outlining implementation, academic regions, and benefits and rationale for the proposed program.

Senator Gannon asked if the Governor had ruled out an increase in local taxes to fund the community colleges. Ms. Byron replied that it had not been ruled out. **Senator Pearce** asked about integration of new community colleges with the North Idaho College (NIC) and College of Southern Idaho (CSI). Ms. Byron replied that these colleges would not be affected. Other questions were posed, including competition of students, tuition, time frame of implementation, and funding. Ms. Byron deferred to **Ms. McClarran** regarding funding. Ms. McClarran stated that the new community colleges would be funded with State taxes as a separate cost center. The present budget for the new program is \$5 million, with some monies likely to come from private industry.

Senator Marley asked **Ms. Byron** if other states had been used as role models for this program. Ms. Byron said no. **Ms. McClarran** will make an in-depth presentation to the Committee when detailed financial information is firmly in place.

**DOCKET NO.
08-0203-0506**

High School Redesign. Pursuant to Chairman Goedde's request at the January 18 Senate Education Committee meeting, Ms. Karen Echeverria distributed material outlining current graduation requirements in the Idaho school districts, compared to requirements in the other states. A question-and-answer period ensued. **Senator Pearce** asked Ms. Echeverria if information was available to indicate if test scores in other states are improved by the increased requirements. Ms. Echeverria did not have this information but will attempt to obtain it.

Chairman Goedde asked the Committee members to voice their thoughts on the rule. Each Committee member presented his view thoroughly and carefully, and a general discussion followed.

MOTION:

A motion was made by **Senator Schroeder** and seconded by **Senator Pearce**, to reject Rule 08-0203-0506, and a roll-call vote was taken. Voting aye were **Senators Marley, Burkett, Pearce, Schroeder, and Jorgenson**. Voting nay were **Senators Fulcher, Gannon, Andreason, and Goedde**. The motion to reject Rule 08-0203-0506 passed five to four (Attachment A).

MOTION:

Senator Marley asked for and received unanimous consent that the balance of the rules be approved.

ADJOURNMENT:

The meeting was adjourned at 4:50 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** January 23, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS PRESENT:** Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- MEMBERS ABSENT/ EXCUSED:** Chairman Goedde, Senator Andreason
- GUESTS:** **Senator Brent Hill; Mr. Tim Hill**, Deputy Superintendent of School Support Services
- CONVENED:** **Vice Chairman Jorgenson** called the meeting to order at 3:10 p.m.
- MINUTES:** **Senator Gannon** moved that the minutes of January 11 and 12, 2006, be approved as written. **Senator Marley** seconded the motion. The motion carried by voice vote.
- RS 15680** **Senator Hill** presented **RS 15680** and explained the statement of purpose, which was to require publishers to provide textbooks in electronic form to students with learning and sight disabilities.
- MOTION:** **Senator Schroeder** moved that **RS 15680** be printed. The motion was seconded by **Senator Marley** and carried unanimously by voice vote.
- PRESENTATION:** **Vice Chairman Jorgenson** introduced **Mr. Tim Hill** and asked him to begin his presentation on **public school funding**.
- Mr. Hill** distributed materials to the Committee and illustrated by charts and graphs (1) where public school funds come from, (2) how the funds are distributed, (3) how a support unit is calculated, (4) salary-based apportionments, and other topics. School budgets are determined largely through Average Daily Attendance (ADA) sheets, not by the actual number of students enrolled. For funding purposes, a poor day of attendance hurts the school.
- Questions were posed by Committee members throughout the presentation and **Mr. Hill** answered them fully. When an answer was not readily available, Mr. Hill promised to forward the information.
- Mr. Hill** illustrated by charts and graphs school funding for recent years and explained how distribution factors (discretionary funds) are set. There is a strong correlation between who is hired and how much is funded for that person.

Senator Fulcher asked about the difference in how the funding process works for charter schools. Mr. Hill said the three charter schools are governed by the same provisions.

Concerning property tax replacement, **Senator Marley** asked what the impact would be today without the cap. Mr. Hill said that without the cap the number would be \$83 million, and in 2007, it would be \$91 million.

Senator Schroeder asked if there is any mechanism for check-and-balance of employees who may be getting paid for more hours than they work. Mr. Hill said the ultimate responsibility lies with the administrator of that employee.

Vice Chairman Jorgenson thanked Mr. Hill for taking the time to attend the meeting and for the work that went into the presentation. He announced that the next day's meeting was cancelled due to the funeral of Senator Thorne.

ADJOURNMENT: The meeting was adjourned at 4:30 p.m.

Senator Mike Jorgenson
Vice Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** January 25, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Marley
- ABSENT/
EXCUSED:** Senator Burkett
- GUESTS:** Dr. Michael Burke; Dr. Timothy White; The sign-in sheet(s) will be retained in the Committee's office until the end of the 2006 legislative session, and then will be maintained in the Legislative Library).
- CONVENE:** **Chairman Goedde** called the meeting to order at 3:00 p.m.
- PRESENTATION:** **Dr. Michael Burke**, President of North Idaho College (NIC). Dr. Burke said he has been working with community colleges for 30 years, and enjoys it. He introduced **Denny Hague** and **Judy Meyer**, both members of NIC's Board of Trustees. Dr. Burke said economic benefits of a higher education saves Idaho \$2.6 million a year because of improved health benefits, reduced welfare, unemployment and crime costs. He said fall enrollment was down in 2005; however, there has been a 31.9 increase since 1995. Dr. Burke said NIC's distance education classes have increased 805% since 1998-99. In fact, some students that live in residence take internet courses.
- Senator Andreason** asked about the pass rate of classes. **Dr. Burke** said they have an 84% completion rate on all enrollment. **Ms. Meyer** explained that the new Health and Science Building gave them 25% more classroom space. NIC's major partnerships with Kootenai Medical Center (most of their nurses come from NIC) and Inland Northwest Health Services (many of their employees come from NIC) helped raise funds of \$3.6 million.
- Senator Gannon** asked what the tuition was. **Dr. Burke** said \$950 a semester, for a full load. **Senator Marley** asked if they had institutional support. **Dr. Burke** said he supports the program, NIC's Office of Public Relations, Human Services and Financial Aid also support the program.
- Senator Jorgenson** asked what was in the future. **Dr. Burke** said he had a few ideas.
- Dr. Timothy White**, President of the University of Idaho. **Dr. White** introduced three students; **Humberto M. Cerrillo, II**, President, Associated Students University of Idaho (ASUI), and a Junior from Lewiston; **Travis Galloway**, also a Junior, is the Lobbyist for ASUI and a

Political Science and Spanish major. He will be going to Mexico to study; and **Shawn Cothren**, Ambassador, Chief of Staff, and President of Middle Eastern Study Club. Mr. Cothren is also a Junior. These three students explained how they enjoy their experiences at the University of Idaho.

Dr. White said he was grateful for the 2006 investments. He explained how higher education provided for a better economy, environment, security, society and positive flow back into the community. He said he is in support of higher requirements and rigor in the high schools.

Dr. White talked about his plan for renewal; Phase I introduced budget reductions, they eliminated 67 positions and cut \$4.5 million from FY 2006 budget; Phase II was prioritizing programs, they felt the key academic priorities were science and technology, liberal arts and sciences, entrepreneurial innovation, the environment and sustainable design and lifestyle. Phase III is the reinvestment of \$1 million in key academic priorities. They have 8 finalists from 43 proposals to receive this investment. The decision will be made in April. **Dr. White** said they have the attention of National Merit Scholars. Of the 65 in Idaho, 53 of them are at U of I. **Senator Marley** asked about the student retention and graduation rates. **Dr. White** said the national average is 79.5% and the University of Idaho is 80.4%. Some students study abroad or transfer.

Senator Marley asked for a brief description of the eight finalists of the reinvestment monies. **Dr. White** said he would send it to him today via e-mail. **Senator Marley** also asked about the reductions. **Dr. White** explained they had to take control of their destiny and deleted some programs that were no longer in demand

ADJOURN: The meeting was adjourned at 4:30 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** January 26, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** Senator Pearce
- GUESTS:** **Mr. Wes Maynard, Executive Director, Council for the Deaf and Hard of Hearing;** member of Educational Interpreter Interagency Consortium
Dr. Jerry Beck, President, College of Southern Idaho (CSI)
Dr. Dene Thomas, President, Lewis-Clark State College (LCSC).
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:00 p.m.
- MOTION:** **Senator Schroeder** asked that the minutes of the January 16, 17, 18, 19 and 23, 2006 Committee meeting be approved as written. **Senator Marley** asked that the January 23, 2006, minutes reflect that he had inquired about property tax replacement and capping. He also asked that the January 19, 2006, minutes reflect that he had made the final motion asking for unanimous consent. The secretary noted these corrections, and **Senator Marley** then seconded the motion to approve the minutes. The motion was carried by **voice vote**.
- RS 15791** **Idaho Education Act. Mr. Wes Maynard** addressed the Committee, stating that the Council would like to ask for minimum standards for K-12 Interpreters serving the deaf and hard of hearing and explained the rationale for this request.
- MOTION:** **Senator Gannon** made a motion to print **RS 15791**. The motion was seconded by **Senator Jorgenson** and it was carried by a **voice vote**.
- PRESENTATION:** **Dr. Jerry Beck, College of Southern Idaho (CSI)** addressed the Committee, stating that CSI provides education, social and cultural opportunities to a diverse population. In the lower-division academics, CSI is the third largest higher education institution, in Idaho, in the number of freshman and sophomore students, and fourth largest in terms of total student full-time equivalents. Of professional-technical students, CSI is Idaho's largest higher education institution. Over the past five years CSI has experienced considerable growth in Health Sciences and Human Services, Development Math and English, English and Languages, Mathematics, Education, and Life Science—areas that are critical to the local economy. CSI has closed many non-performing programs that don't meet established growth criteria, and has directed those resources to more closely meet Idaho's job market. They had 2,058 students enrolled in the fall semester of 2005 in remedial education, and had an 11.7% increase in their Adult Basic Education and

English as a Second Language (ESL) program in the 2004-05 school year. **Senator Gannon** asked Dr. Beck if the statistics for remedial education were broken down further. **Dr. Beck** stated that 47.5% of CSI's students are from Twin Falls and Jerome, which are the two districts that pay property tax to CSI. Over one-half of their students now come from outside of that area.

Dr. Beck believes the addition of other community colleges will not hurt CSI's enrollment.

Senator Marley asked for a dollar amount of the 47.5% of students from the two districts that pay property taxes to CSI. **Dr. Beck** said their tuition rate is \$950 for a full-time fee and \$285 for a three-credit course, or \$95 per credit.

Senator Schroeder asked if they had a chart of ages of students. **Dr. Beck** said he will provide that information to the Committee. He then introduced **Jeff Duggan**, Assistant to the President and Athletic Director.

PRESENTATION: **Dr. Dene K. Thomas, President, Lewis-Clark State College (LCSC)**, introduced **Leanne R. Parker**, PhD, Associate Professor of Psychology, Licensed Clinical Psychologist and Chair of the LCSC Faculty Association. **Dr. Thomas** also introduced **Chet Herbst**, Director of Strategic Planning, Institutional Research, Assessment and formerly in the Air Force.

Dr. Thomas said that LCSC is the only four-year institution with a community college function. Eighty-five percent of their students are Idaho residents, ranging in age from under 18 to over 65, 61% of which are female. The placement rates for LCSC graduates are 92% for academic and 94% technical. Last year LCSC gave out an all-time record of 551 degrees.

Dr. Thomas said LSCS has had a 28% growth since the Fall of 2000. They work closely with their counterparts for high school reform and would like to see better-prepared students coming to LSCS. **Dr. Thomas** said on a fiscal aspect they work very hard to be realistic with their budgets.

ADJOURNMENT: The meeting was adjourned at 4:25 pm.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

DATE: January 30, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Burkett, Marley

**ABSENT/
EXCUSED:** Senator Fulcher

GUESTS: **Senator Brent Hill, Mr. Jim Shackelford, Ms. Karen Echeverria**

(The sign-in sheet 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.)

S 1308 **Relating to requirement of publishers to provide electronic versions of textbooks.**

Senator Hill spoke on the importance of this bill for the higher education institutions. **Senator Hill** introduced **Mr. Todd DeVries**, Idaho State University Student Services Coordinator, who said this bill could help the three to five percent of higher education students who have disabilities.

Senator Schroeder made the motion to send **S 1308** to the floor with a do pass recommendation. **Senator Jorgenson** seconded the motion, and the bill passed unanimously by **voice vote**. **Senator Hill** will carry the bill on the floor.

MOTION:

RS 15698 **Relating to an incentive to attract more math and science teachers in the K-12 arena.**

Senator Goedde spoke of the need to attract more math and science teachers into the educational system. **Senator Marley** said he needed additional details before he could support this proposal.

MOTION: After a brief discussion, **Senator Andreason** made a motion to print **RS 15698**. **Senator Schroeder** seconded the motion, and it was carried by a voice vote, **Senator Marley** opposed.

VIDEO: "Stupid in America: How Lack of Choice Cheats our Kids out of a Good Education," a 20/20 segment by John Stossel, was viewed on video, after which Chairman Goedde asked for comments.

COMMENTS:

Mr. Jim Shackelford, Executive Director of Idaho Education Association, spoke from written comments, stressing the quality of Idaho's schools, but recognizing there is room for improvement. He stated the "television segment" assumes that parents don't know what is going on in the schools. **Mr. Shackelford** said he is proud of Idaho's public schools and feels they are showing improvement.

Ms. Karen Echeverria, Policy of Governmental Affairs Officer, Idaho State Board of Education, commented briefly, stating the Board is continually discussing issues and striving to solve problems.

Senator Andreason questioned the reason for showing the video. **Senator Goedde** explained it was offered strictly as a vehicle to pique interest and stimulate discussion. He commented that, in his opinion, more discipline in the classrooms is needed.

ADJOURNMENT: The meeting adjourned at 4:35 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** January 31, 2006
- TIME:** 3:00 p.m.
- PLACE:** Borah Post Office Building
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- MEMBERS ABSENT/ EXCUSED:** Senators Pearce and Burkett
- GUESTS:** Dr. Cliff Green; Dr. Linda Clark; Mr. Ernest Jensen; Mr. Wayne Freedman; Mr. Murray Dalgleish; Ms. Wanda Quinn; Ms. Donagene Turnbow.
- The sign-in sheet(s) and presentation materials will be retained with the minutes in the Committee's office until the end of the session, after which they will be on file with the minutes in the Legislative Services Library.*
- CONVENE:** **Chairman Goedde** called the meeting to order at 3:10 p.m. and asked **Dr. Cliff Green, Executive Director, Idaho School Board Association (ISBA)**, to introduce the presenters.
- PRESENTATION:** **Dr. Green** introduced **Dr. Linda Clark, Meridian Superintendent of Schools**, who spoke of the rapid growth of the Meridian School District over the past five years (25.4%), which now exceeds 30,000 students and 1,800 teachers. Dr. Clark stressed Meridian's commitment to continuous improvement and academic growth for every student. Evidence suggests that students grow when they are introduced to new information, which has given rise to new classes, such as pre-algebra.
- Senators Gannon, Schroeder, Fulcher, and Schroeder** posed questions and received answers relative to goals for student growth, resources for teacher incentives, parental involvement, and the Elementary and Secondary Education Act of 2001.
- Senator Marley** asked where student growth in elementary math breaks down. Dr. Clark said the key is teacher training and giving them the tools to do their job. Teachers specifically trained in the mathematics are being recruited aggressively.
- PRESENTATION:** **Dr. Green** introduced **Ms. Wanda Quinn, Coeur d' Alene Trustee**, and **Ms. Donnagene Turnbow, Post Falls Trustee**. He then called on **Mr. Wayne Freedman, Trustee** and **Executive Board Member** from Council, to update the Committee on his District.

Mr. Freedman briefed the Committee on the demographics of the Council School District, which has approximately 300 students; 130 in K-6, 170 in 7-12. Challenges concerning student growth have resulted in re-evaluating the District's program and identifying problems and how best to address them. He said there is a high level of cooperation between staff, administration, and board.

Mr. Freedman introduced **Mr. Murray Dagleish, Council Superintendent of Schools**. Mr. Dagleish spoke of the implementation of (1) a strong remediation program and (2) a successful summer school program, both of which are operated with very little additional funds. **Senator Marley** asked about transportation for the extended classes. **Mr. Dagleish** said transportation is not provided but that it has not been a problem. **Senator Marley** asked if the after-school program is funded with Title I monies. Mr. Dagleish said that funds come from the Rural Education Achievement Program (REAP).

Senator Andreason asked if his District is able to recruit quality teachers for the summer program. **Mr. Dagleish** said they recruit the best teachers they have on staff and pay them well, so they have had no problems in this regard.

Mr. Dagleish hopes to begin an enrichment program as remedial needs are reduced. Concerning a question from **Senator Schroeder** about Advanced Placement (AP), **Mr. Dagleish** said they do not have an AP program but do use articulated classes, which are a good motivator of students.

PRESENTATION: **Ms. Wanda Quinn** addressed two areas of concern: (1) the huge diversity of languages in the classroom (64 different languages in Boise alone); and (2) the need for improvement with disabled students. Except for ISAT, a state exam for disabled students does not currently exist.

Ms. Quinn said that Coeur d'Alene is a District in need of improvement. Even though Canfield Middle School is the cause for that designation, parents vie for their children to attend because of its special-needs programs. Special needs is currently being funded by local dollars from the general fund.

PRESENTATION: **Ms. Donnagene Turnbow, Post Falls Trustee**, said the District is making huge strides with Learning English Proficient (LEP) students and students with disabilities. The District has asked ISBA to join with them in requesting the State Board of Education for more flexibility.

Senator Schroeder asked what the effect would be if school sanctions were rescinded. **Ms. Turnbow** said that without the sanctions they would not be using general fund monies. They have asked the State Board of Education (ISBA) to rescind the sanctions. **Chairman Goedde** asked the ISBA to submit a letter to the Senate Education Committee explaining why the Board requires all schools to comply and not just the Title I schools.

Mr. Mike Bulkley, Castleford Trustee, spoke of concerns about the line item for remediation and felt these funds should be distributed evenly. Dr. Clark said line item funding for remediation and technology will be separated.

Chairman Goedde thanked the presenters, as well as the elected officials and staff for their work in arranging the Trustees' Day event.

ADJOURNMENT: The meeting adjourned at 4:25 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

DATE: February 1, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley

**ABSENT/
EXCUSED:** N/A

GUESTS: **Representative Wendy Jaquet, Dr. Michael Rush, Ms. Kristi Enger, Ms. Stacy Smith, Ms. Cyndie Woods, Ms. Sue Woodyard, Mr. Todd Schwarz, and Mr. Kim Nilsen**

(The sign-in sheet 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 Legislative Services Library.)

CONVENED: **Chairman Goedde** called the meeting to order at 3:05 p.m.

Chairman Goedde asked **Senator Jorgenson** to report on a conference call he had attended, in which **Ruben Barrales**, Deputy Assistant to the President and Director, U. S. Office of Intergovernmental Affairs, spoke about the President's State of the Union speech as it related to the math and sciences programs. The President emphasized the need to create a robust math and sciences curriculum in order to be competitive in a global economy. He stated that up to 70,000 new advance placement teachers will be trained to meet this growing need.

RS 15822 **Authority to allow school districts to offer preschool programs.** **Senators Andreason** and **Burkett** spoke in support of this bill.

MOTION: **Senator Gannon** made a motion to print RS 15822. **Senator Marley** seconded, and the motion was carried unanimously by **voice vote**.

PRESENTATION: **Idaho Residential Construction Education (IRCE).**

Representative Wendy Jaquet introduced **Cyndie Woods**, Coordinator, IRCE; **Sue Woodyard**, President/CEO, Woodyard Enterprise, Inc., Trustee, Home Builders Institute, Director of the National Board of Home Builders, Board member of the Building Contractors Association of the Wood River Valley; **Stacy Smith**, Director of Career Academies, Blaine County School District; **Todd Schwarz**, Technical Department Chair, College of Southern Idaho; and **Kim Nilsen**, Loomis Construction General Contractors and Vice-chair, Blaine County School Board of Trustees.

Ms. Wood explained that a grant was received from the Department of

Labor through the Home Builders Institute, which was the genesis of the IRCE program, formed with the Blaine County School District, College of Southern Idaho and Home Builders Association. The goal of IRCE is to increase the number of Idaho's skilled laborers by training interested students in framing, plumbing, electrical, HVAC, and construction math, depending on the students' interests. The courses are aligned with the Idaho Achievement Standards. The current focus is the construction of affordable housing in the Wood River Valley and Carey areas.

Senator Gannon asked who would qualify for this housing. **Mr. Nilsen** said the intent was to offer the completed houses to first-time home buyers.

Senator Burkett asked if IRCE is preparing carpenters or home builders. **Ms. Woodyard** said that IRCE provides a smattering of all phases of construction, from which the students can choose according to their interests.

Mr. Nilsen spoke of expected challenges, such as retaining students after graduation from high school. He said that college credits can be earned through the high school classes, and they expect that some students will choose to complete a university education.

Senator Jorgenson asked if IRCE receives funds from the high schools. **Dr. Michael Rush** answered that the high school pays for its instructors.

Senator Schroeder asked if this program might transfer to a selective inmate population. **Ms. Woodyard** spoke of a program called Craft Skills, which is a national program for incarcerated individuals who are ready to learn skills before re-entering society. **Mr. Nilsen** felt the IRCE program would transfer well to Idaho's prisons, once the model is complete.

Senator Marley expressed enthusiasm for the program and asked **Ms. Smith** if other electives are provided by the academy. Programs, such as the arts, are available for students with varying interests.

Senator Schroeder asked if labor laws presented a problem. **Ms. Smith** said that because the work is done in a classroom setting with a teacher or designated classroom role model on-site, labor laws do not apply.

PRESENTATION: Idaho Displaced Homemaker Programs.

Dr. Michael Rush, Director of Professional-Technical Education, introduced **Ms. Kristi Enger**, Guidance Coordinator of Professional-Technical Education. **Ms. Enger** presented a background of the Idaho Displaced Homemaker Program and summarized the past year's activities. In 1980, the Legislature passed the "Equal Opportunity for Displaced Homemaker Act"; two years later Senate Bill 1306 increased divorce fees which, combined with state and federal monies, provide funding for "Centers for New Directions."

Ms. Enger said the goal of the centers is to help displaced homemakers become economically and personally self-sufficient. She closed her

presentation by reading several “success stories” to illustrate the positive impact the program provides its participants.

ADJOURN: The meeting adjourned at 4:30 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

DATE: February 2, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley

**ABSENT/
EXCUSED:** N/A

GUESTS: **Mr. Randy Tilley, Ms. Jane McClaran, Mr. Brent D. Reinke, and Dr. Glenda Rohrback.**

(The sign-in sheet 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 Legislative Services Library.)

