AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW55

Wednesday, January 11, 2012

SUBJECT	DESCRIPTION	PRESENTER
INTRODUCTION		Senator Goedde
RS20887	Parental Input on Teacher Evaluations	Jason Hancock
08-0104-1101	Residency Classification	
08-0109-1101	Rules Governing the GEAR UP Idaho Scholarship Program	
08-0111-1102	Rules of Post-Secondary Educational Institutions and Proprietary Schools	
08-0114-1101	Idaho Rural Physician Incentive Program	
08-0201-1101	Rules Governing Administration	

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Wednesday, January 11, 2012
TIME:	3:00 P.M.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Fulcher, Winder, Toryanski, Malepeai, and LeFavour
ABSENT/ EXCUSED:	Senators Andreason and Pearce
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting to order at 3:01 and asked the secretary to take silent roll. He welcomed the audience, introduced new page, **Renae Feist,** and secretary to the committee, **LeAnn South**. He outlined the federal level agenda for education and the foreseeable plans for the Education Committee in Idaho. There are written newspaper articles in members' folders for them to read to get acquainted with the issues of education around the region. Adjustments will be made to the existing bills.

INTRODUCTION **Senator Winde**r introduced his two interns **Greg Wilson** and **Janelle de Weerd**. **Senator Mortimer** introduced **Shannon Dearing** staff secretary and education back-up.

RS20887 **Jason Hancock** stood before the committee to present **RS 20887**, legislation relating to parent evaluations. This change brought to the Department of Education stated that in the legislation of "Students Come First" that clarification needs to be made regarding timing for the parental input during the teacher evaluations. There is the necessity to reorder it in the bill so that the timing is correct.

Senator Winder asked if it was up to the individual School Boards or school districts' discretion as to the weight that the parental input would have in the teachers' evaluations. **Mr. Hancock** stated that it was up to the individual districts as to how much weight parental input will have in teachers' evaluations. Senator Winder asked if in the original legislation was 50 percent the weighted value given to parental evaluations. **Mr. Hancock** stated "No" that was not the requirement. The 50 percent was in regard to student achievement. Senator Winder asked **Mr. Hancock** to remind him what the other 50 percent of the evaluation is based on. **Mr. Hancock** stated that had to do with the Charlotte Danielson model that is in the state board rule for teacher evaluations. The parental involvement piece is incorporated in that model. There is a component in domain where it can be incorporated. **Senator Winder** asked if merit pay based on teacher evaluations was on a school wide basis? **Mr. Hancock** stated that growth in student achievement is the pay for performance piece and this legislation does not change that.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Winder** to print **RS 20887**. The motion carried by **voice-vote.**

INTRODUCTION: **Chairman Goedde** recognized **Penni Cyr** from the Idaho Education Association.

Chairman Goedde passed the gavel to **Vice Chairman Mortimer** who proceeded with the rules.

DOCKET 08-0104-1101

Docket 08-0104-1101 in regards to residency classification. **Vice Chairman Mortimer** called **Traci Bent** with the State Board of Education to present the rule for review. **Ms. Bent** explained currently in legislation there is a criterion for residency to attend state universities programs and that rule **08-0104-1101** moves to change that language making certification more efficient and effective. **Senator LeFavour** asked if there was any opposition to this rule. **Ms. Bent** stated that all the institutions involved were in agreement with this process.

MOTION:

Senator LeFavour moved, seconded by **Chairman Goedde** to accept **Docket 08-0104-1101**. The motion carried by **voice-vote.**

DOCKET 08-0109-1101

Traci Bent introduced **Docket 08-0109-1101** pertaining to the rules governing the GEAR UP Idaho Scholarship Program. **Ms. Bent** stated that this rule outlines the procedures and processes for students to apply for scholarships. **Vice Chairman Mortimer** asked **Ms. Bent** if this whole rule is new. **Ms. Bent** indicated that it was a temporary rule and through application it has been modified to the pending rule presented.

MOTION:

Senator Goedde moved, seconded by **Senator Malepeai** to accept **Docket 08-0109-1101**. The motion carried by **voice-vote.**

DOCKET 08-0111-1102

Traci Bent introduced **Docket 08-0111-1102** Rules of Post-Secondary Educational Institutions and Proprietary Schools. This incorporates enforcement language into the rules from legislation that was passed in the 2011 session. This also sets out civil and criminal penalties for those people who do not follow the rules. In addition, Federal Rules mandate that there be a student complaint process. Most significant in the rule is new language for the start up educational companies working to obtain security bonding. This ensures that students graduating from the schools have a creditable degree. They did receive some comments during the comment time period and took those comments into consideration but were not able to accommodate all the requests.

Ms. Bent took the committee through the changes one at a time. These changes were to clean up the language and protect the students from fraudulent institutions. **Senator Toryanski** asked if these rules applied to those schools for people who were looking to obtain a private pilot license. **Ms. Bent** responded that if it is on-going training and if there is a full amount of payment where the student would be eligible for employment after completion, then the standards would apply, but if is a pay per flight/class basis the instructor or institution would be exempt.

Vice-Chairman Mortimer asked about how they determined the 120 days. **Ms. Bent** stated that the number of days came from their program director who stated that it was a reasonable amount of time.

MOTION:

Senator Fulcher moved, seconded by **Senator LeFavour** to accept **Docket 08-0111-1102**. The motion carried by **voice-vote**..

DOCKET 08-0114-1101

Docket 08-0114-1101 Idaho Rural Physician Incentive Program was introduced by **Traci Bent**. Those students that participate in the Washington, Wyoming, Alaska, Montana, and Idaho (WWAMI) program and if the student after completion choose to practice in rural Idaho they receive a loan repayment from the state. The loaning institutions are reluctant to directly accept the state money. The rule change has the practicing physician sign an affidavit to pay the loan and the state payment then goes directly to the student.

MOTION:

Chairman Goedde moved, seconded by **Senator Fulcher** to adopt **Docket 08-0114-1101**. The motion carried by **voice-vote**.

DOCKET 08-0201-1101

Luci Willits introduced **Docket 08-0201-1101** Rules Governing Administration, this rule change deals with two aspects of collective bargaining and negotiations. First, the Students Come First law now requires district negotiations with personnel be conducted in open session and available for the public to attend. This rule would clarify that open negotiations should adhere to Idaho's Open Meeting Law. Second, the Students Come First law now limits collective bargaining to compensation and benefits. This rule change defines salary as "any monies paid to an employee pursuant to an employment contract, the form of which is approved by the Superintendent of Public Instruction pursuant to Section 33-513, Idaho Code, and the process by which the school district board of trustees will determine local student achievement share awards." The rule change also specifies that the inclusion of any other items in a negotiated agreement is prohibited. **Ms. Willits** stated that the Idaho Department of Education must go through the State Board of Education to accomplish its rulemaking. These rules were also available for public comment in which only 33 comments were given and most were in opposition.

Senator Toryanski asked if the comments from the public were posted for people to see. **Ms. Willits** stated that they were not but they are available upon request.

TESTIMONY:

Paul Stark, General Counsel for the Idaho Education Association stated that the IEA objected to this rule on three different bases: 1. The State Board of Education was not provided the comments from the Association when it was voted on; 2. There is nothing within the subject's statute that authorizes to the State Board of Education to make rules and; 3. The proposed rule attempts to rewrite legislation and directly contradicts the statute. **Mr. Stark** then further explained the State Board of Education didn't have the benefit of those comments to make the rules. The Board of Education lacks the authority for rulemaking according to Idaho Code 675231.01, and the Idaho Supreme Court has upheld this statute and overruled decisions. Finally, this rule oversteps and rewrites the legislation that is on the books. Idaho Code 331272.5 and S1108 define benefits. The verbiage of "shall be limited to" in the rule conflicts with statute which states "includes."

Mr. Stark also cited an Idaho Supreme Court decision Convalescence Center vs. Department Health and Welfare, a 2005 case that stated that a rule shall not rewrite a statute. Idaho County Nursing Home vs. Department of Health and Welfare, a 1991 case, stated when a conflict exists between a regulation and a statute the regulation must be set aside. Mr. Stark recommends that these rules be sent back to the Board of Education to allow them to consider these comments along with the 33 others. To make these rules they must have rulemaking authority. **Chairman Goedde** stated that he has a letter dated October 24, 2011 from the IEA stating that information that **Mr. Stark** just testified. He sent it to **Brian Kane**, Idaho Attorney General's Office, for a legal opinion.

Chairman Goedde would like to have **Mr. Stark's** testimony to let **Mr. Kane** review and give an opinion and would like to hold this rule until an opinion is delivered.

Senator Toryanski supports **Chairman Goedde** suggestion to hold this rule until there is more clarification from **Mr. Kane. Senator Toryanski** asked **Mr. Stark** if it was his position that the Boards lack of rulemaking authority applies to all of their rules or to just to this one rule. **Mr. Stark** stated that he was on only speaking to this rule.

Senator Malepeai asked for clarification that they were taking **Mr. Stark's** testimony and turning it over to the Attorney General's office before any motion is taken. **Chairman Goedde** responded that he had taken this letter to **Mr. Kane** in October and would like to wait until he gets an opinion to share with this committee before moving on this rule.

Mr. Stark would like the opportunity to respond to **Mr. Kane's** opinion. **Senator Goedde** will provide that opportunity to **Mr. Stark.**

Vice Chairman Mortimer stated that this rule will be held until sometime next week when an opinion is provided.

TESTIMONY: **Karen Echeverria** from Idaho School Boards Association stated that their counsel did review the letter: The ISBA stands in favor of the rules of **Docket 08-0201-1101**.

ADJOURN: **Vice Chairman Mortimer** returned the chair to **Chairman Goedde**, who adjourned the meeting at 4:30 PM.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.
Room WW55
Thursday, January 12, 2012

DOCKET NO.	DESCRIPTION	PRESENTER
08-0202-1101	**Rules Governing Uniformity**	Luci Willits Idaho Department of Education
08-0202-1102		
08-0202-1103		
08-0202-1104		
08-0202-1105		
08-0202-1106		

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, January 12, 2012

TIME: **Chairman Goedde** called the meeting to order at 3:06 P.M. and asked the secretary to take a silent roll.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

Chairman Goedde reported that he has received the opinion from the Attorney General's office in regards to **Mr. Stark's** January 11, 2012, testimony. **Chairman Goedde** passed the gavel to **Vice Chairman Mortimer** who proceeded with further reviews of the rules.

DOCKET 08-0202-1101 **Luci Willits** introduced **Docket 08-0202-1101**. The manual that the school district and the department use for operations is available on a CD if a copy is requested. A copy is not provided because it is very extensive. The manual was updated last in 2008. In 2010, the National Congress of School Transportation recommended new standards and those standards were incorporated.

Senator Toryanski asked if the standards for school buses include a requirement for seat belts and then clarified his question by stating that the answer would not matter for passage of the docket, but that he was just interested in finding out why seat belts cannot be found in school buses, especially when they travel on highways where the speed limit can be 65-75 mph. **Ms. Willits** was not aware of the answer but made note of the request and will get the information to the committee.

Senator Andreason spoke next regarding his concerns about school buses busing children of all ages together, creating a variety of problems with bullying, etc. **Ms. Willits** indicated that each district works independent of each other, allowing for staggered routes if necessary (grade school together, high school together, etc.). Smaller districts may not be able to stagger, but the Board continues to work with the districts regarding resolutions to the complaints they receive. **Brad Jensen** with the State Department of Education, Transportation, responded additionally that it is very expensive to outfit all the school buses with seat belts. **Senator Andreason** responded that the expense would be high, but it would be a one time expense that would last many years before needing replacement. He requested whether the Department of Education could provide any information on the cost of what implementing seat belts in school buses would cost and how much the cost of insurance would increase. **Mr. Jensen** will provide that information.

MOTION: **Senator Fulcher** moved, seconded by**Senator Malepeai** to accept**Docket 08-0202-1101**. The motion carried by **voice-vote.**

DOCKET 08-0202-1102 **Luci Willits** introduced **Docket 08-0202-1102**. The State Department of Education oversees the accreditation process for the high schools in Idaho. This is a simple name change from "Northwest Association of Accredited Schools," it is now the "Northwest Accreditation Commission."

MOTION: **Chairman Goedde** moved, seconded by **Senator Fulcher** to adopt **Docket 08-0202-1102**. The motion carried by **voice-vote.**

DOCKET 08-0202-1103

Luci Willits introduced **Docket 08-0202-1103** concerning educator endorsements, including adding wording to clarify foreign language and school psychologist endorsements.

Senator Fulcher requested clarification regarding the foreign language wording. **Ms. Willits** responded that the change would require those teaching English as a foreign language to go through foreign language courses not English so they have a better understanding of how to teach English as a foreign language.

Chairman Goedde sought explanation of the school psychologist endorsement. **Christina Linder** with the Department of Education explained that the national certification for school psychologists is more rigorous than is required in the State of Idaho. The real problem was that some were getting their national board certification and then two years later their Idaho certification would come up and while they had done all the work, another renewal had to be paid. This change would alleviate that need.

MOTION:

Senator Fulcher moved, seconded by **Chairman Goedde** to accept **Docket 08-0202-1103**. The motion carried by **voice-vote.**

DOCKET 08-0202-1104

Luci Willits introduced **Docket 08-0202-1104** concerning interim certificates for in-state educators. Currently, if an out-of-state educator seeking certification in Idaho and who meets their state requirements, is allowed a three year interim certificate while they get Idaho certification. This change would allow in-state teachers who have allowed their certifications to lapse to be granted an interim certificate while they take the proper course work to become re-certified.

Chairman Goedde asked if it was only educators who were educated in Idaho. **Ms. Willits** responded that the educators did not necessarily have to be educated in Idaho, but they had to have been certified in Idaho in order to teach here.

MOTION:

Senator LeFavour moved seconded by **Senator Fulcher** to accept **Docket 08-0202-1104**. The motion carried by voice-vote.

DOCKET 08-0202-1105

Luci Willits introduced **Docket 08-0202-1105** concerning streamlining the teacher preparation program approval process so that there is a single national accrediting organization. There would be a policy that within two years the change would need to be implemented.

Vice-Chairman Mortimer requested clarification on whether or not this would impact students who are already going through their University's teaching program - would they then need to change their course work to get in line with the new national program? **Ms. Linder** took the podium and stated that once a student is in one catalogue, they cannot be forced to take more course work which would hinder their graduation. The next change is that currently institutions have an approval process of seven years, which is too long of time because too many things change in that amount of time. State specific requirements will now be every three years.

TESTIMONY:

Penni Cyr with the Idaho Education Association wanted to thank the Department of Education for listening to the IEA's concerns. IEA supports the rule as it is written.

MOTION:

Senator Winder moved seconded by **Senator Fulcher** to accept **Docket 08-0202-1105**. The motion carried with **voice-vote.**

DOCKET 08-0202-1106

Luci Willits introduced **Docket 08-0202-1106** concerning teacher evaluations. The first part simply was a departmental error from last session. The next is the addition of parental input. Each district can decide how much weight to be given to the parental input and the methods in which parental input is taken.

Senator Winder asked if this was consistent with the RS from earlier in the week. **Ms. Willits** confirmed they are the same. The next section is the addition of student achievement. Fifty percent of teacher evaluation needs to be based on student achievement and it needs to be based on growth in student achievement as it is determined by the Board of Trustees. The next addition is that all contract employees should be evaluated at least one time annually. The Board received 22 public comments on this rule. They do not believe there are any outstanding issues or any ambiguity as they relate to the comments.

TESTIMONY **Penni Cyr** with the Idaho Education Association stated that the Idaho Education Association brought concerns about application of the language regarding personnel and **Ms. Willits** has committed to defining the terms.

Senator LeFavour stated that she has some discomfort with the rule and feels it is counter productive. She will be opposing the rule.

Senator Andreason requested clarification to ensure that there is agreement with the Idaho Education Association. **Ms. Willits** stated that there is an agreement once the board defines three different positions/terms and they would come back next year to further define the terms if Idaho Education Association requests. **Senator Andreason** further asked if the changes were run by the Idaho Education Association. **Ms. Willits** stated the changes were not run by Idaho Education Association.

MOTION: **Senator Winder** moved, seconded by **Chairman Goedde** to accept **Docket 08-0202-1106**. The motion carried by **voice-vote. Senators Malepeai, LeFavour and Andreason** requested that they be recorded as voting nay.

COMMENTS: **Senator Fulcher** made a comment that he appreciates the Idaho Education Association and the Board of Education working together.

Vice Chairman Mortimer returned the gavel to **Chairman Goedde.** Chairman Goedde stated the would like to discuss the letter from **Mr. Kane** on Monday, if counsel for the Idaho Education Association is available.

ADJOURN: **Senator Goedde** adjourned the meeting at 3:54 PM.

Senator Goedde
Chairman

LeAnn South
Secretary

Shannon Dearing
Assistant Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, January 16, 2012

SUBJECT	DESCRIPTION	PRESENTER
RS20838	Amending Section 33-601, Idaho Code to authorized the use of vacant land of a school district for certain purposes.	**Senator Goedde**
S1217	Relating to Education: Amending section 33-514, Idaho Code.	**Senator Goedde**
RS20961	Relating to Education: Amending section 33-514, Idaho Code.	**Jason Hancock** State Department of Education

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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Sen Fulcher

MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Monday, January 16, 2012
TIME:	**Chairman Goedde** called the meeting to order at 3:09 P.M. and asked the secretary to silent roll.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, and LeFavour
ABSENT/ EXCUSED:	Senator Malepeai
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
ANNOUNCEMENTS:	Idaho Global Entrepreneurial Mission (IGEM) will be January 18th at Boise State University (BSU) and Joint Legislative Oversight Committee (JLOC) is meeting today at 5 PM in WW2 to present Barriers to Entering Higher Education. He encouraged the committee to attend both events.
RS20961:	**Chairman Goedde** stated that **S1217** is being held due to an error and it is being replaced by **RS 20961**. **Jason Hancock,** State Department of Education, indicated that there were two versions of this draft with different dates and he had sent the wrong draft to Legislative Services. He is recommending that **S1217** be withdrawn and **RS20961** replace that bill.
MOTION:	**Vice Chairman Mortimer** moved, seconded by **Senator Winder** that **RS20961** be sent to print. **Chairman Goedde** opened the floor for discussion. **Senator Andreason** asked what schools will do regarding evaluations when some of the children that attend do not have involved parents or guardians to submit the evaluations? **Mr. Hancock** responded that the evaluations are voluntary and every school district has the leeway to design their own parental evaluation process. **Senator LeFavour** stated that some parents in some schools and in some social economic groups are more involved than others with their child's education; will this hinder those teachers merit pay? **Mr. Hancock** stated that these evaluations have no consequence for pay for performance. **Chairman Goedde** reminded the committee that this is a print hearing and can be debated when back in committee. **Chairman Goedde** called for the vote and the motion carried by **voice-vote**.
RS20838:	**Chairman Goedde** turned the gavel over to **Vice Chairman Mortimer**. **Chairman Goedde** presented **RS 20838** to amend Section 33-601, Idaho Code to authorize the use of vacant land of a school district for certain purposes.
MOTION:	**Senator Fulcher** moved, seconded by **Senator LeFavour** that **RS 20838** go to print. The motion carried by **voice-vote**.
ADJOURN:	**Vice Chairman Mortimer** returned the gavel to **Chairman Goedde**. **Chairman Goedde** adjourned the meeting at 3:23 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, January 17, 2012

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO.	Rules Governing Thoroughness	
08-0203-1102	Online Courses	Traci Bent State Board of Education
30-0101-1101	Rules of the Idaho Commission for Libraries Governing the Use of Commission Services	Ann Joslin Idaho Commission for Libraries
08-0203-1101	ISAT–Alternative Achievement Standards	Luci Willits State Department of Education
08-0203-1103	Direct Math and Writing Assessments	Luci Willits State Department of Education
08-0203-1104	Dual Credit as it pertains to to the senior project requirements and college entrance examinations.	Luci Willits State Department of Education
08-0201-1101	Rules Governing Administration (Attorney's letter)	Luci Willits State Department of Education

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Tuesday, January 17, 2012
TIME:	3:00 P.M.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour
ABSENT/ EXCUSED:	
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

ANNOUNCEMENTS: **Chairman Goedde** moved **Docket No: 30-0101-1101** library rules to the top of the agenda to be heard before **Docket No: 08-0203-1102** online rules. He then set forth the guidelines for testifying on the online courses implementation to the rules. He stated that the State Education Board was charged to make the rules for implementing online courses. Only the appropriate testimony regarding the rule will be allowed. **Chairman Goedde** then turned the gavel over to **Vice Chairman Mortimer.**

DOCKET NO: 30-0101-1101

Ann Joslin, State Librarian for Idaho Commission for Libraries explained the rule change saying that last year a temporary rule was adopted to implement recommend changes in the talking book lending program. There is no fiscal impact. The recommendation is to remove the digital book check out limitation. The Deputy Attorney General recommends this rule change and suggests the individual agencies set guidelines for lending of digital books. She is asking that the committee approve the pending rule.

MOTION: **Senator LeFavour** moved, seconded by **Senator Winder** that the committee accept **Docket 30-0101-1101.** The motion carried by **voice-vote.**

INTRODUCTION: Chairman Goedde took a moment to introduce State Board of Education Board Member **Don Soltman** from Twin Lakes, Idaho.

DOCKET NO: 08-0203-1102

Tracie Bent, State Board of Education, introduced **Docket No. 08-0203-1102** addressing online courses. She said that last year's legislature passed Section 33-1627 of the Idaho Code stating that the State Board of Education must promulgate the rules requiring the online courses for classes graduating in 2016. Additionally, Section 33-102a of the Idaho Code defines a online course as one that delivers a sequential program of synchronous and or asynchronous instruction primarily through the use of technology in which the instructor is not physically located at the school or at the place where the student is receiving instruction. Nothing in this definition shall prohibit face to face instruction as long as the majority of instruction is delivered as stated in the code. The Board of Education is not allowed to do anything that is contrary to the statute.
The Board convened an online learning subcommittee, consisting of stakeholders from around the state. The members consisted of teachers, administrators, and school board member from rural and urban school districts. This committee was chaired by State Board Member **Don Soltman**.

The committee looked at and considered presentations on online learning that is taking place in higher educational institutions and some of the national standards. Definitions for online courses for the state of Idaho came from that research. The Board held seven public hearings around the state and 46 individuals testified. The majority of individuals were against the requirement. The committee considered the comments when presenting the first proposal to the State Board of Education. The State Board of Education's comment period received over 100 comments with the majority against the pending rule.

The first part of the online rule defines the definition for online learning, online course, and blended course. The majority of the changes were to the rule definitions. Two online credits are required for graduation one of which has to be an asynchronous course with 80% being delivered online. The second online course will be decided by the individual. Rules have been established for students who are in a 504 program or have an Individual Education Plan. Districts have the latitude to find digital providers for the courses they offer however there must be an Idaho certified teacher to teach the online course. The Idaho Education Network has completed its requirement of getting all high schools hooked up so broadband streaming is no longer a concern. Individual districts will determine the online courses that will be offered.

Vice Chairman Mortimer asked the committee if they would like to review the rule definition by definition or can they proceed to questions? They chose to ask questions.

Senator Malepeai asked **Ms. Bent** to explain what an asynchronous course is? **Ms. Bent** explained that it is a course that the student can take on their own time frame. The teacher uploads the course work and is not online the same time the student is taking the course: this is a normal learning mode in the workforce and the postsecondary institutions.

Senator LeFavour asked if there was additional burdens to the teachers on-site that do not teach the online courses? Would this eliminate teachers and is there a student teacher ratio in place for online courses? **Ms. Bent** answered that it is really up to each school district as to how they want to manage their teachers. Due to the extra reading and course work for online classes, it is not realistic to eliminate teachers. Teachers simply cannot teach more than 35 students at a time. Finally, **Ms. Bent** stated that these rules are for students requirements not teacher ratios.

Senator Pearce asked if this rule for the two credits online will define which classes to be offered? **Ms. Bent** replied that at this time no. Each school district can offer what they would like to offer. Each district has to meet the state standards for classes because of that, the online classes will also have to meet the state standards.

Chairman Goedde disclosed that he was a member of the committee of the State Board of Education and gave several examples as to how online courses have provided more opportunities for students in Idaho schools. Addressing class size he explained that the largest class for the Idaho Digital Academy is 16 students. But it is up to each district to determine the class size. He then asked **Ms. Bent** where the classroom books in Idaho were purchased and she indicated mostly out of state.

Senator LaFavour asked if there is a place in the rules that addressed where a struggling student would received assistance? She also asked if there will be orientations to use the online process before the class convened. **Ms. Bent** replied that is left up to the individual school districts how to help struggling students. There will be orientations before the student takes a class. The Board of Education desires for students to learn online course skills in High School so they will be prepared for work and college.

TESTIMONY: **Vice Chairman Mortimer** stated the testimony from the audience will try to alternate in a pro and con format.

TESTIMONY: **Brianna LeClair** representing the Idaho Freedom Foundation (IFF) is in favor of the rules. Online education is efficient and effective, thereby saving money. The taxes are lowered and Idaho citizens then have more economic freedom. Please see the IFF report "Chucking the Chalk: How digital learning is improving education in Idaho."

Janet Orndorff a trustee with Boise School District for 21 years and also a Past President of the Idaho School Board Association (ISBA) has concerns with the required asynchronous online requirement. She commended the Board for modifications to the rules and she respectfully asked for the removal of the required asynchronous course. She is not opposed to the asynchronous class just opposed to it as a requirement. She quoted a variety of reports quoting statistics that report the failure of online courses

Chairman Goedde asked if she was testifying on behalf of the groups she mentioned or on her own behalf? **Ms. Orndorff** stated that her position for online course requirements is in line with the ISBA resolution and that she is a trustee with the Boise School District.

Senator Winder asked **Ms. Orndorff** if there were courses in the high schools that have similar completion rates to the asynchronous courses; such as advanced placement classes. He stated that it would be better to learn online procedures in high school than to fail an online class in college. **Ms. Orndorff** said that there is a current 80% completion rate for online classes in the Boise School District. She didn't have anything more specific. Her concern is that if this goes through it doesn't provide the support system to students to help them understand how to take an online course.

Senator Toryanski asked if the asynchronous course is removed what then would be the Boise School Districts' position. **Ms. Orndorff** stated that the Boise School District will not have a problem with the rule.

TESTIMONY: **Julie Browning** a resident from District 19 representing her family and their children, who are currently enrolled in Idaho Virtual Academy, testified for the rule changes. See attached testimony.

Senator LeFavour asked if she was a home school teacher. **Ms. Browning** stated that she was not a certified teacher and she doesn't teach her children as each has assigned teachers. Idaho Digital Learning Academy (IDLA) has Illuminate sessions for the students where they have time with the teacher to discuss any concerns. Illuminate is mostly for the math and literature segments of school.

TESTIMONY: **Janet Sylvester** from Meridian representing herself had many questions about the rules and the definition. **Vice Chairman Mortimer** asked if she was for or against the rule and she stated that because it was not clearly written she was against. To have her questions answered **Vice Chairman Mortimer** suggested she speak to the State Board of Education to get those resolved.

TESTIMONY: **Dr. Linda Clark,** Superintendent Joint School District No. 2 testified in support of the online course requirements. The intention of her district is when this goes in effect all freshmen will be required to take an online class. She does however, encourage the Board to drop the rule for required asynchronous credits. This will allow families to decide how their student will take the online courses.

TESTIMONY: **Karen Echeverria,** Executive Director of the Idaho School Board Association testified that it is good to have the 2 credit requirement but not to require one asynchronous class. **Chairman Goedde** asked if she thought local districts were not flexible to not changing the requirements. **Ms. Echeverria** stated that they were not. **Senator Andreason** asked her to submit her concerns in writing to the committee.

TESTIMONY: **Penni Cyr** representing the Idaho Education Association (IEA) is pleased that only 2 online credits are required. The IEA supports that students need to learn courses online but the decision as to the type of online course should be made with the student and the parents. There is nothing in the rule that states a certified teacher of the subject be available to help the student. Technology is making teachers more important than ever. Other graduation requirements have only mandated content not the delivery of the course information.

TESTIMONY: **State Superintendent Tom Luna** testified that this is the most comprehensive education reform in the country. See the attached testimony.

Senator Toryanski asked if the staggered roll out of computing devices is a cause for concern. **Superintendent Luna** replied it is a three year roll out and a third of the students will only have the computing devices but there are Idaho Education Network (IEN) classrooms in all the high schools so those that don't have the computing devices can still take the courses. Having the device opens up learning opportunities but with IEN in the schools there are even more opportunities. **Senator Toryansk**i then asked if the Student Comes First legislation had not been passed, could the State Board of Education require it? **Superintendent Luna** replied yes, it is the State Board or Education that sets the High School graduation requirements. **Chairman Goedde** then noted that the requirement for graduation is in statute and to remove it would take legislative action. **Superintendent Luna** agreed.

Chairman Goedde stated that, from the testimony, the major obstacle is the asynchronous course, and asked **Superintendent Luna's** his position on asynchronous courses? **Superintendent Luna** replied that if removing the required asynchronous course would remove their concern, then he would support that, but would not support not having asynchronous courses available to students.

Vice Chairman Mortimer returned the gavel to **Chairman Goedde.**

ADJOURN: **Chairman Goedde** decided to hold this testimony and all rule acceptances until tomorrow January 18, 2012 at 3:00 PM. The meeting was adjourned at 4:55 PM.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.
Room WW55
Wednesday, January 18, 2012

SUBJECT	DESCRIPTION	PRESENTER
DOCKET NO:		
08-0203-1102	Online Courses	Traci Bent State Board of Education
08-0203-1101	ISAT – Alternative Achievement Standards	Luci Willits State Department of Education
08-0203-1103	Direct Math and Writing Assessments	Luci Willits State Department of Education
08-0203-1104	Dual Credit as it pertains to the senior project requirements and college entrance examinations.	Luci Willits State Department of Education
08-0201-1101	Rules Governing Administration	Luci Willits State Department of Education
RS20842	Defining the term "Online Course"	Traci Bent State Board of Education
PRESENTATION	Public School Funding	Tim Hill, Asst. Superintendent State Department of Education

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Wednesday, January 18, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting to order at 3:15 PM. He passed the gavel to **Vice Chairman Mortimer** who proceeded with further review of the rules.

Senator Andreason asked if the House had taken action on **Docket 08-0203-1102**. **Chairman Goedde** said that it would be in front of the House committee January 19, 2012.

DOCKET 08-0203-1102 Continuation from yesterday's meeting. **Superintendent Luna** responded to the question posed by **Chairman Goedde** regarding opposition to the part of the rule as it pertains to asynchronous courses and whether or not if that portion was removed would Meridian School District, Boise School District and the Idaho School Board Association support the two online required credits. They confirmed support. **Chairman Goedde**, **Don Soltman** and **Superintendent Luna** are agreeable with removing the asynchronous courses. **Dr. Linda Clark** submitted a written comment in support. **Superintendent Luna** requested the committee approve the rule as written with the understanding that the State Board will remove the asynchronous requirement in February.

TESTIMONY: **Janet Orndorff**, trustee with the Boise School District, **Karen Echeverria**, Executive Director with the Idaho School Boards Association, **Rob Winslow** with the Idaho Association of School Administrators, all testified that their respective organizations stand in support of the changes proposed by **Superintendent Luna**.

Chairman Goedde reaffirmed being a strong proponent of the changes. In addition, he stated that Dr. Charleton with Idaho Digital Learning Academy (IDLA) is comfortable with the change as well. **Senator Winder** thanked **Superintendent Luna** and the various school districts for working on the issue. He requested that the rule as written be approved today with the understanding from **Superintendent Luna** that the State Board will remove the asynchronous requirement in February.

MOTION: **Senator Andreason** moved, seconded by **Senator Pearce**, that the Committee accept **Docket 08-0203-1102** with the understanding that the State Board will propose a new temporary rule that will remove the asynchronous requirement. The motion carried by **voice-vote**. **Senator LeFavour** requested that she be recorded as voting nay.

DOCKET 08-0203-1101 **Luci Willits** introduced **Docket 08-0203-1101** regarding final approval on ISAT. This is for the one percent of the population of students who are unable to take the standardized test. No public comments on this rule.

MOTION: **Senator Winder** moved, seconded by **Chairman Goedde**, that the Committee accept **Docket 08-0203-1101**. The motion carried with **voice-vote.**

DOCKET 08-0203-1103

Luci Willits introduced **Docket 08-0203-1103** which addresses two areas: (1) the requirement for all juniors to take a college entrance exam and (2) direct writing and direct math assessments. Only four comments were received from the public and there are no outstanding issues. **Ms. Willits** stated that for districts who write their own tests, there are "item banks" being utilized. **Senator LeFavour** sought clarification on the kind of writing assessments available. **Ms. Willits** stated the next generation of ISAT will include a writing assessment, but at this point there is not one. **Senator Toryanski** sought clarification on "no issues" with the rule. **Ms. Willits** read the comments to the committee.

Senator LeFavour sought clarification on the reason why the writing assessment requirement is being dropped. **Ms. Willits** stated the reasons were (1) financial, (2) the test wasn't being used in a way to guide instruction, and (3) removing this as a statewide requirement does not mean districts cannot do this on their own.

MOTION:

Chairman Goedde moved, seconded by **Senator Fulcher**, that the Committee accept **Docket 08-0203-1103**. The motion carried by **voice-vote**. **Senator LeFavour** requested that she be recorded as voting nay.

DOCKET 08-0203-1104

Luci Willits introduced **Docket 08-0203-1104** which clarifies the dual credit program. This rule clarifies who has to take the college entrance exam, in addition to adding a test option for Accuplacer. Also, if a student finishes their high school class requirements, they can take up to 36 college credits during their senior year and the state will pay for it as part of dual enrollment. Some legislation will be forthcoming regarding dual credit program.

MOTION:

Senator Andreason moved, seconded by **Senator LeFavour**, that the Committee accept **Docket 08-0203-1104**. The motion carried by **voice-vote**.

DOCKET 08-0201-1101

Luci Willits reintroduced **Docket 08-0201-1101**, which was previously discussed in committee on January 11, 2011. The committee had decided to hold further discussion on it once the opinion from the Attorney General was reviewed.

TESTIMONY:

Paul Stark, General Counsel for the Idaho Education Association, reviewed the Attorney General's opinion; however, he has not reviewed the attorney opinion from the School Board Association that was to be provided. **Chairman Goedde** stated there is not a written opinion at this point. **Mr. Stark** testified that the Idaho Code statutes and the legislature have not specifically given rulemaking authority here and as such, the rule should not go forward. An administrative rule cannot rewrite statutes. **Chairman Goedde** asked if there is any statute that provides that the State Board of Education has rulemaking authority. **Mr. Stark** cited to Idaho Code §§ 33-701, 33-105, 33-1612, but is not aware of any statute that provides the State Board of Education with the rulemaking authority granted for this rule before the committee.

Brian Kane, Attorney General's office, after hearing **Mr. Stark's** comments, is still comfortable with the analysis his department has provided the committee. **Senator LaFavour** stated it would be helpful if the committee had examples of other rules made by the State Board of Education falling outside that specific authority. **Senator Toryanski** asked if **Mr. Kane** believed he would prevail if this rule would go to the Supreme Court of Idaho, is it the Attorney General's opinion that the Attorney General's argument would prevail? **Mr. Kane** stated that while the Supreme Court is very unpredictable, it is his belief that they have plausible legal arguments that could be reasonably advanced.

MOTION:

Senator Malepeai moved, and it was seconded by **Senator LeFavour**, that the Committee reject **Docket 08-0201-1101**.

MOTION: **Chairman Goedde** made a substitute motion seconded by **Senator Fulcher** that the committee accept **Docket 08-0201-1101**. The substitute motion passed by **voice-vote. Senators Malepeai and Senator LeFavour** requested that they be recorded as voting nay.

Vice Chairman Mortimer returned the gavel to **Chairman Goedde**.

DOCKET RS 20842 **Tracie Bent** introduced **RS 20842** to amend Idaho Code § 33-1002A and clarify the definition for online courses.

MOTION: **Senator Mortimer** moved, and it was seconded by **Senator Winder**, that **RS 20842** be moved to print. The motion carried by **voice-vote**.

PRESENTATION: **Tim Hill**, Assistant Superintendent, for the State Department of Education gave a presentation on Public School Funding. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

ADJOURN: **Chairman Goedde** adjourned the meeting at 5:09 PM.

Senator Goedde
Chairman

LeAnn South
Secretary

Shannon Dearing
Assistant Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW55

Thursday, January 19, 2012

SUBJECT	DESCRIPTION	PRESENTER
S1224	Evaluation Dates	Jason Hancock State Department of Education
S1223	Vacant Land Use	Chairman Goedde
PRESENTATION	Education Budget	Paul Headlee Principal Budget Analyst
PRESENTATION	Education Evaluations Part 1	Rakesh Mohan Office of Performance Evaluations

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde

Vice Chairman Mortimer

Sen Winder

Sen Toryanski

COMMITTEE SECRETARY

LeAnn South

Room: WW39

Sen Andreason
Sen Pearce
Sen Fulcher

Sen Malepeai
Sen LeFavour

Phone: (208) 332-1321
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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, January 19, 2012

TIME: **Chairman Goedde** called the meeting to order at 3:02 P.M. and asked the secretary to take a silent roll.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

S1224 **Jason Hancock**, from the State Department of Education spoke regarding **S1224**. This bill is a simple change that deals with section 33-514 of the Idaho Code. This bill is clarifying the effective date as to when parental input has to be included in teacher evaluations. The original bill stated that building administration evaluations were to occur after June 30, 2012, and the intent was it to be the same for teacher evaluations. In adding the parental input in the second piece of the bill it gives districts some flexibility as to when they take that input rather than it being tied the February 1st deadline.

Chairman Goedde asked if there were questions from the committee, there were none. There was no testimony from the audience.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Fulcher** that **S1224** be sent to the floor with a do pass recommendation. The motion carried with a **voice-vote**. **Chairman Goedde** will carry the bill on the floor.

Chairman Goedde turned the gavel over to **Vice Chairman Mortimer** so he could introduce **Senate Bill S1223**

S1223 **Chairman Goedde** introduced **S1223.** The current statute only gives school districts the ability to authorize the use of school buildings for various public purposes. This bill would extend the ability for local school districts to authorize the use of vacant land. There were no questions from the committee and no testimony from the audience.

MOTION: **Senator Fulcher** moved, seconded by **Senator Andreason** to send **S1223** to the floor with a do pass recommendation . The motion carried by **voice-vote**.

Vice Chairman Mortimer returned the gavel to **Chairman Goedde**.

PRESENTATION: **Paul Headlee**, Principal Budget Analyst, State Legislative Services Office, presented an overview of the Education Budget; K-12 and higher education. He had handouts for all committee members. He began with explaining the K-12 financial plan regarding the budget request and the Governor's recommendation. The spreadsheet explains the current budget, requested budget, and the Governor's recommendation. He reported to the committee where the revenue is derived and where the money is dispersed.

Chairman Goedde asked which year had the infusion of approximately $20 million from the State Endowment Fund? **Mr. Headlee** replied that was fiscal year 2011.

Mr. Headlee then went on to explain the statutory distributions that are mandated by code. He highlighted some of the larger categories: transportation, salaries which include benefits, and explained those in detail. The pay for performance and the mobile computing devices are now included as a line item in the budget.

Senator Pearce asked **Mr. Headlee** where are the benefits portion of the budget that the Governor addressed in the State of the State Address? **Mr. Headlee** replied that for teachers it is about a three percent increase to $25.5 million and that it is in the report on another page.

Vice Chairman Mortimer asked if there is a place where the maintenance appropriation is located? **Mr. Headlee** replied it is shown in the FY 2011, and that column is not on the page, but it will be spent in 2012. **Vice Chairman Mortimer** asked will history show that it was spent in 2012? **Mr. Headlee** replied that it would be shown that way in the Legislative Report.

Chairman Goedde asked if the pay for performance and the salary based apportionment funds will be available for educator salaries? **Mr. Headlee** replied that allocation is in the budget.

Senator LeFavour asked if the Governor's recommendation in the budget was cut and if the pay for performance piece was taken out, what would be the difference in teachers' salaries? **Mr. Headlee** replied the difference would be a 3% decrease.

Chairman Goedde asked if the referendum that is on the ballot for 2012 successfully repeals the pay performance, what happens to that $38 million. **Mr. Headlee** responded he is not sure. It could go away or it could be added to the budget. **Chairman Goedde** asked if this budget is passed and the appropriations are approved there could be a predicament as where those funds go. **Mr. Headlee** stated that possibly there would be an amended budget.

Mr. Headlee proceeded to then review the non-statutory distributions. This means that the program may be in statute but there is no statute regarding the amount to be spent. The money that is for those distributions is money that is left over from the statutory distributions. Discretionary dollars can be spent in a variety of ways. Supporting document related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Mr. Headlee reviewed with the committee the single page handout that covered the five major budget considerations. Supporting document related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2). Questions were asked in regards to the funding of teachers' salaries and benefits budget. Having answered all the questions adequately, **Mr. Headlee** then went on to give the committee an overview of the college and institutional portion of the budget book.

INTRODUCTION: **Chairman Goedde** recognized and welcomed the newest college level lobbyist and former **State Senator Joe Stegner** for the University of Idaho, to the committee meeting.

PRESENTATION: **Mr. Headlee** then continued with his presentation of the college and institution budget. He reviewed the trends in revenue and enrollment.

Senator Pearce asked if the increase of tuition is built into this budget. **Mr. Headlee** replied that the legislature does provide the spending authority for those dollars. The fee increase would occur in April after the budget is approved. Those funds gathered would not be appropriated until the following year and are built into the institution's base. There is a one year lag-time for spending appropriations. **Senator Pearce** then asked what the real increase in spending will be? **Mr. Headlee** replied that he would need to get back to **Senator Pearce** with that figure after he ran some numbers.