CONVENE: **Chairman Goedde** called the meeting to order at 3:05 p.m.

PRESENTATION: **Governor Kempthorne's Education Budget.**

Mr. Tilley, Senior Financial Management Analyst, Governor's Office, reviewed the Comparison of Public Schools Budget Proposals.

Senator Marley asked about funds budgeted for Virtual Schools. **Mr. Tilley** estimated the figure to be approximately \$1.5 million this year, with an increase in the current year's budget of about \$500,000. He promised to have the exact figures for the Committee at a later date.

Chairman Goedde asked what the property tax figure would be today without the property tax replacement cap. **Mr. Tilley** thought it would be about \$94 million. **Senator Marley** asked to hear the rationale on salary increases for state employees, which Mr. Tilley explained in some detail.

Ms. Jane McClaran, CPA and Senior Financial Management Analyst in the Governor's Office, presented the budgets and Governor's recommendations for post-secondary education. **Ms. McClaran** said the Governor had addressed most of the Board's priorities.

Senator Schroeder asked about the funding equity for colleges and universities. **Ms. McClaran** said funding was based on a study completed by management several years ago.

PRESENTATION: **Juvenile Justice as it Relates to Education at the Idaho Department of Juvenile Corrections.**
The Idaho Justice as it relates to Education at the Idaho Department of Juvenile corrections.

Mr. Brent D. Reinke, Director of Idaho Department of Juvenile Corrections (IDJC), presenter. IDJC has experienced a 25% decrease in recidivism between 2002 and 2005. Ninety-four percent of juvenile services are provided at the local level. **Mr. Reinke** said the partnership between the state, county and courts is critical. Forty-eight percent of the juveniles in IDJC custody have a mental health diagnosis. Fifty-four percent of IDJC juveniles have exhibited the need for specific drug and alcohol treatment.

Senator Jorgenson asked if a time frame was in place to set up mental health courts for juveniles. **Mr. Reinke** replied affirmatively, stating that IDJC works with the courts in this regard.

Mr. Reinke introduced **Glenda Rohrback Ed. D.**, who explained the challenges IDJC experiences relative to education and services based on the individual needs of the juvenile. IDJC is working toward improving its students' positive reentry into the public school system. Juvenile Corrections is exempt from the "No Child Left Behind" regulations, because the agency is separate from both the State Department of Education and the School District.

Senator Gannon asked about IDJC teachers' salaries. **Dr. Rohrback** said that beginning teachers receive \$32,000 per year. She said their students continue to achieve educational success.

INTRODUCTIONS: **Chairman Goedde** welcomed **Mr. Marty Meyers**, a School District No. 241 employee and Vice President of the Idaho Education Association.

Senator Schroeder introduced **Ms. Penny Gyr**, Moscow President of the Moscow Education Association.

ADJOURN: There being no further business, the meeting adjourned at 4:35 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 6, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- MEMBERS ABSENT/ EXCUSED:** None
- GUESTS:** Presenter, **Mr. Darrel Deide, Chairman, Idahoans for Excellence in Education**
- (The sign-in sheet will be held in the Committee's office until the end of the 2006 legislative session, after which it will be retained in the legislative Library [Basement E]).*
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- Chairman Goedde** asked **Dr. Robert West** to speak briefly about transportation funding for virtual charter schools, which is currently under review. Dr. West said there was some confusion about the definition of a virtual school. After a question-and-answer period, Dr. West defined "virtual school" to mean that the primary method for the delivery of instruction is through virtual distance learning via online technology.
- MINUTES:** A motion was made by **Senator Jorgenson** to approve the minutes of **January 25, 26, and 30, 2006**, as printed. **Senator Schroeder** seconded the motion, and it was carried by unanimous voice vote.
- S 1285** **Relating to the Idaho Mathematics, Science, and Engineering Scholarship Act**, presented by **Senator Schroeder**. The bill offers up to five-year scholarships for top-performing students. The Education Board identifies top scholars and develops the criteria for testing.
- Discussion followed concerning how to keep top scholars in Idaho and awarding students who receive multiple scholarships.
- Senator Pearce** asked **Ms. Karen Echeverria** of the Idaho State Board of Education, if the Board has taken a position on this bill. Ms. Echeverria said the Board would never object to any scholarship aid granted. However, if funds are limited, the priority would be to fund scholarships for students who were studying to be educators of math and science and planning to teach in Idaho for a certain length of time.
- MOTION:** **Senator Gannon** made a motion to send **S 1285** to the floor with a do

pass recommendation. The motion was seconded by Senator Jorgenson. A discussion followed, and **Senator Fulcher** requested language refinement of the proposed bill. **Senators Schroeder and Fulcher** agreed to meet the following day to rework some of the language so as to better reflect the intent of the bill.

**SUBSTITUTE
MOTION:**

Senator Schroeder made a substitute motion to hold **S 1285** until Thursday, February 9. The motion was seconded by **Senator Fulcher** and carried unanimously by voice vote.

S 1333

Relating to an incentive to attract more math and science teachers in the K-12 arena, the proposed bill is sponsored by **Chairman Goedde**. Chairman Goedde explained that **S 1333** is one more tool to attract quality math and science teachers to Idaho.

Senator Pearce asked about wages for math and science teachers in adjacent states. **Senator Goedde** was not aware of those statistics but said that many of the districts in Texas provide a bonus to teachers of math, science, technology and languages other than English.

TESTIMONY:

Mr. John Eikum, Administrator, Idaho Association of Schools, applauded any effort to attract quality math and science teachers to Idaho. He wondered if a loan-and-forgiveness program might serve the same purpose and cause less friction among the teaching staff. He said, as an association, they have not yet taken a position on this bill.

Senator Pearce asked Mr. Eikum if he thought extra incentives to math and science teachers might cause problems with other teaching staff. Mr. Eikum said he felt there could be some discontent in this regard.

TESTIMONY:

Ms. Erin Bennett spoke for the **Idaho Schools Association** in support of **S 1333**.

TESTIMONY:

Mr. Jim Shackelford, **Idaho Education Association**, spoke in opposition to the bill, citing the State Department of Education Educator Supply handbook, which names several courses, including Special Education, Music, and Foreign Languages, as more difficult to fill by qualified teachers. Mr. Shackelford stressed the salutary effects of all teachers and staff working together as a team.

Senator Goedde asked **Ms. Karen Echeverria** if the Education Board maintained statistics on team teaching. Ms. Echeverria yielded the question to **Dr. West**, who said he would report back to the Committee with the information.

TESTIMONY:

Mr. Mike Reynoldson, **Government Affairs** representative for **Micron Technologies**, testified in favor of the proposed legislation. He said that Micron relies heavily on the Idaho population to fill its positions, and the company regards math and science skills as a priority.

TESTIMONY:

Ms. Lyn Darrington, lobbyist for **AMI Semiconductors**, spoke in favor of **S 1333**, stating the bill would give the company a larger pool of potential employees from which to draw.

Senator Marley asked **Ms. Darrington** how the bill would attract graduating students when there would be no gain for at least three to five years. Ms. Darrington said that AMI looks to long-term effects.

Senator Gannon said he believed the bill would strengthen the system. **Senator Burkett** felt he could support the bill if the funds were spread down to the beginning levels of teaching.

MOTION: **Senator Gannon** made a motion to send **S 1333** to the floor with a do pass recommendation. The motion was seconded by **Senator Jorgenson**. **Senator Marley** felt the bill missed the mark. **Senators Marley, Burkett** and **Schroeder** discussed the benefits of the loan-to-forgiveness incentive.

MOTION: **Senator Goedde** called for a roll-call vote to send **S 1333** to the floor with a do pass recommendation. Voting aye were **Chairman Goedde, Senators Jorgenson, Andreason, Gannon, Pearce, and Fulcher**. Voting nay were **Senators Marley and Burkett**. The motion passed by a seven-to-two vote.

ADJOURNMENT: **Chairman Goedde** adjourned the meeting at 4:45 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 7, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** None
- GUESTS:** **Eric Earling**, Deputy Secretary's Regional Representative, U.S. Department of Education, Region X
Dr. W. Steven Barnett, Director, National Institute for Early Education Research (NIEER)
- The sign-in sheet will be held in the committee's office until the end of the 2006 legislative session, and then be retained in the Legislative Library (Basement E).*
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- PRESENTATION:** **No Child Left Behind.** **Mr. Eric Earling** updated the Committee on the "No Child Left Behind" (NCLB) Act, stating that additional flexibility is being put in place to better meet the original intent of the program. There has also been a significant funding increase; student achievement is the ultimate goal. He said that Idaho is among the leaders in its work for students with disabilities.
- Senator Fulcher** asked about situations where teachers must focus on a few children to the exclusion of the other students in order to comply with NCLB requirements. **Mr. Earling** said this is one of the challenges of the educational system, but that NCLB is endeavoring to provide the flexibility to meet the needs of each state.
- Chairman Goedde**, along with **Senators Schroeder, Gannon and Marley**, posed questions for **Mr. Earling**, after which the Committee recessed to move to the **Gold Room**.
- PRESENTATION:** **Why Idaho's Young Children Can't Wait.** **Dr. W. Steven Barnett**, Director, National Institute for Early Education Research (NIEER), presented on the topic of how to improve the potential of the nation's most disadvantaged children by increasing standards in pre-kindergarten education. Progress is being made in many states, but the Northwestern states are lagging behind. He said the disparity in quality and quantity is not related to income or ethnicity, but is a difference in policy among the states. He said the Northwest is moving forward, albeit slowly, to bolster standards for pre-school

programs and cited gains made in California and Washington state.

Senator Fulcher asked if the program is a substitute for parental involvement. Dr. Barnett said that it was not. As pre-school has increased, parental time with children has not decreased.

Dr. Barnett said that state pre-kindergarten programs now serve more four-year-olds than Head Start. Average state funding per child is \$3,500. Some states, such Maryland, spend approximately \$9,000 per child. In Idaho, that figure is about \$2,000 per child. He referred Committee members to NEIR's Website for specific information and model programs.

Quality pre-kindergarten benchmarks:

- Teacher has BA and specialized training
- Assistant teacher has Child Development Association (CDA) credentials
- At least 15 hours per year of teacher in-service study
- Maximum class size of 20 or a ratio of 1:10
- Vision, hearing, and health screening
- Parental involvement
- Evaluation and accountability.

Benefits of high-quality pre-school:

- Higher test scores
- Better social skills
- Increased earnings as adults
- Less crime, less teen pregnancy, abortions, and smoking
- Less grade repetition and special education needs
- Arrest rates that are cut in half.

Dr. Barnett summarized by emphasizing the importance of high-quality pre-kindergarten education for future generations. He said that effective education reform will benefit our children, particularly those most disadvantaged, throughout their lives.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:40 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Testimony by Eric Earling
U.S. Department of Education
Idaho Senate Education Committee
February 7, 2005

Thank you Mr. Chairman, and members of the committee. I appreciate the opportunity to update you on No Child Left Behind, and it's progress being implemented in Idaho and across the country.

But, before I get into that progress, I think it's worth our time together to do a brief summary of No Child Left Behind, because no matter where I go, I find many unfortunate misconceptions about what No Child Left Behind is actually about.

No Child Left Behind is founded on a partnership between the federal and state governments, where state governments are in control of their state systems of testing and standards.

States control their own accountability plan, which each state chose to create after No Child Left Behind passed. States can amend those plans on an annual basis, as Idaho has done, to make sure the intent of No Child Left Behind is meeting up with reality on the ground. [NCLB required states to submit an accountability plan and any plan amendments are subject to ED approval. So, perhaps you could say: "States voluntarily decide to partner with the US Department of Education and, in return, receive federal funds targeted to low-income children and their schools. Each state chooses its own standards and assessments, and prepares an accountability plan that can be amended on an annual basis, as Idaho has done, to make sure the intent of No Child Left Behind is meeting up with reality on the ground."

The U.S. Department of Education maintains an open door policy on listening to new and innovative amendment requests that will help each state address its unique needs as part of taking part in No Child Left Behind.

The U.S. Department of Education is actively engaged in listening to educators at the state and local level to maximize flexibility for No Child Left Behind. That is in fact one of the primary missions of my own job, which has allowed me to visit schools and talk with educators across Idaho.

The U.S. Department of Education has provided flexibility for testing students in special education, both with severe cognitive disabilities as well as with persistent academic disabilities; for testing students in LEP programs; for implementation of Highly Qualified Teacher provisions (especially in rural districts); and for implementing the 95% participation rate for student testing.

The U.S. Department of Education is currently considering additional flexibility for testing students in LEP

programs, and has recently announced a pilot program allowing up to ten states to utilize a growth model in calculating Adequate Yearly Progress under No Child Left Behind.

Those are the facts about flexibility for No Child Left Behind, important steps as the federal government works to support and enhance the good work going on at the state level to improve K-12 education. Yet, No Child Left Behind is about more than just flexibility, it's about supporting states with more resources.

The issue of funding for this law is probably the one area where I find the most misinformation, when in reality the increases involved are staggering.

Idaho received over \$92 million for No Child Left Behind just in 2005, a 64% increase since 2001 before the law passed. Idaho also received an additional \$50 million for special education last year, a 75% increase since 2001. That's more than \$142 million in federal funds to support Idaho's K-12 schools for just one year!

But I think given the importance of K-12 education, it is important to remember why No Child Left Behind exists – beyond just more resources and more flexibility.

We live today in a knowledge economy, where what you know is more important than where you live. So how do we keep our edge?

First, by giving every student a quality education from the start. Four years ago Congress passed No Child Left Behind with broad bi-partisan support. It promised to help states raise classroom standards, provide choices for parents, and most importantly provide greater flexibility for states than previous federal education law. Above all, No Child Left Behind wisely expects that states will be accountable for results using federal taxpayers' funds.

While accountability is important, the results for students are really what is important for all us. And we have strong evidence No Child Left Behind is working. Fourth- and eighth-grade math scores have risen to record highs, according to the "Nation's Report Card." Minority students have dramatically narrowed the "achievement gap." And among all 9-year-olds, more reading progress was made in the past five years than in the previous three decades.

Idaho's own ISAT scores support that evidence, that overall student achievement is rising and that stubborn achievement gaps are beginning to close. Among older students, however, the world threatens to leave us behind.

The evidence in that regard is mounting and troubling. The United States has fallen to ninth in the world in high-school graduation rates among 25- to 34-year-olds. Studies show that less than half of those who do

graduate are ready for college-level math and science. "The scientific and technical building blocks of our economic leadership are eroding at a time when many other nations are gathering strength," reports the respected National Academy of Sciences.

Thomas L. Friedman, author of "The World Is Flat," argues that other nations have learned to take advantage of innovations the United States pioneered. Sadly, in many respects, our education system has not taken advantage.

This is especially true of high schools, which Bill Gates calls "obsolete." Twelfth-grade exit exams usually measure ninth- and 10th-grade skills, leading colleges and employers to discount the results. Fewer than half the states require at least three years of math and science to graduate. Only one in five graduates in the work force says he or she was adequately challenged by coursework. It's no wonder high-school test scores have barely budged since the 1970s—or that states spend \$220 million a year on remedial writing for public employees.

Our high schools deserve reform, an issue I know Idaho is giving serious attention. President Bush wants to provide states with the resources to measure student knowledge in core subjects annually, and to offer intensive reading instruction to students who badly need it. A high school diploma must be a ticket to success in college and the work force, which are increasingly connected in the knowledge economy. About 80 percent of the fastest-growing jobs will require some postsecondary education.

As the international playing field becomes flatter, our students need better education and training to compete. Manufacturing executives rank a "high-performing workforce" as the most important factor in their firms' future success. But how can you be a high-performing worker when you don't even have a high school diploma?

If you're not concerned yet, take a look at our high school graduation rates. Among ninth-graders, five out of 10 minority students fail to finish high school on time. Overall, three out of 10 ninth-graders don't finish on time.

Would we tolerate three out of every 10 heart surgeries failing? Would we tolerate three out of every 10 products not working right?

Leaving our high school students behind is not only morally unacceptable, what the President calls "the soft bigotry of low expectations." It is also economically untenable. Studies show the staggering cost of high school dropouts. In addition to lost earnings for the individual, consider the cost to society.

The one million students who drop out of high school each year cost our nation more than \$260 billion

dollars. That's in lost wages, lost taxes, and lost productivity over their lifetimes. That equals the combined 2004 earnings of DuPont and Delphi and Intel and Verizon and Xerox and IBM! You and I know this is more than just bad for business, it's also bad for the future of our country's economy.

When you lose a million students every year that has a tremendous impact on our economy. And it represents the American Dream ... denied.

But let's keep in mind what we understand to be the requirements for the American Dream are evolving. Thirty years ago a majority of manufacturing workers didn't have a high school diploma. Today, most do have a diploma and one-third have studied at the college level.

That trend requiring increasingly higher levels of training for commonplace jobs in the modern workforce is intensifying.

Indeed, the head of the National Association of Manufacturers, John Engler, said recently, "U.S. manufacturing will no longer employ millions in low-skill jobs. Tomorrow's jobs will go to those with education in science, engineering and math and to those with high-skill technical training."

So I would suggest, for this and a host of other reasons, that how well our students are doing is not just an "education issue." It's also an economic issue, a civic issue, a social issue, and a national security issue. And ... it's everybody's issue.

Now that we've identified the problem, the question is, what are we doing about it? With No Child Left Behind, President Bush and the Congress led our nation in a historic commitment to give every child a quality education. This is a commitment that many states like Idaho already understood, but know, also like Idaho, are tackling with increased focus.

No Child Left Behind asks states to close the achievement gap by 2014 ... across the board. With states measuring our children's progress each year in reading and math, and by focusing on each student, and on each group of students, states can discover where they need help before it's too late.

The problem is, not enough people understand how important this is. One of the parts I like best about Tom Friedman's book is what he calls the "dirty little secrets": the ambition gap, the numbers gap, and the education gap. These secrets matter to business leaders and educators alike, and they certainly matter to those of us who have children. Parents must understand that their children will need math skills to succeed in the 21st century.

Friedman says, "Compared with the young, energetic Indians and Chinese, too many Americans have gotten too lazy." The numbers gap refers to the fact that we are simply not producing enough engineers and scientists. And the education gap means that U.S. high-tech companies are seeking employees

abroad, not just because they can pay them less, but also because they are more skilled and more motivated. In other words, they're not following the money, they're following the brains. So the first thing all of us need to realize is that this is not the same world we grew up in.

Yet, despite that reality, we are confronted by real world challenges trying to improve our education system. As you might imagine, I receive a lot of feedback about No Child Left Behind when I travel in Idaho, Oregon, and Washington. And wherever I go, I hear the same three questions: How can we do a better job assessing students with disabilities? What's the best way to measure the progress of students new to the English language? And how can we reward schools for improving from year to year? Secretary Margaret Spellings promised to work with you to address these issues in a sensible, workable way that makes raising student achievement our top priority.

She has announced a common-sense approach for implementing *No Child Left Behind* based on the core principles of the law. And together, has taken some important steps down that path:

Thirty-one states have signed up for developing modified achievement standards for students with disabilities who need additional time and intensive instruction to meet standards.

In addition, the U.S. Department of Education has convened a working group of researchers and educators to study how we can best measure the progress of students new to the English language.

Secretary Spellings has also pledged to work with states that are making a good-faith effort to place a highly qualified teacher in every classroom, especially in lower-income communities where a good teacher can make all the difference.

Clearly, a law like No Child Left Behind is only as good as its implementation. And with all these measures, our focus has been on working with you to help students who in the past have often been left behind—students with disabilities, students new to the English language and students from disadvantaged backgrounds. Thanks to *No Child Left Behind*, the conversation has shifted from "can these students learn" to "how can we make sure they learn."

This can all seem challenging I know. But I've seen schools across Idaho where it's working. From Payette, to Boise, to Pocatello, to Blackfoot, I've seen that Idaho's communities and Idaho's educators can do great things empowered by the principles of No Child Left Behind.

Thank you for your time. Now, I'd be pleased to answer whatever questions the Committee may have.

MINUTES

SENATE EDUCATION COMMITTEE

DATE: February 8, 2006

TIME: 3:00 p.m.

PLACE: GOLD ROOM

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley

GUESTS: **Dr. Robert Kustra, President, Boise State University**
Mr. Wes Maynard, Executive Director, Idaho Council for the Deaf and Hard of Hearing

The sign-in sheet will be retained in the Committee's office until the end of the 2006 legislative session and will then be maintained in the Legislative Library (Basement E).

MEMBERS ABSENT/ EXCUSED: None

CONVENED: **Chairman Goedde** convened the meeting at 3:05 p.m.

S 1281 **Charter School Admission Procedures, sponsored by Senators Gannon and Schroeder.** **Senator Schroeder** explained that the proposed bill clarifies Section 33-5206 (1) of the Idaho Code, which was an amendment to Section 33-5205 (j) of the Idaho Code. Language of the proposed bill makes it clear that when capacity is insufficient to enroll all pupils who submit a timely application, the provision for 33-5205 (j) takes precedence over any other provision of the Idaho Code.

TESTIMONY: **Senator Goedde** introduced **Ms. Karen Echeverria**, Policy and Governmental Affairs officer for the Idaho State Board of Education. Ms. Echeverria, speaking for the Board, recommended language revisions of **S 1281** so that it more clearly reflects the bill's intent.

Senator Schroeder asked Ms. Echeverria to provide draft wording that expresses the Board's preference, and she promised to have the wording to the Committee by the following day.

In light of Ms. Echeverria's testimony, **Senator Gannon** proposed that further testimonies not be heard until written testimony is forthcoming from Ms. Echeverria.

PRESENTATION: **Higher Education Update by Boise State University (BSU) President, Dr. Robert Kustra.** Dr. Kustra referred to a previous question by Senator Marley concerning Boise State's admission index and promised to share information with the Committee, which explains how admission standards have evolved over the past few years.

Dr. Kustra spoke of Boise's high national rating as a growing region and said that BSU has always been a great teaching institution, but today the university has become an important research institution. He spoke of the need for a National Merit Scholarship program, which is regarded as the pinnacle of awards received by students. The program would (1) increase overall student access to excellent post-secondary education, and (2) ensure any student the guarantee of a quality academic and living experience.

Dr. Kustra noted that monies received from the sale of BSU's home will provide an endowment for four-year Fulbright scholars.

Discussions ensued relative to community colleges in the Treasure Valley. **Dr. Kustra** said that BSU will not be in the business of providing a community college but that he does support the incubation of a community college, which could assume a part of the west campus and buildings. He sees such an institution operating much the same as North Idaho College (NIC) and College of Southern Idaho (CSI).

Senator Andreason asked why is it important to have a community college in the Treasure Valley. **Dr. Kustra** said that community colleges are viewed by potential employers as a way to guarantee formal education as well as customized training.