Senator Malepeai asked what percent of the education budget is appropriated. **Mr. Headlee** replied that approximately one third is appropriated and the other two thirds come from other budget sources; such as federal grants, donations, or private grants.

Mr. Headlee concluded his presentation by highlighting two line items from the Superintendent of Public Instruction's budget: The Albertson's Foundation Funding and the Longitudinal Data System. He explained the timing for the use of those funds.

Having no more questions, **Chairman Goedde** thanked **Mr. Headlee** for his presentation.

Chairman Goedde next introduced and welcomed **Rakesh Mohan** from the Office of Performance and Evaluation to report the study entitled "Equity in Higher Education Funding". **Mr. Mohan** stated that this study is Idaho specific and looks at the issues that Idaho encounters in funding higher institutions. **Mr. Mohan's** conclusion was that this is a policy issue that needs to be decided by policy makers; the policy makers must define what equity means.

PRESENTATION: **Mr. Mohan** introduced **Lance McCleve** from the Office of Performance Evaluation who with **Maureen Brewer**, from the same office, conducted this study. **Mr. McCleve** presented the study to the committee.

Mr. McCleve stated that the equity issue has existed for approximately 30 years and came to the conclusion that equity is a political issue. There is a lump sum appropriation by the legislature to the Board of Education, who then allocates those funds among the state's institutions for higher learning. Past efforts to address equity have been centered on the enrollment workload. This method is not a good tool for assessing equity but instead for predicting growth over time. This report is about equity: the findings and the recommendations. There are two recommendations that the OPE suggested: 1. set a standard that defines a tolerance range for differences in funding levels and 2. create a feasible, sustainable plan to meet the standard. Supporting document related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #3).

Mr. McCleve's report recommended that if the institutions have equity issues it should be defined clearly as to why the funding is different at one institution versus the other. **Mr. McCleve** then concluded with the following suggestions: the Board of Education should establish a formal policy defining the standard for what level of funding is considered equitable and why that level of money is considered equitable. The most important concern of this recommendation is that once the level of equity is agreed upon, it is recognized and it is formalized. Regardless as to how it has been treated in the past, equity policy needs a starting point. The second suggestion was that once equitable funding has been defined the Board of Education should establish a feasible and sustainable plan to meet that standardized level.

In order to make equity work, cooperation is the most important means for the Board of Education and the institutions. **Mr. McCleve** then opened for questions.

Chairman Goedde thanked him and the Office of Performance Evaluation for this work and had one question. **Chairman Goedde** inquired if **Mr. McCleve** knew how much of that $17 million came before the 2007 equity agreement. **Mr. McCleve** replied that he did not know the specifics and that **Mr. Headlee** may know the answer. However, over the time period that equity has been tracked, all the institutions have had a decrease in enrollment. **Mr. McCleve** encouraged the committee to read this report as there is very good information into past and present procedures and trends.

Chairman Goedde asked if there were further questions. Having none he thanked the Office of Performance Evaluation for their work.

ADJOURN: **Chairman Goedde** adjourned the meeting at 4:36 P.M.

_____

Senator Goedde
Chairman

_____

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, January 23, 2012

SUBJECT	DESCRIPTION	PRESENTER
MINUTES	Approval of Minutes from January 11, 12, & 16	Chairman Goedde
PRESENTATION	Idaho State University	Dr. Arthur Vailas
PRESENTATION	College of Western Idaho	Dr. Bert Glandon

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Monday, January 23, 2012

TIME: Chairman Goedde called the meeting to order at 3:00 P.M. and asked the secretary to take a silent roll.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Fulcher, Winder, Toryanski, and Malepeai

ABSENT/ EXCUSED: Senators Andreason, Pearce, and LeFavour

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: The minutes for January 11, 2012 were presented to the committee for approval.

MOTION: **Senator Toryanski** moved, seconded by **Senator Malepeai**, that the minutes of January 11, 2012, be approved as written. The motion carried by **voice-vote**.

MINUTES: The minutes for January 12, 2012 were presented to the committee for approval.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Fulcher**, that the minutes of January 12, 2012, be approved as written. The motion carried by **voice-vote**.

MINUTES: The minutes for January 16, 2012 were presented to the committee for approval.

MOTION: **Senator Winder** moved, and seconded by **Vice Chairman Mortimer**, that the minutes of January 16, 2012, be approved as written. The motion carried by **voice-vote**.

PRESENTATION: **Chairman Goedde** welcomed the group from Idaho State University. **President Arthur C. Vailas** introduced **Kent Kunz**, Director of Governmental Relations, **Dick Jacobsen**, Associate Vice President of Research, and **Laura Woodworth-Nye**, Associate Vice President of Academic Affairs.

President Vailas stated that ISU's mission is one dedicated economic development, to offer opportunity for our Idaho citizens and others, to obtain degrees and certificates. There is a community college model imbedded in the University's curriculum. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary. Supporting document related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Partnerships with businesses and agencies are essential to ISU. Currently, of the three research universities, ISU has the highest dual enrollment in the state. Educating returning veterans is priority of the university and currently there is about 1,100 enrolled in Pocatello and Idaho Falls campuses. ISU provided a new space for the veteran and his family that offers career and personal counseling. This program has been cited by a national review group as being one of the top veteran programs in the nation.

Dr. Vailas spoke to the curriculum of ISU stating that approximately nineteen percent of the courses are online. This provides flexibility for students, which is an important factor. He spoke about the instructional alignment program and thanked the State Board of Education for their support.

The support of the legislature and community partners has allowed ISU to expand its healthcare mission in the state. The university has built two comprehensive healthcare centers; one in Eastern Idaho and the other in Meridian. This program is making healthcare more affordable and attainable in rural committees. ISU reinvests the revenue from those centers to continue to improve services at the sites.

In regards to the energy enterprises of the state, ISU is a major stakeholder. Using the connection with the Center for Advanced Energy Studies, ISU has been able to grow collaborations with other pristine universities and garner new faculty positions and major grants. The university is becoming reputable across the nation in its energy studies.

The University acquired another high-tech facility in Pocatello. It is a 200,000 square foot building that will be used in collaboration with businesses to make available a variety of new career opportunities: Included in those are Homeland security, energy, and other technical enitities

ISU is a major contributor to the economic development in Eastern Idaho and parts of the Treasure Valley. ISU is the steward of Idaho's natural history museum and the Smithsonian Institute is interested in forming a partnership in this endeavor. The direct financial impact that ISU has on Idaho's economy is $312 million a year. When the alumni are added to those figures it becomes $812 million a year. These figures support a great economic outlook for the state.

Chairman Goedde thanked **Dr. Vailas** for his presentation and opened for questions from the committee.

Vice Chairman Mortimer complimented **Dr. Vailas** on the successes of the university and asked him to explain the deferred Maintenance 5-year projections and which will be the first that the university will address. **Dr. Vailas** replied the plans change with emergencies. Recently, the university was advised to tear down a building for safety purposes. This procedure was not on the priority list and this has caused some problems. The university is working to improve the classrooms, living environment, and the building built in the 60's need to be brought up to date. **Vice Chairman Mortimer** stated that some campuses are working to use the facilities more and making them available to use at different unique times. **Dr Vailas** replied that many classes are offered by digital video at night and there are some classes on the weekends. Many ISU students do not want to use the weekend for classes they would rather take more online classes.

Senator Winder thanked him for being here and providing the information. He asked if there is a partnership between the Idaho Nuclear Engineering Lab (INEL) and ISU. **Dr. Vailas** stated that there are quite a few ISU programs with the Laboratory, however, all of the state's universities are involved with INEL. From the national perspective Idaho is viewed as a leader in nuclear research.

Senator Fulcher commented that he was not aware of the role that ISU had with the natural museum and wanted to know where the information is housed. Is there any coordination with the state's Historical Museum or Historical Society? **Dr. Vailas** replied that the university stores the state's natural history and has been involved for a number of years. They have just started to accelerate the investment in the museum and has created partnerships with other agencies too. The university is working with small towns in Idaho and can transport many artifacts or duplications. Using the virtual options of the museum the university is reinforcing K-12 learning.

Chairman Goedde asked how many traditional students are taking the online classes. **Dr. Vailas** called to the podium **Laura Woodworth-Nye** to explain. **Ms. Woodworth-Nye** stated that the majority of online classes are being taken by traditional students.

Senator Toryanski asked what is the need for remediation classes. **Dr. Vailas** said 20 to 25 percent of new students need some sort of remediation. To meet the State Board of Education 2020 goal, remediation issues need to be tackled aggressively. Idaho students are not prepared for college and it is a problem. **Senator Toryanski** then asked what could be done to reduce remediation. **Dr. Vailas** stated that it is a very complex problem with the biggest problems in math, writing, and comprehension. The state needs to be willing to make an investment in the profession of teaching; what are teachers taught and what are they paid. Preparation of teachers and student family involvement is vital to solve the remediation issue.

Senator Pearce asked what ISU is doing to improve the teaching abilities of future teachers. **Dr. Vailas** doesn't believe that it has to do with tenure instead it is just people not wanting to try something new. The College of Education has taken on major reforms in how it prepares students for becoming teachers. There has been a cultural shift in the universities as to how professors teach. ISU has also implemented a variety of programs to measure new teacher success.

Senator Malepeai commented that it never ceased to amaze him how much ISU is an integral part of his community. Universities are an engine for economies in the cities they are located; they make our communities more prosperous.

Dr. Vailas closed by thanking the committee for giving him the time to present.

PRESENTATION: **Chairman Goedde** welcomed **Dr. Bret Glandon,** President College of Western Idaho to the podium. **Dr. Glandon** introduced **Rick Ammon** Vice President of Instruction and Civil Services;**Cheryl Wright,** Vice President of Finance and Administration; and **Jeff Shinn**, Budget Director. He then expressed his appreciation to the committee for making the students' dreams happen. From his power point presentation, he outlined the growth of the institution noting that it is the fastest growing community college in the history of community colleges. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2).

The community college is focused on providing educational opportunities. CWI works to overcome obstacles of higher education, one is the cost of education. Students are able to obtain higher education by the traditional and virtual delivery methods; the traditional delivery is still the most popular. There are seven full degrees offered online. The college has a large teaching staff with some full-time and adjunct teachers as well as many community leaders making presentations.

CWI works with students in high school to obtain dual credits and directly supports the State Board of Education's 2020 goal. In the ten counties the college serves, it is committed to have the dual credit program in every high school.

Dr. Glandon updated the committee on the accreditation time line for the college. The commission met with the college in January and they are waiting to hear if they have received Candidacy Status for accreditation. The goal is to be accredited as a traditional and virtual college campus.

The cost of education is rising and majority of the revenue comes from tuition. The key to keep the costs down is collaboration with agencies and businesses, this allows access to services and funds. The students rely on financial aid due to the fact the majority of the population that CWI serves are economically at-risk students. CWI's Foundation also works to offset the cost of education. There are 25 community members who serve on the Foundation Board and work to raise and manage donations to the college.

Dr. Glandon then reviewed the student successes for graduation and job placement. CWI will track those students that attend the state universities in order to measure the college's progress. The current budget cuts have created some challenges for CWI, which will continue until the enrollment numbers level out. The college is on target with the goals set before them. He thanked the committee and legislature for the help to CWI but must remind them that they should stay flexible and adaptable to the growth process of the college.

Chairman Goedde thanked **Dr. Glandon** and asked for questions from the committee.

Senator Winder asked **Dr. Glandon** to comment on how the non-traditional students can get their algebra or English skills up to date before they take the Compass Test. **Dr. Glandon** replied that there have been conversations in the community college environment regarding the new concept called "Mega Labs" that could help the returning student. These are self-based, self-starter programs that discover what skills the student is lacking. The students in a tutored lab, work to improve their skills before they take the Compass Test. CWI is looking at adding this program to its repertoire.

Senator Winder then addressed the issue of student debt stating that a large percentage of students have loans and it is more difficult for that demographic to pay back those loans. Is CWI doing anything to help the student understand their responsibility to pay back the debt? Are there alternatives to loans available for students? **Dr. Glandon** stated that the college is very aggressive about debt. They suggest to students to first try to qualify for a Pell Grant, which they don't have to pay back, before they take out a loan. Scholarship funds are never enough and about 73 percent of the student population works part or full time to pay for schooling. However, the population that CWI serves tends to be prone to debt.

Senator Pearce acknowledged the amazing growth at CWI and asked whether the enrollment is still growing or slowing down. **Dr. Glandon** stated that CWI achieved the five year plan in two years, now they are working on a new five year plan. Based on community college formulas for students per base population or area served, growth probably will not slow down until there are 35,000 enrolled.

Chairman Goedde thanked **Dr. Glandon** for the update and wished them well in their success.

ADJOURN: **Chairman Goedde** adjourned the meeting at 4:33 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, January 24, 2012

SUBJECT	DESCRIPTION	PRESENTER
PRESENTATION	North Idaho College	Dr. Priscilla Bell
S1237	`To Revise the Definition of "Online Course"	Tracie Bent State Board of Education

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Tuesday, January 24, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED: Senator Pearce

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES:

Chairman Goedde welcomed the group from North Idaho College (NIC) and called **Dr. Priscilla Bell** to the podium. She introduced those Board of Trustees who joined the committee for the presentation. Those in attendance are as follows: **Rick Armon**, Chair of the Board; **Judy Meyer**, Vice-Chairman; **Christie Wood**, Secretary; **Ron Vieselmeyer**, Treasurer; **Kent Howard,** Trustee; and Vice President of Community Relations and Marketing, **Mark Browning**. **Chairman Goedde** welcomed them all to the committee.

TESTIMONY: **Dr. Priscilla Bell**, President of North Idaho College presented to the committee the past year's accomplishments of NIC. She stated that this is the same material that she presented to **JFAC** on the morning of January 24, 2012. so it will also include the financial aspects of the institution. Supporting document related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1). . **Dr. Bell** highlighted the different sites and locations of NIC campuses. The college has experienced significant growth and that upward trend is continuing. The current recession has resulted in a reduction of state funding to the institution, therefore, the burden of costs has shifted to the students. Unfortunately, students are taking on more debt to cover the cost of education and this is a concern to NIC administration.

The college is working with area high schools to continue the dual credit programs as it has proven to be successful. NIC would like to restart the Physical Therapist Assistant Program. The input from the community and the advisory board suggests that this educational program is greatly needed in the region for health care demands. The institution is also asking for a onetime funding request that will pay to remodel some existing space. This will allow student services to be consolidated into a single building site.

Some of the NIC's concerns moving forward are as follows: how to build buildings to accommodate the tremendous growth in enrollment, retention and adequate compensation of employees, and the continued growth of professional and technical education curriculum.

During this recession NIC, has not cut any programs, instead some have been added. This creates an added burden to the staff and faculty , but they have risen to the challenge. **Dr. Bell** then introduced the video that highlighted students' experiences.

Chairman Goedde thanked **Dr. Bell** and asked the committee for questions.

Senator Malepeai inquired what NIC has done to help returning students pay for school? **Dr. Bell** stated that the institution has helped students get money through financial aid, Pell grants, and work study. The school's foundation has also raised money to offset student costs. Federal financial aid guidelines are changing and this will hurt community colleges. The institution needs more grant money and state funded grants to help students with their educational goals.

Senator Andreason asked when was the last time NIC employees had a salary increase and what would be a good percentage increase? **Dr. Bell** responded that the employees have gone two years in a row without salary increases and that this year, salaries increased for faculty and staff by two percent. A satisfactory salary increase would be three percent for 2013.

Chairman Goedde asked **Dr. Bell** to explain if the consolidated student service building would be in conjunction with other area institutions? **Dr. Bell** responded that the building could be used jointly with other state and local entities. **Chairman Goedde** stated that the State Board of Education and the Governor have embraced the Complete College America Program, what is NIC doing to incorporate that effort? **Dr. Bell** responded that NIC is working to achieve the goal of student completion rates. Currently, a task force is working to identify and solve barriers to that goal. The report for the first time notes that NIC students are on track; the graduation rate has grown at a higher rate than the enrollment rate.

Having no more questions **Chairman Goedde** thanked **Dr. Bell** for her service and wished her well in her retirement this summer.

S1237

Tracie Bent, State Department of Education introduced **S1237.** The bill is in section 33-1002a of Idaho code. This section of code defines the term "online course." As the rules were being addressed it was found that the original definition was problematic saying that instructors could not be at the same school as the student. Rather, schools can have their own teachers teach an online course, but the students taking that course cannot be in classroom with the instructor at the time they are taking the course.

Chairman Goedde asked for questions from the committee. Having none, he asked for audience testimony.

TESTIMONY:

Penni Cyr, President of Idaho Education Association, stated that her organization has been and continues to be against the reform legislation. While this legislation doesn't alleviate the concerns it is an effort to make the legislation work better for the schools and students. Supporting document related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2). . **Ms. Cyr** did not receive any questions.

Senator LeFavour asked **Chairman Goedde** for him to clarify what would happen to this legislation if the referendum passes? **Chairman Goedde** replied that in all the "Student Comes First" legislation there has been a clause that if the referendum passes all this would go away, however, that is not in this bill. **Ms. Bent** added that this bill could be reworked to add those words. It is her understanding though that if the referendum passes all this legislation and codes for the education reform would go away.

Senator LeFavour is fine with the wording as long as that is the case. **Robin Nettinga** from the Idaho Education Association addressed the concern by stating that it is also the IEA's understanding from their lawyer's interpretation that if the referendum passes all rules and legislation will disappear. **Chairman Goedde** stated that he would have **Mr. Kane** from the Attorney General's office review this question.

MOTION: **Vice Chairman Mortimer** moved and seconded by **Senator Winder** to send **S1237** to the floor with a do pass recommendation. The motion carried by **voice-vote**. **Vice Chairman Mortimer** will carry **S1237** on the floor.

ADJOURN: **Chairman Goedde** adjourned the meeting at 3:47 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW55

Wednesday, January 25, 2012

SUBJECT	DESCRIPTION	PRESENTER
PRESENTATION	University of Idaho	Dr. Duane Nellis President
PRESENTATION	College of Southern Idaho	Dr. Jerry Beck President

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Wednesday, January 25, 2012

TIME: **Chairman Goedde** called the meeting to order at 3:07 P.M. and asked the secretary to take a silent roll.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** welcomed **University of Idaho President Duane Nellis** to the committee. **President Nellis** introduced the University of Idaho contingency.

PRESENTATION: **Dr. Nellis** reflected back on the history of the land grant system. He explained that each state has a land grant university and named some of the prestigious ones noting that the University of Idaho (U of I) was in great company. The University has 70 physical locations in Idaho. The extension offices serve 42 of the 44 counties of Idaho. The University is accomplishing the statewide mission of this land grant institution. The focus is on three key areas: teaching, research, and outreach in service.

Dr. Nellis briefly talked about the three areas of service. In the area of teaching, the university educates many of the different professions in the state from teachers, superintendents and physicians to business leaders. He gave accolades to many of the University's past alumni and their contributions to Idaho's economy.

At the University of Idaho over 70 percent of all students directly experience working on research projects and creative activities. This distinction allows the University of Idaho students to compete and win highly esteemed scholarships. These students are doing research with top-notch faculty in the areas of agriculture, engineering, bio-medicine, and many others.

Public service and outreach for students is also a priority for the University of Idaho. Everyone is encouraged to do a community activity and/or volunteer work. In the past year students and faculty have worked in 160 different community service opportunities throughout Idaho and the world. The extension offices throughout the state have impacted over 400,000 Idahoans.

U of I is the only university in the state that has all four branches of the military on campus. **Dr. Nellis** then listed great leaders that have been trained and educated at the university. He further the discussion in mentioning Operation Education which helps disabled veterans and their spouses to attend college at a reduced cost. U of I was first in the nation to establish this program and *G.I. Jobs,* the military magazine, states that the University of Idaho is a military friendly school.

Dr. Nellis mentioned that the University receives a great deal of national recognition. *Newsweek* magazine named U of I the third most affordable quality college in the nation. He added that the U of I ranks high in many other educational journals.

The State Board Of Education has set a goal that by 2020, 60 percent of Idahoans ages 25-34 have some type of post secondary education whether it be a certificate, an associates' degree or a four year degree. **Dr. Nellis** has set the University's goal for 2020, there will be 16,000 students enrolled and that is 33% growth. To fill that goal the University has made the commitment to serve the high school students going to college. Of the current freshman class 75 percent are from Idaho and 34 percent are first in their family to go to college. There are currently 17 National Merit scholars attending the University of Idaho, making the campus the largest class of merit scholars in all the northwest colleges.

The three areas that are the strongest and best reflect the of mission of the state's land grant university: retention rates, graduation rates, and major research mission collaborations. **Dr. Nellis** then outlined those successes with examples.

Dr. Nellis then addressed funding the University. He spoke to the increases in costs, reductions in enrollment, and staff/faculty salaries. Some staff and faculty positions have been eliminated and there have not been salary increases for the past four years. He believes that faculty will look elsewhere and the University's ability to recruit will be diminished. This scenario lessens student learning opportunities. He highly supports the Governor's higher education budget proposal.

Senator Andreason asked how staff morale was doing with the lack of salary increases. **Dr. Nellis** answered that the University is losing some star staff members. Many would like to stay in Idaho but need more money. Their morale is low and they need some indication that the work they do is rewarded; especially those that have worked hard. **Senator Andreason** then asked him how difficult it would be to replace the lost staff and faculty. **Dr. Nellis** said that it is difficult to replace senior faculty but they could be replaced with younger employees. By choosing that route, there is a loss of the institutional memory and the competitive edge.

Vice Chairman Mortimer asked **Dr. Nellis** to identify maintenance projects for the school. **Dr. Nellis** called **Dr. Ron Smith**, Vice President of Finance, to the podium to answer that question. **Dr. Smith** stated that the education building and some research labs are being updated. Some buildings are being reroofed.

Chairman Goedde asked what percentage of classes offer online courses. **Dr. Nellis** responded that only about 10 percent does, however, the University has hired a person to expand the number of classes offered because the current online results are very positive. **Chairman Goedde** stated that high school students with online acquired college credits gravitate to schools with online classes.

Senator Fulcher asked about the status of the law school and its presence in Boise. **Dr. Nellis** indicated that currently only a portion of the third year law students are in Boise. The school is located at the Water Center Building on Front Street. Those that are in Boise are specializing in business and intellectual law. In the near future the University would like to request that there would be a three year law school in Boise as well as the one in Moscow.

Senator Malepeai commented positively on the 80 percent retention rate and asked about the specific reason for that high rate. **Dr. Nellis** answered that all freshmen are required to live on campus and it gives them the support that they need to be successful. The Student Option Advising Retreat (SOAR) system identifies struggling freshmen and works with them to meet their educational goals.

Senator Pearce then asked what the university system is doing to help the new teachers, K-12, to be successful in the classroom. **Dr. Nellis** called the Dean of Education, **Dr. Corrine Mantle-Bromley** to the podium to address this question. **Dr. Mantle-Bromley** believes that the university is doing a good job but there are some areas that they are working to improve. Currently, the school is piloting a new system called the National Teachers' Performance Assessment which requires student teachers to video, view, and critique their teaching methods.

Dr. Nellis then introduced and called **Samantha Perez** Associated Student Body President for the University of Idaho to the podium to make her presentation. **Ms. Perez** stated that she was exposed to the campus when she was in high school and knew that she wanted to graduate from the institution. Because it is a residential campus it enables students to become close and develop a Vandal family. She stated that she has had the opportunity to perform community service activities and she went on a service trip at spring break in the Gulf Coast. Being a student at the University has enriched her networking opportunities by meeting alumni throughout Idaho. As student body president she had the opportunity to partner with the U of I administration to help make decisions that affect students. In closing **Ms. Perez** thanked the committee for the support they have given to the University of Idaho.

Vice-Chairman Mortimer also thanked her and complemented her for being a good representative of Rigby High School, his alma mater.

PRESENTATION: **Chairman Goedde** welcomed **Dr. Jerry Beck**, President of the College of Southern Idaho (CSI) to make a presentation. He stated that the college is working on their accreditation which moved from a 10 year cycle to now a 7 year cycle. CSI is the lead partner for College of Western Idaho (CWI) and is helping them with their accreditation process. Because, CWI is in its infancy, CSI enrolls all CWI students and grants all the degrees until that school is accredited. This has been a positive partnership.

There has been a large growth in student enrollment. One of the fastest growth areas is in online education. Thirty percent of the people that take the online courses are students who live on campus. Online enrollment is driven by students' schedules and often the only time they can take a course is if it is offered online. The school is in the process of learning what online classes appeal to students. Once the information is researched the college will know what to offer and when to offer online classes.

Dual credit is another major area of success for the college. These credits are provided to targeted schools in the college's service area. The goal is to expand the number of high schools where dual credit is offered. **Dr. Beck** emphasized the importance of dual credit by stating the fact that students who participate in the dual credit program stay in school, graduate, go on to higher education, and have an improved success rate.

Dr. Beck continued the presentation explaining the economic and financial issues that CSI has encountered. With the current economic situation in the state, student fees and tuition pay for the largest share of costs at CSI. His appeal for CSI is that every one of the Governor's budget requests for the college be supported. There needs to be equity within the current community college funding environment. Property tax support needs to be reviewed and adjusted accordingly for the counties that support CWI. He then concluded the presentation stating that if there is more money in the budget, CSI would like to put that toward a variety of priorities that will benefit the students. Supporting documents related to this testimony have been archived and can be assessed in the office of the Committee Secretary (see Attachment #1).

Chairman Goedde asked **Dr. Beck** to provide the committee with information regarding student debt. **Dr. Beck** replied that CSI provides all of the financial aid for CWI as well as their own campus, so the financial aid looks out of proportion. Student financial loans are a concern and the college tries to get students to apply for grants and scholarships before they take out a loan.

Senator Andreason stated that financial loans are a concern of his. What can be done to make it more difficult for students to get the loans? **Dr. Beck** replied the federal government regulates those loans and institutions have very little control over the lending. Some students need loans to get an education.

Senator Malepeai noted that for many students who struggled through high school, community colleges give them a second chance. He asked what the likelihood would be that those returning students would receive a state funded scholarship? **Dr. Beck** replied that because those students are not traditional students often they do not qualify for those scholarships.

Senate LeFavour stated that college tuition in Idaho should be reviewed. Maybe in the future there would be adjustments to make school affordable for those returning non-traditional students.

ADJOURN: **Chairman Goedde** adjourned the meeting at 4:44 PM.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, January 26, 2012

SUBJECT	DESCRIPTION	PRESENTER
RS21004	Amend Idaho Code 33-5202A to clarify the official designation of a charter school "founder."	Senator Bock
PRESENTATION	Lewis Clark State College	Dr. Anthony Fernandez President
PRESENTATION	Eastern Idaho Techincal College	Dr. Steve Albinson President
PRESENTATION	Performance Evaluation Part 2	Rakesh Mohan Office of Performance Evaluations

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, January 26, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, and Malepeai

ABSENT/ EXCUSED: Senator LeFavour

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES:

RS21004: **Chairman Goedde** welcomed **Senator Bock** to the committee. He presented **RS21004** for a print hearing. **Senator Bock** stated that last year this bill was brought before the committee and it passed in both committee and the Senate, however it died in the House. Nothing on this bill has changed. This is not a change in the law rather this bill clarifies the official interpretation of the term charter school "founder".

MOTION: **Chairman Goedde** asked for questions. Having no questions and no testimony, **Senator Toryanski** moved that **RS21004** go to print, and it was seconded by **Vice Chairman Mortimer**. The motion carried with **voice-vote**.

PRESENTATION: **Chairman Goedde** welcomed to the committee **Dr. Anthony Fernandez**, President of Lewis and Clark State College (LCSC) **Dr. Fernandez's** presentation followed his handout. Supporting document related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).. Since the college's inception in 1893 it has experienced quite a few challenges and has responded positively to the challenges. The areas of study are three part: academic programs, professional technical programs, and community programs. He highlighted each of those areas. The primary areas of study for the college have been assigned to the school by the State Board of Education and are found in Idaho code. The courses offered at LCSC lead to associate and baccalaureate degrees which fit nicely into the scheme of Idaho's plan for higher institutions.

Dr. Fernandez said that the entering students' grade point average tends to be lower therefore the college works to give the students more help so they can succeed. New to the campus is an Indian cultural center for the Nez Perce students. This helps them feel more comfortable on campus, thus enabling their success. He highlighted the passing and graduation rates of the students in all areas. He told the committee where students who are going on to higher levels are placed, naming a long list of prestigious universities. He then reported that LCSC has a 90% employment placement of the graduates.

Dr. Fernandez wrapped up his presentation by showcasing the future educational plans for the college and asked the committee to please assess what the reduction of services would do to the school. Student fees are paying for the increased costs. The challenges that the college is experiencing is that enrollment has grown significantly without the addition of more faculty. The permanent faculty has taken on the challenge and is working to make sure the mission is met. **Dr. Fernandez** outlined the budget requests for LCSC and hoped for equity. He then noted that his recommendations for the college are on the handout. He pointed out that even though tuition has gotten higher so has the enrollment and students are bearing the financial burden of their higher education

Chairman Goedde then asked the committee for questions.

Senator Andreason asked **Dr. Fernandez** to address the issue of student loans being too large and should there be a restriction to the amount the students can borrow. **Dr. Fernandez** stated that he agreed that student debt is too high and is unacceptable. The LCSC student averages about $20,000 in loans and most of the high paying jobs are not readily available in order to repay the loans. Yet, students who want higher education often need loans and by reducing loan amounts often education is denied. LCSC works hard to keep costs down and that helps students to have less debt. He also recommends that students should have some financial counseling before they borrow the money.

Chairman Goedde thanked **Dr. Fernandez** for his presentation and asked him to give his regards to **Jan Hill** in the Education Department.

PRESENTATION: **Chairman Goedde** called **Dr. Steven Albiston**, President, from Eastern Idaho Technical College (EITC) to the podium. He welcomed him and congratulated him on his new position.

Dr. Albiston gave the history and the make-up of the college using a power point presentation. This school serves nine counties in the state and is a commuter campus. He said that the cost for students to attend is low and that student success is a primary goal. EITC supports credit courses, workforce training and apprentice and adult basic education. Businesses have worked with the college to implement training programs specific for their needs. There are many refresher courses offered to incoming students. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

The enrollment of the school has gone up since the economy declined. Many students are getting retooled to get better training and better opportunities for a new career. Because of the enrollment increase, all the programs have been capped. The placement rate for students in the field of study is about 90%.

Dr. Albiston spoke about the scholarships that were available through the J.A. & Kathryn Albertson Foundation and through the school's foundation. A vast majority of staff and faculty have taken a payroll deduction which has been applied to the scholarship and grants program for students. After completion at EITC many graduates go on to ISU and CSI to complete their bachelor's degree.

Chairman Goedde asked if the committee had any questions. Having none he thanked **Dr. Steve Albiston** for the presentation.

PRESENTATION: **Chairman Goedde** welcomed **Rakesh Mohan** from Office of Performance and Evaluation (OPE) to make the presentation: Reducing Barriers to Postsecondary Education. **Mr. Mohan** said the education piece in conjunction with the employment piece make this study relevant. He then went on to name all the agencies and groups that worked with OPE to complete this study.

Mr. Mohan introduced **Amy Lorenzo** and **Bryon Welch**, who conducted this study, to present their findings. They distributed the report to the committee members and then outlined their findings in a power point presentation. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachments #2 & #3).

At the closing of their presentation, **Chairman Goedde** asked if there were questions from the committee.

Senator Malepeai asked for the meaning of the statement, "Twenty-nine percent of students in the sample data that are not captured in the system." **Mr. Welch** replied that it is the total percentage of all State students who are in proprietary and/or private schools whose data are not available. **Senator Malepeai** then asked if all high schools track what their graduating students will be doing. How do they account for that? **Mr. Welch** responded that all schools send their post graduate findings to a national clearinghouse for measurement. Yet there is no consistent pattern that schools follow for sending information. Some schools report in the fall, some in the spring, and some even two years after graduation.

Senator Malepeai asked what the TRIO program is about. **Mr. Welch** referred that question to **Ms. Lorenzo. Ms. Lorenzo** explained the TRIO program is in all levels of school, from elementary to young adult, and there are staff members that work with all the schools in the state to gather data. For this study, the post-secondary findings were used.

Chairman Goedde thanked the Office of Performance and Evaluations for the presentation and assured them that there will be some follow up in the future.

ADJOURN: **Chairman Goedde** adjourned the meeting at 4:42 PM

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Senator Goedde
Chairman

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LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.
Room WW55
Monday, January 30, 2012

SUBJECT	DESCRIPTION	PRESENTER
Presentation	Office of the State Board of Education Update	Dr. Mike Rush Board of Education
Presentation	SMARTER - Balanced Coalition Assessment	Dr. Carissa Miller

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
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Phone: (208) 332-1321
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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Monday, January 30, 2012

TIME: **Chairman Goedde** called the meeting to order at 3:03 P.M. and asked the secretary to take a silent roll.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED: Senator Winder

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: He announced to the committee members that in their red file there is the financial information from the College Southern Idaho for them to review. This request came from **Senators Malepeai and Andreason.**

INTRODUCTION: **Chairman Goedde** introduced **Dr. Mike Rush** from the State Board of Education to give the committee an update.

PRESENTATION: **Dr. Mike Rush** took the podium and introduced **Jessica Piper**, Director of College Challenge Access Grant and New College Idaho Initiative, who will be helping with the presentation.

Dr. Rush reminded the committee that in the past 20 years the legislature has commissioned the State Board of Education to reform education. He highlighted what had been accomplished in the grade schools and talked about the 2013 requirement for Idaho high school seniors. The Board is ready to take the next step in education reform and has adopted the next major initiative, Complete College Idaho (CCI). He named the groups and people that helped construct this initiative. The State Board of Education is presenting today to relay to the committee the information. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Dr. Rush explained that stakeholder feed-back and buy-in on this initiative will be gathered by his staff. He has presented this plan to the three state colleges' Board of Trustees and they gave their concerns and provided great ideas. **Dr. Rush** introduced **Byron Yankey**, who was hired by Idaho Business Coalition for Excellence in Education (IBCEE), as the program manager to gather the feedback from stakeholders.

Dr. Rush then continued to explain where the U.S. ranked with the world in high school and college completion rates. He compared Idaho's ranking with other states. The CCI plan will help students in Idaho attain the State Board of Education's goal for 2020, that 60 percent of the population 25-34 of age will have a certificate, an associates' degree, or a bachelors' degree. This plan mirrors the Governor's commitment to unified job creation and growth strategies.

He explained the three state plans to meet the 60 percent goals of education and economics: Project 60, Idaho Global Entrepreneurial Mission (IGEM), and Talent. He concluded his presentation with the five strategic statements to achieve the CCI plan: 1. Strengthen the Pipeline; 2. Transform Remediation; 3. Demystify College; 4. Structure for Success; and 5. Reward Progress and Completion.

Currently, the State Board of Education is presenting this plan and the CCI plan to a variety of constituent groups. IBCEE is garnering information from the focus groups to provide feedback on this plan. This information will launch the college access number. He concluded by stating the educational system is broken and it is time to get it right for our kids and grandkids.

Chairman Goedde thanked **Dr. Rush** and asked for questions from the committee

QUESTIONS: **Senator Fulcher** thanked **Dr. Rush** for having allowed him to participant in the process of CCI. This process shows real promise and he was very impressed with **Dr. Rush's** team and thanked him for doing a great job.

Vice Chairman Mortimer stated that the time frame for the feedback seems short just January through May. What is the committee doing to retrieve the feedback? **Dr. Rush** replied that his staff is committed to talking to every group that they can so that they can implement this program. Once this is implemented it will continue to be a plan in process. His staff will learn along the way and make adjustments as necessary.

Dr. Rush introduced **Byron Yankey**, IBCEE Project Manager to explain more of the feedback delivery process. Finished field testing to survey teachers, parents, and administrators. The stakeholder feedback could be as high as 8000 household respondents around the state. In March, IBCEE members will be hosting five community forums across the state. They also will be at BSU to gather information from about 800 high school students. A sixteen member team will be reviewing the data and in May will make the recommendations. He introduced **Alicia Ritter**, IBCEE, who was a member from the first state Idaho college plan.

Senator Andreason agrees that more of Idaho high school graduates need to get a degree, but the types of jobs that he sees coming to Idaho are going to require electricians, welders, and carpenters. How do we prepare for those needs? **Dr. Rush** is very sympathetic to those types of careers and they are included in the CCI plan. Those jobs require some additional training and certification before the student is employable.

Senator Pearce commented that in a town hall meeting in his district education and the post-secondary plan was brought up. For special education students who continuously struggle with academics, what would be a good plan for them? Couldn't vocational programs be developed for them? **Dr. Rush** answered that was outside the scope of his expertise. He stated that he was aware of some technical and vocational classes available to that specific student, he just didn't know if there was a stand-alone curriculum.

Senator Pearce followed up by stating that it makes far more sense for the special education students to leave school with a skill that helps them to be employable rather than educating them on things that they are failing to comprehend. Our society needs professions where these students have an aptitude. He asked if there were any programs around the country that do that type of educating. **Dr. Rush** said that he wasn't aware of any but would look into that request.

Senator Toryanski asked if the 60 percent goal is for all high school students to have some post-secondary education, not just a bachelor's degree. Does the 60 percent include associate degrees and certificates? **Dr. Rush** replied that he was correct. The goal measures after the fact. It is measuring the 25-34 year olds population to understand their level of post secondary education.

Having no more questions, **Chairman Goedde** thanked **Dr. Rush** for his presentation.

INTRODUCTION: **Chairman Goedde** introduced **Dr. Carissa Miller** from the Idaho State Department of Education.

PRESENTATION: **Dr. Miller** presented an overview regarding three topics that the Department of Education is focusing its efforts: The common core state standards implementation, SMARTER Balanced Assessment Consortium, and Idaho's ESEA Waiver Application. Each is a very diverse topic. Supporting documents related to this testimony have been archived and can be accessed in the office of the committee Secretary (See Attachments #2). She will take questions at the completion of each segment. There were no questions after the first segment.

Questions from the second segment entitled SMARTER Balanced Assessment Consortium, questions are as follows:

QUESTIONS: **Senator LeFavour** asked what is the percentage or certain frequency of multiple choice questions used in student testing. **Dr. Miller** replied that has not been decided yet. The proposal is that it be at least 40 percent of the test. The committee is reviewing what would be the reasonable amount of time in the classroom for the testing. This is still in the development stages.

Vice Chairman Mortimer acknowledged **Dr. Miller's** commitment to this process and thanked her for her dedication. He asked her to tell about some of the things that Idaho receives from other states' findings. **Dr. Miller** responded that Idaho will have all the aspects of the testing that the state could not have afforded to do on their own. Pooling of resources are great cost savings that has benefited the state. There is also the great benefit to learn from each other and much of what Idaho is planning to do is from lessons learned in other consortium states.

Chairman Goedde asked in regards to the digital clearing house that is being set-up, will there be challenges getting that information into School Net? **Dr. Miller** replied that at this point she cannot answer that question. The rights to do that are available; however, technologically she is not sure of that format.

The third segment of the presentation showed how Idaho is working to get a waiver from the No Child Left Behind act. To do that the state must prove to the federal government that they have an accountability system set in plan. **Dr. Miller** showed the committee the timeline and the requirement necessary to achieve that goal. Supporting documents related to this testimony have been archived and can be accessed in the office of the committee Secretary (See Attachments #3). There were no questions for the third segment entitled, Idaho's Next Generation Accountability System.

Having no questions for **Dr. Miller**, **Chairman Goedde** stated that this is an ambitious task and thanked her for her willingness to work on this project

ADJOURN; **Chairman Goedde** adjourned the meeting at 4:03 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW2

Tuesday, January 31, 2012

Joint Session ~ House Education Committee

SUBJECT	DESCRIPTION	PRESENTER
Presentation	Department of Education Report	Superintendent Luna Department of Education

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES
JOINT MEETING

SENATE EDUCATION COMMITTEE
HOUSE EDUCATION COMMITTEE

DATE: Tuesday, January 31, 2012

TIME: 3:00 P.M.

PLACE: Room WW2

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

Chairman Nonini, Vice Chairman Shirley, Representatives Trail, Block, Nielsen, Chadderdon, Shepherd, Marriott, Thayn, Hartgen, Bateman, Boyle, DeMordaunt, Nesset, Pence, Chew, and Cronin

ABSENT/ EXCUSED: Representative Wills

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

Chairman Goedde welcomed **Superintendent Luna**, Department of Education (DOE), to the committees.

PRESENTATION: **Superintendent Luna** thanked both committees for the opportunity to be here. He explained that he would first give an update regarding the Student Comes First Program, which each committee person would receive a written report. He will then give the report from the Technology Task Force and ask subcommittee chairs to speak.

Superintendent Luna stated that this was the most comprehensive education reform bill in the country. This will improve education for the Idaho student no matter where they live in Idaho. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachments #1 and #2).

Superintendent Luna then introduced the Technology Task Force Subcommittee Chairs. They are as follows: **Representative Reed DeMordaunt,** One-to-One Governance and Instructional Integration; **Stefani Cook,** Idaho's 2011 Teacher of the Year, Classroom Technology Integration; **Jayson Ronk**, from the Idaho Association of Commerce and Industry, Platform, Specifications, and Procurement; and **Andy Grover,** Melba School District Superintendent, Online Learning Implementation. Each addressed the area they led. Supporting documents related to their testimonies have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2).

Chairman Goedde thanked the presenters and **Superintendent Luna**. He reminded the committees that each of them have been provided a report and encouraged them to read that for more details.

MOTION: **Chairman Nonini** thanked **Superintendent Luna** and his staff for their tremendous work on this report. He moved, seconded by **Vice Chairman Mortimer** that the Joint Education Committee approve the report as presented. The motion carried with a **voice-vote**.