Senator Jorgenson asked about the possibility of consolidation of the three Idaho community colleges. **Dr. Kustra** said he believes there could be some form of a central system but not a consolidation.

Senators Jorgenson, Andreason, Schroeder and **Marley** posed questions relative to: BSU's involvement in a local community college, how such a college might be funded, and BSU's emphasis in science and technology courses. **Dr. Kustra** said he would like BSU to be known nationally for its exemplary courses in science, engineering, and research.

Senator Goedde asked **Dr. Kustra** to comment on Treasure Valley Community College's (TVCC) plans to expand into the Boise area. **Dr. Kustra** said he wondered why TVCC would want another college so close geographically to its Ontario facility.

Senator Fulcher asked about funding a local community college so as not to place additional burdens on property taxes. **Dr. Kustra** mentioned other resources, including the Albertson Foundation and the Governor's \$5 million appropriation.

S 1316

Relating to minimum standards for K-12 educational interpreters. **Senator Jorgenson** presented **S 1316** and introduced **Mr. Wes Maynard, Executive Director for the Idaho Council for the Deaf and Hard of Hearing**. Mr. Maynard spoke of raising the bar (more specifically, *establishing* a bar) for interpreters, who currently have no minimum standards. Sixty-two percent of interpreters cannot interpret 60% of classroom material. The bill requires educational interpreters to

score a minimum of 70% on a national assessment. Interpreters would be given a grace period of three years before being required to pass this assessment.

Senator Pearce asked about the types of courses offered to interpreters. Mr. Maynard said that some interpreters are taught by deaf parents and others attend formal schooling. Length of courses vary.

Senator Marley asked if a shortage of interpreters might develop because of the new requirements. Mr. Maynard said interpreters would have three years to meet the requirements, which will limit shortage problems.

Senator Burkett asked about possible fiscal impact on school districts as a result of the requirements. Mr. Maynard said they do not see any pay raises as a result of the bill.

TESTIMONIES:

Ms. Emily Turner, Director of Interpreting Program at Idaho State University, spoke in favor of the bill.

Ms. Holly Thomas-Morvery testified as a parent of a child who is hard of hearing. She stressed the importance of a good interpreter, who can give the deaf or hard of hearing child equality with hearing children. She urged passage of the bill.

Ms. Sue Basseri, testifying as an interpreter, spoke in favor of the bill.

Senator Andreason asked if she thought the bill goes far enough. Ms. Basseri said she feels it could go farther, as with anything, but thinks it is a good bill.

Ms. John Eikum, Executive Director of Idaho Association of School Administrators and Idaho Rural Schools Association, spoke in support of the bill and hopes the program will grow through ISU.

Senator Goedde asked if Mr. Eikum sees in this bill a potential to increase costs to districts. Mr. Eikum expects this that state funding will be made a part of the school formula and would not anticipate a large cost increase.

Marcos John from Emmett spoke for himself as a deaf person, urging passage of the bill.

Ms. Leslie Garringer, Interpreter and parent of Marcos, urged passage of the bill, stating that access to qualified interpreters makes all the difference to a deaf child.

Dr. Robert West spoke in favor of the bill and distributed written testimony to that effect.

Kelly Buckland, Executive Director of the Idaho State Independent Living Council (ISLC), spoke of the importance of creating equal access for the deaf and hard of hearing, especially in education. He supports the bill.

Mr. Jim Baugh testified to the lack of qualified interpreters and the need for the bill, which would give certainty to interpreters and a guaranteed caliber of teaching for parents and students.

Ms. Patti Durham spoke of a win-win situation in providing access to language and social skills for all deaf and hard-of-hearing individuals.

MOTION:

Senator Schroeder made the motion that **S 1316** be sent to the floor with a do pass recommendation. **Senator Marley** seconded the motion and it was unanimously passed by **voice vote**. **Senator Jorgenson** will carry **S 1316** to the Senate floor.

ADJOURNMENT: The meeting adjourned at 4:50 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 9, 2006
- TIME:** 3:00 p.m.
- PLACE:** Old Borah Post Office
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Gannon, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** Senators Pearce and Andreason
- GUESTS:** **Ms. Sherrie Feist**, Vice-President of Legislation, Idaho Parent Teacher Association (PTA)
Ms. Christa Hansen, Idaho PTA President
Dr. Bob West, Legislative Liaison, State Department of Education
- The sign-in sheet will be held in the committee's office until the end of the 2006 legislative session, and then be retained in the Legislative Library (Basement E).*
- CONVENED:** **Chairman Goedde** called the meeting was called to order at 3:05 p.m.
- RS 15772** Experience factor for public school teachers, sponsored by **Senator Little**.
- RS 16023** Amending Sec. 33-517 of the Idaho Code to provide for evaluation of each non-certificated employee before Jan. 15, sponsored by **Senator Goedde**.
- Chairman Goedde** said the hearings of RS 15772 and RS 16023 will be postponed until Monday, February 13, 2006.
- RS 15774** Funding start-up costs of new school facilities, sponsored by **Senator Bunderson**.
- RS 15868** Legislative direction for high school redesign, sponsored by **Senator Burkett**.
- RS 15869** Relating to National School Lunch Match Act requirements, sponsored by **Senator Burkett**.
- RS 15941** Establishes a voluntary pre-kindergarten program for children four years of age, sponsored by **Senators Burkett, Marley**.
- RS 16007** Idaho Mathematics, Science and Engineering Scholarship Act, sponsored by **Senator Schroeder**.
- Increasing the cap on number of charter schools, sponsored by **Senator**

RS 16016

Goedde.

Chairman Goedde asked for unanimous consent, and hearing no opposition, the following will be sent to print: RS 15774, RS 15868, RS 15869, RS 15941, RS 16007, and RS 16016.

PRESENTATION: Relating to Idaho State Parent Teacher Association (PTA).

Ms. Christa Hansen said that last year Idaho PTA celebrated 100 years of advocating for children. **Ms. Hansen** said the mission of the PTA is to support and speak on behalf of children and youth, assist parents in developing skills they need to raise and protect their children, and encourage parent and public involvement in public schools. Some of their assets include their cultural arts programs, teaming up with the Idaho Attorney General and Secretary of State to promote the "ProtecTeens" program, and having several trained presenters who share their Building Successful Partnerships Program with schools, communities and businesses. The Governor has proclaimed February 2006, Idaho PTA month.

Ms. Sherrie Feist presented the Idaho PTA legislative priorities. The PTA will pursue the need for funding to provide quality public education in Idaho to implement mandated programs. She said the PTA supports additional public school funding through various sources including an increase in state sales tax. The PTA's concerns are health, safety from bullying, sexual offenders, adolescent tobacco use, and obesity.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the meeting at 3:40 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 13, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Pearce, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** Senator Gannon
- GUESTS:** **Dr. Michael Gallagher**, Interim President, Idaho State University
Dr. Jana Jones, Chief Deputy Superintendent, Idaho Department of Education.
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:00 p.m.
- RS 16023C1** Amending Sec. 33-517 of the Idaho Code to provide for evaluation of non-certificated employees.
- RS 15572** Experience factor for public school teachers amending existing law to provide that actual years teaching counts in determining experience
- MOTION:** **Chairman Goedde** asked for unanimous consent to send **RS 16023C1** and **RS 15572** to print. With no objections from Committee Members, it was so ordered.
- DISCUSSION:** Recommendations to Joint Finance-Appropriations Committee (JFAC).
Senator Goedde asked Committee Members for their thoughts on the issues he should present to JFAC the next day. Suggestions included: a boost for technical education, raising the education budget, school facilities, monies for rural schools, high school reform, early childhood education, and community college issues.
- PRESENTATION:** Update on Idaho State University (ISU) by **Dr. Michael Gallagher**.
Dr. Gallagher said that in 1981, ISU had six programs with an annual budget of \$1.8 million. Today ISU has 27 undergraduate programs and 25 graduate programs, with a budget of \$38.4 million.
Dr. Gallagher spoke in favor of applying for a grant from the Idaho Millennium Fund to conduct a fact-finding study, in cooperation with other educational institutions and healthcare groups. The study would be performed by an outside agency to research and develop a plan for future medical and dental education professions, along with other health-related professions. The agency would also research likely locations for these programs. **Senator Schroeder** asked why ISU could not do the study. **Dr. Gallagher** replied that by using an outside agency, questions of partiality would be eliminated.

PRESENTATION: Student Tracking System. **Dr. Jana Jones** expressed concern about losing the opportunity to move forward with the Idaho Student Information Management Systems (ISIMS). She distributed a recent publication indicating what is needed to accumulate longitudinal data: student-level enrollment, demographics, program participation and performance information, ability to match individual students' test scores, information on untested students, teacher identifier systems, student-level transcripts, test scores for colleges, graduation and drop-out rate, and the ability to match students' records between the K-12 and higher education systems.

Since the implementation of ISIMS in 2003, one of the biggest issues has been intellectual capital. Throughout the duration of ISIMS, there were six employees; two positions remain today. Twenty-nine pilot school districts now have individual student information systems in place and operational.

Senator Marley asked how long it would take to complete a study data dictionary. **Dr. Jones** said with limited staff they could have a student identification system to test in one district by next spring, and possibly for all districts by the end of next year. It would be three years from that point before they would have enough data to look at a growth model.

Senator Andreason asked how many states had a longitudinal data system. **Dr. Jones** said Idaho is one of nine states that does not have a longitudinal data system of some form in place.

Co-Chairman Jorgenson asked if **Dr. Jones** could return when there was more time for questions. She agreed to return when requested.

ADJOURN: There being no further business, the meeting adjourned at 4:25 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 14, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Fulcher, Burkett
- MEMBERS ABSENT/ EXCUSED:** Senators Marley and Pearce
- GUESTS:** **Dr. Harriet Shaklee, Extension Family Development Specialist, University of Idaho Boise Center**
Mr. Brady Anderson, Page, Senate Education Committee
- CONVENED:** **Chairman Goedde** convened the meeting at 3:05 p.m.
- MOTION:** **Senator Andreason**, having reviewed the Committee minutes from January 31, February 1, and February 2, 2006, made the motion for acceptance of the minutes. **Senator Jorgenson** seconded the motion, and a **voice vote** indicated the motion had passed unanimously.
- PRESENTATION:** **Parents as Teachers (PAT).** **Dr. Harriet Shaklee** introduced **Ms. Michelle Welsh**, teacher, Idaho Parents as Teachers; and **Ms. Patti O'Hara**, Project Assistant, Parents as Teachers. She then called on Ms. Welsh to present.
- Ms. Welsh** distributed material relating to the PAT program and described the program's core goals, which are to (1) Increase parent knowledge of early childhood development and improve parenting; (2) Provide early detection of developmental delays and health issues; (3) Prevent child abuse and neglect; and (4) Increase children's school readiness and school success.
- Ms. Welsh** described the PAT model, which consists of four components: (1) Personal visits (monthly, bi-weekly or weekly) to share age-appropriate child development information; (2) Parent group meetings to share information about parenting issues; (3) Periodic screening for early identification of development delays or health, vision and hearing problems; and (4) Resource networking to help families identify and connect with needed resources.
- Dr. Shacklee** outlined the progress of the program over its five-year duration and referred the Committee to written material containing statistics in enrollment, entry-and-exit, and parent participation. Over the past five years, PAT in Idaho has served nearly 3,500 families and more than 5,000 children from around the state. The programs in Idaho have

been involved in a comprehensive evaluation conducted by the University of Idaho Extension with support from the Governor's Generation of the Child Initiative. The 13 PAT programs of the University of Idaho Demonstration Project include detailed data on operation and form the basis for the analyses reported over the past five years. According to participating parents, there is increased understanding in child development and appropriate behaviors and better ability to meet the needs of children. **Dr. Shacklee** spoke of the "Get Ready to Read" program, where reading readiness is assessed in children four years old and five years old. At four years, reading readiness is assessed at about 18%; at five years of age, reading readiness is about 87%. The national norm for children who have not participated in pre-school programs is about 35%.

Dr. Shacklee reported on the Blockfest program, where very young children learn math and science skills through block play. Sponsors of this program include Micron, Hewlett-Packard, Idaho Power, Washington Group International, and other businesses. A Blockfest premier will be held on the first floor of the Capitol Building next week, Tuesday and Wednesday, with everyone invited to stop by to see how the program works.

Senator Fulcher asked Dr. Shacklee to describe the typical PAT family, and how parents locate the program. **Dr. Shacklee** said that parents span the spectrum, from low-income to high-income, low-literacy to high-literacy. Passive advertising and word-of-mouth are the primary methods of spreading the word.

Senator Schroeder asked about the federal funding level. **Dr. Shacklee** deferred to **Ms. Connie Davis** from the Governor's office, who said that Temporary Assistance to Needy Families (TANF) funds come through the state in the amount of \$900,000, with about \$100,000 coming from the Albertson Foundation as matching funds. **Senator Schroeder** asked if the same level of funding would be there next year, and Ms. Davis replied affirmatively.

Chairman Goedde asked questions about teaching requirements for parent trainers and geographic areas served. He questioned the waiting list of approximately 1,000 parents, and asked if the impediment was due to funding. Dr. Shacklee said that it was.

PRESENTATION: **Chairman Goedde** asked **Senate Page Brady Anderson**, who is nearing his tenure with the Education Committee, to speak briefly about his educational experience and his experience as a Senate Page.

Brady, who has been home-schooled, spoke highly of his educational experience, citing the ability to learn at his own pace and pursue different interests that are not available in a traditional classroom setting. He said home schooling provides the ability to learn in the way that best suits the individual student's learning mode. He feels social interactions have been well-maintained through a network of home-schooled students, and through participation in traditional school sports and four years of

seminary. He has been able to take advance courses, and recently received a score of 5 in a calculus test. He is currently taking two classes at Borah High School and appreciates the opportunity to take these classes while being a home-school student.

Brady has been accepted for enrollment at Brigham Young University and will start as a sophomore with the ultimate goal of becoming an electrical engineer.

Brady said his time as a Page has been an important learning experience that has taught him much about the political process and where his parents' tax dollars go.

Brady then answered a number of questions from Committee members, all of which were answered with humor and intellect.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:00 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

DATE: February 15, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher

MEMBERS ABSENT/ EXCUSED: Senators Burkett, Marley

GUESTS: **Dr. Marilyn Howard**, State Superintendent of Public Instruction
Ms. Kerri Pickett, Executive Director, Idaho Charter School Network

The sign-in sheet will be held in the committee's office until the end of the 2006 legislative session, and then be retained in the Legislative Library (Basement E).

CONVENED: **Chairman Goedde** convened the meeting at 3:05 p.m.

PRESENTATION: **Public School Briefing.** **Chairman Goedde** welcomed **Dr. Marilyn Howard** and invited her to provide the Committee with an update on the public schools budget. Dr. Howard referred the Committee to materials relating to the Governor's 2006-2007 recommendations compared to the Public Schools' budget requests for fiscal year (FY) 2007, along with narrative of the budget requests. The general fund appropriation totals \$1,046,829,800.

Dr. Howard reviewed estimated program distributions for FY 2007, and examined teachers' salary considerations. Possible alternatives to the Governor's proposed 2.5% increase in teachers' base salaries could be a reallocation to match other state workers' 3% increase in base salary and \$29,000 minimum salary. Another option would be a 3% increase in base and \$30,000 minimum salary, which would require an additional \$3.5 million.

Dr. Howard spoke in favor of offering teacher incentives by providing scholarships and loan forgiveness and increasing teachers' contracts to 225 days.

She also stressed the need to compete with other states by looking at projected demographics over the long term when planning for public school funding. Dr. Howard said that a shortage of teachers is projected for a number of reasons, in part because one-third of Idaho's teachers are close to retirement and the number of individuals entering the profession is declining. Another strain on the future teacher pool is the

No Child Left Behind requirements, which require that teachers major in the subject(s) in which they teach.

Dr. Howard said that a staffing allowance increase of .01 each year for three or four years would add 135 teachers across the state. If a staffing allowance were to be increased, local school boards could meet their local needs.

Senator Andreason asked Dr. Howard to brief the Committee on the the State Board of Education's teacher mentoring program. **Senator Gannon**, who sits on that committee, brought the Committee up to date on the program, which is expected to be completed next year.

Chairman Goedde asked Dr. Howard to compare salaries of Idaho's teachers with other states. Idaho is ranked 30th in the nation; starting teachers' salary is ranked 44th in the nation.

Dr. Howard referred Committee members to a recent issue of *Time* magazine titled "Can America Regain its Scientific Edge?" She emphasized the importance of encouraging students to develop more innovative and creative thinking if we are to compete in the changing world of science and technology.

She emphasized four important questions: (1) What can Idaho do to improve student achievement? (2) What is Idaho's commitment to this improvement? (3) What is Idaho's commitment to better teaching? And (4) What is Idaho doing to strengthen teacher development?

Chairman Goedde, Senators Gannon, Andreason, and Jorgenson, asked for clarification on subjects that included teacher shortages, comparative teacher salaries, and funding of the Idaho Student Information Management System (ISIMS), all of which Dr. Howard discussed thoroughly.

Chairman Goedde thanked Dr. Howard for her informative presentation and introduced **Ms. Kerri Pickett** of the Idaho Charter Schools Network.

PRESENTATION:

Public Charter Schools Update. **Ms. Kerri Pickett** distributed materials outlining the definition, demographics and performance of Idaho's public charter schools and outlined national statistics, such as total number of states with schools in operation (40), total number of schools in operation nationwide (3,343), and percent increase nationwide in charter schools from the last school year (13.5%).

Charter laws vary from state to state, but most all have common elements, such as: offering diverse approaches to teaching and learning, improving pupil achievement, providing new professional opportunities for teachers, and creating additional choices.

Idaho has 24 charter schools and 7,900 students. Of the 24 schools, 16 are authorized by 13 different local school boards and eight are authorized by the Idaho Charter School Commission. An additional four

charter schools have been authorized to begin operation in the fall of 2006.

Senator Andreason asked about the charter school free (or reduced) lunch program. About 17 schools serve free or reduced lunches; 28% of charter school students qualify for free or reduced-price lunches.

Senator Pearce asked if staffing is adequate. Ms. Pickett yielded the floor to **Ms. Karen Echeverria**, Policy and Governmental Affairs Office of the Idaho State Board of Education, for the answer. Ms. Echeverria said that no funds had been given for charter school support staff. The School Board has asked for one support person but has not yet received funding.

Senator Pearce asked **Ms. Echeverria** for written data on Charter school staffing, which she promised to provide at the next Committee meeting.

Senator Gannon posed questions about the virtual charter school curriculum and whether or not it meets Idaho standards. Discussion was held regarding accountability and the entity or person responsible for policing standards of charter (and virtual charter) schools. Ms. Pickett said the Board's concern is that they don't have a designated person to oversee enforcement of standards.

Senator Schroeder asked **Ms. Echeverria** to define the person who currently has enforcement authority. Ms. Echeverria said it is the authorizer of the school. **Senator Schroeder** asked how much additional staffing would be needed if the Charter School Commission were to oversee accountability. Ms. Echeverria replied that one mid-level management person would be sufficient.

Chairman Goedde thanked Ms. Pickett for her presentation.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:45 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 16, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, and Marley
- ABSENT/
EXCUSED:** None
- GUESTS:** **Mr. William T. Panos**, Director, School Facilities and Organization
Dr. Bob West, Idaho State Department of Education
Ms. Andra Burgess, parent Falcon Ridge Charter School
Ms. Collett Freeston, parent
Ms. Christine Reynolds, parent
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- S 1378** **Relating to increasing yearly allotment of charter schools.**
Chairman Goedde explained that more information was being gathered on the fiscal impact of **S 1378**. He said that the committee would take testimony today and hold this bill until more information is forthcoming.
- Some Committee members expressed a concern about adequate staffing to support and supervise additional charter schools.
- TESTIMONY:** **Dr. West** said the State Department of Education (SDE) supports **S 1378** and has provided \$10 million in federal dollars to help charter schools get started and continue.
- Senator Schroeder** and **Pearce** expressed concern about adequate funds and staffing to support and supervise additional charter schools.
- Senator Schroeder** suggested that now might be the time to make the charter schools an independent commission with its own staff.
- TESTIMONY:** **Ms. Andra Burgess** testified as a special-needs parent and an employee of Falcon Ridge Charter school. **Ms. Burgess** is not supportive of **RS 1378**. She said she feels strongly that funding and accountability of charter schools is unacceptable.
- Senator Pearce** asked if Ms. Burgess had presented her concerns before her school board. **Ms. Burgess** said she had not, that she had fears of "speaking out."
- Chairman Goedde** said the charter schools have the same obligations to special needs children as any public school. If they are not fulfilling that obligation there is a problem.
- Senator Andreason** asked if Ms. Burgess knew of other parents with

similar problems. **Ms. Burgess** said others have had problems and had made the choice to leave.

Chairman Goedde assured Ms. Burgess that most charter schools are well-managed with an accessible board and encouraged her to take her concerns to her board.

TESTIMONY: **Ms. Collett Freeston** testified as a concerned parent from Nampa with five children. She opposes **S 1378** and believes there are too many concerns with the existing charter schools and their accountability.

Chairman Goedde asked if she had taken her concerns to her charter school board. **Ms. Freeston** said that she has not, but that other parents have done so.

TESTIMONY: **Christine Reynolds** spoke in favor of **S 1378**. **Ms. Reynolds** said she is happy with the wonderful job and test scores coming from her charter school.

PRESENTATION: **An overview of Washington's State School Construction Assistance.** **Mr. Bill Panos** presented an overview of Washington state's school construction assistance and funding process, listing funding authorities and current revenue sources. There are three drivers of the state's school construction assistance program: (1) enrollment growth, (2) age and condition of existing facilities, and (3) local funding capacity.

Mr. Panos reviewed the state's contribution to school construction and eligibility, along with capital budget comparisons and the funding process. He said he believes that quality school buildings (1) improve children's health and learning; (2) provide better air quality, which increases average daily attendance; (3) help decrease teacher turnover and increased retention rate; and (4) provide better lighting, HVAC and acoustics, resulting in improved student performance.

Chairman Goedde presented **Page Brady Anderson** with a Senate watch for all his good work with the committee during his tenure as page.

ADJOURNMENT: There being no further business, **Chairman Goedde** adjourned the meeting at 5:00 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

Regarding Bill SI 378 to increase the annual approval of charter schools from 6 to 12:

Chairman Goedde and Senators, Thank you for hearing public testimony today.

I would like to testify in support of this bill because I believe choices in education benefit students. As an Arizona native, we were surprised to find such little choice in Idaho. There are currently 517 charter schools in Arizona, half of which are alternative or second chance schools where children who have difficulty learning have the opportunity to learn the same material as their public school counterparts, as well as a trade or skill that will prepare them for a future career. It is a comfort to know that each student can find the educational program that best suits his or her learning style so that each student has the opportunity to reach their fullest potential. Arizona's history reflects the fact that a healthy education provides a healthy future for a state, as theirs has dramatically improved since the charter movement began 20 years ago. Obviously, there is no one size fits all pedagogy, therefore, the necessity for a broader selection of methods is imperative for Idaho to have an economically healthy future. Opening up more choices/charter schools will allow a wider variety of schools to compete for students, offering more diverse educational programs.