QUESTIONS: **Chairman Goedde** opened the meeting up for questions. He asked **Jason Hancock,** DOE, based on **Ms. Cook's** recommendation for increased professional hours, to tell him how much would it cost the state if they added the 72 professional development hours to teachers' contracts. **Mr. Hancock** replied based on 180 day contract and add six more days to that contract the cost would be $22.7 million.

Vice Chairman Mortimer asked **Superintendent Luna** how did his office determine that 85 percent of the teachers in Idaho would receive the pay for performance bonus? Also, how does the Department of Education get the word out to teachers so that they can accurately understand pay for performance? **Superintendent Luna** replied to the second question saying that it may come as a surprise but the DOE does not have teachers' contact information and it is very difficult to get the accurate information to teachers. **Superintendent Luna** stated that he has offered to go to every school district to speak to pay for performance and that he has gone to a few districts, but not all. They can also contact the DOE or go to the DOE website to better understand the options.

Mr. Hancock then replied to the question as to how 85 percent of teachers will receive bonuses. He stated there are two bars that teachers will have to hurdle. If a teacher is in the top 75 percent of schools when it comes to student academic growth then they receive participation measure. Then there is an excellence measure that the top 50 percent of schools receive. There is also a local plan for teachers to receive merit pay. Calibrating these numbers gives the number of 85 percent of total teachers teaching in Idaho. There are a variety of scenarios that will and can affect the teacher's pay. Having reviewed all the local plans, there will not be very many teachers not getting the bonus money.

Representative Nielson noted that when this reform is being rolled out there is going to have to be bills introduced to at least change education codes. How is that going to happen; before, during, or after? **Superintendent Luna** stated that both Education Committee chairs have been informed that there will be changes coming and that those code changes will happen along the way. **Representative Nielson** then asked will if recommendations taken from the department will be addressed to the concerned districts. **Superintendent Luna** said the department will be working to develop a statewide professional development plan. There will be stipends for trainers at the regional, district, and school levels to help facilitate this reform

Senator Malepeai thanked the Superintendent and all those who gave their time to get this report to the committees. He then asked **Superintendent Luna** if there are some districts that do not have the infrastructure to support this technology? **Superintendent Luna** replied that two months ago all high schools were hooked up to the Idaho Educational Network, therefore, the bandwidth for support is available. There will be full wireless access to all high schools and that is an expense to the state which will not be passed on to districts. **Senator Malepeai** then stated that teachers were the most critical of this legislation. What will the Student Comes First legislation do to teacher workloads? **Superintendent Luna** replied that whether this law was passed or not the funding for schools had been reduced. Less money has to do with the economy not the law. This past year there was an influx of $60 million given to schools and that was more then what they received in the prior year. How districts spent their money was affected but the amount given to districts was not affected.

Representative Shirley said since each one of the committee members has a school district in their district that would like to be one of the first third to receive one-to-one devices, how will the department decide from the 81 letters which district will be selected? **Superintendent Luna** replied that demand far exceeds the supply. The department will put together a measurement matrix to determine which districts will get the one-to-one devices. He would like to have some regional balance making it better for those schools in different districts that rely on each other to broaden their educational offerings to more students.

Representative Thayn stated that a big portion of the money in the budget is spent on technology in the classroom. Is professional development going to be about training teachers in technology? **Superintendent Luna** stated that the $13 million and the funds for One-to-One are there specifically to integrate and develop technology.

Senator LeFavour asked for him to better explain and clarify how the funding for education was routed. **Superintendent Luna** replied to her that the money appropriated to district was not affected by the Student Comes First legislation, but, how the money was spent was affected by the law. He then explained where DOE gathered the $13 million to fund technology. He said the state no longer paid $18,000 retirement bonuses to adults, it no longer gave 99 percent protection to the districts and those two omissions provided just about all the money necessary for technology. It also provided money for every Idaho high school junior to take the S.A.T. college entrance exam, for those high schools students who meet their graduation requirements early it provided the funding for the state to pay their college entrance exams. That money paid for far more than just technology. **Senator LeFavour** replied that none the less funding was cut for teachers and spent on technology. **Superintendent Luna** responded that money was spent on transportation, benefits, and all other budgeted items. Clarification is important and it should be clarified that two months after the $40 million cuts, $60 million that was given to education due to unanticipated state revenue. That influx of funds should be included and clarified. Actual spending on education last year was not cut so let it be clarified it was increased.

Representative Chew stated that looking at the funding plan is there the assurance that no teachers will lose their jobs due to budget cuts. **Superintendent Luna** replied the DOE gives local districts the flexibility as to how they spend the money they receive from the state. Each district will receive the same amount for salaries and benefits as they received last year. It is up to the district how it is spent.

Representative Trail asked the hypothetical question if a district that is not selected in the first round of funding raises enough money to purchase one-to-one devices. Would DOE give them guidance so that they are on the same plan? **Superintendent Luna** stated yes the department would provide the guidance and the district could get the state contracted price for the devices.

Chairman Goedde thanked **Superintendent Luna** and the task force committee chairs for their presentations.

ADJOURN; **Chairman Goedde** adjourned the meeting at 5:07 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW55

Wednesday, February 01, 2012

SUBJECT	DESCRIPTION	PRESENTER
S1269	Amending Section 33-5202A to make a technical correction	Senator Bock

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Wednesday, February 01, 2012

TIME: **Chairman Goedde** called the meeting to order at 3:12 P.M. and asked the secretary to take a silent roll.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Toryanski, and Malepeai

ABSENT/ EXCUSED: Senators Winder and LeFavour

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: Chairman Goedde invited Senator Bock to the podium to present S1269.

S1269: **Senator Bock** stated that he was here to readdress some old business that was presented in the 2011 session. This bill is a clarification of code 33-5202a, the interpretation to the term "founder." This language is vague and can be a source of abuse. At this time it should be fixed so as to avoid problems in the future.

Senator Bock referred to the Attorney General's letter and stated their opinion. The Attorney General's letter stated that the founding of a school is a one time event and the establishment only occurs once, therefore, charter schools should not have the ability to keep adding founders. This bill allows for some flexibility in the law as the charter school has 180 days from the day classes begin to designate the founders.

Chairman Goedde asked if there were questions from the committee.

Senator Fulcher stated that he remembered when it came around the last time and he had some concerns. He then reiterated a specific scenario: If a charter school has been in existence for five years or longer and in that year a donor comes forth willing to donate a large amount of money, can the charter school then add that person as a founder?

Senator Bock said no.

Chairman Goedde asked if there was anyone in the audience to speak to this bill. No one responded. **Chairman Goedde** asked **Ms. Baysinger** from Public Schools Charter Commission, if the charter schools had an opinion and she stated that they did not.

MOTION: Having no more questions, **Chairman Goedde** called for the motion. **Senator Malepeai** moved, seconded by **Senator Andreason** that bill **S1269** be sent to the floor with a do pass recommendation. There was discussion from **Chairman Goedde** to **Senator Fulcher's** scenario stating that he was sensitive to his concerns. The motion carried by **voice-vote.** Senator Les Bock will carry to the floor.

ADJOURN: **Chairman Goedde** adjourned the meeting at 3:24 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW55

Thursday, February 02, 2012

SUBJECT	DESCRIPTION	PRESENTER
Presentation	Department of Corrections Update	Director Reinke Department of Corrections
Presentation	Juvenile Corrections Update	Sharon Harringfield Juvenile Corrections

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, February 02, 2012

TIME: **Chairman Goedde** called the meeting to order at 3:07 P.M. and asked the committee secretary to take a silent roll.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, and Malepeai

ABSENT/ EXCUSED: Senator LeFavour

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

ANNOUNCEMENTS: **Chairman Goedde** stated that for the record, **Senator Andreason** intended to vote yea for **S1269.** Let the record reflect that change.

PRESENTATIONS: **Senator Goedde** welcomed **Director Brent Reinke** from the Department of Corrections to the committee.

Director Reinke thanked the committee for the opportunity to present and introduced **Shane Evans** the Director of Education and Treatment and a Major in the Department of Corrections.

Director Reinke stated that today's report will come from the year-end annual report. There is also an insert that covers the Correctional Institution's education program. Each committee member has received a copy of the report and insert.

Director Reinke highlighted the folder's cover state "Mission First Safety Always" because the prison population is getting harder and more gang oriented, it is important for the staff to seize and live into that mission. He then spoke to the trends in the inmate population, staff, and gangs. Supporting document related to this presentation has been archived and can be accessed in the office of the Committee Secretary (See Attachment #1). **Director Reinke** encouraged the committee members to review the material so if necessary they could answer any constituent's question. He then turned the podium over to **Shane Evans** to present the education portion.

Chairman Goedde welcomed **Shane Evans** , to the committee. **Mr. Evans** reviewed the education brief that was in the folder. He spoke to the highlights that the institution is celebrating this year. The educators across the state continue to provide extensive services with a finite level of resources. There were 26 graduations across the facilities of the state. There were 522 Graduation Equivalency Degrees awarded and four high school diplomas. The trend is up from last year. About half of the incarcerated population come in without a high school diploma and half of that population only have a sixth grade reading level. The correction institutes works to get prisoners to a functioning level of literacy. CWI has partnered with the prison to teach large machine operation to qualified candidates for their reentry for employability. Research has shown that if they can go out and support themselves and their family with dignity, respect and a livable wage they are more likely to change their ways and not return to the system.

The long standing Incarcerated Youth Grant from the Federal Government is no longer available. He stated that this could be a trend as some other federal grants are getting reduced. The reduction in funding will impact the vocational training programs that are currently in place. **Mr. Evans** thanked the committee for their time and will take questions at the end of the report.

Director Reinke then returned to the podium to continue to review the annual report folder. Idaho correctional center industries opened a sewing shop in the Pocatello facility and will be making all the prison attire for the state's prison population. The correctional industries give the prisoners a skill so when they are released they have some training. Correctional Industries (CI) works to produce goods for the state as well as fulfilling contracts from private entities. The idea for the program is not to work for the prison but to have skills when they are released from prison. He named all the different types of products that CI is manufacturing. He invited the committee to take a tour of the industry facilities.

Director Reinke then highlighted the website for the Department of Corrections. At that site people will find answers to their many questions. There is a tremendous amount of information at that site.

He concluded his presentation with employment figures for the department. There is about a 23 percent turnover rate of correctional officers per month. To train each officer they invest approximately $16,000 to get them ready to supervise prisoners. There is also a 13 percent turnover in management. He is working with the Finance Committee to come up with some solutions to remedy the turnover.

Other legislation actions for the department include three pieces of execution legislation. These are based on the lessons learned from the November 2011 execution. Finally, contraband legislation will also be introduced to manage those problems.

The gang affiliation population in Idaho has been growing about .05 percent every 30 days. There is a significant influx of gang members in Idaho's correctional system. There are 18 percent of the incarcerated prisoners in a gang and over 50 percent of maximum security prisoners are in a gang or a serious threat group. Maximum security is a segregated facility, meaning one bed per cell, this is helpful for the institution. **Director Reinke** thanked the committee for passing the legislation to allow this set up to occur. He noted that the maximum security population is growing, so they will need more segregated facilities. Harden criminal population is going up. He is not sure why, it may have to do with California's realignment of prisons, which is a concern for all northwestern states' law enforcement and correctional institutions.

Director Reinke relayed good news that the prison population is under the projections by approximately 2,000 inmates, Things are working well with the legislature and department.

Senator Toryanski asked **Director Reinke** what types of products are being produced. Considering the lesser cost of production it is perceived in the community that correctional industries don't fairly compete with the private sector to get contracts? **Director Reinke** stated that correctional industries cannot sell to the private sector but will work with others to manufacture items. There is a great amount of prisoner labor that is used throughout state agencies to repair and remodel capital projects. No tax dollars are used to run the industrial segment of the correctional department. Furthermore none of the revenue earned goes to run the correctional institution; this is a self-supporting stand alone operation that trains inmates for reentry to society. All work of the correctional industries is within Idaho Code.

Senator Andreason stated that there are private prisons in the state that are being run by the state. Are there more problems with the private or public ran prisons or are they about the same? **Director Reinke** replied there are a lot of similarities. One of the issues that the department has struggled with is how to manage the contracts from private prisons. They have learned from past mistakes and are doing a better job. The challenge that IDOC has is that they do not own the contract. That contract is owned by Idaho Department of Administration yet the IDOC is responsible for the contract. When they start procuring services from those contracts it becomes cumbersome due to not knowing what the contracts state resulting in some violence incidents in the private prisons. IDOC is learning their role with private prisons and things are getting much better.

Senator Fulcher acknowledged and commended the work of the people at IDOC. He then asked if those prisoners that are gang members actively participate in the educational programs. Is the increase of gang activity related to an increase in drug activity? **Director Reinke** commented to the second question is that is correct. Correctional workers are in a compromised position with the gangs. There is so much contraband being brought in, especially phones and the staff's families are being threatened. There is an increase of meth and cocaine making its way into the facility. These contraband equal power and it puts people inside and outside the facility at risk.

Mr. Evans took the podium to speak to the education of gang members. He stated about 16 percent of the prison population refuses to participate in the educational programs and a majority of those are gang members. The staff works hard to engage the prisoners to take *The Pathways to Success*. Every 90 days the "refusers" are asked if they would like to try the educational opportunities. Often that repetition gets them into the program.

Chairman Goedde asked **Mr. Evans** if the recidivism rates are correlated to those who do and those who don't go through the education programs. **Mr. Evans** replied absolutely, both in local and national numbers. Idaho has a better recidivism rate then most states. The IDOC is trying to front load the education opportunity so that the prisoner will have less prison visits. **Chairman Goedde** asked if he had any numbers to share. **Mr. Evans** said about 37 percent across the population are in the education programs.

Senator Andreason asked **Director Reinke** if the IDOC sees a problem with losing correctional officers to Oregon or other nearby states. **Director Reinke** stated that IDOC is losing correctional officers to different positions or career opportunities. Payroll is the biggest issue as to why the state is losing employees. Oregon pays correction officers about $4-$5 more per hour than Idaho's pay rate.

Having no more questions **Chairman Goedde** thanked **Director Reinke** and **Mr. Evans** for their presentation.

PRESENTATION: **Chairman Goedde** welcomed **Sharon Harrigfeld**, Director for the Department of Juvenile Corrections (IDJC) to the committee. She introduced **Richard Duke** the Principal of Nampa Juvenile Facility.

Director Harrigfeld stated that in Juvenile Corrections there is a lot of hope. The department has developed a code for kids, stating that IDJC rehabilitates children. The mission is to reduce juvenile crime and partnership with communities. That is done through prevention, rehabilitation, and reintegration.

In 1998 a need assessment for juvenile space was completed and the projected amount of children to be served was about 730 juveniles in custody in 2008 and for 2012 the number would be 830. Today, in 2012 there are 336 juveniles in custody. By working into the mission the IDJC has saved the state approximately $29 million.

Director Harrigfeld then relayed to the committee the work of Juvenile Corrections as outlined in the power point presentation. See supporting document related to this testimony. They are archived and can be accessed in the office of the Committee Secretary (see Attachment #2).

At this time 95 percent of all juvenile correction work is done at the local level. IDJC works with counties, schools, and prevention programs to curb juvenile offenses. There are 5,500 juveniles that are on probation and 200 that are in detention facilities and there are clinicians at all the detention facilities. All facilities include education to the 336 juveniles in custody. Those kids are active all day beginning at 6:00 A.M. until 9:00 P.M. doing schooling and drill work. They only have about an hour of free time.

She then continued her report speaking about the budget and explained the functions unique to the three different institutions in the state. There are 67 percent of the juveniles that are in the facilities are felony offenders and 33 percent are committed because of misdemeanors. There are 13 juveniles housed out of state because they have developmental or mental needs the facilities in Idaho cannot provide. The IDJC works to improve the quality of life for the juveniles that they serve and that is done by working on juveniles reading and math skills.

Director Harrigfeld then turned the podium to **Richard Duke**, Principal of the Nampa Facility, to update the committee on the educational component. **Chairman Goedde** welcomed **Mr. Duke** to the committee.

Mr. Duke thanked the committee for the opportunity to present. He will speak to the work that is done in Nampa. He assembled some statistics for the committee to review. The program is entitled Juniper Hill High School and it follows the curriculum required by the state. It is an accredited program located in all three of the facilities. Graduate Equivalency Degree (GED), high school diplomas, and dual credits are offered to the incarcerated students. There is a large faction of students that qualify for an Independent Education Plan (IEP) meaning that there is a large special education population with emotion and mental issues. These juveniles demand a lot of the teachers' time and energy thus becoming a concern for IDJC. This population is on the rise. He has been with the agency for three years and during that time they have been trying to mirror their programs as to what is going on in the public schools. These kids need extra attention as to not fall through the educational cracks, IDJC education is their last hope. IDJC increased the usage of technology that is all the buildings because their students respond well to that type of education.

Goals for the educational facilities are to get more professional training for teachers in technology and to reclassify positions from security to education. Doing those goals will broaden opportunities for the students. Recent data shows the before and after of students' successes in reading and math scores from using the new methods that have been adopted. These programs help kids but also motivate teachers. The challenges that come with working in IDJC is it is a very tough environment to work in because of the diverse needs all in the same classroom. There are a variety of education levels in one classroom. The facilities are working to find a classroom structure where kids will learn and continue to respond.

There is a need for qualified and professional personnel. The teachers at this site work year around with few breaks. That is a challenge for recruiting and retaining teachers. Since the school operates on a master schedule and their students arrive at the facility at various points in the semester, there is little consistency in student's school curriculum due to lapses in continued attendance. **Mr. Duke** thanked the committee for their support and then asked for questions.

Senator Fulcher acknowledged the work and challenges of educating students in the Correctional Facilities. For the record many thanks go to **Sharon Harrigfeld.** It is hard to grasp the work you do so know that you truly are appreciated.

Chairman Goedde asked for more questions or comments from the committee. He addressed **Ms. Harrigfeld** stating there was a juvenile detention track and all have an educational component. He asked her to expand that information

Ms. Harrigfeld stated all twelve of the detention facilities have educators. They are funded with the funds from the school districts where the facility resides. Each student has at least four hours of education which is funded with the average daily attendance (ADA) model.

Chairman Goedde thanked **Ms. Harrigfeld** and reminded the committee that JFAC is taking testimony from committee chairmen on February 16 and 17. The committee will be having some discussion next week in regards to funding the education budget.

ADJOURN: Having no more business, **Chairman Goedde** adjourned the meeting at 4:03 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, February 06, 2012

SUBJECT	DESCRIPTION	PRESENTER
H382	Amending section 33-3721 to remove a reference to state appropriations	Representative Shirley
H384	Amending section 33-3717B Revision of residency requirements for public institutions of higher education relating to resident students	Tracie Bent State Board of Education
PRESENTATION:	Boise State University	Dr. Robert Kustra

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Monday, February 06, 2012
TIME:	3:00 P.M.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, LeFavour
ABSENT/ EXCUSED:	
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

H 382

Chairman Goedde welcomed **Traci Bent**, State Board of Education, to present H 382. She stated that this bill amends Section 33-3721 of Idaho Code, to remove a reference to state appropriations. This account was created by an act, however, the account was never formally set up. No appropriations have been run through the account. Auditors suggest that either the Code be followed or be changed to align with current practice.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator LeFavour**, to send H 382 to the floor with a do pass recommendation. The motion carried by **voice-vote**. **Vice-Chairman Mortimer** will carry the bill on the floor.

H 384

Tracie Bent presented H 384 to the committee. She explained that this bill is related to public institutions of higher education. It amends Section 33-3717B, Idaho Code. This revises the provisions of residency requirements for tuition purposes. It states that if a veteran who is stationed out of state but retains his/her residence status in Idaho, they and their dependents would be considered residents for tuition paying purposes

Chairman Goedde asked is a spouse considered a dependent. **Ms. Bent** replied no, the term dependent refers to a dependent child.

Vice Chairman Mortimer asked **Ms. Bent** if the state institutions waive tuition for all veterans. **Ms. Bent** replied not exactly, only if they maintain their Idaho residency status.

Senator LeFavour stated that through the JFAC hearings she is aware there is tuition assistance with the Air National Guard. She asked how this relates to that. **Ms. Bent** stated there are a number of different educational veteran assistance programs that were added a couple of years ago. This change should have been included in the original bill.

MOTION: **Senator Andreason** moved, seconded by **Senator Fulcher** to send the H 384 to the floor with a do pass recommendation. Motion carried by **voice-vote**. **Senator Andreason** will carry the bill on the floor.

INTRODUCTIONS: **Chairman Goedde** welcomed **Dr. Robert Kustra**, President Boise State University and former House Speaker **Bruce Newcomb** Government Affairs.

Dr Kustra introduced his guests; **Amy Johnson**, Government Affairs, and **Emily Walton** from Declo, the Associated Student Body Secretary, BSU.