Our children currently attend Rolling Hills Public Charter School. The school slogan "preparing today's students for tomorrow's world" is the focus of the school. Rolling Hills uses the Harbor method for the back-to-basics instruction and has created its own social studies focus of world history and economics. The purpose is to give children a strong foundation of intellectual skills while preparing them for the global marketplace that will be their workplace. You are all welcome to tour our school any time, I think you will be surprised at how much the students are enjoying learning!

Capitalism is the basis of our economic system, and is what holds all charter schools accountable. If students are unhappy or test scores are failing, parents will simply take their business elsewhere. The fact that charter schools have high parental satisfaction and enormous waiting lists is proof that they are providing a service there is a demand for. Charter schools in Idaho cost less and provide more, spending 30% less tax payer's dollars than traditional schools and hold the highest IRI and ISAT scores in the State.

**New census reports indicate Idaho is among the three fastest growing states, with the sixth highest birth rate in the nation. Putting more choices in education in place now will secure Idaho's healthy economic future. Today's students will be the adult population as we age and will be the decision-makers in our society. We need *~ll* of these people to be well educated in order to continue the quality of life we have grown to appreciate here in Idaho.

Again, I am in favor of SI 378 to increase the number of charter schools allowed to open in Idaho annually.

Thank you for your time, Kristine Reynolds
(208) 631-1590

ATTACHMENT #1

To: Senate Education Committee
From: Bob West, Legislative Liaison
Date: 2/16/2006
Re: SB-1378

The State Department of Education supports the creation of charter schools as a public school alternative for which the Department has state technical assistance responsibility (I.C. § 33-5211 and 08.02.04.200) to help them get started and to support them as we would other public schools. To date, the Dept. has provided over 10 million federal dollars ear-marked for charters to help them start-up and continue.

The greatest demand for start-up and continued support is with charter school LEAs who are responsible for all requirements. The Dept. 's responsibilities include state funding for all charters separately as if they were a local school district. The more charters there are the more entities there are to fund and keep track of. The more charter school LEAs there are, the more direct assistance is needed in all state and federal programs.

The Dept. has included in its 2007 budget a request for 2 positions in Tim Hill's bureau of support services in finance, personnel and accounting due to the increased demand. And, in the words of Dr. Howard, we are in desperate need of personnel in our special education area, because of the difficulty many charters have in the complex compliance with federal special education rules, particularly the virtual schools.

Anyone who wants to submit a petition for a charter school must participate in a Dept. workshop to be eligible to apply for a charter. Every charter petition must receive a legal sufficiency review and recommendations by all the sections in the Dept.

After approval, technical assistance to support school districts and charters include are:

Stephanie Clark -federal grant, tracking petitions and alternative schools
Tim Hill -separate state general fund payments unique to each charter
Greg Berg -attendance collection to calculate Average Daily Attendance
Myrna Holgate -personnel data for salary, benefits and proper credentials
Peggy Temple -each and every payment of all federal funds from the Dept.
Ray Merical -transportation charter school students by districts or charters
Sally Tiel -statewide student achievement tests

Attachment #2

Dr. Colleen Fillmore .school meals as requested
Cina Oravez .certification of highly qualified teachers and administrators
Dawn Wilson .computer tech. and instruction, applications and approvals
Shannon Page .school accreditation applications and approvals
Claudia Hasselquist .safe and drug free school applications and approvals
Dr. Sherawn Reberry .Title I-A, disadvantaged, applications and approvals
Dr. Val Schorzman .services for gifted-talented, applications and approvals
Mike Murphy .Title II and V, applications and approvals
Dr. Mary Bostick .students with disabilities, applications and approvals

Every time a charter is approved these services are provided as if the charter, particularly a charter school LEA, were another school district.

The need for assistance is not very much related to curriculum and instruction, but to planning, management, compliance and leadership by administrators and business managers; how to set up and operate a separate educational entity, as if it were a whole public school district, with knowledge and experience with all the state and federal laws and applicable regulations.

As time goes on, the Department will probably be asking for permission to hire additional personnel, in addition to the two in the current request.

Attachment #2

Jeanne Clayton Testimony for S 1378

From: <BuildIdaho@aol.com>

To: <jc1ayton~senate.idaho.gov>

Date: 2/17/2006 12:17PM

Subject: Testimony for S 1378

2-17-06

Ms. Clayton,

Thank you for allowing me to e-mail this to you. Please feel free to call me if you have any questions.

I appreciate your time,

Kristine Reynolds

Regarding Bill Si 378 to increase the annual approval of charter schools from 6 to 12:

Chairman Goedde and Senators, Thank you for hearing public testimony today.

I would like to testify in support of this bill because I believe choices in education benefit students. As an Arizona native, we were surprised to find such little choice in Idaho. There are currently 517 charter schools in Arizona, half of which are alternative or second chance schools where children who have difficulty learning have the opportunity to learn the same material as their public school counterparts, as well as a trade or skill that will prepare them for a future career. It is a comfort to know that each student can find the educational program that best suits his or her learning style so that each student has the opportunity to reach their fullest potential. Arizona's history reflects the fact that a healthy education provides a healthy future for a state, as theirs has dramatically improved since the charter movement began 20 years ago. Obviously, there is no one size fits all pedagogy, therefore, the necessity for a broader selection of methods is imperative for Idaho to have an economically healthy future. Opening up more choices/charter schools will allow a wider variety of schools to compete for students, offering more diverse educational programs.

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Capitalism is the basis of our economic system, and is what holds all charter schools accountable. If students are unhappy or test scores are failing, parents will simply take their business elsewhere. The fact that charter schools have high parental satisfaction and enormous waiting lists is proof that they are providing a service there is a demand for. Charter schools in Idaho cost less and provide more, spending 30% less tax payer's dollars than traditional schools and hold the highest IRI and ISAT scores in the State.

**New census reports indicate Idaho is among the three fastest growing states, with the sixth highest birth rate in the nation. Putting more choices in education in place now will secure Idaho's healthy economic future. Today's students will be the adult population as we age and will be the decision-makers in our society. We need all of these people to be well educated in order to continue the quality of life we have grown to appreciate here in Idaho.

Again, I am in favor of S1378 to increase the number of charter schools allowed to open in Idaho annually.

Thank you for your time, Kristine Reynolds

(208)631-1590

**Source: www.buildernewsmag.com February 2006

Attachment #2

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 20, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Fulcher, Burkett, Marley
- MEMBERS ABSENT/ EXCUSED:** Senator Pearce
- GUESTS:** **Dr. Mike Poe**, Program Director, Educational Leadership, Northwest Nazarene University (NNU)
- The sign-in sheet 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 Legislative Services Library.*
- CONVENE:** **Chairman Goedde** called the meeting to order at 3:10 p.m.
- Chairman Goedde** opened the meeting by welcoming Lana Infanger, Senate Education Committee page for the final portion of the legislative session. Lana, a high school senior from Gooding, Idaho, plans on attending Brigham Young University next fall.
- S 1382** **Establishes merit scholarships at Idaho's public colleges and universities.** **Senator Schroeder** explained that changes were made to S 1382 in accordance with earlier suggestions from Committee members. Senator Fulcher assisted with rewording. The first change (page 2, line 27) ensures that the scholarship awarded any individual is reduced each academic year by the total amount of all other post-secondary education scholarships received by the individual for that academic year. The second change (page 1, line 36), specifies that recipients of scholarships must remain in Idaho for a minimum of two years after obtaining a post-secondary degree from an Idaho public institution of higher education in mathematics, science, or engineering.
- Chairman Goedde**, and **Senators Jorgenson, Burkett, Andreason**, and **Gannon** asked Senator Schroeder for clarification on issues relating to scholarship eligibility, funding limits and exclusions, donations, and the relationship of this scholarship program to other programs.
- MOTION:** After a full and thorough discussion, **Senator Gannon** made the motion to send S 1382 to the floor with a do pass recommendation. The motion was seconded by **Senator Andreason** and unanimously passed by **voice vote**.

PRESENTATION: **Northwest Nazarene University Curriculum for School Administrators.** **Dr. Mike Poe** summarized his educational and teaching background, and talked about the administrator preparation program at NNU, in particular concerning how business practices are infused into NNU's training program for school administrators. NNU's program contains four components: Leadership, Legal and Financial, Human resources, and Production.

Leadership Skills: NNU prepares candidates to be educational leaders, not just building managers. Administrative leaders are prepared to look ahead and anticipate future changes. They are trained to participate in day-to-day managerial duties and are required to spend two weeks prior to and after school is out working with their building administrator.

Legal and Financial issues: NNU's program contains two courses dealing specifically with school law. Administrators must be able to develop budgets and manage funds coming from diverse sources. They must be able to manage and understand school funding on a day-to-day basis.

Human Resources Skills: The most important decision any manager makes is the decision to recommend the hiring of an individual. The School Board makes those final decisions, and they count on the administrators to get it right. Administrators must also know how to supervise in accordance with due-process laws.

Production: School leaders are required to be able to carry out the ultimate product, which is learning. School administrators make sure the teachers have the necessary resources to assist their students, such as supplies, physical plant, appropriate classroom management, lesson delivery, and interpersonal skills. They must understand curriculum development and assessment, how learning takes place, and age-appropriate classroom behavior management skills.

Chairman Goedde and Senators Jorgenson, Burkett, and Marley posed questions concerning: maximum capacity of students (about 30); number of interns graduating this year (21); if graduates typically remain in Idaho (yes); if NNU has an internship program outside Idaho (no); cost of the program (\$14,000 for a full Masters' program); and how long it takes to complete a full Masters' program (two+ years).

Chairman Goedde and Senator Schroeder asked for clarification about, and discussion ensued, on: pay-for-performance, formulating the program, moving through the rank-and-tenure process, and funding requirements.

WELCOME: **Chairman Goedde** welcomed **Steve Casey**, candidate for State Superintendent, to the Committee.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:00 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 21, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** None
- GUESTS:** **Ms. Claudia Hasselquist**, Coordinator Safe and Drug Free Program and 12st Century Community Learning Centers, **Nancy Landon**, Business Manager for Boise School District, **Dr. Cliff Green**, Executive Director of Idaho School Board Association, and **Parra Byron**, Education Policy Advisor.
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- MOTION:** **Senator Marley** made a motion to approve the minutes from February 6, 7, 8, and 9, 2006 as written. **Senator Gannon** seconded the motion and it was carried by a **voice vote**.
- S1379** Relating to National School Lunch Match Act.
- Senator Burkett** explained this bill and introduced **Claudia Landon**. **Ms. Landon** said this bill changes where the PERSI costs are paid from, does not restrict or change who qualifies for the retirement system, and gives the district the flexibility to pay PERSI costs with the general fund or with the federal reimbursement which the district receives from meal reimbursement.
- There was some discussion regarding how this works and if there is any fiscal impact. **Ms. Landon** said there is no fiscal impact on the general fund.
- Senator Marley** asked if this provides flexibility to use general dollars for other things. **Ms. Landon** responded yes.
- Senator Schroeder** asked if the cost of the lunches would increase as a result. **Ms. Landon** explained it would depend on how the districts choose to implement the program. **Ms. Landon** said she spoke to many of her peers throughout the state and to school officials, and they are all in support of S 1379.
- MOTION:** **Senator Schroeder** made a motion to send S 1379 to the Senate floor with a do pass recommendation, **Senator Marley** seconded the motion.
- DISCUSSION:** **Senator Fulcher** asked **Dr. Green** for an explanation of the bill. **Dr.**

Green explained that he sees this as a cash flow issue. This bill allows flexibility to use excess fund balances from the School Lunch Programs for other things. The districts are trying to be effective and efficient in the way they manage their funds.

The motion to send S 1379 with a do pass recommendation was carried by a **voice vote**.

PRESENTATION: **Claudia Hasselquist** spoke about the programs Safe and Drug-Free Schools and 21st Century Community Learning Centers.

The Safe and Drug-Free Schools Program is funded by two sources, tobacco tax and Title IV federal funds. **Ms. Hasselquist** explained the program's goals, objectives, and requirements and shared some surveys how they have made a difference. She showed how all the schools report their data on a web based reporting system.

Senator Burkett seemed surprised by the drop in tobacco use as shown in the surveys and asked if the surveys are tested for accuracy. **Ms. Hasselquist** said their surveys are tested for accuracy and do show a decline in tobacco-use.

Ms. Hasselquist said that in September, President Bush requested 0 dollars for the Title IV, Safe and Drug-Free programs. In 1999, Senate Bill 1250 enacted a lottery income tax for winnings of more than \$600.00. Last spring, there was a big winner from Idaho and they split the monies with Juvenile Corrections. Both programs received around \$5 million. For this year and 2007 the Safe and Drug-Free programs are asking for \$5.5 million which reflects the loss of federal funding.

Ms. Hasselquist switched hats and spoke of the positive results of the 21st Century Community Learning Centers. This program is federally funded as a result of the No Child Left Behind Act. They have 33 different grants and 67 centers. **Ms. Hasselquist** explained this is not a day care or drop-in program. It's an after school program that is designed to reinforce and complement the regular academic program and provide enrichment activities. They offer literacy and related educational development opportunities to family members. They have a management system for accountability and year-end evaluation. Just two and a half years into the program they are excited to show that academics have been improved.

Senator Gannon commented this sounds a lot like the Boys and Girls Club. **Ms. Hasselquist** said some of the districts have formed a partnership with the Boys and Girls Club.

PRESENTATION: **Parra Byron** presented an invitation to the Committee for an Idaho After-School Summit hosted by Governor Kempthorne, to be held March 8 and 9, 2006. **Ms. Byron** explained this session will include an overview of Idaho's current after-school programs, national after-school programs, and it will work to establish a statewide alliance. **Ms. Bryon** said to attend any part of the summit, would be a learning experience.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the

meeting at 4:20 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 22, 2006
- TIME:** 3:00 p.m.
- PLACE:** GOLD ROOM
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** None
- GUESTS:** **Bill Robertson**, President of Eastern Idaho Technical College (EITC).

The sign-in sheet(s), testimonies, and other materials related to this meeting 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 Legislative Services Library.
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- PRESENTATION:** **Mr. Bill Robertson**, President of Eastern Idaho Technical College, presented an overview of the college and various community college initiatives. The mission of the college is to provide superior educational services in a positive learning environment that supports student success in regional workforce needs. He said EITC is fully accredited by the Northwest Commission on Colleges and Universities, and is preparing for its 10-year institutional self-study as part of its re-accreditation.
- S 1395** **Relating to the allowance of school districts to competitively hire teachers with prior experience teaching at the university level.**

Senator Little explained that S 1395 is a simple change to give credit to new entrants of the teaching profession for their years of experience teaching at a college.
- TESTIMONY:** **Dr. Cliff Green**, Executive Director for Idaho School Board Association, spoke in favor of S 1395. He said this bill has to do with the indexed experience factor and not the education factor.
- MOTION:** **Senator Schroeder** made a motion to send S 1395 to the 14th Order of Business. **Senator Fulcher** seconded the motion.

Senator Little read the proposed language and explained the text to be amended.

The motion passed by unanimous **voice vote** to send S 1395 to the 14th Order of Business.

Allows school districts the option of offering pre-school programs to children younger than kindergarten age.

Senator Burkett explained that S 1334 would allow school districts to offer pre-kindergarten education to children under five years of age. Idaho currently provides pre-kindergarten education to children with disabilities, ages three and four, under the federal Disabilities Education Act. This bill enables, but does not require, pre-kindergarten programs.

Senator Gannon asked about age restrictions. **Senator Burkett** said there are no age restrictions.

Discussion ensued on a similar bill, S 1241, being introduced by **Senator Schroeder**, after which testimony was heard on S 1344.

TESTIMONIES:

Dr. Robert Barr, retired from Boise State University, spoke in support of S 1344. **Dr. Barr** feels this bill would help the less-fortunate families prepare their children for kindergarten. **Dr. Barr** said some parents do not have the economic means, language skills, or education to prepare their children for kindergarten, which leaves the children at a disadvantage when they enter kindergarten.

Mr. Steven Thayne, teacher and parent from Emmett, spoke in opposition of S 1344. He suggested working with the parents to prepare their children for kindergarten.

Dr. Jana Jones, Chief Deputy Superintendent of Idaho Department of Education, spoke in support of S 1344. **Dr. Jones** said before age five is a time when human brain capacity develops, and about two-thirds of Idaho's three- and four-year-old children receive no preschool developmental assistance. According to the Idaho Reading Indicator, only about one-half of the children entering kindergarten are ready to learn. **Dr. Jones** said it was her understanding that the local districts would handle policies on the pre-kindergarten operation.

It was brought to the Committee's attention that some schools have been allowing children who do not meet age requirements to attend their preschool programs, which creates a conflict in federal and state laws. **Dr. Jones** does not have record of these children because they are not counted in the average daily attendance. **Senator Jorgenson** said there should be an obligation to report these districts to the Legislature.

Senator Goedde called on **Mr. Barry Peters**, to testify. Mr. Peters' testimony was taken verbatim. **Mr. Peters** is an attorney from Eagle and member of the Board of Legal Advisors for Idaho Coalition of Home Educators. He spoke in opposition to S 1344.

"My notes, of which I was going to speak are now full of red arrows and things crossed out and things added so at moments, as I speak, I may pause to try and figure out where I'm going next, so I hope you'll bear with me. I'll also try and differentiate in my comments between the two bills that are before you, because they are substantially different. I don't want to just lump them together. As to Senate Bill 1344, the first bill that was introduced, essentially the effect of that bill has been noted, is to

drop the minimum age for school attendance from five down to zero. That is, I don't know that there is any other way to describe it other than it's a radical departure from anything in this state we have done, and as far as I know anywhere else in the country. I do not know of anywhere else in the country where public school districts are permitted to offer programs to newborn infants. I think we should make no mistake that this is a huge leap, this is not just simply a small internal move to lower that age."

"Neither of the bills has anything to do with poor children or wealthy children. There is nothing in either bill that differentiates between the children of poor families, the children of well to-do-families, that is not the issue that is addressed by these bills. This is a program, or a step toward a program which, if approved by the Legislature, will be applicable to everyone in the state, all children in that range, rough figures, you're looking at potentially 100,000 children. I would encourage this committee, I would encourage the Senate to step back and take, initially, a pragmatic approach to both of these bills. There are, by my count, about five different bills that are floating around in the legislature, currently this session, that to one extent or another address the subject of early childhood education, you have two of them before you right now. It is approaching an extremely critical subject matter on a piece-meal basis. What we need is a strategy, a coordinated effort to address this question. So if the sponsors of this bill and the sponsors of the other bills in this arena would step back and come to you with a comprehensive piece of legislation that explains what we are doing, who's going to administer it, how it will be funded, and all the other pragmatic questions that need to be asked of something of this sort, that would be a far better way to approach the subject. So I could encourage you, as a procedural issue, to move this bill in that direction and simply say come back to us later with a comprehensive bill. We are not going to move the fence line a few feet here and a few feet there hoping eventually to get to the category of early childhood education."

"There are differences between the two bills that are before you. They are not interchangeable, the difference obviously has to do with the age. One lowers the age to four years of age and the other to zero. The other difference that seems evident by my quick reading is funding. One says specifically, no public funds or, no certain public funds will not be used to fund these programs, the other one is silent on that. It seems to leave open the door to using the foundation funds for funding of the program. So you have two different bills that do not match. If you pass them both, you will end up with a conflict between them. As to the list of early childhood education, there have been some references that I would have to admit, that there is at least two schools of thought as to whether early childhood education is effective. Now I would define effective as, does it have a long-term result that increases the academic achievements of the students in this state? That's an important definition to keep in mind, does it have a long term benefit to the academic achievement of the students of this state? In other words, if I take a four year old and teach him the days of the week, teach him the colors, teach him to count to from one to 10, that puts him a leg up on some other four year old who hasn't been taught that. When we get to second grade, fifth grade, twelfth, do we find that there's a bump up all the way through? From the material that I have read, there is not. The

initial bump up in academic achievement lasts for anywhere from a year up to six years. There is also a converse risk of burn-out for those children. I know that sounds silly in this day and age, to think of six-year-olds and eight-year-olds suffering from educational burn-out.” Statistically, that is something that we see, particularly in the preschool programs that are most academic in their approach, there are the ones that want to teach methodically, put the students in a desk and get the facts memorized. Those are the ones that by sixth grade, those students are actually lagging behind their peers. What started off in a great guns, very quickly hit a stall and burn-out.”

Senator Gannon asked if there is a study on Mr. Peters last statement regarding kindergarten burn-out. **Mr Peters** responded, “The answer is yes; I’d be happy to leave a copy of it. This particular study was out of the University of North Florida in 2002, which is published in *Early Childhood Research and Practice*. The study specifically addresses a burn-out factor from the more academic preschool programs.”

“The next point, I’ll defer to Mr. Thayne’s comments about questioning whether this inadvertently will start to erode the foundation of the relationship between parents and children. The more we make it easier for parents to put the kids on the school bus and disengage from them, the less healthy that situation will become over time. The programs that are optional today, there is an almost inexorable tendency for those to become mandatory in the future. Those that are not government-funded today, almost without exception, in the educational arena become government-funded in the future. There are two of the five bills that I referred to, House Bill 623 and Senate Bill 1253 both pursue the purpose of making kindergarten mandatory. To this point it’s been optional, but now we are making it mandatory. I will tell you, if history is any indicator, what is optional under these programs will become mandatory in relatively short order. I think you should also be concerned about the impact of the government program this will have on private day care facilities. Right now we have a lot of good solid private day care facilities in this state. If we begin the process of offering essentially government based competition, eventually those other facilities will not be able to compete, and that will throw the full burden of that age group into the public school system. Ultimately I encourage you to slow down on this process. I would encourage you to ask for a comprehensive approach to the subject rather than a piece meal approach to this subject. I would encourage you, with respect to Senate Bill 1344, to simply recognize that it is a quantum leap of such proportions that we should not go there, that simply removing the lower age limit is inappropriate. We do not want public school districts acting as nurseries, as preschool, as day cares. That’s not their role and should not be their role. Mr. Chairman, that concludes my comments. Thank you.”

Senator Schroeder thanked Mr. Peters for his testimony. He asked Mr. Peters why he would want to influence a school system he doesn’t use. **Mr. Peters** responded - “The answer is two-fold: one, as a taxpayer I am concerned how this state chooses to spend my tax dollars, I am also, I think, one thing that is true of every home educating family is that we are; exceedingly concerned with education policy. The families that

choose to do that, they're the ones who essentially commit the most to that process, and so when I spot something like this in our estimation looks like an unwise policy, I do feel constrained to step forward and speak to it. Another aspect of the home schoolers, as a group, is they are fiercely independent. My role with them is oftentimes akin to herding cats. They value their independence and any time we see a government program that is expanding of this magnitude we have growing concerns about them."