PRESENTATION: **Dr. Kustra** began his presentation by highlighting the Clint Eastwood commercial, Half-time In America and played off the fact that if Detroit can come back so can America. He stated that higher education in America is coming back and BSU is going to lead the way. He suggested that the committee assume that there was no recession and then he asked the hypothetical question, would higher education be under any pressure to do anything different? He stated that the recession has caused the school to operate different due to the $20 million in lost appropriations. But if there was not a recession the answer would be "YES." Technology has exploded, students learn differently and they process information differently suggests that education must find different ways to do business. Developing countries are catching up with America even in the global recession. America is falling behind in the international competition, therefore, it is time to change the business model in higher education; serve students differently and create a better product. **Dr. Kustra** then continued to describe the innovative work of students at BSU. Supporting document related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1 & #2).

Chairman Goedde thanked **Dr. Kustra** for his presentation and then asked for questions from the committee.

Senator Andreason asked **Dr. Kustra** to explain more regarding the school funding comparison slide. He asked why BSU is last of the four colleges in per student funding and wanted to know the criteria for those numbers. **Dr. Kustra** answered that it is historical. He continued by adding that it does not happen in one year, it is not something that is done by design, he believes that it is an accidental result of an accumulation of factors that have occurred over the years and may have had to do with the growth in enrollment. BSU's enrollment was growing more rapidly than the other schools and JFAC could not fund the workload adjustments for all institutions. In 2006 when the state fixed the discrepancy at 50 cents to the dollar, that rate was still only half of the dollar difference. Boise State agreed then not to come back to the state for the other 50 cents left on the table. The work load adjustment was not funded for the past four years.

Senator Fulcher asked for an explanation of the graph slide. He asked what in general terms is BSU's tuition rate compared with the other universities in Idaho. **Dr. Kustra** replied that BSU's tuition rate is second lowest rate of all the universities. The school runs cost effective programs and the expenses are such the school operations office can control costs. BSU is working diligently to hold down tuition increases by holding down costs. A committee at BSU, made up of students, faculty, staff, and administrators have made their recommendations to be about a seven to eight percent increase in tuition. In the past two years **Dr. Kustra** has approved only a five percent increase. He suspects that the suggested increase for this year will be the same amount. To keep the costs down the university has had to restructure some programs and to eliminate programs that students no longer have enrollment interest. The graduate programs are self supporting programs.

Vice Chairman Mortimer asked **Dr. Kustra** if the BSU admissions office recommends College of Western Idaho to those applicants that are unable to get into BSU, due to grades. **Dr. Kustra** said those students are advised in the admissions process that there are schooling options other than BSU. **Vice Chairman Mortimer** then asked him how many of the students turned down from BSU are Idaho students? **Dr. Kustra** did not have that number. He said that a majority are probably from Idaho as the majority of BSU students are from Idaho.

Chairman Goedde asked **Dr. Kustra** if BSU offers any remedial classes. **Dr. Kustra** said yes that BSU does. About four years ago the university reworked the remedial classes because students were not able to pass them. He stated that the university then assessed their role in the pass/fail rate of students and has since encouraged departments to review how they teach remedial classes. The math department has successfully worked to make changes in its curriculum. All the gateway classes are being well executed.

Senator Winder is concerned about the debt that students were experiencing and asked **Dr. Kustra** if there are any programs being considered to help the impact of borrowing and taking on debt. **Dr. Kustra** said that the university spends time at orientation to speak with students and parents about the "real" cost of education. His goal for the next orientation is to review with incoming students and parent the financial impact of taking more than four years to graduate. Taking the minimum amount of time to complete a degree makes higher education affordable.

Senator Malepeai asked **Dr. Kustra** if he believed all universities should have minimum standards to get into the four year institutions. **Dr. Kustra** replied yes. The institutions are under increasing pressure from national and state boards to move more students through more efficiently. Idaho's college graduation rate is not very good. That rate is about 43 percent for the past six years. That 43 percent graduation rate is low because BSU contributes to that number. The graduation rate in 2003 was 28 percent, the retention rates were low. Both of those numbers have improved and the rates are going up. The students which lowered the level are in community colleges getting the attention they need. To improve that number, the university cannot enroll students with less than minimum standards as they slow all students' learning pace. He referred the committee to a website called www.completecollegeamerica.com to see where Idaho measures against other states in graduation rates. **Dr. Kustra** reminded the committee with the opening of CWI, Boise State University changed the mission from a community college mission to a senior university mission.

Senator Toryanski asked **Dr. Kustra** to explain why the doctorate programs could not be supported with appropriation dollars. **Dr. Kustra** said it could be done but the university has chosen not to fund that program. When it comes to graduate programs, BSU has made the decision that the graduate programs they offer will be part of the Science Technology, Engineering and Mathematics (STEM) program. When it comes to funding programs the first priority is undergraduate students. While graduate programs are essential they cannot be financed with the precious appropriation dollars. Students in the graduate program are still enrolling and paying higher fees.

Chairman Goedde stated the committee had heard from the Office of Performance about the equity issue. The responsibility to bring equity forward is with the State Board of Education. He wanted to know what **Dr. Kustra's** outlook on any success is in getting equity in line. **Dr. Kustra** said he understood the State Board of Education is taking this under advisement. No one is disputing the issue; it is just how is the State Board going to get the schools to equal funding. This issue takes a long range plan to get the equity in line.

Chairman Goedde said dual credit enrollment has been characterized as one of the best ways to get a student out of high school and into a post-secondary institution. Does BSU track the percentage of students that have dual credits when entering the University? **Dr. Kustra** replied that they do but he will have to get that number to the committee.

Having no more questions **Chairman Goedde** thanked **Dr. Kustra** and adjourned at 3:58 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, February 07, 2012

SUBJECT	DESCRIPTION	PRESENTER
PRESENTATION	APANGEA	Lou Piconi, Glen Zollmnan
RS21139	Amending Section 33-517 To revise provisions relating to powers and duties of school districts. Revise provisions relating to certain grievance procedures relating to non certificated personnel. To make a technical correction.	Karen Echeverria
COMMITTEE WORK:	Review and discuss JFAC budget proposals	Chairman Goedde

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Tuesday, February 07, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED: Senator Pearce

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting to order at 3:00 P.M. and asked the secretary to take a silent roll.**Chairman Goedde** stated that the agenda will be reordered to have **Karen Echeverria** present **RS 21139** then move to the presentation.

RS 21139 **Chairman Goedde** welcomed **Karen Echeverria,** Idaho School Board Association (ISBA), to the committee. **Ms. Echeverria** presented **RS 21139**. This issue was brought to the ISBA by the Melba School District. This legislation will affect non-certificated non-contract at will employees in school districts. These employees currently have more grievance rights then do certificated staff. This legislation does not take away these employees grievance rights. Instead it clarifies under what condition a grievance can be filed and how that grievance would be handled when it is filed.

MOTION: Having no questions from the committee, **Senator Fulcher** moved, seconded by **Vice Chairman Mortimer**, to send **RS 21139** to print. Motion carried by **voice vote**.

PRESENTATION: **Skip Smyser,** Lobby Idaho LLC, presented his client Apangea Learning Inc. and sends greetings from its founder **Lou Picconi** who was unable to attend due to a family death. **Mr. Smyser** also introduced **Glen Zollman**, State Programs Director for Apangea Math.

APANGEA: **Chairman Goedde** welcomed **Mr. Zollman** to the committee. He gave his educational background noting that he taught math at the middle and high school levels. It can be a difficult subject and when a student has failed algebra three times, little motivates them to try again. **Apangea** is a math initiative to help give students success as they acquire math skills.

Using a PowerPoint presentation, **Mr. Zollman** gave the committee an overview as to what Apangea is currently doing in the state. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Chairman Goedde thanked **Mr. Zollman** for his presentation and then asked for questions from the committee.

Vice Chairman Mortimerr asked if Apangea has the figures for participation by age. **Mr. Zollman** replied they are available by grade level. He didn't provide the information today but can get that information to him. **Vice Chairman Mortimer** asked how students are specifically enrolled in this program. **Mr. Zollman** stated that for those districts that are using Apangea, enrollment is done at the district level. At the start of the program, teachers sign up the student right from the classroom. Some districts enroll the entire eligible student population, third grade through algebra one. The target is to enroll the students who are not passing the ISATs. This program is also for those students who excel in math to give them some creative challenges.

Vice Chairman Mortimer asked **Mr. Zollman** to tell him specifically if school districts 91 and 93 are participating. **Mr. Zollman** replied that Bonneville and Idaho Falls have on and off participation and have not been as consistent as they would like, but he continues to communicate with them to increase the offerings.

Senator Andreason asked how this program will work with Superintendent Luna's Student's Come First program. **Mr. Zollman** stated that his program is a separate component of the math initiative component.

Senator Toryanski asked if a student signs up on his own or do they have to be a part of a school classroom that is contracted with Apangea. **Mr. Zollman** said yes, there are a number of places where people can go to get signed up with this program (such as local libraries, the Boys and Girls Club, as well as outreach parent groups PTA/PTO), and there are parent portals for parents to get their child an account.

Chairman Goedde asked how many years Apangea has been in Idaho and **Mr. Zollman** replied this is the fourth year.

Having no more questions, **Chairman Goedde** thanked **Mr. Zollman** for the presentation.

Chairman Goedde introduced to the committee the JFAC documents that **Mr. Paul Headlee** submitted as discussion points for education budget concerns.

JFAC BUDGET DISCUSSION:

Chairman Goedde spoke to the committee regarding the Joint Finance and Appropriations Committee's suggested budget. He had asked **Paul Headlee** from Idaho Legislative Services Budget and Policy Analysis to give him a list of the decision points that JFAC is going to have to make in regard to the public schools' and the state board's education budgets. **Chairman Goedde** said the committee has those points in their red folders and will be discussing those points today. Next week the committee will come to consensus and will prepare a statement for him to take to JFAC on February 17th.

Chairman Goedde called **Mr. Headlee** to the podium to begin reviewing the public schools' budget decision points. The handouts include the Governor's request and the revised request from Superintendent Luna. The Superintendent's list is based on a 50 support unit estimate growth compared to the 150 support unit estimate when the budget was first submitted in September 2011; that is the main difference.

Mr. Headlee identified nine major decision points for public education and reviewed each with the committee. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2).

The first item is in regard to support units. **Mr. Headlee** said $3.6 million will be needed for growth of 50 support units. That is for salaries, benefits, and there is a component for discretionary funds. **Chairman Goedde** asked if the difference in the Superintendent's original budget of 150 and the new 50 unit resulted in $7.3 million in the revised budget. **Mr. Headlee** responded yes.

Mr. Headlee continued to review the items on the list. When completed he took questions from committee members.

Chairman Goedde asked if decision point seven maintains the discretionary funds at the level that it was last year and it will take an additional $5.6 million to give it a 2 percent increase? **Mr. Headlee** replied yes that is correct.

Chairman Goedde asked **Mr. Headlee** to explain item number nine's decision that the budget goes from $6 million to $1 million for IDLA. **Mr. Headlee** explained currently in FY 2012 there is $6 million in the budget for IDLA. The formula was quantified so that there is $1 million in the base, however, there is also a $3.5 million floor that is a statute amount.

Chairman Goedde asked assuming that we exceed a 50 support unit increase the money for that comes out of PESF. Is that correct? **Mr. Headlee** replied this is correct, if at the end of the day all the variances come out of PESF. **Chairman Goedde** asked what is the amount in the PESF account. **Mr. Headlee** responded there is $15.5 million in the account.

Mr. Headlee then reviewed for the committee the ten budgeted divisions in the State Board of Education's budget: agricultural research and extension; college and universities; community colleges; office of the State Board of Education; health education programs; professional technical education; Idaho Public Television; special programs; Superintendent of Public Instruction; and vocational rehabilitation.

Mr. Headlee said there are nine decision points regarding the Governor's requested amount versus the Board of Education's request that have generated the most discussion. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #3).

The second item is occupancy costs for the campus buildings and those other costs to maintain the buildings; janitorial; landscaping; and general up keep. The request is $6.2 million and the Governor recommended that amount. **Chairman Goedde** asked whether that is for new buildings or existing buildings? **Mr. Headlee** replied that those funds are for both. There is a funding process in JFAC's policy. During the last few years, some of the requests have not been funded. Those continue to show up in the following year's requests. **Vice Chairman Mortimer** asked if Eastern Idaho Technical College (EITC) has foregone some occupancy costs in the past, and if those costs are included in the current figure? **Mr. Headlee** looked in the current budget book and didn't see any requests from EITC for occupancy costs. **Vice Chairman Mortimer** then asked if that number is what colleges and universities requested or is that number the percent the Governor allocated. Would EITC need to make a request? **Mr. Headlee** stated yes, each institution must make a request and it must conform to the JFAC policy.

Regarding item four, **Chairman Goedde** asked **Mr. Headlee** if the HESF had been established. **Mr. Headlee** said yes and there is already about $400,000 in the account.

Regarding discussion item number six, **Senator Andreason** asked **Mr. Headlee** how the Center for Advanced Energy Studies money is be divided among the three universities. **Mr. Headlee** replied it will be divided in equal amounts for the three institutions.

Chairman Goedde asked if there were any other questions for **Mr. Headlee.** Seeing none, he asked **Mr. Headlee** to stay as the committee discussed the decision points for public schools and higher education.

The committee reviewed the Public Schools Budget line by line. **Chairman Goedde** stated that he understood the Governor's recommendation is to increase the education cut by almost $30 million. There is $15 million for 50 support units growth; that target seems unrealistic. He asked **Mr. Headlee** to remind the committee what the increase in support units have been in the last few years. **Mr. Headlee** stated the increase has been anywhere from 140 to 200 support units increase. The actual has come fairly close to that number. This is a significant decrease from what has been appropriated in the past four years.

Vice Chairman Mortimer stated it is his understanding that the reason the Superintendent was comfortable with that 50 versus the 150 is because of the longitudinal system, do they have more accurate information than in the past. This is a substantial decrease. **Mr. Headlee** stated he didn't know the reason for the decrease except the Superintendent felt very comfortable with that number. **Chairman Goedde** called **Mr. Jason Hancock** from the Department of Education to the podium.

Vice Chairman Mortimer asked **Mr. Hancock** to please explain the decrease in the support units being funded. Moving from 200 to 50 seems like a large decrease. He understands that the Superintendent is comfortable with that number but why the decrease.

Mr. Hancock believes that the committee can feel comfortable with the decrease. Part of the reason for seeing less growth there is because of the longitudinal data system that allows the department to catch instances of double counting students. In the past the department was not able to decipher if a student was being counted in two districts. Another factor for the decrease is the slow economy that has hit places like Meridian where growth has leveled. As far as the drop from 150 to 50 keep in mind that this is looking at two years. What is built in the model in September is current's year budget of 150 and another 150 next year for a total of 300 support units for a two year period. Now that it is scaled back to 100 for this year and another 100 for next year, so that would be 200 over a 2 year period. It drops from 300 to 200 in a 2 year time frame. Of the 100 units that are needed next year, 50 of them were unused in the current year's budget. The department expects that they will be making a deposit to the stabilization fund this year to reflect that savings.

Chairman Goedde stated items two and three are already set forth in statute, unless the committee would like to make a recommended statutory change. He asked **Mr. Headlee** if item two is a recommendation from the State Superintendent. **Mr. Headlee** replied item number two amount is required he believed, and the Superintendent has backed the salary based apportionment which is in line number four. That line has a base salary adjustment to counter the decrease.

Chairman Goedde then asked **Mr. Headlee** if this committee were to recommend the salary based apportionment be refilled and recommend the Governor's onetime bonus, then the floor would be the combination of lines two and four. **Mr. Headlee** said yes, those two would net against each other. A recommendation could be for a 2.38 percent increase in the base salaries to counter the negative amount on line two.

Vice Chairman Mortimer asked **Mr. Headlee** if it is true that line item number four recommendation has a contingency on it for revenue numbers. Should that be taken into consideration when the committee makes its recommendation to JFAC. **Mr. Headlee** replied that is correct. The Governor's recommendation was two-part based on revenues. If the state was in need of revenue at the end of the fiscal year 2012 and one-half of whatever the Change in Employee Compensation (CEC) needs would be released. Then if there is any revenue coming up that has been forecast halfway through FY 2013, the other half will be released. Again that is on a one time basis so that is something the committee will have to discuss; should it be one time or ongoing funding.

Chairman Goedde responded that today the revenue projections were released and for the end of January the number is $6 million higher than the projections.

Chairman Goedde stated that it is his understanding the $30 million that is earmarked to go to the Public Education Stabilization Fund (PESF) is what is left on the bottom line after everything else is funded. Is that correct? **Mr. Headlee** responded with the public schools budget that is correct. That budget is built on about ten different estimates once those are netted out at the end, then if there is more money it is deposited into PESF.

Chairman Goedde stated to the committee that they will review this one at a time, remembering that there is a backstop of a 50 support unit increase. Is that a reasonable expectation? He said when he stands in front of the Joint Committee he needs to relay this committee's thoughts on the budget. He would like some direction from the committee to formulate that report. Having heard no objections, he said he will go with what has been presented.

Vice Chairman Mortimer replied he does not object but he believes that the members of JFAC do not understand the 50 support units and how we got from 150 to 50 support units. They will need some real explanations from the Chairman. He asked if **Chairman Goedde** could get some help from the Department of Education and **Mr. Hancock** so JFAC understands the change. One hundred unit decrease is pretty difficult to understand.

Senator LeFavour echoed **Vice Chairman Mortimer's** comment. She said it would really be a terrible error if these support unit numbers were wrong. She would like to know for sure that those numbers are right. A mistake could have serious consequences.

Chairman Goedde urged the committee to remember there is a backstop there with PSEF. If the support units come in higher than 50, PSEF will fund that deficit.

Senator LeFavour said the money could be needed as protection if revenue is lower than estimated. Her personal opinion is the units supported should be a little higher. **Chairman Goedde** duly noted her concern

Chairman Goedde reviewed item number two and related that to line item four. He asked if the committee backfilled with the 2.38 percent would that become an ongoing requirement; and if we were to support the Governor's recommendation that would be one time only. For all intents and purposes that is the difference between number two and four. **Mr. Headlee** concurred with **Chairman Goedde's** observation.

Senator Toryanski said he understood the CEC was separate and distinct from refilling the 2.38 percent. His preference would be to provide some stability and predictability. He said the committee should support the Superintendent's recommendation.

Senator Andreason wondered why doing items two, three, and four would make sense, you either give people an increase or you don't.

Chairman Goedde replied he thought that they were not mutually exclusive. All three could be executed and that was JFAC's preference. They could choose to backload $18.3 million, keep the pay for performance $38.8 million, and adopt the Governor's recommendation for a one-time salary bonus. That recommendation would increase money available for educators by 10 percent.

Senator Andreason said he wanted an explanation as to why the committee would do item two and then number three and four. **Chairman Goedde** replied that right now two and three are statutory requirements. So unless we change the statute or use the appropriate JFAC language to change the statute for one year that is what is going to have to happen. Item four is the Governor's recommendation.

Senator LeFavour said she appreciates the backload of $18.2 million and then proceed with funding the other two enhancements. She would support that recommendation. **Chairman Goedde** replied of course. He just didn't know if Idaho could afford that recommendation. **Senator LeFavour** said remember saving jobs is a plus over tax breaks as it is better for the economy. **Chairman Goedde** duly noted the comment.

Senator Winder weighed in on the CEC, with the one-time versus back-filling salary based apportionment, saying the intent, he believed, is if the committee has the chance, they should try to give money back to the educational system for the salary based apportionments. He personally thinks the committee needs to make a recommendation that the salary-based apportionment is back in the budget so that it is an ongoing salary benefit. He said he does not think that the one-time payment does anything good for the teachers or the districts. Pay for performance is the bonus part of this apportionment.

Chairman Goedde responded to **Senator Winder** that, when he is making the report to JFAC, he will not reference any specific numbers: JFAC has that duty. The Education Committee can recommend the salary based apportionment be backfilled, just not recommend the amount.

Senator Toryanski said, as a former state employee, he would like to see 2.3 percent increase on a more permanent basis. It is much more attractive than a one time 3 percent bonus. He continued by saying the state employees are out there working hard, and for many years, they have not seen an increase in salary and in many cases have been furloughed. This adjustment would be a nice relief.

Chairman Goedde said it is his understanding from this discussion that there is a general consensus for backfilling the salary apportionment.

Senator LeFavour said she agreed that she too heard that support from all the committee members. Ongoing increases, while smaller than the one time, is the best way to proceed.

Chairman Goedde reviewed item three, pay for performance and said this is built into the reform statutes that were passed last year. He asked committee members if they have comments regarding that item. **Senator Toryanski** replied as a body, we approved this measure and it is very important we follow through with the proposal. **Senator LeFavour** believes that there are other places that money could be allocated, however; she does agree the committee should follow through on that segment.

Chairman Goedde said that there is consensus on item number three. Referring to item four he stated that it weaves into item two. He called for comments on item five.

Vice Chairman Mortimer said that it is an interesting request that money be returned to PSEF. That number depends on the support unit numbers, one time funding, and all the items that affect how much can be put back into PSEF. **Chairman Goedde** agreed with **Vice Chairman Mortimer** stating that is an item the committee supports but cannot provide a specific number to JFAC.