Senator Gannon said he also appreciated Mr. Peters' testimony. He asked if the home schoolers are going to hold off teaching some of their children some things at age four so they don't burn-out.

Mr. Peters responded - "I can speak best from my own experience. When my wife and I had our first child I read a book called *Better too Late than too Early*, by Dr. Raymond Moore. Dr. Moore offered a lengthy discussion of the statistics that Mr. Thayne referred to from Northern Europe, regarding Finland and Sweden and seeing that in those countries where you hold off on formal education until six or seven years of age at the end of the road, in other words graduation from high school, you had elevated scores compared to the other nations and the incidents of educational dysfunctions, dyslexia and things of that nature were almost unheard of. Between my wife and I, when I read that book I said, you know what, I think this is what we need to do. That started a process, we started teaching our children literally at day one when they were born. That simply continues on through. I do not know the single home educating family that said, 'Well we're not going to teach our kids today because they're not seven yet.' I think in actuality, it's that rich experience that the parents are enjoying with the children that just continues right on through and before they know it they are graduating from high school."

Senator Andreason asked if Mr. Peters agreed with the testimony today, that the sharpest learning curve is from birth to five or six years of age. **Mr. Peters** said, "I don't know of any research that says that, it does not surprise me, but I don't know of research. What I have seen research on, is there is brain development that most often occurs in the seven to nine year old range that makes the child suitable for instruction within a more institutional type setting. Prior to that, although they are learning massive amounts of information, it's a different sort of learning that's not conducive to sitting down at a desk and being taught in a classroom type setting. I don't want to say no that's not true, because I suspect it is true, you're learning to walk and muscle coordination and all those other things are going within that time frame. I would just caution that there's a qualitative difference that they arrive at, that if we go there too early it's actually counterintuitive and causes damage."

Senator Andreason said there is strong research that upholds the fact that the sharpest learning curve is from birth to five or six. He said he does not understand Mr. Peters' concern for the taxpayers, because the bill clearly states no public funds will be expended. **Mr. Peters** answered - "Federal Tax dollars come out of my pocket. The fact that it's not state funds does not mean that it is not taxpayer funded. These programs, the ones that already exist, are significantly taxpayer funded."

Secondly, as I said, there is an inexorable tendency for educational programs to go from the optional to the mandatory, from the voluntary or from the unfunded to the funded.”

Chairman Goedde next called on **Mr. Frank Gallant** from Idaho City, who is Superintendent of Basin School District. Mr. Gallant introduced **Ms. Jamie Sims**, Basin Elementary School Principal. Ms. Sims works closely with the preschool students of their school district. **Ms. Sims** explained the universal preschool program in their district since 1999. She believes the benefits of preschool are not just limited to those students listed as academically at risk and said the program has been a success across the board.

Senator Andreason asked Ms. Sims if they had any problems with burn-out, and if these children were better students in the latter grades. **Ms. Sims** said the children are not sitting at a desk, so they do not burn out. She said the learning is developmentally appropriate and, yes, the program has shown huge gains, even with behavioral problems.

Ms. Pat Burnam testified on behalf of herself and the Idaho Eagle Forum. She spoke in opposition to S 1344 and feels it is unnecessary. She said young children can't be made to be taught before they are cognitively ready.

Dr. Ann Ferris, Director of Boise School District Federal Programs, spoke in support of S 1344. She shared results of a pilot program in partnership with Head Start and local day cares.

Mr. Jim Everett, CEO of Treasure Valley Family YMCA, spoke in support of S 1344. He said it is a fact that a child has more neural connections at age three than at any time in his or her life. He said parents are the best teachers of young children, but sometimes this does not and cannot happen.

Dr. Julie Wall, Developmental Psychologist for the Lee Pesky Learning Center, a non-profit educational center that specializes in remediating learning disabilities, spoke in support of S 1344. The Center is in support of early, quality childhood education in the schools..

Ms. Virginia Martin Pellegrini, Vice President of Development, United Way of Treasure Valley, spoke in support of S 1344. She said school readiness is not just a problem for low-income families, and it is one of the main focuses of United Way, which believes there is a gap between what we know and what we do to promote healthy childhood development. She said that passing S 1344 may help bridge this gap in Idaho.

Mr. Patrick V. Collins, Managing Partner of law firm Hawley, Troxell, et al, and a member of Idaho Business Coalition for Education Excellence (IBCEE), spoke in support of S 1344.

Ms. Kristina Rice, Deputy Director of Idaho Head Start, and representing Idaho “Voices for Children,” said both groups support S 1344. She believes Idaho is in need of early childhood education.

Mr. John Eiken, Executive Director of Idaho Rural Schools Association and representative for Idaho Association of School Administrators, said that both associations support S 1344.

DISCUSSION: **Chairman Goedde** asked **Senator Schroeder** to explain the funding sources for S 1241. **Senator Schroeder** said this bill does not specify any funding sources.

Senator Burkett said he felt that before Idaho invests a dollar in pre-kindergarten education, the program should be well-defined and specific as to funding sources.

Senator Andreason said that he was impressed with the endorsement heard for this bill and hoped S 1344 would be sent to the 14th order for amendment.

MOTION: **Senator Schroeder** made a motion to send S 1241 to the 14th order for amendment. The motion died for lack of a second.

VOICE VOTE: A roll call vote for S 1344 was taken and failed, five to four. Voting Yes were **Senators Marley, Burkett, Gannon, and Andreason**. Voting No were **Senators Fulcher, Pearce, Schroeder, Jorgensen and Chairman Goedde**.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the meeting at 6:00 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** February 23, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Fulcher, Marley
- ABSENT/
EXCUSED:** Senators Burkett and Pearce
- GUESTS:** Mr. Bradley Dugdale, Jr., Financial Consultant
Ms. Julie Johnson, Vice President, University of Phoenix, Idaho Campus
Ms. Christi Rood, Campus College Chair, University of Phoenix
- The sign-in sheet(s), 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 Legislative Services Library.*
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- RS 16064** Relates to encouraging smaller school districts within a county to combine operations.
- RS 16067** Relates to removing outdated language applicable to the Idaho School for the Deaf and Blind.
- MOTION:** **Senator Schroeder** made a motion to send RS 16064 and RS 16067 to the Judiciary and Rules Committee for printing and referral back to the Education Committee. **Senator Marley** seconded the motion, and the motion passed by unanimous **voice vote**.
- PRESENTATION:** **Chairman Goedde** introduced **Mr. Bradley Dugdale** who presented on the importance of teaching children to be financially literate. He spoke of the power of compound interest, the drop in savings and increased credit card use. Eighty-three percent of students use credit cards that carry an average balance of \$2,327.
- Mr. Dugdale** emphasized the need for more rigorous curriculum standards in personal finance, which he feels should be a requirement for graduation. He introduced **Mr. Darin Hayes** of D.A. Davidson & Co., who spoke about the importance of improving financial literacy, which can (1) decrease social costs, (2) improve the quality of life, and (3) reduce dependencies.
- Senators Marley, Schroeder, Gannon, and Jorgenson** posed questions for Mr. Dugdale concerning compound interest, credit card use, current elective courses on finance, and other topics. **Senator Schroeder** asked Mr. Dugdale to provide hard copies of his

presentation, which he did.

Chairman Goedde asked **Mr. Dugdale** to give a brief overview of his recent presentation to the State Board of Education. Mr. Dugdale said his conversations with Board members was pro-active, and the Board had made a motion to redirect the issue of financial literacy to the high school redesign committee, which will be addressed in April.

PRESENTATION: **Ms. Julie Johnson**, Vice President of University of Phoenix, Idaho Campus, summarized the school's background and its history in Idaho. She said that the University of Phoenix is the largest private university in the United States. She spoke of a shift of enrollees to the non-traditional student (75% of the students now must work while attending classes). The average age of students enrolled at the University of Phoenix is 34; studies are generally completed in two to four years.

Chairman Goedde asked how costs compare with similar educational facilities. **Ms. Johnson** quoted a cost of \$330 per credit hour, which she said is competitive with similar private schools in the area and less than public schools.

Ms. Johnson introduced **Ms. Christi Rood**, Campus College Chair. **Ms. Rood** presented an overview of the non-certificated program for school administrators. The University of Phoenix has applied for accreditation in a Master's degree program in secondary education, which is expected to be approved later this year. Ms. Rood said their curriculum is very similar to that of the Northwest Nazarene University, a presentation of which had been made recently to the Committee. She described University of Phoenix's administrator curriculum and answered questions from **Chairman Goedde** and **Senators Schroeder** and **Fulcher**.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the meeting at 4:15 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

DATE: February 27, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Pearce, Fulcher, Burkett, Marley

MEMBERS ABSENT/ EXCUSED: Senators Andreason, Gannon

GUESTS: **Mr. John (Nick) Sharkey**, Teacher-of-the-Year, Parma, Idaho
Ms. Ann Joslin, Idaho State Librarian
Ms. Glenna Rhodes, Boise Public Library
Ms. Bette Ammon, Coeur d'Alene Public Library
Ms. Anne Abrams, Idaho State Library

The sign-in sheet(s), testimonies, and other materials related to this meeting 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 Legislative Services Library.

PRESENTATION: **Chairman Goedde** introduced **Mr. John (Nick) Sharkey**, who is Idaho's 2006 Teacher-of-the-Year and a biology teacher from Parma High School. Mr. Sharkey reported that he had attended the National Teachers-of-the-Year conference in Dallas, where he had the opportunity to listen to and speak with other teachers who have won this same award.

Mr. Sharkey told of the amazing efforts by some of these teachers and described how outstanding teachers have improved the lives of poverty-stricken students and revitalized entire neighborhoods.

The National Teacher-of-the-Year teacher was a Maryland kindergarten teacher who formed a core group of teachers with her same vision for change. They worked to convince other teachers of the importance of changing the status quo, and in one year they came close to meeting their Adequate Yearly Progress (AYP) report. In three years, they were the top school in Maryland.

Mr. Sharkey said the predominant theme at the Dallas conference was cultivating a Culture for Change, which he said is a powerful platform that can be used to make meaningful changes in Idaho. He said he knows that Idaho's children are intelligent, and teachers owe it to them to become leaders in building higher platforms for the students to reach.

Chairman Goedde and **Senators Jorgenson** and **Marley**, posed questions to **Mr. Sharkey** on how best to initiate this change. **Mr. Sharkey** said all teachers should have the same vision; they should be well-compensated, and should be committed to raising the bar and convincing students they can succeed. He said the great equalizer in life is education.

Chairman Goedde asked **Mr. Sharkey** how administrators can be given the tools to do fair and objective evaluations of their employees. **Mr. Sharkey** could not provide a definitive answer, stating that being a principal is a tough job.

Senator Schroeder asked about (1) merit pay for outstanding teachers and (2) classroom discipline. Regarding merit pay, **Mr. Sharkey** said he feels that some things are impossible to measure and therefore impossible to quantify. Regarding classroom discipline, he restated the effectiveness of keeping the bar high and letting the students know that their teachers are working hard for them.

Senator Schroeder asked **Mr. Sharkey's** opinion of the No Child Left Behind program. **Mr. Sharkey** stated he feels the program will eventually find its wings and be beneficial to everyone.

PRESENTATION: **The Future of Libraries: Libraries Linking Idaho (LiLI) Unlimited.** **Ms. Joslin** introduced **Ms. Bette Ammon**, from the Coeur d'Alene Public Library; **Ms. Glenna Rhodes**, Boise Public Library librarian; and **Ms. Anne Abrams** of the Idaho State Library.

Ms. Ammon spoke of her positive experience with the LiLI system, which makes it possible for library patrons to share resources with other libraries and informational sources, rather than being limited to what is on a library's shelves.

Ms. Joslin thanked the Legislature for approving the Governor's recommended 3% increase for state employees and reviewed amendments proposed by the Governor, including a name change of the State Library to the Idaho Commission for Libraries.

Ms. Joslin spoke in depth about the LiLI program: the cooperative relationship between the Idaho Library Community and the State Library. She said LiLI databases have already revolutionized library services in a number of Idaho communities and schools.

Ms. Glenna Rhodes, librarian for the Boise Public Library led an electronic demonstration on how the LiLI Catalog works. **Ms. Anne Abrams** facilitated the computer-driven slides.

Ms. Joslin said participating libraries pay just under \$410,000 for unlimited use of the online cataloging services. With a sliding fee schedule, many of the smallest public and school libraries, such as Homedale and Oakley, have found participation to be affordable. The

\$333,700 request in state funds would cover maintaining the LiLI Catalog, providing unlimited access to the worldwide catalog with over one billion holdings, and unlimited access to the online interlibrary loan service. This investment of state funds amounts to about 25 cents per Idahoan per year.

Ms. Joslin thanked the Committee for its continued support of the State Library and the Idaho library community.

S 1404

Relating to the amendment of Section 33-1103 of the Idaho Code to allow school districts to use market value currently exempt under the homeowners' exemption. Senator Little distributed material itemizing each school district's bonded indebtedness, net taxable market value, and other data and addressed the intent of the bill, stressing its importance in light of proposed legislation to increase the homeowners' exemption from \$50,000 to \$70,000. He said the fast-growing districts would be most negatively affected. **Senator Little** answered questions posed by **Chairman Goedde**, **Senator Schroeder** and **Senator Fulcher** relating to: school districts' outstanding debt, increase in bonding capacity, and the 5% cap.

MOTION:

Chairman Goedde advised Committee members that individuals in attendance were prepared to testify in favor of the bill, but that no one had signed to testify in opposition. After a brief discussion, **Senator Schroeder** made the motion that **S 1404** be sent to the floor with a do-pass recommendation. The motion was seconded by **Senator Burkett** and unanimously passed by **voice vote**. **Senator Little** will carry the bill to the floor.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:45 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** February 28, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** None
- GUESTS:** *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 Legislative Services Library.*
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- MINUTES:** **Senator Fulcher** made a motion to approve the minutes of the February 13, 14, 15, 16, and 20, 2006 meetings as written. The motion was seconded by **Senator Andreason** and carried by **voice vote**.
- DISCUSSION:** A brief discussion ensued regarding S 1382, sponsored by **Senator Schroeder**, regarding scholarships. This bill will be held until March 2, 2006, to resolve an issue relative to the statement of fiscal impact. **Senator Cameron** and Jason Hancock will work together to re-write the fiscal impact, and **Senator Schroeder** will advised the Education Committee of the changes when they are complete.
- PRESENTATION:** Treasure Valley Community College (TVCC) Update. **Dr. Jim Sorenson** introduced **Randy Griffin**, Dean of Administrative Services; **Bruce Schultz**, Director of Treasure Valley Community College in Caldwell; **Eric Ellis**, Public Information Officer and Director of Information Technology; and **Abby Lee**, Title III Director. **Dr. Sorenson** presented a summary of TVCC's background, after which he called for questions from Committee members.
- QUESTIONS:** Discussion ensued relative to TVCC's long-term plans for Ada County in light of the fact that the school would not receive Idaho state funding. **Dr. Sorenson** said they will offer services under a tuition-driven model and would possibly look to private resources for funding.
- Chairman Goedde** asked about: (1) TVCC's plans for lab facilities, and (2) TVCC's cost per-credit hour. **Dr. Sorenson** said they were looking at rental facilities for lab work. In the past, they have shared lab facilities with high schools. Credit-hour costs would start at \$90.00 to \$110.00 on a quarterly basis.
- Senator Fulcher** asked Dr. Sorenson how TVCC plans to meet the challenge of work-force businesses. **Dr. Sorenson** explained TVCC will set up an advisory group to work with businesses.

Senator Jorgenson asked why TVCC would want to enter a market that was not especially welcoming to them. **Dr. Sorenson** said he believes the school would provide needed services under a business model.

S 1378

Relating to Charter School Cap. Senator Goedde briefly reviewed this bill, which had been heard in Committee earlier. He pointed out the new language to fiscal impact, after which he called for testimonies.

TESTIMONIES:

A written presentation from the Department Education was distributed to Committee members.

Ms. Jan Sylvester, interested citizen, expressed opposition to S 1378. She spoke about the Idaho ratings by the Center for Education Reform (CER).

Mr. John Eikum, Executive Director for Idaho Rural School District and representative for Idaho Association of School Administrators, expressed his concerns with S 1378. He said his organizations are in favor of charter schools, but feel the addition from six to 12 each year will have a significant fiscal impact on funding.

Ms. Cindy Schiller, resident of Nampa, spoke in opposition to S 1378. She was concerned with the long-term fiscal impact and loss of local control. She said she believes the lottery should be run by a third party.

Mr. Tom LeClaire, resident and parent from Meridian, whose daughter attends Idaho Virtual Academy, spoke in support of S 1378. He said there is a market for more charter schools. **Mr. LeClaire** said these schools must be accountable or face closure.

Ms. Julie VanOrden, parent and Trustee for Snake River School District, spoke in opposition of S 1378. Her concerns were accountability and funding.

Ms. Bridget Barrus, Executive Director for the Coalition of Idaho Charter School Families, testified in support of S 1378 and addressed previous questions. **Ms. Barrus** said she believes in accountability for the Charter Schools and pointed out eight layers of accountability: (1) parents; (2) board; (3) authorizer; (4) State Board of Education; (5) sufficiency reviews; (6) annual audits; (7) criminal penalties; and (8) the watch-dog groups. She explained charter schools are running on 30% to 40% less funds than traditional schools.

Ms. Kris Armstrong, parent and former teacher at a charter school, spoke in opposition to S 1378. She believes the charter schools are not forced to uphold the eight layers of accountability.

Mr. Paul Powell, private citizen, founder and former Board Chairman of Hidden Springs Charter Schools, currently serving on the State Public Charter School Commission, supports S 1378, because: (1) there is a cap on the schools; (2) excellent education; (3) choices; and (4) cost effectiveness.

Ms. Julie Ferrin, parent, spoke in opposition to S 1378. She feels her

children are in a diverse learning environment with English-as-a-second-language children and children on Individual Education Plans (IEP). **Ms. Ferrin** said the charter schools should be for children that don't have the public school opportunities.

Ms. Karen Echeverria, Policy of Governmental Affairs Office and Idaho State Board of Education expressed her support for S 1378 and addressed some concerns of previous testimonies. **Ms. Echeverria** explained the State Board of Education supports raising this cap, with the understanding that the Commission cannot take on more new schools without staff, and asked for support on that position.

Senator Beck spoke in support of S 1378. **Senator Beck** said charter schools are not the solution to all problems, but he believes more choices for schools will ultimately lead to better education.

Dr. Cliff Green, Executive Director Idaho School Board Association, who is in support of the bill, said he would submit his testimony in writing.

DISCUSSION: **Senator Gannon** asked Ms. Karen Echeverria to explain why there was a 4,000 student backlog waiting list. **Ms. Echeverria** said the waiting list pertains mostly to the lower grades. A new waiting list is submitted each year to Ms. Kerri Pickett, Executive Director of Idaho Charter Schools Network.

MOTION: **Senator Fulcher** made a motion to send S 1378 to the Senate floor with a do-pass recommendation. **Senator Jorgenson** seconded the motion.

DISCUSSION: **Senator Schroeder** said he would vote against the motion.

Senator Jorgenson expressed his support of S 1378.

ROLL CALL VOTE: A **role call vote** was taken to send S 1378 to the floor with a do-pass recommendation. Voting aye were **Chairman Goedde, Senators Jorgenson, Pearce and Fulcher**. Voting nay were **Senators Andreason, Gannon, Marley, Schroeder and Burkett**. The motion failed by a five-to-four vote.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the meeting at 5:35 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** March 1, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Burkett, Marley
- ABSENT/
EXCUSED:** Senators Pearce and Fulcher
- GUESTS:** *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 Legislative Services Library.*
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- PRESENTATION:** **Boise Parent Community Advisory Council (PCAC) update.** **Ms. Rebecca Young**, Chairman for Boise School District's Parent Community Advisory Council acknowledged PCAC parents and community members in attendance. **Ms. Young** said PCAC is committed to providing an autonomous non-partisan, open public forum communicating concerns regarding public education. In 2004-2005, their parents logged over 300,000 hours of service in the schools with approximately 10,000 parent volunteers. Last year, PCAC implemented a program called P.A.L. (Parent Assisted Learning) to promote parent involvement in the schools. **Ms. Young** explained the differences of Title 1 and non-Title 1 schools and said PCAC is seeking the Legislature's support in requesting that the State Board of Education make changes to include a moratorium on sanctions for non-Title 1 schools until state funding for remediation is available.
- TESTIMONY:** **Ms. Lisa Hilde**, White Pine Elementary School (non-Title I school), and **Ms. Tani Theiler**, Longfellow Elementary School (non-Title I School), who are parents and volunteers, said they were concerned that the more advanced students are being left behind because the teachers are required to spend most of their available time in remediation for the less proficient students.
- HCR 32** Relating to the designation of the week of September 10 through 16, 2006, as Bullying Awareness Week. **Representative Trail** presented this bill to the Committee. He expressed concerns with bullying and said that bullying is the leading cause of teen suicide. HCR 32 will provide programs to educate parents, school administrators, students, and teachers about the negative impact of bullying.
- Dr. Cliff Green**, Executive Director, Idaho School Board Association, spoke in favor of HCR 32 on behalf of the School Board Association.

MOTION: **Senator Marley** made a motion to send HCR 32 to the Senate floor with a do-pass recommendation. **Senator Andreason** seconded, and the motion carried by unanimous **voice vote**. HCR 32 will be carried to the floor of the Senate by **Senator Marley**.

HRC 33 Relating to Civic and Historical Education. **Representative Trail** presented HRC 33 to the Committee. He referred to a letter he had received from Ben Ysursa, Secretary of State, which states that his office, in conjunction with Dr. Marilyn Howard, Superintendent of Public Instruction, supports this bill.

Mr. Jim Marson, from the office of the Secretary of State, spoke on behalf of Ben Ysursa in support of HRC 33.

MOTION: **Senator Marley** made a motion to send HRC 33 to the Senate floor with a do-pass recommendation. **Senator Jorgenson** seconded, and the motion carried by unanimous **voice vote**. HRC 33 will be carried on the floor of the Senate by **Senator Marley**.

PRESENTATION: **Ms. Dana Kelly**, Student Affairs Program Manager of the State Board of Education, distributed a handout on the various student scholarship programs, which summarized state expenses in 2005, number of students, average annual awards, and state appropriations for 2006. A question-and-answer period ensued, during which **Senators Jorgenson, Burkett, Gannon, and Marley** asked questions concerning: potential of state funding of the Treasure Valley Community College (should that college move into Ada County), scholarship applications for low-income students, scholarship applications from home schooled students, scholarships for nurses, and geographic distribution of scholarships.

ADJOURN: There being no further business **Chairman Goedde** adjourned the meeting at p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** March 2, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** Senator Jorgenson
- GUESTS:** *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 Legislative Services Library.*
- CONVENED:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- S 1382** Relating to Mathematics, Science and Engineering Scholarship Fund
Senator Schroeder reviewed the fiscal statement for S 1382.
- PRESENTATION:** **Dr. Philip Kelly**, Chair, Department of Curriculum, Instructional and Foundational Studies presented on Boise State University's (BSU) Instructional Curriculum for Administrators. **Dr. Kelly** introduced **Dr. Diane Boothe**, BSU's new Dean of the College of Education.
- Dr. Kelly** summarized key points of their new program, stressing that administrators will be prepared to handle situations as they actually occur, rather than being taught theory only, as found in most similar curriculums.
- QUESTIONS:** **Senator Andreason** asked who would be eligible for this program. **Dr. Kelly** said that anyone with a Bachelors degree, who wishes to aspire to an educational leadership position, would be eligible.
- Chairman Goedde** asked if their graduates will be trained to perform fair and objective evaluations of their staff. **Dr. Kelly** said the curriculum would equip students with the skills needed to assess a teacher's intrinsic worth and evaluate them accordingly.
- PRESENTATION:** **Mr. Dave Lanz** presented on Idaho PLATO Learning Network (I-PLN). **Mr. Lanz** said PLATO is the oldest existing educational software company. He explained that the Idaho PLATO Learning Network is an initiative sponsored by the Idaho State Board of Education to assist schools and students meet Idaho Standards Achievement Test (ISAT) data-driven educational formula. The coursework can be used with students in any grade.
- QUESTIONS:** **Senator Gannon** asked if the schools are required to buy the products. **Mr. Lanz** said the original purchase was made through a federal grant administered by the State Board of Education. There is an on-going

cost, which will be paid for with federal dollars through the State Board of Education. He said the cost is approximately \$600,000 each year for text support and upgrades to the system.

Chairman Goedde asked if this program is used mostly for remedial work here in Idaho. **Mr. Lanz** said the original intent was primarily for ISAT remediation, but as students use the system, they have found many more ways to benefit from it.

Senator Marley asked how standard changes are made. **Mr. Lanz** said he sends new standards to Atlanta to create new learning paths.

Senator Andreason asked if this program would work in a small school district as well as a large district. **Mr. Lanz** said that it would.

H 547

Ms. Karen Echeverria, Policy & Governmental Affairs Office, State Board of Education, said that H 547, relating to Educational Vocational Rehabilitation - Professional-Technical Education, amends existing law to allow the State Board for Professional-Technical Education to: (1) provide additional rulemaking authority; (2) permit the board to enter into agreements to provide vocational rehabilitation services; (3) permit applications for approval and certification of such services; (4) and to provide authority regarding certifications and approvals.

QUESTIONS:

Senator Schroeder asked who had previously had the authority to adopt rules for that program. **Ms. Echeverria** replied that it was previously under the direction of the Department of Health and Welfare.

MOTION:

Senator Schroeder made a motion to send H 547 to the Senate floor with a do-pass recommendation. The motion was seconded by **Senator Pearce** and carried by **voice vote**.

S 1241

Relating to offering services to pre-kindergarten-age children.
Senator Schroeder presented the proposed amendment to S 1241.

DISCUSSION:

A discussion ensued about liability issues if younger children were to attend the schools. **Dr. West** explained that all children would be covered under standard liability insurance, regardless of age.

MOTION:

Senator Schroeder made a motion to send S 1241 to the 14th Order of Business. **Senator Burkett** seconded the motion and the motion passed with a **voice vote**. **Senators Fulcher** and **Pearce** voted **no**.

ADJOURN: There being no further business **Chairman Goedde** adjourned the meeting at 4:25 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** March 6, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** None
- GUESTS:** *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 Legislative Services Library.*
- CONVENE:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- S 1418** Relating to funding an Advanced Regional Technology Educational Consortium (ARTEC) in the Magic Valley. **Senator Cameron** spoke as sponsor for S 1418, the main purposes of which are (1) to extend high-end Professional-Technical (P-T) educational opportunities to more students, and (2) to continuously improve the quality of P-T education. ARTEC was started with a large grant from the Albertson's Foundation, but the funds are nearly depleted. He said the language on this bill has been presented to the State Board of Education, State Department of Education, and the Division of Professional Technical-Education for review.
- TESTIMONIES:** **Dr. Nick Hallett**, Director of ARTEC, said the consortium serves public high schools, home schoolers, and private school students. Mentors from area chambers of commerce are recruited and trained to encourage students to obtain technical proficiencies, continue their education at a higher education institution, and be ready to enter the business world. ARTEC will also offer on-line programs through the College of Southern Idaho (CSI).
- Senator Cameron** addressed concerns expressed in a letter from the Parent Teacher Association (PTA) relative to spending. He stated that he is amenable to amending the language of the bill, which would alleviate those concerns. He said ARTEC wants to allow rural school districts the opportunity to offer professional-technical programs on the same level as the larger districts.
- Senator Jorgenson** asked if the Committee would vote to send S 1418 to the 14th Order of Business for amendment.
- Senator Goedde** asked how the initiation of S 1418 would affect the charter school cap. **Senator Cameron** said he thought it would not affect the cap.

A question-and-answer period ensued, with **Senators Schroeder, Marley, Burkett, and Gannon** asking about average daily attendance, start-up costs, teachers contracting with multiple schools, and 510 funds, which is a federal funding program earmarked specifically for vocational-technical schools.

Dr. Michael Rush, Administrator, Professional-Technical Education Foundation, explained the requirements for 510 funds, stating there is no guarantee that all students meet the fund requirements.

Mr. Armand Eckert, farmer and businessman, and one of the founding members of ARTEC, summarized ARTEC's accomplishments.

Senator Burkett asked where ARTEC's funds are coming from at the present time. **Mr. Eckert** said contributions come from the school districts and the Chambers of Commerce in the Magic Valley. **Dr. Hallett** added that ARTEC would qualify for additional 510 funds.

Ms. Ashley Robinson, Junior, Minico High School, said she is enrolled in her first year at Health Academy and is taking Medical Terminology, Health 101 and Health Occupations. She said students have an opportunity for a hands-on working experience while in college.

Mr. Nick Crane, Senior, Minico High School, is also enrolled in the Health Academy and feels the one-on-one relationship with his teachers has been beneficial.

Mr. Jerome Fagaldefeg, Senior, Minico High School, is enrolled in the Diesel Tech Program. The program offers hands-on training in shop safety, diesel technology, and basic mechanics. The diesel tech program helped him receive a sponsorship to attend College of Southern Idaho.

Ms. Claire Major, Assistant Director of ARTEC, said ARTEC students also take government, English, and math to fulfill their high school requirements.

Dr. Mike Rush said he has reviewed this legislation and feels the necessary language exists to support S 1418.

Ms. Bridget Barrus, Executive Director for Coalition Charters supports sending S 1418 to the amending order.

Ms. Jan Sylvester, interested citizen, said the bill should specify that it is intended for small schools only.

Ms. Cindy Schiller, resident of Nampa, said she believes the idea is a good one but feels are too many questions remain unresolved.

Dr. Bob West, Legislative Liaison, said that while the Idaho State Department of Education supports innovations and entrepreneurial efforts associated with charter schools, they don't feel the bill addresses how this arrangement will benefit students to a greater degree than the cooperative professional-technical services that are now in place.

Mr. John Eikum, Executive Director for Idaho Rural School District and representative for Idaho Association of School Administrators spoke in support of S 1418 with proposed amendments.

Dr. Cliff Green, Executive Director of the Idaho School Board Association (ISBA) said ISBA supports S 1418 with amendments. **Dr. Green** said charter school students deserve the same opportunities as traditional schools.

Dr. Hallett restated that S 1418 is designed for medium and small school districts. He promised to bring a schedule next year showing the flow of ADA funds.

MOTION: **Senator Pearce** made a motion to send S 1418 to the 14th Order of Business for Amendment. **Senator Jorgenson** seconded the motion.

COMMENTS: **Senator Schroeder** expressed concerns regarding ADA tracking. **Senator Burkett** said he would like to see the amendments and charts before making a decision. **Senator Pearce** expressed support for the bill.

Senator Andreason asked that **Mr. Tim Hill**, from the Department of Education, be present to answer financial questions when the bill with proposed amendments is heard again by the Committee.

SUBSTITUTION MOTION: **Senator Marley** made a substitution motion to hold S 1418 pending receipt of more information. The motion was seconded by **Senator Burkett** and a roll call vote was taken, which passed 5 to 4. Voting yes were **Senators Marley, Burkett, Gannon, Andreason** and **Schroeder**. Voting no were **Senators Fulcher, Pearce, Jorgenson** and **Chairman Goedde**.

Chairman Goedde and **Dr. Hallett** discussed the preparation of amended language to the bill.

RS 16161 Evaluations of non-certificated employees of Idaho public school districts.

MOTION: **Senator Schroeder** made a motion to send RS 16161 to the Judiciary and Rules Committee for printing and return to the Committee for further action. The motion was seconded by **Senator Marley** and passed with a unanimous **voice vote**.

CLARIFICATION - ENFORCEMENT AUTHORITY: **Chairman Goedde** asked **Mr. Terry E. Coffin**, Division Chief, Contracts & Administrative Law Division, Office of Attorney General for Department of Education Enforcement Authority, to elaborate on his letter of February 24, 2006, regarding enforcement authority. **Mr. Coffin** said that the enforcement powers of the State Department of Education and State Board of Education are specified in a 120-page tome, which is complex and has many layers of authority. He said enforcement mechanisms must seek conjunctive relief. **Senators Schroeder, Burkett, and Jorgenson** posed questions for Mr. Coffin on how best to ameliorate enforcement issues and a brief discussion ensued.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the meeting at 5:05 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

DATE: March 7, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Fulcher, Burkett, Marley

MEMBERS ABSENT/ EXCUSED: Senator Pearce

GUESTS: **Ms. Stephanie Bennett**, Director, the Bridge Academy;
Mr. Harry Amend, Superintendent, Coeur d'Alene Schools District #271;
Ms. Deborah Long, Principal, Betty Kiefer Elementary School

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 Legislative Services Library.

CONVENE: Chairman Goedde convened the meeting at 3:10 p.m.

PRESENTATION: **Betty Kiefer Elementary School Update. Ms. Deborah Long, Principal. Ms. Long** summarized her background as an educator and distributed materials to Committee members. She stated that the goals at Betty Kiefer Elementary are to: clearly articulate and communicate expectations for the staff; engage in, model and promote collaborative practice; develop school structures that support learning for both students and educators; gather and analyze data, then make data-driven decisions; and identify, refine, and expand effective teaching skills through professional development. She said her school's mission is to provide the best possible education for every student.

Ms. Long explained the school's innovative and creative curriculum and stressed the importance of parental involvement.

Senator Goedde asked Ms. Long to elaborate more fully on her educational background. She is president of the Idaho Association of School Administrators and an affiliate of Altec Learning Exchange, which focuses on the latest trends and issues in education. They are currently looking at cognitive coaching and being better communicators.

Senators Jorgenson and Marley asked Ms. Long about her teaching history at Betty Kiefer Elementary, testing results using her teaching philosophy, teaching staff satisfaction and attrition, and direct instruction methods.

PRESENTATION: **Chairman Goedde** called on **Superintendent Harry Amend** to

introduce the next presenter, **Ms. Stephanie Bennett**, Director of the Bridge Academy, a drop-out retrieval high school.

Ms. Bennett reported that the Bridge Academy began in September 2003, with the goal of lowering Coeur d'Alene schools' drop-out rate. Approximately 33 to 35 students are enrolled in the lab at one time. The students are rotated in four three-hour sessions. The Bridge Academy currently has 150 enrollees with 50 on the waiting list. The program is designed for students to take one class at a time. The curriculum is computerized and students must score at least 80% before they can go on to the next class. The academy employs four certified teachers, a 16:1 ratio. All teachers have secondary credentials.

Students work at their own pace. Field trips are offered to those students who meet performance standards. Staff members are assigned homework and take turns setting the class agenda. All students must work at paying jobs and volunteer in the community. The students like the small-school atmosphere and generally thrive in that environment.

Senator Schroeder asked about the three-hour school day and cost burden. **Superintendent Amend** reported costs to be negligible.

**RS 16162 and
RS 16163**

Senator Schroeder made the motion to send RS 16161 and RS 16163 to the Judiciary and Rules Committee for printing and return to the Committee for further action. **Senator Marley** seconded, and the motion carried by unanimous **voice vote**.

H 624

Relating to the authorization of school district staff to dispose of real property with a value of \$500 or less without a vote by the School District Board. **Chairman Goedde** asked **Dr. Cliff Green** to elaborate on this bill. Dr. Green referred Committee members to language that amends Section 33-601 of the Idaho Code, to allow school district employees to dispose of such properties.

DISCUSSION:

A general discussion ensued, and Dr. Green answered questions posed by **Senators Schroeder, Gannon, and Fulcher**, primarily in the areas of reporting and responsibility. **Chairman Goedde** asked if **Dr. Green** would be adverse to including language that would require notification to the School Board prior to disposal. Dr. Green referred the question to **Ms. Janet Orndoff**, Trustee of the Boise School District, who said she felt the current language was not a major change and would simplify the process.

MOTION:

Senator Schroeder made a motion to send H 624 to the 14th Order of Business for amendment. **Senator Gannon** seconded the motion.

MOTION: **Senator Marley** made a substitute motion to send H 624 to the floor with a do-pass recommendation and **Senator Burkett** seconded the motion.

A **roll-call vote** was taken on the substitute motion, which failed 3-to-4, **Senators Marley, Burkett,** and **Jorgenson** voting yes, **Chairman Goedde, Senators Schroeder, Gannon,** and **Fulcher** voting no. The original motion to send H 624 to the 14th Order of Business for amendment passed on a **voice vote**.

ADJOURNMENT: There being no further business, the meeting adjourned at 4:35 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

DATE: March 8, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Gannon, Pearce, Fulcher, Burkett, Marley and Acting Senator Hatch.

**ABSENT/
EXCUSED:** None

GUESTS: **Mr. Charlie Clark**, Administrator of Union Pacific Principals' Partnership for the Pacific Northwest
Mr. Jerry Lynch, former Educator and Consultant

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 Legislative Services Library.

CONVENED: **Chairman Goedde** called the meeting to order at 3:10 p.m. and welcomed **Acting Senator Hatch**, who was substituting for Senator Andreason.

PRESENTATION: **Mr. Charlie Clark**, Special Representative of **Union Pacific**, presented on the Principals' Partnership, which was set up through a foundation by Union Pacific Railroad to help high school principals excel in leadership. The Principals' Partnership operates without cost to any entity. This fall, the program will consist of 1,000 principals in 23 states. Eligible principals must have a Union Pacific track operating within their school districts.

Mr. Clark introduced **Mr. Jerry Lynch**, Consultant for Union Pacific, who elaborated further on the purpose of the program, which is basically: (1) to associate Union Pacific with a critical need in American education, (2) to help America with future workforce needs, and (3) to provide Union Pacific with an opportunity to further its commitment to good corporate citizenship.

Mr. Lynch spoke of the seven components of the Principals' Partnership Program: (1) a summer leadership institute, (2) a team of personal consultants, (3) personalized professional development assistance, (4) regional events and activities, (5) an educational leadership Website, (6) professional recognition opportunities, and (7) a senior partner program.

**QUESTIONS AND
COMMENTS:**

Senator Jorgenson asked **Mr. Lynch** to speak briefly about a presentation he had made recently in Coeur d' Alene. **Mr. Lynch** summarized by saying that all children, without exception, can learn and be successful. Every individual learns differently. Methods of learning are: linguistic, logical, kinesthetic, mathematical, musical, and naturalistic. **Mr. Lynch** said that in order for children to learn successfully, a teacher must know their students' profiles, identify their preferred learning method, and teach to that preferred method.

Senator Schroeder asked **Mr. Lynch** what he thought about putting children in front of a computer to learn. **Mr. Lynch** said that some students learn well by computer, others learn better in other ways.

Senator Jorgenson asked for **Mr. Lynch's** opinion of Idaho Schools.

Mr. Lynch said that he hasn't walked into one school in Idaho where he wouldn't be willing to send his own son.

HJM 13

Relating to a request to Congress to establish different testing standards and yearly progress requirements for certain students under *No Child Left Behind*.

Chairman Goedde turned the gavel over to **Vice Chairman Jorgenson** so that he could present HJM 13. He said this memorial was a revised version of a memorial that was introduced last year but didn't make it out of the House. HJM 13 was crafted with the assistance of the School Board Association and endorsed by the House with many sponsors.

MOTION:

Senator Schroeder made a motion to send HJM 13 to the Senate floor with a do-pass recommendation. **Senator Marley** seconded and the motion passed with a **voice vote**.

Senator Jorgenson asked if it would be appropriate to add additional sponsors to HJM 13. **Chairman Goedde** answered affirmatively.

MOTION:

Senator Schroeder withdrew his previous motion and moved to add all members of the Senate Education Committee to HJM 13 as sponsors and send to the senate floor with a do-pass recommendation. The motion was seconded by **Senator Marley** and passed unanimously by **voice vote**.

DISCUSSION:

Discussion ensued on subjects that included the status of an RS submitted by **Senator Marley** last week, which **Chairman Goedde** promised to check out. **Senator Schroeder** said he is having an RS printed, which would reject the rule on *No Child Left Behind* for non-Title I schools. **Dr. Green** said the Idaho School Board would not be taking a position on the rule until the language was reviewed.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the meeting at 4:10 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES
SENATE EDUCATION COMMITTEE

DATE: March 9, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Gannon, Pearce, Fulcher, Burkett, Marley and Acting Senator Hatch.

**ABSENT/
EXCUSED:** Senator Burkett

GUESTS: **Dr. Larry B. Harris**, Dean, College of Education, Idaho State University (ISU)
Dr. Jeanne Christiansen, Dean, College of Education, University of Idaho (U of I)

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 Legislative Services Library.

CONVENE: **Chairman Goedde** convened the meeting at 3:00 p.m.

MOTION: **Vice Chairman Jorgenson** made a motion that the minutes from the February 22, 23 and 27, 2006, meetings be approved as written. **Senator Marley** seconded and the motion passed by a **voice vote**.

PRESENTATIONS: **Dr. Larry B. Harris** and **Dr. Jeanne Christiansen** presented overviews of their respective schools' Educational Leadership Programs. They discussed State Board-Approved Standards and different approaches in building policies and practices to prepare their students of administration to step into leadership-level positions. **Dr. Harris** recognized **Senator Marley** as one of ISU's current candidates in this program.

Chairman Goedde expressed concern with the ability of administrators to provide fair and objective evaluations. **Dr. Harris** said ISU's program offers a class on personnel management, which uses technology and classroom theory. **Dr. Christiansen** said the U of I College of Education employs a similar approach.

Chairman Goedde asked how many students are typically enrolled in these programs each year. **Dr. Harris** said ISU has approximately 30 enrolled in the principal program and three to five in the superintendent program. **Dr. Christiansen** said that U of I has approximately 35 enrolled in the principal program, with about in the superintendent program.

Senator Jorgenson asked **Senator Marley** to relate his reasons for being in the administrator's program at ISU. **Senator Marley** said he is working to receive his Administrator's Certificate. He also said that through this program, he has learned there is a broader approach to education.

H 743

Chairman Goedde assigned H 743, Facilities Funding Bill, for the Senators to review. **Senator Schroeder** asked for copies of the Supreme and District Court decisions regarding H 743.

Chairman Goedde turned the gavel over to **Vice Chairman Jorgenson** and left the meeting to attend a different meeting.

Vice Chairman Jorgenson asked **Dr. Harris** and **Dr. Christiansen** if the inquiry method of teaching is used in their programs. **Dr. Christiansen** said U of I provides both its teacher and administrator candidates a number of different teaching strategies, including the inquiry method.

Senator Schroeder asked the Deans to talk about their views on what the Legislature has done right or wrong over the past 14 years. Both Deans agreed that the Idaho Reading Initiative was an excellent move. **Dr. Harris** said that for educators to be effective, learning institutions must work closely with the legislature. He added that he would welcome the opportunity to speak to the Senate Education Committee next year.

Senator Gannon asked about effective training of superintendents who work in dissimilar communities. **Dr. Harris** replied that administrators must become familiar with the communities in which they work from the outset in order to be effective.

Vice Chairman Jorgenson asked **Senator Marley** to explain how he would deal with teacher evaluations. **Senator Marley** said that fair evaluations should be based on straightforward procedures, clear-cut policies, and input from those being evaluated. A brief discussion on merit increases ensued.

COMMENTS:

John Eikum, Executive Director for Idaho Rural School Districts and representative for Idaho Association of School Administrators, expressed concern about S 1426, which relates to consolidation of school districts.

INTRODUCTIONS:

Vice Chairman Jorgenson introduced **Rebecca Goodwin**, intern for **Chairman Goedde**, and **Joe Wooley**, his own personal intern from Couer d' Alene, both of whom gave brief statements of their respective responsibilities as interns.

ADJOURN:

There being no further business, **Vice Chairman Jorgenson** adjourned the meeting at 4:25 p.m.

Senator Jorgenson, Vice Chairman

Jeanne' Clayton, Secretary

Barbara Davidson, Assistant

MINUTES
SENATE EDUCATION COMMITTEE

DATE: March 13, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley

**ABSENT/
EXCUSED:** None

GUESTS: *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 Legislative Services Library.*

PRESENTATION: **Mr. Harvey Lyter**, Interim Superintendent for Idaho School for the Deaf and the Blind (ISDB) explained the changes in organizational structure in response to the Joint Finance-Appropriation Committee's previous year's reduction. The school's strategic planning initiatives are focusing on developing a transition model, continuing to enhance outreach programs, forming stronger ties with local school districts and managing agency personnel issues. This service model is focusing on the 40% to 50% who would benefit from a more intensive day-campus environment for deaf or blind students.

Senator Andreason asked for the time frame of this transition. **Mr. Lyter** said it would take two to three years for full implementation.

Senator Fulcher asked what the five-year projection looked like. **Mr. Lyter** said the number of students increases as the population increases. **Mr. Lyter** predicted a 4% to 5% increase.

Senator Gannon asked about the Gooding facilities after the transition. **Mr. Lyter** said the Gooding campus will transition to a Magic Valley Regional Day Campus or to another state agency.

Senator Andreason asked if the ISDB budget was set for FY07, and if they had received the \$230,000 they asked for to reach the current year's reimbursement matrix. **Mr. Lyter** said that the budget for FY07 was set, but they did not receive the funds requested.

Senator Schroeder asked if the children will receive the same educational opportunities they had in Gooding. **Mr. Lyter** said he believes as the process matures the children will receive good educational opportunities.