Senator LeFavour concurred with his statement and suggested that the committee develop a priority list. Her recommendation is that the $18.2 million be backfilled before the other requests are addressed.

Chairman Goedde agreed. He stated item number six is not the responsibility of the committee. It is a JFAC decision. He commented that item seven would pull discretionary funds from this year and number eight would give a two percent increase to that fund.

Senator LeFavour said she is very concerned about the discretionary funds because districts have been struggling for funds to purchase supplies. She said it is important to fund that line item.

Vice Chairman Mortimer said, from time to time, the committee has discussed when the funds were combined it gave districts flexibility to spend the money as they needed. At some time, this body must address the maintenance issues of the schools. There needs to be some emphasis on maintaining school structures and work to keep them to a standard. **Chairmen Goedde** replied maybe as money becomes available the committee should start looking to reestablish silos of dollars again.

Chairman Goedde addressed item nine, the Idaho Digital Learning Academy (IDLA). He said **Vice Chairman Mortimer** and he have been meeting with House side counterparts, Mr. Hancock, and IDLA representatives, trying to find common ground as how to fund IDLA. He remarked he was unaware of some of the undertakings that IDLA has done through the education system. IDLA is a backstop for school districts when they have questions regarding technology and how to work through tech problems. They are involved in training teachers on online skills and other proficiencies outside the contracted tasks. The dialogue is trying to fund IDLA more or fund them based on a per-class and per-task basis. There is going to be more discussion on that matter and **Chairman Goedde** said as of now, he is not ready to make a recommendation to JFAC. Currently, the group has been meeting twice a week to discover the work of IDLA. When they have better knowledge of the work he will come back to the committee to review the funding recommendations.

Vice Chairman Mortimer commented that IDLA is experiencing overload, which is a new term that he is learning about. IDLA had about 17,000 courses taken last year. Of the 17,000, 10,000 were overload; meaning those classes were in addition to what students would have normally taken during the school day. These were either make-up classes or additional classes but they were basically additional classes above the contracted amount. Adding this scenario to the ADA model, there becomes a payment problem for schools. In regards to IDLA funding and the students' curriculum, this committee needs to think about how those extra 10,000 courses make it possible for students to go to college or technical school and also make-up classes so they can graduate. There is a cost associated to IDLA's significant role to get students through school. The state should be covering part of the cost for overload classes. **Representative Thayne's** bill is addressing this and it is something this committee will be discussing this session.

Chairman Goedde stated that currently the state is charging school districts $70-$75 per class for those classes that are within the school day. Some districts have decided to support students by paying for the fee associated with classes taken during regular hours and summer school. Other districts are not paying, thus parents have contributed that fee. In reality if IDLA were to be charging the market amount the cost would be more like $300. That is the disparity that **Vice Chairman Mortimer** was speaking to when he spoke about overload classes.

The Student Comes First legislation anticipates that classes from IDLA will not be paid for by districts. The Education Committee needs to figure out a way to support IDLA and not have the overload classes be a burden to the districts. The conclusion of the meetings should provide the payment schedule. **Chairman Goedde** should be able to bring those findings back to committee before he presents to JFAC.

Chairmen Goedde then requested the committee to review the nine points of discussion regarding the State Board of Education funding. The Office of Performance and Evaluation suggests equity formulas for the institutions of higher education. **Chairman Goedde** said he does not believe the education committee has the avenue or is the vehicle to pursue trying to bring some equity into the situation. The only way to maybe accomplish equity is with enrollment workload adjustments and occupancy costs. He asked the committee if they had any suggestions for item number one.

Vice Chairman Mortimer said based on the discussions the committee has had he believes by not funding the workload adjustment, it may or may not be fair and equal. The committee knows in order to keep the cost of education down, there is a need for additional funding in order to assist the universities and colleges. He said he believes item one funding is something that the committee should support.

Senator Fulcher agreed with **Vice Chairman Mortimer**. He said this is just a step in the right direction and there will be ongoing discussion about this topic over time. The Governor's recommendation brings funding closer to reality. He said he supports the recommendation.

Chairman Goedde asked for opinions on item number two. **Vice Chairman Mortimer** asked why Eastern Idaho Technical School was not included in the occupancy costs. He said schools are scrambling to get money to build new buildings. In a small way this is an attempt to reimburse the schools and finish some projects. He said he is in support of this item suggestion.

Senator Fulcher asked **Mr. Headlee** about the $6.2 million in occupancy costs as compared to what? How does this amount compare to prior years? **Mr. Headlee** said each year there is a request from institutions for occupancy costs hovering around this amount. Some years the amount is higher and in some years the amount is lower. This amount is for about 24 different facilities in the institution systems. He said some of the repairs on the list have been on the list for a number of years and there are some new requests on this year's list. **Senator Fulcher** asked if the $6.2 million is equal with the last year line item cost. **Mr. Headlee** said yes.

Senator Winder stated that a few years ago the committee made a big effort to try to improve the state's institutions' classroom facilities. There was a bonding program which built some nice facilities and provided some excellent classrooms, lab facilities and student amenities. Since that time the state has had difficulty funding the ongoing operation costs. He concluded by saying he feels that this is a good attempt to fill in the gap and it is important that the state take care of occupancy costs.

Chairman Goedde stated that there is consensus with item two. In regards to item three, **Chairman Goedde** asked **Mr. Headlee** if this is the only place in the higher education budget where there would be any funding for salary increases. **Mr. Headlee** said yes.

Senator LeFavour said JFAC has heard colleges and other agencies testify that it has been difficult to maintain employees because of salaries. She believes it is wise to go with the number recommended as faculty has been furloughed and there have not been any raises. The state is losing good teachers.

Vice Chairman Mortimer said one of his concerns is in regards to the 3 percent one-time bonus. It is not that employees don't need it, but he wonders how institution salaries compare with state employees' salaries. He questioned whether the universities and colleges get the same CEC as the state employees. Do the fee and tuition increases result in college employees having less of the salary cap than the state employees? He isn't suggesting that the funds have been used improperly, but would like to know if there is some degree of equity in higher education and state employees' salaries. **Mr. Headlee** said the salary increases at higher institutions have been on hold during the downturn in the economy. This is during the same time period that other state workers have had their salaries on hold.

Senator Fulcher said he shared the concern that **Vice Chairman Mortimer** has with institution salaries. He said, while listening to the university presentations regarding the rise in fees and tuition, no one on the education committee ever asked the University Presidents where the dollars were allocated. He doesn't think a three percent one time bonus should be a committee recommendation.

Chairman Goedde asked **Mr. Headlee** what percentage of higher education expenditures are salary and benefits. **Mr. Headlee** replied he didn't have that information readily available but can get those numbers to him later.

Vice Chairman Mortimer said he did not want anyone to misinterpret his statement. It is not that he doesn't want higher education to get bonuses; he just would like to verify if those salaries have been increased in the past couple of years.

Chairman Goedde asked **Mr. Headlee** to send him information reporting what percentage of institutions' revenue come from tuition sources.

Chairman Goedde said item four can be treated the same way as PSEF for public education. **Vice Chairman Mortimer** asked where item four should be prioritized. **Chairman Goedde** replied fairly low and just fund with what is leftover.

Chairman Goedde asked for comments for item number five. He said he understood this is what College of Southern Idaho and North Idaho College agreed upon. It is an attempt to create some initial equity with the community colleges. The Presidents don't like losing the funds but understand the need. **Mr. Headlee** agreed with **Chairman Goedde's** comment.

Chairman Goedde moved on to items six and seven. He said those dollars were an economic stimulus effort for research institutions and jobs. This additional revenue of $4 million is for higher education in the area of research. He stated that number nine is out of the committee's realm.

ADJOURN: **Chairman Goedde** asked if there were any additional comments regarding these documents. Having none, he adjourned the meeting at 4:36 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #2 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, February 08, 2012

SUBJECT	DESCRIPTION	PRESENTER
H383	Idaho Opportunity Scholarship Program Amending 33-5608 To revise provisions relating to administrative costs of the program	Tracie Bent Idaho State Board of Education
H385	Revise Terminology to Community Amending 33-2139	Tracie Bent Idaho State Board of Education
RS21183	Amending 33-512 Revise provisions relating to supervision and regulation of certain extracurricular activities. To make technical corrections.	Senator Fulcher
PRESENTATION:	Public Charter Schools Update	Tamara Baysinger
	GUBERNATORIAL APPOINTMENTS	
	Public Charter School Commissioners:	
	Brad Corkill, Cataldo, Idaho	
	Wanda Chillingworth Quinn, Coeur d'Alene Idaho	
	Ester Van Wart, Chubbuck Idaho	
APPROVE MINUTES:	January 17, 2012	Senator Fulcher
	January 18, 2012 & January 25, 2012	Vice Chairman Mortimer
	February 1, 2012	Senator Winder

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Wednesday, February 08, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting to order at 3:11 PM. The approval of minutes on the Agenda was deferred to another day.

H 383: **Tracie Bent** introduced **H 383** which makes changes to the administrative funding that is currently in the Statute. The Opportunity Scholarship Program was created in 2008. The amount has been reduced each year due to budget cuts. The proposed change would limit the funds from earnings that could be used for administrative costs to $50,000 and remove the 5% limitation. The current balance of the Opportunity Scholarship Program is $19,700,000 with a projected rate of return for Fiscal Year 2012 is .9%. **Vice Chairman Mortimer** inquired as to what the costs to administer the program have been for the last two years. **Ms. Bent** said that in Fiscal Year 2009 it was $22,800, in Fiscal Year 2010 it was $11,300, in Fiscal Year 2011 it was $9,400, and in Fiscal Year 2012 there is $8,800. **Vice Chairman Mortimer** inquired as to what the actual costs of administration are. **Ms. Bent** responded with a total of approximately $41,500.

MOTION: **Vice Chairman Mortimer** moved to send **H 383** to the floor with a do pass recommendation. The motion was seconded by **Senator Fulcher**. The motion passed by voice vote and **Vice Chairman Mortimer** will carry **H 383** on the floor.

H 385: **Tracie Bent** introduced **H 385** that will revise terminology regarding the Junior College account. It would change the name of the account to the "Community College Account," and will designate the liquor division as the agency authorized to make payments from the fund and change the disbursement to quarterly rather than biannually. **Vice Chairman Mortimer** asked whether or not it affected the counties and their accounting. **Ms. Bent** responded that it does not. **Chairman Goedde** asked for clarification as to why the State Board of Education is being changed to the State Liquor Division. **Ms. Bent** stated they are attempting to cut out the middle man by allowing the liquor division to make the disbursement directly. **Vice Chairman Mortimer** asked whether this is all done by formula, allowing for no discrepancies. **Ms. Bent** confirmed it is her understanding it is all done by formula.

MOTION: **Senator Fulcher** moved to send **H 385** to the floor with a do pass recommendation. The motion was seconded by **Senator Winder**. The motion passed by voice vote and **Senator Fulcher** will carry **H 385** on the floor.

DOCKET RS 21183 **Senator Fulcher** introduced **RS 21183** which amends Idaho Code § 33-512 to make technical revisions regarding provisions relating to supervision and regulation of certain extracurricular activities. This bill directs the State Department of Education to define and implement accreditation requirements and focuses on participation in extracurricular activities.

MOTION: **Vice Chairman Mortimer** moved to print **RS 21183**. The motion was seconded by Senator Winder. The motion passed by voice vote.

PRESENTATION: **Chairman Goedde** welcomed **Tamara Baysinger**, Director of the Idaho Public Charter School Commission, to the committee. **Ms. Baysinger** introduced **Alan Reed**, the new Chairman, and **Kaylee Campbell**, the new Charter School's Program Manager. The vision for the future of the commission is to give schools the opportunity to try unique ideas, but hold them accountable so if those ideas do not work the school gets shut down. What you end up with is a system of high performing schools that compliments the traditional system. The National Association of Charter School Authorizers (NACSA) came out with an index of twelve essential authorizing practices which are intended to be implemented as a whole. The bad news for Idaho is that it currently only uses five of the twelve essential practices. **Ms. Baysinger** then proceeded to go through the twelve essential practice points and discussed where Idaho passed and failed (see document attached hereto). **Chairman Goedde** asked if there have been any district authorizations in recent years. **Ms. Baysinger** responded that there have been very few and can only think of one which resulted in the school being closed. **Chairman Goedde** inquired about whether the increase in the budget for the Fiscal Year 2012 was for staffing. **Ms. Baysinger** stated that was correct.

GUBER-NATORIAL APPOINTMENT: **Chairman Goedde** then called upon **Brad Corkill** of Cataldo, Idaho, who has served on the Public Charter School Commission for four years and been selected for a reappointment to the Public Charter School Commissioners. **Chairman Goedde** disclosed that he is good friends with **Mr. Corkill**. He has lived in Idaho his whole life and for the past 24 years he has owned his own sawmill in Cataldo. He served for eleven years on the Kellogg School Board, 2.5 years on the St. Mary's School Board, and did a term on the Shoshone Medical Center Foundation Board. **Senator Winder** asked **Mr. Corkill** what his vision for the future is. **Mr. Corkill** said that in the 12 years the Charter School system has been in effect, the market has slowed down for charter schools and as a result, he does not see any harm in raising the cap.

GUBER-NATORIAL APPOINTMENT **Chairman Goedde** then called upon **Wanda Quinn**. He disclosed that he served on the Coeur d'Alene School Board with **Ms. Quinn** when the first charter school was authorized. **Ms. Quinn** has lived in Idaho since 1981. She received a degree in education from the University of Washington. She taught in the Lake Washington School District. When she moved to Idaho she obtained her masters in administration through the University of Idaho in Coeur d'Alene. She then pursued her law degree from Gonzaga University. She served 12 years on the Coeur d'Alene School Board. She currently works at the University of Idaho as Program Development Specialist. **Ms. Quinn** has been working with others on a research project on effective school board training for districts that are focused on student achievement. **Senator Malepeai** asked if she was still supervising student teachers. **Ms. Quinn** responded that she is not. **Chairman Goedde** asked about the work she does mentoring under performing schools. **Ms. Quinn** responded that she facilitates a program for which Boise State wrote the grant application on behalf of the State Department of Education that provides coaches for schools that are struggling. That program provides a coach at both the school level and the district level.

GUBER-NATORIAL APPOINTMENT **Chairman Goedde** then called upon **Ester Van Wart**, of Chubbuck, Idaho. She is a mother of 8 children and grandmother of 17. She served as the Pocatello Community Charter School chair for four years, facilitated a loan for the building, and ran the charter school. She also had the opportunity to be a school board member for District 25. This will be her third term on the Commission. She has a passion for the children - to make sure they have a quality education and opportunity to grow. She feels that she can help and make a difference to ensure the children are well educated. Her husband passed away two years ago unexpectedly, but that has only driven her passion more to ensure every student goes on to success. **Senator Fulcher** thanked her for her years of service and asked her to describe what has happened over the course of the terms she has been on the Commission - consumption and requirements on her time and whether that trend was going up or down. **Ms. Van Wart** stated that each meeting used to have a paper box full of binders, but over the years, the binders have decreased and the policies have improved. She has nothing but time to devote to this and looks forward to being on the Commission again. **Senator Malepeai** stated that **Ms. Van Wart** has raised some remarkable children and she is uniquely qualified to be on this Commission. **Vice Chairman Mortimer** asked what changes, if any, she thinks we should be making for our charter schools. **Ms. Van Wart** said that one thing is being able to open the door wider for the charter schools to receive more finances and money for facilities. She made the observation that all schools are in some financial trouble, including her own District 25, not just the charter schools. However, understanding the economy right now, she is honored to know that the schools are still succeeding without the opportunity to receive state funding for facilities. In addition, she would like more money for additional staff of the Commission.

ADJOURN: **Chairman Goedde** adjourned the meeting at 4:07 PM.

Senator Goedde
Chairman

LeAnn South
Secretary

Shannon Dearing
Assistant Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, February 09, 2012

SUBJECT	DESCRIPTION	PRESENTER
PRESENTATION:	Video Connection to Hawaii-Blended Teaching	Jeff Piontek
RS20919	Amending Section 33-5004. Revise provisions and establish additional provisions relating to certain gift instruments.	Darin DeAngeli Ahrens DeAngeli Law Group
H394	Amend section 33-4104 Revisions to Interstate Agreement on Qualification of Educational Personnel.	Tracie Bent State Board of Education
PRESENTATION:	Idaho Parent Teacher Association ~ PTA	Laurie Boeckel

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, February 09, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting to order at 3:00 PM.

PRESENTATION: **Chairman Goedde** called **Garry Lough**, Idaho Education Network, to introduce **Jeff Piontek** from Hawaii via internet Skype. **Chairman Goedde** welcomed **Mr. Piontek** to the committee. **Mr. Piontek** is an expert on online and blended learning; he has served on Hawaii's Workforce Development Council. Because of that focus he is speaking to the Education Committee to offer some insights. His experiences as an educational consultant helps him understand the economics of what the Idaho Education Network is experiencing as they work to connect high schools.

Prior to going to Hawaii he said he was the head of technology for the New York City Department of Education. In Hawaii, he is the Director of Science for the state and working with the governor to implement a STEM strategy to build more STEM programs in schools. He also opened a charter school in Hawaii which is the fastest growing charter school in the state.

Mr. Piontek said that he works with the development council of Hawaii. He also oversees the software media programs for the state, which with the economy the way it is, is the only sector that is growing in Hawaii. Because of that experience he started looking at how education and the economy tie hand in hand. As a country, when people converse about education, the economy should be included in the discussion. Growth, development and sustainability are the economic strategy.

Mr. Piontek said there are three pillars to education: economics, cultural, and personal. Everyone comes to education with a different expectation. Whether the student is in an "online" or in a "brick and mortar" school, they come with their own expectations as to what education will do for them and how it will serve them in the future.

In regards to the Science, Technology, Engineering and Math, he stated that Arts should also be added to make the program STEAM. He said the Arts are needed or education loses the creativity and innovative edge that students need in order to implement the other four fields of STEM.

He said the reason for education in the 1800's was a way to teach about agriculture in an agricultural economy. It is no longer that type of industry anymore. Education is the fundamental culture for the students. Cross cultural communication, collaboration, and the ability to understand the culture of other people around the world are skills they need.

People are the third aspect of the pillars. Many students drop out of school not because they are not engaged in school, but because education is a one size fits all box model that is the same as it was at the turn of the 20th century. Education today needs to be about the 21st century and the ability to engage students. It is about the student's own individual hopes, dreams and aspirations that make them desire education and have a passion for education.

Mr. Piontek said that the delivery systems for education need to be reviewed and changes should be made at all levels, including colleges and universities. Online learning is a big component for Idaho; being in the high schools and universities. He highlighted new delivery systems for education using robotics and the game "mousetrap." He stated it is nothing about the game but about learning how to problem-solve and critically think. Those are the skills people will need to compete in the next century.

Mr. Piontek referred to Daniel Pink's book *"A Whole New Mind"* which focuses on imagination and the need to integrate creativity into each person's workplace. He suggested that at universities' colleges of education there is some disconnect between what the students are learning to teach and what they really are expected to teach. They leave the university not knowing how to teach what districts expect. Teachers were once the keepers of knowledge. Now they need to be the facilitators of knowledge. Colleges do not give students the ability to be 21st century educators.

He then asked the audience to consider what society is really preparing students for when we can't tell a school from a prison. The world is made up of social media, which are strong tools for education. **Mr. Piontek** said mobile learning is the next chapter in education. There are schools that are starting with 5th and 6th graders with one to one mobile devices. The attempt to ban them is out of fear and teachers have to prepare the student for their future not the teacher's past. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Senator Andreason asked **Mr. Piontek** if a classroom teacher is more effective than the online teacher. **Mr. Piontek** replied it is difficult to manage a large classroom online. Online classrooms need to be manageable, no larger than a total of 300 students. Teachers still need the ability to know the student personally and if the classroom is too large that skill is lost. He then cited a study that asked students why they did well in a class and they replied, because their teacher cared for them. With that understanding it is important for student success that teachers know their students intrinsically.

Chairman Goedde asked the students in the audience who were allowed to use mobile computing devices to please raise their hands. There were very few hands raised. He then asked **Mr. Piontek** to explain how melding this information and knowledge can work for job creation. **Mr. Piontek** said that the information for people now is online and they broadcast that through Tweets and Facebook posts. In Hawaii, there is a displaced workers program that shoots specific emails to people with the skills to job openings. The schools are also opening up the technology labs for people to learn new skills and obtain training. This has been particularly good and needed during the recession.

Vice Chairman Mortimer asked what advice **Mr. Piontek** would give teachers today, regarding technology in our day and what to expect in the future. **Mr. Piontek** said that teachers don't have to learn it all themselves. Students are experts, let them teach you. Understand what the tool you are using will do and then be an advocate for the children. Children learn in different ways and look at each piece of technology in the classroom to see how it can benefit each child. Teaching will never be an easy profession. If it is, you are doing it wrong. Technology can make a teacher's job much more efficient.