S 1427 Relating to the removal of outdated language applicable to the Idaho School for the Deaf and Blind. **Ms. Karen Echeverria**, Policy and Governmental Affairs Officer, Idaho State Board of Education, explained that the purpose of S 1427 is to remove outdated language and replace with language that clarifies definitions and makes the statute consistent with the historical practices of Idaho School for the Deaf and Blind.

Chairman Goedde asked Mr. Lyter for an explanation of how the ISDB budget is compiled. **Mr. Lyter** said that ISDB's budget is set up in the same as all state agencies.

MOTION: **Senator Marley** made a motion that S 1427 be sent to the Senate floor with a do-pass recommendation. **Senator Jorgenson** seconded and the motion passed with a unanimous **voice vote**.

RS 16158C1 Expands the criteria for Gubernatorial Appointments to the State Board of Education. **Senator Marley** said this legislation expands the criteria the Governor would consider to make appointments for physicians to the State Board of Education.

MOTION: **Senator Schroeder** made a motion to send RS 16158C1 to the Judiciary and Rules Committee for printing and return for further action. The motion was seconded by **Senator Andreason** and passed with unanimous **voice vote**.

S 1426 Relating to combining operations of smaller school districts. **Senator Bunderson** attended the meeting to present S 1426, which he said will reduce administrative costs and give stronger delivery of educational services in districts that do not have the resources of larger school districts. **Senator Bunderson** introduced **Mr. Jason Hancock**, Budget Policy Analyst, to answer questions.

Senator Andreason asked how this consolidation would be set up. **Mr. Hancock** said that there is nothing in the legislation that dictates to the district as to how they should set up their administration.

Senator Gannon asked how this would affect school board structures. **Mr. Hancock** said there are processes in state law that deal with consolidation, including the steps used to achieve it.

Senator Fulcher wanted to know if this would affect funding for charter schools. **Mr. Hancock** said that it would not.

Chairman Goedde asked what happens when school districts cross county boundaries. **Mr. Hancock** explained that each district is counted in its home county.

TESTIMONIES: **Dr. Mike Friend**, Executive Director for Idaho Association of School Administrators (IASA), expressed opposition of forced consolidation of school districts. He said that IASA believes consolidation works only when the people directly affected initiate and support the consolidation.

Dr. David Hocklander, Superintendent, Richfield School District, expressed concerns with S 1426, stating that as an educator and parent, he believes if consolidation is better for children it needs to be enforced, promoted and have backing behind it.

Dr. Cliff Green, representing the Idaho School Board Association, spoke in opposition to S 1426. Dr. Green said the state of Nevada tried consolidation but problems arose over time, including difficulty

monitoring accountability and increases in transportation costs. Dr. Green said he feels there are still too many unanswered questions.

John Eikum, Executive Director for Idaho Rural School District ,said his organization is opposed to S 1426.

Senator Bunderson closed by saying he was surprised there were more arguments about communities than about quality of education, and the best way to provide it is with combined resources.

MOTION: **Senator Schroeder** made a motion to hold S 1426 in the Education Committee. The motion was seconded by **Senator Gannon** and carried by unanimous **voice vote**.

DISCUSSION: **Chairman Goedde** broached the subject of a general discussion of the school facilities bill, H 743. It was the general consensus of the Committee that they would prefer to hear testimonies prior to discussing the bill.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the meeting at 4:40 p.m.

Senator John Goedde, Chairman

Jeanne' Clayton, Secretary

Barbara Davidson, Assistant

MINUTES

SENATE EDUCATION COMMITTEE

DATE: March 14, 2006

TIME: 3:00 p.m.

PLACE: Basement Conference Room, J. R. Williams Building

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Fulcher, Burkett, Marley

MEMBERS ABSENT/ EXCUSED: Senator Pearce

GUESTS: Fourth-grade students, teachers and chaperones from Bryan Elementary School in Coeur d'Alene

CONVENED: **Chairman Goedde** called the meeting to order at 3:10 p.m.

H 743 Adds to and amends existing law relating to school facilities improvement.

Vice Chairman Jorgenson made a motion to re-refer H 743 to the State Affairs Committee. After a brief discussion, the motion was seconded by **Senator Gannon** and passed by **voice vote**, **Senator Marley** dissenting.

H 712 Amends existing law relating to proprietary schools to clarify the powers of the State Board of Education in registering post-secondary educational institutions and proprietary schools.

Ms. Karen Echeverria, Policy & Governmental Affairs Officer, Idaho State Board of Education, presented H 712 and offered to take questions.

Senator Marley asked for further explanation as to the reason for the bill. **Ms. Echeverria** said that the Board wants to implement a more rigorous method of separating degreed graduate programs from non-degreed programs. Thus, when a university comes to Idaho, these learning institutions must meet different requirements, more clearly defining them.

MOTION: **Senator Marley** made the motion that H 712 be sent to the floor with a **do-pass** recommendation. **Senator Gannon** seconded, and the motion carried by unanimous **voice vote**. **Senator Marley** will carry the bill.

INTRODUCTION: **Chairman Goedde** welcomed the 4th grade students, teachers and chaperones from Bryan Elementary School in Coeur d'Alene and wished them a happy and informational time during their trip.

S 1418 Relating to approval and funding of professional-technical regional public charter schools.

Chairman Goedde referred Committee members to materials in their

folders specifying information on the proposed amendments to S 1418 and asked **Senator Cameron** to explain the materials. Senator Cameron said the proposed amendments were crafted by Dr. Hallett, Dr. West, and Mr. Tim Hill. He emphasized that local school districts want to work together to provide programs for students who would not otherwise have the opportunity.

- DISCUSSION:** A thorough discussion ensued on issues concerning: funding advantages, average daily attendance (ADA) analyses, written contracts between the high schools and technical schools, transportation, separation of the Boards of Directors, the Advanced Regional Technology Technical Consortium (ARTEC), start-up costs, and projected future fiscal impact.
- TESTIMONY:** **Ms. Jan Sylvester** testified in opposition to the bill, saying that she felt a local school district should not charter its own school, which would then become the same entity.
- MOTION:** **Senator Gannon** made a motion to send S 1418 to the 14th Order of Business for amendment. **Senator Jorgenson** seconded, and the motion passed unanimously on a **roll-call vote**, **Senators Schroeder** and **Burkett** voting yes, with expressed caveats.
- MINUTES:** **Senator Schroeder** made a motion to approve the Senate Education Committee meeting minutes from February 28, March 1, 2, 6, and 7. **Senator Jorgenson** seconded, and the motion passed by unanimous **voice vote**.
- RS 16221** **Senator Burkett** asked **Chairman Goedde** if RS 16221 could be held for the following day's business to allow time for language refinement. Senator Goedde replied affirmatively.
- CONVENE:** There being no further business, the meeting adjourned at 4:20 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

DATE: March 15, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley

**ABSENT/
EXCUSED:** None

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 Legislative Services Library.

CONVENE: **Chairman Goedde** called the meeting to order at 3:00 p.m.

RS 16221 Relating to proposed changes to the *Idaho No Child Left Behind* (NCLB) Act, which places a moratorium on sanctions for non-Title I schools. **Senator Burkett** asked that RS 16221 be held until Monday to allow time for further language refinement.

HCR 58 Relating to the establishment of a program to improve the training of elementary school teachers in the disciplines of math and science. **Representative Trail** explained that HCR 58 urges the establishment of improved training of elementary school teachers in the disciplines of math and science. He said the bill is directed to the presidents of Idaho's universities to encourage increased commitment to the promotion of programs that further the training of elementary teachers in math and science.

MOTION: **Senator Andreason** made a motion to send HCR 58 to the Senate floor with a **do-pass** recommendation. **Senator Marley** seconded, and the motion passed with a unanimous **voice vote**. **Senator Andreason** will carry HCR 58 on the Senate floor.

H 684 Relating to a name change of Idaho State Library to Idaho Commission for Libraries. **Ann Joslin**, Idaho State Librarian, spoke in support of H 684. She explained the bill is to change the name of her state agency to better reflect what the agency does today.

MOTION: **Senator Andreason** made a motion to send H 684 to the Senate floor with a **do pass** recommendation. The motion was seconded by **Senator Jorgenson**.

AMENDED MOTION: **Senator Andreason** requested that his motion, seconded by **Senator Jorgenson**, to send H 684 to the floor with a **do-pass** recommendation be amended to send H 684 to the consent calendar. **Chairman Goedde** acknowledged the amendment and, hearing no objections, H 684 will be sent to the consent calendar.

H 752 Removes outdated references to the Idaho Student Information Management System (ISIMS). **Ms. Karen Echeverria**, Policy and Governmental Affairs Officer, State Board of Education, said that H 752 is in part housekeeping legislation and also allows the State Board of Education to be able to adopt rules, should funds become available for the formulation of an information management system. The Board hopes to apply for federal grant monies this spring to start a student information management program.

MOTION: **Senator Gannon** made a motion to send H 752 to the consent calendar, and **Senator Jorgenson** seconded the motion.

DISCUSSION: A discussion ensued regarding privacy issues of a student identification system. **Senator Fulcher** asked if Board created rules, would they still need to come to the Education Committee for approval. **Chairman Goedde** said the Board could adopt temporary rules until such time as the Education Committee could meet to approve them.

TESTIMONY: **Dr. Robert West**, Legislative Liaison for the Idaho State Department of Education, spoke in favor of H 752.

Ms. Pat Burnam speaking on behalf of Idaho Eagle Forum in opposition of H 752.

AMENDED MOTION: **Senator Burkett** made a motion to send H 752 to the Senate floor with a **do-pass** recommendation. The motion was seconded by **Senator Marley** and passed with a **voice vote**, **Senator Schroeder** voting no.

DISCUSSION: **Financial Accountability - Senator Schroeder** suggested that in accordance with recommendations by the Office of the Attorney General, definitions be established by the Committee as to what constitutes: (1) a school, (2) a virtual school, (3) average daily attendance, and (4) an employee, which will enable all school districts to operate uniformly.

After a brief discussion, it was agreed that **Senators Schroeder, Gannon, Andreason and Marley** will meet to formulate a request for clarification by the Office of Performance Evaluation.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the meeting at 4: 05 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** March 16, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** None
- GUESTS:** *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 Legislative Services Library.*
- CONVENE:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- HCR 61** Relating to ad hoc committee findings regarding High School Redesign. **Senator Burkett** asked that HCR 61 be deferred to Monday, March 20, 2006, to allow time for further language refinement. Chairman Goedde affirmed.
- H 742 aa** Relating to clarification of status of the Idaho Digital Learning Academy. **Chairman Goedde** deferred this bill to Tuesday, March 21, 2006.
- S 1377** Public school funding formula. **Senator Andreason** introduced **Dr. Linda Clark**, Meridian School District Superintendent, to present S 1377. **Dr. Clark** spoke in support of this bill and said that it would provide school districts with the initial funds to open new schools and expand classroom space, based on growth.
- TESTIMONIES:** **Ms. Wanda Quinn**, School Trustee from Coeur d' Alene, spoke in support of S 1377. She said the bill is a one-time expense and would significantly help schools in North Idaho.
- Mr. George Grant**, Superintendent Valley View District, said he spoke with the Valley View Board, who support S 1377. He said the Valley View District is experiencing unprecedented growth and passing this bill would greatly help the challenges they are now facing.
- Ms. Connie Roberts**, Trustee for Kuna, spoke in support of S 1377. The growth in her district over the last five years has been 6%. **Ms. Roberts** said the passing of this bill would help them be proactive with growth in the future.
- Ms. Christine Donnell**, Personnel Director of Middleton School District, said their schools are bursting at the seams and asks for legislative support for S 1377.

Mr. Gary Larsen, Chief Financial Officer in Nampa School District, said that Nampa is cutting textbooks, salaries, and budgets spoke in support of S 1377.

Ms. Eeve Kiler, Financial Director for Meridian School District, testified in support of S 1377 and gave an example of cost for opening a new school.

Mr. Mike Vuittonet, Trustee for Meridian School District, said Meridian School District is growing at a rate of approximately 2,000 students per year. He spoke in support of S 1377, emphasizing the focus needs to be on students and their education.

MOTION: **Senator Andreason** made a motion to send S 1377 to the Senate floor with a **do-pass** recommendation. The motion was seconded by **Senator Burkett**.

DISCUSSION: **Senator Schroeder** suggested the Committee delay the approval of S 1377 until such time as they can review details concerning overrides, per capita income by county, and other information. **Chairman Goedde** asked **Mr. Dwight Johnson**, Executive Director of the State Board of Education, if he could provide this information to the Committee. **Mr. Johnson** said that he would.

SUBSTITUTE MOTION: **Senator Schroeder** moved that a decision on S 1377 be delayed until a future date. **Senator Pearce** seconded the motion, which passed with a **voice vote**, **Senators Fulcher, Andreason** and **Burkett** voting **no**.

Chairman Goedde deferred the further hearing of S 1377 until Tuesday, March 21, 2006.

ADJOURN: **Chairman Goedde** adjourned the meeting at 3:35 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** March 20, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
- ABSENT/
EXCUSED:** Senator Marley
- GUESTS:** *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 Legislative Services Library.*
- CONVENE:** **Chairman Goedde** called the meeting to order at 3:05 p.m.
- Senator Schroeder** informed the Committee that a letter was being prepared for Rakesh Mohan of the Office of Performance Evaluation (OPE) with respect to clarification of enforcement authority issues, which would be hand-carried within the hour.
- HJM 18a** Relating to amendments to Idaho's *No Child Left Behind* program. **Senator Werk** presented HJM 18a and explained the bill requests that English as a second language (ESL) students be allowed to opt out of testing requirements until such time as the students are able to interpret the English language well enough to read instructions.
- TESTIMONY:** **Ms. Sherri Wood**, President of Idaho Education Association, spoke in support of HJM 18a. **Ms. Wood** explained the frustration of ESL students and their determination to succeed in tests that require the ability to interpret English.
- Ms. Sherilyn Paris**, ESL teacher at Franklin Elementary, asked for the Education Committee's support for HJM 18a, recognizing the needs of these ESL students.
- Mr. Sam Byrd**, Center for Community and Justice, said his organization supports HJM 18a. **Mr. Byrd** explained that it is unethical to test these children when you already know the outcome.
- MOTION:** **Senator Schroeder** made a motion to send HJM 18a, as amended, be sent to the Senate floor with a **do pass** recommendation. **Senator Gannon** seconded, and the motion passed with a **voice vote**. **Senator Werk** will carry the bill on the floor.
- HCR 61** Relating to information compiled on High School Redesign. **Representatives Bradford** and **Kemp** reported on a survey that had been compiled and taken by a House ad hoc committee for the purpose of learning the opinion of high school superintendents on the High

School Redesign issue. The results of the survey were distributed to Committee members for review.

A brief discussion ensued concerning funding, should the rule go into effect. **Ms. Karen Echeverria**, Policy and Governmental Affairs Officer for the State Board of Education, said the rule would be withdrawn if funding fell through.

Dr. Bob West, Idaho State Department of Education (ISDE), said ISDE supports HCR 61 and welcomes the opportunity to work with the State Board of Education.

Ms. Jane Lesko, President of the Idaho Eagle Forum, spoke in opposition to HCR 61.

F. Willard Robinson, Ed.D, a supporter of education, spoke in opposition to HCR 61. **Dr. Robinson** feels there are major concerns that first need to be addressed.

John Eikum, representing the Idaho Association of School Administrators, spoke in support of HCR 61. **Mr. Eikum** said the bill would provide administrators throughout the state the opportunity to contribute input to future rules revision.

Mr. Dwight Johnson, Executive Director for State Board of Education, spoke in support of HCR 61.

Chairman Goedde declared that a vote on HCR 61 would be delayed until the following day, Tuesday, March 21, 2006.

S 1380

Provides direction for high school redesign. **Senator Burkett** said he is currently working on an amendment to S 1380. He stated his belief that the bill should include rigor across all subjects taught in high school, not only math and science.

Ms. Karen Echeverria said her concerns had already been addressed, which were: the need for two years of funding before the program is implemented, the option for students to opt out of the math and science requirements, and the Board's difficulty to comply with certain requirements if a student information system is not in place. Discussion ensued regarding possible amendments to S 1380.

Chairman Goedde asked that further discussion of the bill continue the next day, due to time constraints.

RS 16221

Relating to proposed changes to Idaho's *No Child Left Behind* (NCLB) program, which would place a moratorium on sanctions for Non-Title I schools. **Senator Burkett** said that a similar RS is being introduced in the House and asked that RS 16221 be put on hold for now.

ADJOURN:

There being no further business **Chairman Goedde** adjourned the meeting at 4:30 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

DATE: March 21, 2006
TIME: 3:00 p.m.
PLACE: Room 433
MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Burkett, Marley
MEMBERS ABSENT/ EXCUSED: None

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 Legislative Services Library.

CONVENED: **Chairman Goedde** convened the meeting at 3:05 p.m.

HCR 61 **Relating to information compiled on High School Redesign.** At the request of **Chairman Goedde, Representatives Kemp** and **Bradford** presented closing remarks in support of HCR 61 and answered questions from the Committee.

H 770 **Relating to additional instructional staff allowances for secondary schools.** **Representative Roberts** presented H 770 and distributed material listing qualifying schools.

TESTIMONY: **Representative Roberts** introduced **Superintendent Wayne Davis**, Joint School District #241, who spoke of the difficulty of administering schools located great distances from one another. Challenges have arisen because of the lack of teachers, which translates into fewer available courses for students, especially electives. He said that many high school seniors are asking to graduate early so they can proceed with their education at higher learning institutions that offer the courses they need.

Ms. Becky Hogg, Business Manager for School District #241, spoke in support of the bill and said the lack of resources hampers the ability to hire needed teachers and staff. She said that students are entitled to excellent educational opportunities, regardless of where they live.

Senator Burkett asked if the intent of H 770 is to encourage small districts to consolidate. **Ms. Hogg** said their only interest is in surviving and meeting the needs of their students. **Senator Gannon** asked if they had taken advantage of remote teaching. **Superintendent Davis** said they are attempting to use this resource but the high cost of phone access is a deterrent. **Senator Pearce** asked about typical classroom size. **Superintendent Davis** gave a breakdown of typical class sizes,

which ranged from two to 15, depending on location and course. Core class sizes are generally higher.

Ms. Bobbi Bodine, Board member of Joint School District #241, spoke in support of the bill. She said increased property values, decreased timber money, and declining enrollment have resulted in the necessary reduction of teachers and consequent reduction of electives. Vo-tech and the arts have been lost. Activities are run by community funding.

Senators Schroeder, Jorgenson, and Pearce asked questions concerning: poor versus rich school districts, how elementary schools are affected, and the status of the activities programs.

Ms. Robin Tellis, Salmon River Principal, spoke of the difficulty of teachers who must teach diverse classes over the course of a day and are consequently feeling "burned-out." Students learning Spanish via the computer do not have the needed personal interaction.

Ms. Sarah Barber, Student body President from the Riggins High School, spoke of the lack of electives, such as psychology and art, which imposes a hardship on high school students.

Dr. Cliff Green spoke in support of H 770, saying the affected districts are doing a lot with few resources. **Senator Burkett** asked if the bill applies to all districts. **Dr. Green** said he thought seven districts were affected. Discussion ensued concerning the definition of separate secondary schools; Committee members were referred to Idaho Code Section 33-1004 for clarification.

Representative Roberts closed by saying he believes the bill is justified.

Further discussion ensued and questions were asked of **Mr. Tim Hill**, Fiscal Officer for the Department of Education, concerning affected schools and the definition of separate secondary schools. Mr. Hill said that clarification would be helpful. **Chairman Goedde** asked Representative Roberts if he would be amenable to amendments. **Representative Roberts** said he was agreeable.

MOTION: **Senator Schroeder** made a motion to send H 770 to the 14th Order of Business for amendment. **Senator Jorgenson** seconded, and the motion carried by unanimous **voice vote**.

S 1377 **Public school funding formula.** **Chairman Goedde** called on Mr. **Eric Exline**, Public Information Officer of the Meridian Joint School District.

TESTIMONIES: **Mr. Exline** addressed the fiscal impact, local taxation, and levies that support the Meridian School District. He talked about the funding formula and said the bill would help open new schools and keep up with growth.

Dr. Cliff Green spoke in support of the bill and said it is a solution to the problem of rapidly growing school districts. He also spoke as a father to two students who are using out-of-date textbooks.

Senator Schroeder asked about the current cash balance of the Meridian School District. Dr. Green deferred to **Mr. Exline**, who said the current balance was approximately \$12 million. **Senator Schroeder** had earlier requested information from **Jason Hancock** relative to tax levies and bond levy equalization index calculations, which was distributed to Committee members for their perusal.

Dr. Bob West distributed a letter of testimony on S 1377 and spoke in support of the bill with questions: (1) what is eligible to be included in the definition of an "addition" to an existing school facility, and (2) which per-pupil expenditure is to be used in calculating the "per pupil expenditure for the district in the previous school year."

DISCUSSION: A thorough discussion ensued concerning: the definition of "addition," per-pupil expenditures, per capita income, accrual of revenue, total expenditures by district, bond levy equalization, and timing of cash distributions.

MOTION: **Senator Andreason** had made a motion to send S 1377 to the floor with a **do-pass** recommendation during the Senate Education Committee meeting of March 16, **Senator Burkett** seconding the motion. **Chairman Goedde** asked Senator Andreason if his motion was still valid, and **Senator Andreason** replied affirmatively. A **roll-call** vote was taken, and S 1377 was sent to the floor with a **do-pass** recommendation, **Senators Andreason, Gannon, Fulcher, Burkett, and Marley** voting **yes**, **Chairman Goedde** and **Senators Jorgenson, Schroeder, and Pearce** voting **no**. **Senator Andreason** will carry the bill to the Senate floor.

ADJOURNMENT: **Chairman Goedde** adjourned the meeting at 4:35 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** March 22, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Marley, Clark (for Senator Burkett).
- ABSENT/
EXCUSED:** None
- CONVENE:** The meeting was called to order by **Chairman Goedde** at 3:10 p.m.
- GUESTS:** *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 Legislative Services Library.*
- H 742aa** Clarifies status of the Idaho Digital Learning Academy (continued from previous day). **Senator Marley** introduced **Ms. Donna Vakili**, Director of Idaho Digital Learning Academy (IDLA), who presented H 742aa, which is essentially to clarify IDLA as a state entity for insurance purposes.
- MOTION:** **Senator Schroeder** made a motion to send H 742aa, as amended, to the **consent calendar**. **Senator Marley** seconded, and the motion carried with a unanimous **voice vote**.
- HCR 61** Relating to information compiled on High School Redesign (continued from previous day). **Senator Schroeder** said the Committee has been directed to print the RS rejecting the rule for the math and science standards. **Chairman Goedde** said the rule passed the House this morning by a vote of 11-7.
- MOTION:** **Senator Schroeder** made a motion to hold HCR 61, at the pleasure of the Chairman, until further information is forthcoming. **Senator Pearce** seconded, and the motion carried with a **voice vote**. HCR 61 will therefore be held in Committee.
- S 1438** Amends Idaho Code 33-517 to ensure fair employment standards for non-certified public school district employees.
- Chairman Goedde** reviewed the genesis of S 1438, along with S 1439 and S 1440, all of which had failed in Committee during the last legislative session.
- TESTIMONY:** **Dr. Clifford Green**, representing the Idaho School Board Association (ISBA), spoke in opposition to S 1438. He said that while ISBA recognizes the important role of the non-certified employee, he urged the

Committee to leave control to the school districts.

Mr. Steven Meade, General Counsel for ISBA, clarified the definition of property rights and said he believed property rights would not be an issue if this bill should become law.

Mr. Marty Meyer, elementary school custodian in Coeur 'd Alene for over 25 years, spoke in support of S 1438, S 1439 and S 1440. He said that in order to be successful, school employees need timely evaluations so they know what is expected of them.

Ms. Debbie Flory, Title-I/Special Ed Teacher and para-educator for Boundary County School District for 16 years, spoke in support of S 1438. She said she feels the bill would help schools to be more effective. She also spoke of the positive outcomes of their meet-and-confer spring program in Boundary County.

Dr. Mike Friend, Executive Director of Idaho Association of School Administrators, introduced **Mr. Rob Winslow**, Principal of Jackson Elementary, who will be taking Dr. Friends' position as Executive Director when he retires this summer. **Dr. Friend** commented in opposition to S 1438.

Mr. Shackelford said he believes the passage of S 1438 would benefit non-certified public school employees and urged the Committee to vote yes on S 1438.

MOTION: **Senator Jorgenson** made a motion to send S 1438 to the floor with a **do pass** recommendation. The motion was seconded by **Senator Marley**.

COMMENTS: **Senators Gannon** and **Jorgenson** commented on why they felt the bill was a good one.

ROLL CALL VOTE: **Senator Jorgenson** made a motion to send S 1438 to the floor with a **do pass** recommendation. **Senator Marley** seconded, and a roll call vote was taken. Voting yes were **Senators Marley, Clark, Gannon, Andreason, Schroeder, Jorgenson** and **Chairman Goedde**. Voting no were **Senators Fulcher** and **Pearce**. The motion **passed** 7 to 2.

S 1439 Provides a probationary period for non-certified public school district employees.

TESTIMONY: **Ms. Mary Grace Condon**, Computer Assistant/Computer Instructor with Twin Falls School District for Sawtooth Elementary, spoke in support of S 1439. She said she has always been an at-will employee and has never felt stability. **Ms. Condon** also supported S 1440, explaining that her district does give written notice of employment status, which is appreciated.

Ms. Flory spoke in support of S 1439. She said her district has used the probationary process over the last two years, and have found that it works well.

S 1440 Provides for written notice of employment status of non-certified public

school district employees no later than May 15.

Hearing of S 1440 was postponed a day, due to the late hour.

ADJOURN: **Chairman Goedde** adjourned the meeting at 4:40 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES
SENATE EDUCATION COMMITTEE

DATE: March 23, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Marley, and Clark (for Senator Burkett).

**ABSENT/
EXCUSED:** None

GUESTS: *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 Legislative Services Library.*

CONVENED: **Chairman Goedde** called the meeting to order at 3:00 p.m.

RS 16247C1 Provides frameworks for a private industry scholarship program for math and science teachers.

MOTION: **Senator Marley** made a motion to send RS 16247C1 to the Judiciary and Rules Committee for printing. **Senator Jorgenson** seconded the motion and the motion carried with a unanimous **voice vote**.

RS 15768 Rejecting pending rules of State Board of Education governing thoroughness. **Senator Schroeder** explained that RS 15768 was drawn up after the Education Committee voted 5 to 4 to reject the math and science restructure. The effect of this bill would be to reject the rules of the High School Redesign.

MOTION: **Senator Schroeder** made a motion to send RS 15768 to the Judiciary and Rules Committee for printing. **Senator Marley** seconded the motion and the motion carried with a unanimous **voice vote**.

H 750a Relates to acts of "harassment, intimidation or bullying." **Representative Trail** presented H 750a, the purpose of which is to raise awareness of harassment, intimidation and bullying, and to provide the authority for enforcement. He said traditional bullying continues unabated and has also taken a new form, "cyber-bullying," which is subtle and far-reaching.

DISCUSSION: **Senator Marley** asked why the bill had amended the penalty to an infraction instead of a misdemeanor. **Representative Trail** said that discussion with Representative Wills, retired law enforcement officer, felt that an infraction would be less harsh than a misdemeanor, but would still get the point across to a young student.

In answer to a question from **Senator Marley** about how teachers would implement the new bullying rules, **Representative Trail** said teachers would attend training.

Dr. Cliff Green, Executive Director, Idaho School Board Association, said the teachers would be given direction on how to carry out the intentions of this bill. He said the School Board Association would appreciate support for H 750a.

Senator Fulcher expressed concerns with opening the door for legal intrusions and asked what the penalty was for an infraction.

Representative Trail said they had met with the Attorney General's Office, School Board, and State Department, and it was the general consensus that the issue of legal intrusion would be minimal.

Representative Trail explained that the penalty for an infraction usually involves a warning and sometimes a fine.

TESTIMONY:

Dr. Bob West, representing State Department of Education, spoke in support of H 750a. He said that **Representative Trail** had met with many agencies for their recommendations.

Senator Jorgenson said that most schools have a School Resource Officer. **Dr. West** replied that 43 school districts are without SROs.

Ms. Sherrie Fiest, Idaho Parent Teacher Association, encouraged the Committee to support H 750a. She said with the passing of this bill, local schools will have support from the School Board to discipline.

Mr. John Eikum, Executive Director for Rural Schools, and also representing Dr. Mike Friend, Executive Director for Idaho Association of School Administrators, spoke in support of this bill.

Dr. Green said the bill provides tools for schools to deal with bullying and guidance for administrators and teachers on how to discipline.

Representative Nielsen talked about bullying today being much more sophisticated. He urged the committee to vote yes on H 750a.

MOTION:

Senator Jorgenson made a motion to send H 750a to the Consent Calendar. **Senator Andreason** seconded the motion, which carried with a unanimous **voice vote**.

H 702a

Relating to post-secondary education scholarships. **Representative Trail** presented H 702a, explaining the bill would create a needs-based scholarship and loan program. He said that many outstanding students from low income families fall through the cracks because of their inability to obtain a financial aid package. H 702a would provide financial help.

DISCUSSION:

Senator Jorgenson asked if there was any official form of tracking students who graduate from and leave Idaho. **Dr. West** explained that there is no tracking of graduates or transfers.

Chairman Goedde asked if it was **Representative Trail's** intention that the Board would establish rules so that if a student was awarded this scholarship, and was eligible for other scholarships, the student couldn't actually earn monies while going to school. **Representative Trail** said it was his understanding there would be provisions to prevent excess amounts of money for which an individual would qualify. He said the

students must have a minimum 3.0 grade point average to qualify for federal assistance. **Senator Gannon** commented that these monies go to the universities and not to the students.

Senator Fulcher wondered if it was fair to expect people who have more money to pay for the education of children whose parents have less money.

TESTIMONY:

Ms. Dana Kelly, Student Affairs and Program Manager for the Idaho Office of the State Board of Education spoke in support of H 702a. She said she works with students and their families regarding financial aid and also speaks in support of the bill for the University of Idaho.

Mr. David Tolman, Director of Financial Aid at Boise State University and President of State Association of Financial Aid Administrators, spoke in favor of H 702a. **Mr. Tolman** distributed a chart that exhibited estimated financial resources available by family income level.

Senator Jorgenson asked for **Mr. Tolman's** opinion on why students drop out of college. **Mr. Tolman** replied that research showed the main reason for student drop-out was financial needs.

Senator Fulcher asked if there were any studies done on the performance of students who pay for their own education vs. those who receive the funds for their education from other sources. **Mr. Tolman** didn't know of any such studies. He did say students who work between 10-20 hours per week have better academic performance than those who do not work at all, and students who work over 20 hours per week have poor academic performance.

Mr. Doug Severs, Financial Aid Director for Idaho State University (ISU) spoke in support for H 702a. He mentioned the increase of students with families who need financial aid. **Mr. Severs** said if ISU could get a program with additional monies they can help and retain more students. ISU funds nearly 10,000 students a year and have 2,000 graduates per year.

MOTION:

Senator Gannon made a motion to send H 702a, as amended, to the Senate floor with a **do pass** recommendation . **Senator Andreason** seconded the motion.

SUBSTITUTE MOTION:

Senator Jorgenson made a substitute motion to hold H 702a in Committee. **Senator Fulcher** seconded the motion and a roll call vote was taken.

Voting yes were **Senators Clark, Fulcher, Pearce, Jorgenson,** and **Chairman Goedde**. Voting no were **Senators Marley, Gannon, Andreason** and **Schroeder**. The motion **passed** with a five to four vote, and H 702a will be held in Committee.

ADJOURN: There being no further business, **Chairman Goedde** adjourned the meeting at 4:55 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

Barbara Davidson
Assistant

MINUTES

SENATE EDUCATION COMMITTEE

- DATE:** March 28, 2006
- TIME:** 3:00 p.m.
- PLACE:** Room 433
- MEMBERS PRESENT:** Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Marley, and Clark (for Burkett)
- MEMBERS ABSENT/ EXCUSED:** None
- GUESTS:** *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 Legislative Services Library.*
- MINUTES:** **Senator Gannon** made a motion that Senate Education Committee meeting minutes for March 8, 9, 13, 14, 15, and 16, 2006, be approved as written. **Senator Fulcher** seconded, and the motion was carried unanimously by **voice vote**.
- H 739** **Senator Werk** summarized H 739 for the Committee. This legislation would allow for students with limited English proficiency who have been enrolled in Idaho's public schools for less than two years to be excluded from the requirements to participate in Idaho's direct writing and direct mathematics assessments on the condition that the student scores less than a level four on the state assessment used to determine English language proficiency and the parents or guardians of the students and the students' teachers agree that such an exclusion would be educationally appropriate. **Senator Werk** said that it is unfair and unreasonable to expect students to interpret test instructions and questions when they have not yet become academically fluent in written English language.
- TESTIMONIES:** **Ms. Sheri Wood**, President of the Idaho Education Association (IEA), spoke in support of H 379. She distributed a writing sample from a fifth-grade English-as-a-Second Language (ESL) student and asked Committee members to read it. She said IEA strongly believes that exemption for ESL students is the least that can be done to help these children.
- Ms. Brenda Southwick**, teaches English as a second language at Hailey Elementary in District 61. She spoke in support of the bill and said that it is unfair to give these assessments to fourth-grade ESL students when it is known beforehand that the students are doomed to failure due to their inability to read and interpret the assessments.
- Ms. Sherilyn Paris**, elementary school teacher representing IEA, spoke

in support of this legislation. She asked that these ESL students be given an opportunity, stating that it takes time to learn a language well enough to excel academically.

MOTION: **Senator Schroeder** made a motion to send H 739 to the floor with a do pass recommendation. **Senator Gannon** seconded, and the motion passed with a unanimous **voice vote**. **Senator Werk** will carry the legislation on the Senate floor.

S 1439 Provides for a probationary period for non-certified public school district employees. **Mr. Jim Shackelford**, Idaho Education Association, presented the history of S 1439, the concept of which was considered during the last legislative session. S 1439 is one of three pieces of legislation that addresses non-certificated public school district employees. This particular bill provides a probationary period for non-certified employees after they have been employed for 180 days.

Mr. Shackelford reviewed the proposed legislation in detail, explaining its rationale, and addressing possible concerns. He said the bill simply asks that non-certified employees (1) be told if they are not doing their job, (2) be given suggestions as to what they can do to improve, and (3) be given time to make those improvements.

TESTIMONY: The testimony of **Ms. Debbie Floyd**, classroom support professional from Boundary County, was distributed in her absence.

Senator Schroeder asked Mr. Shackelford if a conflict of interest occurred in the three similar bills. **Mr. Shackelford** replied that he felt there was no conflict of interest.

TESTIMONY: **Mr. John Eikum**, Executive Director of the Idaho Rural Schools Association (IRSA), questioned the eight-week time period after an individual is employed 180 days, which he said assumes the employee is guaranteed 180 days' employment. IRSA stands in opposition to the bill.

Dr. Clifford Green, Executive Director of Idaho School Boards Association, spoke in opposition to the bill. He quoted a list of benefits currently granted to non-certified public school employees and stressed the importance of flexibility in managing non-certified employees. Dr. Green distributed a letter from the ISBA with an attached opinion letter from William von Tagen of the Attorney General's office (Attachment A). Mr. von Tagen's letter essentially said that he believes S 1439 creates limited property rights for this category of staff, which would prevent dismissal during the eight-week period unless the district could prove misconduct or criminal behavior.

DISCUSSION: **Senators Schroeder, Marley, Andreason**, and **Chairman Goedde** discussed issues that included: the definition of the word "misconduct," potential grievances and lawsuits, and the time-frame of the 180-day employment period. **Mr. Steven Meade**, attorney for ISBA, reiterated **Dr. Green's** objections to S 1439, and **Mr. Alan Herzfeld**, attorney for IEA, commented in support of the bill.

Mr. Shackelford made closing comments in support of the S 1439.

MOTION: **Senator Marley** made the motion to send S 1439 to the Senate floor with a do pass recommendation. The motion was seconded by **Senator Clark**. A roll-call vote was taken, which ended in a tie (**Senator Jorgenson** was not present for the vote). The motion therefore **failed**, **Senators Schroeder, Andreason, Clark** and **Marley** voting **yes**; **Chairman Goedde** and **Senators Gannon, Pearce**, and **Fulcher** voting **no**.

ADJOURNMENT: **Chairman Goedde** adjourned the meeting at 4:10 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary



5

Idaho School Boards Association, Inc.

"Trustee Leadership for Excellence in Idaho Public Education 5909 W State Street, Boise, Idaho 83703-3039
Phone (208) 854-1476 Fax (208) 854-1480

MEMORANDUM

To: Idaho State Senate Education Committee

From: Dr. Clifford L. Green Executive Director

Date: March 28, 2006

Re: Senate Bill 1439

"The rule in Idaho, as in most states, is that unless an employee is hired pursuant to a contract which specifies the duration of the employment, or limits the reasons for which the employee may be discharged, the employment is at the will of either party, and the employer may terminate the relationship at any time for any reason without incurring liability. The only general exception to the above **rule is that an employer may be liable for wrongful discharge when the motivation for discharge contravenes public policy.**" See *Metcalf v. Intermountain Gas Co. 116 Idaho 622 Citing Jackson v. Minidoka Irrigation Dist., 98 Idaho 330 (1977).*

SB 1439 includes a requirement that noncertificated employees be given an eight-week probationary period to correct inadequate performance. There is no eight-week requirement for employee misconduct or criminal behavior. ("Misconduct" is undefined.) See *Page 1 Line 25-35*

I believe this section creates a limited property right for this category of staff, which would prevent dismissal during this eight-week period unless the district could prove misconduct or criminal behavior. (Excerpt from letter to The Honorable John Goedde, from Deputy A.G. William A. von Tagen, dated February 14, 2006.)

If this proposed amendment to I.C. 33-517 is passed you have a contradiction in the law: On one hand, the law you are passing grants a limited property right, on the other hand the statute says there is no property right. (See *proposed change Page 3, Lines 16-18.*)

Idaho Case Law holds that when a court interprets the meaning of the statute there can be no contradiction in the

~ See **State v. Forch, 26 Idaho 755, 146 P. 110 (1915).**

To Very settle the conflict of whether there is a property right the court will apply the rules of statutory construction to try and
deter truly mine what you actually intended by passing this legislation.

One of the primary rules of statutory construction is that whenever a statute contains a clause which is directly contrary to what the
legis lative put in the rest of the statute, the clause that doesn't make sense will be treated as surplus language will be
thrown out. See *State v. Forch, 26 Idaho 755, 146 P. 110 (1915).*

In other words, the court will eliminate the language from Page 3, Lines 16-18 which states: (3) To provide that no property rights shall attach to the employment of a noncertificated employee of the school district by reason of the requirements set forth in this section."

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

LAWRENCE O. WASDEN

February 14, 2006

The Honorable John Goedde
Idaho State Senate
STATEHOUSE

Re: Our File No. 2006LE0084
RS1 6023 Noncertificated Personnel Employed by a School District

Dear Senator Goedde:

I am writing in response to your inquiry regarding the above-noted legislation. This response will address only the specific issue of property rights.

Idaho Code § 33-51 7(1)(c) requires that non-certificated employees be given a minimum of an *eight-week* opportunity to correct inadequate performance. There is no eight-week requirement for employee misconduct or criminal behavior. ("Misconduct" is undefined.) I believe this section creates a limited property right for this category of staff, which would prevent dismissal during this eight-week period unless the district could prove misconduct or criminal behavior. Dismissal after the eight-week period would be permissible only if the employee received written notice and assistance in developing a plan for improvement that included standards for success.

Idaho Code § 33-17(3) requires districts to send a yearly notice of intent to re-employ or not re-employ. This section does not address what happens if no such notice is sent. Clarification that this section does not create a property right in employment should be considered.

I hope the information contained herein will be of assistance to you. If you have further questions, do not hesitate to call upon me.

Very truly yours,

William A. Von Tagen
Deputy Attorney General
Chief, Intergovernmental and Fiscal Law Division

WAT/mdw

MINUTES

SENATE EDUCATION COMMITTEE

DATE: March 29, 2006

TIME: 3:00 p.m.

PLACE: Room 433

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Jorgenson, Senators Schroeder, Andreason, Gannon, Pearce, Fulcher, Marley, and Clark (for Senator Burkett)

MEMBERS ABSENT/ EXCUSED: None

GUESTS: **Mr. Paul C. Agidius**

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 Legislative Services Library.

CONVENE: **Chairman Goedde** convened the meeting at 3:00 p.m.

GUBERNATORIAL APPOINTMENT **Chairman Goedde** introduced **Mr. Paul C. Agidius**, who is being reappointed to the State Board of Education by Governor Kempthorne to serve a term commencing March 1, 2006 and expiring March 1, 2011.

Mr. Agidius presented a brief history of his professional background and stood for questions, of which there were none.

MOTION: **Senator Schroeder** made a motion to send the appointment of **Paul C. Agidius** to the State Board of Education, to the floor with a **do pass** recommendation. The motion was seconded by **Senator Andreason** and the motion passed by unanimous **voice vote**.

H 698 Relating to eligibility criteria for scholarships for drug, alcohol, and tobacco-free students.

Chairman Goedde asked Representative Block to present H 698 briefly, as there was only five minutes' time before Committee members would be called to the Senate floor.

Representative Block reviewed the provisions of this bill and said that an amendment had been drafted, which clarifies certain questions that have arisen since the preparation of the original language.

TESTIMONIES:

Chairman Goedde advised Representative Block that enough time remained to hear one or two brief testimonies.

Ms. Jennie Barr, a student at Meridian Medical Charter school, spoke for the other individuals who had come to testify in support of H 698. She said there was a need for this program, which she felt would motivate students to refrain from using drugs and alcohol.

Mr. John Hathaway, Region 5 Director of the Department of Health and Welfare, spoke in support of H 698, stressing the need for a bill that would help stem the tide of drug use, especially the rapid rise in students' methamphetamine use.

Questions were posed by **Chairman Goedde** and **Senators Gannon** and **Pearce** concerning: current high schools drug-testing programs, funding, the student application process, and monitoring.

Representative Block said that concerns had been satisfied in an amendment, which Committee members did not have in their packets. **Chairman Goedde** commented that H 698 would go to the amending order, even if it were to be approved.

MOTION:

Senator Schroeder made the motion that H 698 be held in Committee until it can be reviewed in complete detail by all Committee members. The motion was seconded by **Senator Gannon**. A **roll call** vote was taken, and the motion was unanimously approved. H 698 will therefore be held in Committee until such time as it can be reviewed thoroughly.

CONVENE:

Chairman Goedde adjourned the meeting at 3:20 p.m.

Senator John Goedde
Chairman

Jeanne' Clayton
Secretary

BUCK SLIP

DATE: April 3, 2006
 FROM: CHAIRMAN GOEDDE
 TO: MEMBERS OF THE EDUCATION COMMITTEE
 SUBJECT: MINUTES OF MARCH 20, 21,22, 23, 28, 29, 2006

Please indicate your desires on this buck slip.

Name	Approved Do Pass					
Senator John Goedde, Chairman	✓					
Senator Michael Jorgenson, Vice Chairman	✓					<i>Michael Jorgenson</i>
Senator Gary Schroeder	✓					<i>Gary Schroeder</i>
Senator John Andreason	✓					<i>John Andreason</i>
Senator Tom Gannon	✓					<i>Tom Gannon</i>
Senator Monty Pearce	✓					<i>Monty Pearce</i>
Senator Russell Fulcher	✓					<i>Russell Fulcher</i>
Senator Mike Burkett	✓					<i>Mike Burkett</i>
Senator Bert Marley	✓					<i>Bert Marley</i>


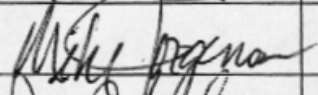
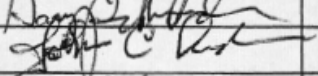
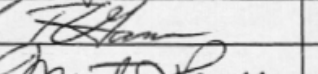
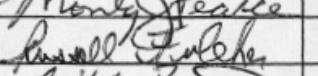
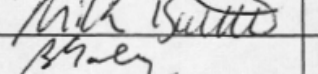
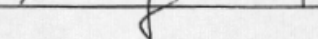

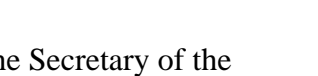
When completed, please return to the Secretary of the EDUCATION Committee - Room 434.

THANK YOU!

BUCK SLIP

DATE: April 3, 2006
 FROM: CHAIRMAN GOEDDE
 TO: MEMBERS OF THE EDUCATION COMMITTEE
 SUBJECT: BUCKSLIP - HCR 66

Please indicate your desires on this buck slip.

Name	Do Pass	Hold in Committee	Without Recommendation	14th Order	Hold	Sign	Object to Buckslip
Senator John Goedde, Chairman		✓					
Senator Michael Jorgenson, Vice Chairman		✓					
Senator Gary Schroeder	✓						
Senator John Andreason	✓						
Senator Tom Gannon	✓						
Senator Monty Pearce	✓						
Senator Russell Fulcher	✓						
Senator Mike Burkett	✓						
Senator Bert Marley	✓						

When completed, please return (along with the attached bill) to the Secretary of the EDUCATION Committee - Room 434.

THANK YOU!