RS 20919 **Chairman Goedde** called **Darin DeAngeli**, Ahrens and DeAngeli LLC, to the podium to present **RS 20919.**

Mr. DeAngeli's firm's primary business focus is on trusts and estates representing a large number of donors and charities. The statute Uniform Prudent Management Institution of Funds Act (UPMIFA) it was enacted in 1996 and revised in 2007. This act brought charitable fund management into the twenty-first century. There are two major parts to the statute: how to use modern investment standards to manage the funds; and how to spend the funds. The current problem with the statute is many charities have very old contracts that specify how the money is to be spent and/or earned. Often those contracted requirements are no longer relevant or achievable, due to death of the donor or the change in investment practices. This revision operates to modify terms of very old contracts and to bring the contract into current relevant investment practices.

MOTION: **Senator Winder** moved, seconded by **Vice Chairman Mortimer** to send **RS 20919** to print. Motion carried by **voice vote.**

H 394: **Chairman Goedde** introduced **Tracie Bent,** State Department of Education, to present **H 394.**

Ms. Bent said **H 394** is a housekeeping bill to amend section 33-4104. This bill was first passed in 1969 encompassing the interstate agreement of educational personnel and to help with teacher mobility. The purpose of the bill was to have high standards for teachers across the state and to help with teacher mobility across state lines.

MOTION: **Senator LeFavour** moved, seconded by **Senator Winder**, to send **H 394** to the floor with do pass recommendation. Motion carried by **voice vote. Senator LeFavour** will carry the bill on the floor.

INTRODUCTION: **Senator Malepeai** introduced a group of students from Hawthorn Junior High School, Pocatello, Idaho who were sitting in on the committee hearing.

PRESENTATION: **Chairman Goedde** called **Laurie Boeckel**, Idaho Parent Teacher Association (IPTA), State President to the podium.

Ms. Boeckel passed out to the committee the talking points and read the initiatives of the IPTA to the committee. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2).

Senator Pearce said this information is great. He asked **Ms. Boeckel** how does this committee, the legislature, and the IPTA get parents involved. It seems that the responsibility starts with the families. **Ms. Boeckel** replied there are many factors that will contribute to getting parents involved. Every community is unique for some it will be with programs and partnerships with schools, parents, and local community. Parents need to know that they are a part of the process.

Senator Pearce stated somehow this need should go back to where families teach each other. Our society needs to know how to be better involved as parents. Until core values are brought back there will not be much change.

Vice Chairman Mortimer asked if **Ms. Boeckel** has been involved with any of the school districts discussion on teacher merit pay and parent evaluations. **Ms. Boeckel** replied the IPTA doesn't have a position on merit pay. There have been some PTA groups that have been involved in the discussion and others that have had no voice. Clearly there needs to have some improvement on parental input for merit pay.

Senator Toryanski stated that IPTA is very concerned about the resources that go into public education. He asked if the IPTA is concerned about the efficiency and effectiveness of education services delivered to the children of Idaho. **Ms. Boeckel** said IPTA believes that the services should be research based with accountability. IPTA does not support unfunded mandates from federal, state or local entities. The association recognized there are challenges across the state.

Chairman Goedde asked **Ms. Boeckel** to explain IPTA's position statement regarding Land Endowments and whether the association has discussed the effort to push forward land exchanges? **Ms. Boeckel** said IPTA as not taken a position specifically related to the land exchanges, as it understands there are challenges facing Idaho and would like the best for the schools and students.

Chairman Goedde stated that there has been discussion regarding money following the students in the form of a public voucher system. In the IPTA statement, it seems there are some conditions with diverting money from public education to private education. Does IPTA have a position on money following the student? **Ms. Boeckel** said IPTA believes that the funding for the child, no matter the cost should be made available. IPTA's support is for overall education and there are no specifics on how the money is spent.

Senator Fulcher asked if the IPTA has taken a position on the issue on charter schools and the cap on the number. **Ms. Boeckel** stated the IPTA supports education. The concern is equal funding for all and that parents have the choice as to where they send their children to school.

Senator Winder stated that after a couple of years on the Education Committee and not knowing achievement numbers between regular and charter schools, he got the Department of Education to widen their information. He asked them to update the numbers before the session is over. The previous numbers are pretty close to the current number. The statistics are available through the Department of Education.

ADJOURN: **Chairman Goedde** adjourned the meeting at 4:47 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW55

Monday, February 13, 2012

SUBJECT	DESCRIPTION	PRESENTER
RS21184	Amend Section 33-513 Revise provisions relating to professional personnel, contracts, renewable contracts, negotiation agreements, and definitions	Jason Hancock State Department of Education
RS21186	Amend Section 33-1021 Revise provisions to distribution of moneys, dual credit courses, ADA, and online courses	Jason Hancock State Department of Education
RS21188	Amend Section 33-1004F Revise obligations to retirement benefits and salaries	Jason Hancock State Department of Education
PRESENTATION:	Idaho Public Television	Peter Morrill
DISCUSSION:	JFAC Recommendations	Chairman Goedde

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Monday, February 13, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

ANNOUNCEMENTS: **Chairman Goedde** informed the committee that he received an email from **Jeff Piontek** from the Hawaii Technology Academy. He emailed the committee **Mr. Piontek's** contact information for anyone that would like to follow-up with him.

INTRODUCTIONS: **Chairman Goedde** introduced and welcomed **Tom Taggart,** Business Manager, from Lakeland School District to the committee audience.

Chairman Goedde welcomed **Jason Hancock**, Department of Education, to the committee to present **RS 21184**, **RS 21186**, and **RS 21188**. **Mr. Hancock** stated that the three pieces of legislation all deal with the three separate bills of "Students Come First." The proposals are making a number of small changes to better clarify the intent of the bills.

RS 21184 **Mr. Hancock** presented **RS 21184**, this regards adjustments in Senate Bill 1108. There are eight different modifications and he reviewed each one with the committee. **Chairman Goedde** told the committee that in the red folders there is a letter from the Attorney General's office dated February 7, 2012. This letter responds to the legal definition of working conditions and employee benefits. He then asked if there were questions from the committee for **Mr. Hancock**.

Senator Andreason asked **Mr. Hancock** on page eight, item four, why is this new wording necessary. **Mr. Hancock** stated the State Board of Education ability to make and promulgate rules was questioned and challenged by various entities. Mr. Hancock said the Attorney General stated that it is his belief the State Board of Education's has the authority to make rules. This item is added because there were questions about their abilities. This addition should make clear the State Board of Education's authority.

MOTION: Having no further questions, **Senator Fulcher** moved, seconded by V**ice Chairman Mortimer,** to send **RS 21184** to print. Motion carried by **voice vote**.

RS 21186 **Mr. Hancock** presented **RS 21186** which deals with adjustments and clarifications to Senate Bill 1184. He discussed the five items that will make the technical changes to the bill.

Senator Pearce asked **Mr. Hancock** in regard to item two, students cannot take dual credit unless they have completed all their high school graduation requirements. **Mr. Hancock** replied yes the students can take dual credit, but this provision is only when the state will pay the fees. **Senator Pearce** asked will the bill from the House conflict with this provision. **Mr. Hancock** said no.

MOTION: Having no more questions **Senator Pearce** moved, seconded by **Senator Fulcher**, to send **RS 21186** to print.

DISCUSSION: **Vice Chairman Mortimer** asked if this is only for those students who have completed all their required courses by the second semester of their senior year. He asked **Mr. Hancock** to explain the provisions for those students that have met the course requirements by the start of the senior year. **Mr. Hancock** said the eligibility begins at the time the student completes the state requirements. That will take a great deal of acceleration from students to complete course requirements in order for the state to pay the dual credit costs. Not many will be able to achieve that goal; thereby the costs to state will be limited.

VOTE: Having no more discussion the motion carried by **voice vote**.

RS 21188 **Mr. Hancock** presented **RS 21188** which clarifies Senate Bill 1110. He discussed the four items that will clarify the bill. He noted that the first bill's language made it possible to read the employee retirement fund would be funded twice: which is not the intent.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Pearce,** to send RS 21188 to print. Motion carried by **voice vote**.

PRESENTATION: **Chairman Goedde** welcomed **Peter Morrill**, General Manager for Idaho Public Television (IPTV). **Mr. Morrill** began his presentation by showing the committee a video promoting the work and importance of IPTV. Public Television is the second most watched television channel in the United States per capita. **Mr. Morrill** then showed the committee the work and concerns of IPTV through a Power Point presentation. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Chairman Goedde thanked **Mr. Morrill** for his presentation and asked for questions from the committee.

Senator Toryanski said one of the slides stated IPTV offered education. He asked **Mr. Morrill** to update the committee on what they are teaching. **Mr. Morrill** said that the station has partnerships with Idaho State University, Boise State University, and University of Idaho. Weekly, from each institution, students are able to use the station's equipment to learn the skills of television production. The station has many internship opportunities available for students. **Mr. Morrill** also described the "overnight learning service;" which delivers courses overnight to students in different schools across the state.

Senator Andreason said the presentation showed the station eliminating two full time staff positions: Personnel Manager and Station Manager. He asked **Mr. Morrill** how the station functions without those two positions. **Mr. Morrill** said not as well. The General Manager and the Business Manager have taken over those tasks.

ADJOURN: Having no more questions for **Mr. Morrill**, **Chairman Goedde** thanked him for the update. He then adjourned the committee at 3:46 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW2
Tuesday, February 14, 2012

SUBJECT	DESCRIPTION	PRESENTER
PRESENTATION:	"Day on the Hill" Idaho School Boards Association	Karen Echeverria Executive Director
PRESENTATION:	Center for Advanced Energy Studies ~ CAES	Brian Whitlock Dr. Bill Rogers
S 1301	Amending Section 33-512. To revise provisions relating to the supervision and regulation of certain extracurricular activities and to make technical corrections.	Senator Fulcher

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Tuesday, February 14, 2012

TIME: Chairman Goedde called the meeting to order at 3:03 P.M. and asked the secr

PLACE: Room WW2

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

PRESENTATION: **Chairman Goedde** welcomed all Idaho School Board Association (ISBA) members and Superintendents to the committee. He called on **Karen Echeverria,** Executive Director, ISBA and she introduced **Dallas Clinger**, President, ISBA, to make the presentation to the committee.

Dallas Clinger thanked the committee for the opportunity to speak. He stated that he represents the 550 school board trustees and 113 school districts that ISBA represents. He then introduced ISBA officers **Ann Ritter**, Meridian, President Elect; **Todd Wells**, Castleford, Vice President; and **Brian Duncan**, Minidoka, Immediate Past President.

Mr. Clinger stated that the ISBA is celebrating the 70th anniversary. The organization began in 1942 when there were about 1150 school districts and by 1954 the state of Idaho consolidated into 208 districts, and currently there are 115 districts in the state. In 1942 the student enrollment was 111,331 and enrollment today is approximately 281,000. The ISBA represents the most elected officials of any elected body in the state. Each of the eight regions that make up the ISBA has four officers that also sit on the board's executive committee. There are five full time employees and three trainers that work out of the office to train trustees across the state. ISBA is a nonprofit organization whose mission is to provide leadership to local school boards for the benefit of students and advocacy of public education.

Mr. Clinger concluded his presentation saying on behalf of all the trustees of Idaho, thank you for your service to Idaho and especially to the children of Idaho. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Chairman Goedde complemented the ISBA on **Karen** and **Jessica**'s professional work. They are good representatives of the association to the legislature, working collaboratively to accomplish the goals. He then asked if there were questions from the committee

Senator Andreason asked about the American Falls school having a high minority population with limited English speakers; does the Student's Come First (SCF) initiative work well in that school. **Mr. Clinger** responded that often there is extra time spent with those students to help them learn English. The SCF's one to one devices will help those students learn English. Statistics show that English as second language learners learn English better using a computing device.

Chairman Goedde said in the visit that he and others had taken to Klein, Texas the information they gathered showed the students that did not have computing devices were 25 percent lower in their English speaking proficiency than those who did have the computing devices.

Senator Fulcher thanked **Mr. Clinger** and the ISBA. He asked if the association is following the No Child Left Behind (NCLB) at the federal and local level. What is ISBA's position regarding that legislation. **Mr. Clinger** referred the question to **Karen Echeverria.** She said that she had just returned from Washington D.C. at the leadership conference of the National School Board Association and NCLB is the top discussion. Something will need to be done at the Federal level. This initiative has gone too long without being reauthorized by Congress, until that happens the states need some mechanism to monitor progress. The waiver process is a good option. At this time, the ISBA does not have a position on the waivers.

Chairman Goedde asked **Ms. Echeverria** if they have heard anything about Representative Kline's bills that would totally change ESEA. **Ms. Echeverria** commented those were not discussed at the conference.

Having no more questions, **Chairman Goedde** thanked **Mr. Clinger** and the ISBA members for attending the committee meeting.

PRESENTATION: **Chairman Goedde** welcomed **Brian Whitlock**, Battelle Energy Alliance which manages the Idaho National Laboratory (INL) for the U.S. Department of Energy. **Mr. Whitlock** said that he was here to give the committee an update on the Center of Advanced Energy Studies (CAES) which is a unique collaborative effort between the INL and the three Idaho universities. Today's presentation will be an educational overview showing the work of students at the center. **Mr. Whitlock** introduced **Dr. Bill Rogers**, the Director for the CAES to give the presentation.

Chairman Goedde welcomed **Dr. Rogers** to the committee. **Dr. Rogers** gave his presentation to the committee highlighting the work and progress of CAES. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2)

Dr. Rogers introduced the CAES intern **Damon Wood**, from Boise, Idaho, working for a Masters in Mechanical Engineering. **Mr. Wood's** project with CAES is the study of alternative energy sources of predicting turbine performance in irrigation ditches. The idea is to insert turbines in irrigation ditches and they will offset some of the peak power loads during the irrigation season as well as supplying additional electricity to area plants. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #3). **Mr. Wood** concluded by thanking the committee for the support they give to this project.

Senator Pearce stated to **Mr. Wood** that this is interesting. He asked how low the water flow can be for power generation. **Mr. Wood** replied that a decent amount of power can be extracted out of low flow operation.

Dr. Roger's then introduced **Daniel Cotton** from Burley, Idaho. He is a junior at Boise State University and a CAES intern working in the industrial assessment center. This center's purpose is to help small to medium size manufacturers by accessing their energy efficiency, waste minimization, and profitable productivity. All the assessments and research is done by the students. His presentation reflected his experience. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #4).

Having no questions from the committee, **Chairman Goedde** called **Dr. Rogers** to the podium to conclude the presentation. He asked if the committee had any questions regarding any of the presentations.

Senator Fulcher asked if **Mr. Wood** or **Mr. Cotton** or others in the program develop a process or system that is classified as ownership property that has value, who owns that is intellectual property. **Dr. Rogers** replied there are several mechanisms for working with the federal government. The intellectual property rights are outlined in the contracts the agencies have agreed upon. Basically, if it is learned together at the sites then it is shared with the partners. If they bring already developed concepts it remains theirs. There are mechanisms for trying to apply for patents and commercializing the property.

Chairman Goedde said there is some place that a group is working on isotopes for medical applications. He asked if that was part of CAES. **Dr. Rogers** replied yes. There is a company in Pocatello that is working on that project. There are five research initiatives and one is nuclear science and engineering. One of the major projects there is developing medical isotopes. **Chairman Goedde** said it sounds like there is tremendous potential business for that process and will bring patients to Southeastern Idaho; the isotope half life is so short that patients must travel to the isotope site. **Dr. Rogers** said there is a shortage in the U.S. for medical isotopes. Most come from Canada. Canada is in the process of shutting down the reactors due to safety violations and when that happens, the only place to go is Belgium. The U.S. needs to take a leadership role in that area.

Chairman Goedde thanked **Dr. Rogers** for his time and information and then called Senator Fulcher to the podium.

S 1301

Senator Fulcher presented **S 1301** to the education committee. He said he was pleased to come before the committee with this piece of legislation. This bill has to do with student access for extracurricular activities. This is the result of work with the Idaho High School Athletic Association (IHSAA), the State Department of Education (SDE) and stakeholders making resolutions. This bill is the outcome of those discussions. It gives the SDE an assignment. They must find and implement accreditation requirements for schools to participate and compete in league extracurricular activities. With the expansion of school choice options (including public charter schools, private schools magnet schools, alternative schools, etc.), conflict has arisen regarding which schools should have access to extra-curricular activities administered by IHSAA. Just recently the accreditation agency that was hired by the state, Northwest Accreditation, was bought out. Temporarily there is not an accreditation agency for that matter.

There are groups that are in flux. There are schools that are associate members that cannot be full members and there are schools that are accredited via third party accrediting agencies, and consequently worried whether or not their academic requirements (as they pertain to extra-curricular activities) remain recognized by the state once the state replaces the accrediting agency. In an attempt to reconcile the issue, this bill tells the SDE to develop and implement an accreditation process. This only affects how the IHSAA recognizes academic status.

Vice Chairman Mortimer asked **Senator Fulcher** what discussions has he had with the SDE. **Senator Fulcher** replied that there were a variety of ways groups were looking to solve this issue. Through discussion with the SDE and ISHAA, they have come to consensus that accreditation needs to be honored and there needs to be a state recognized process.

Vice Chairman Mortimer asked if SDE were part of the discussion. If so were they agreeable to do this. **Senator Fulcher** replied yes.

Senator Malepeai asked if the ISHAA is membership driven and what is the relationship with the SDE. How do the two work together. **Senator Fulcher** said the ISHA is a private entity that operates with their own policies and rules. The connection with the state is in their policies. For a school to have full membership status the school's academic status has to be recognized by the state. The conflict is that the recognized accreditation company no longer is in business, so now schools waiting to be accredited have no place to get the status. **Senator Malepeai** asked are there any other accreditation companies in the area. **Senator Fulcher** replied yes there is a long list. As it relates to this issue the IHSAA policy is for a school to be a full member they either need to be recognized by whoever the accrediting agency is for the state, or a third party affiliate recognized by the agencies. There are several agencies.

Senator Pearce asked how many schools are currently in the association. **Senator Fulcher** replied he didn't know; there are a number of them.

Chairman Goedde asked the audience if there was anyone that would like to testify to this bill. **Jerry Keane,** Superintendent of Post Falls School District and a member of the ISHA board of directors, indicated this is a complicated matter. In regards to the questions there is a relationship with the SDA. They have a representative that participates at all the board meetings. Policies of the ISHAA state very clearly that they don't want to be in the accreditation business and for a school to be a member they must be accredited and recognized by the state of Idaho.

Chairman Goedde said that it was probably unfair to unexpectedly call on him, but his expertise was recognized.

Ms. Chris Ellis testified on behalf of herself. She said she has coached cross country in a small school. Her school's team has been allowed to participate and compete in district and state meets. Some of the smaller schools that they run against are not allowed to compete for state or district titles. This is unfortunate for the students that are not eligible for they face the loss of scholarship opportunities and the incentive to win.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Winder**, to send **S 1301** to the floor with a do pass recommendation. Discussion came from **Senator Malepeai**. He said he was going to vote to send this to the floor, but he would like some more information so he may not have an affirmative vote on the floor depending on what he finds. Motion is carried by voice vote. **Senator Fulcher** will carry the bill on the floor.

Chairman Goedde gave kudos to **Phil Homer, Harold Ott, and Rob Winslow** for the great work they do on behalf of school administrators. He said that there was time for the committee to answer any questions from the audience. **Ms. Echeverria** asked if there was a better way for the Idaho School Board Association to communicate with committee members during the off season. The consensus was to please email the Senators.

ADJOURN: Having no more questions, **Chairman Goedde** adjourned the meeting at 4:13 P.M.

_____

Senator Goedde
Chairman

_____

LeAnn South
Secretary

AMENDED #3 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, February 15, 2012

SUBJECT	DESCRIPTION	PRESENTER
S 1297	Amending Section 33-517 To revise provisions relating to powers and duties of school districts. Revise provisions relating to certain grievance procedures relating to non-certificated personnel. To make a technical correction.	Senator Smyser
Gubernatorial Confirmation Vote	Brad Corkill, of Cataldo ID was appointed to the Public Charter School Commission to serve a term commencing May 12, 2011 and expiring May 12, 2015	Senator Goedde
	Wanda Chillingworth Quinn, of Coeur d'Alene, ID was appointed to the Public Charter School Commission to serve a term commencing July 12, 2011 and expiring May 12, 2015	Senator Goedde
	Esther Van Wart, of Chubbuck Id, was appointed to the Public Charter School Commission to serve a term commencing May 12, 2011 and expiring May 12, 2015	Senator Malepeai
DISCUSSION:	JFAC Public Television Funding	Senator Goedde
Approve Minutes	January 17, 2012	Senator Fulcher
	January 18, 2012 and January 25, 2012	Vice Chairman Mortimer
	February 1, 2012	Senator Winder

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Wednesday, February 15, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENE: **Chairman Goedde** called the committee to order and asked the Secretary to take a silent roll. **Chairman Goedde** reordered the agenda to begin with confirmations, then minutes, followed by Senate Bill 1297.

CONFIRMATIONS: **Chairman Goedde** stated that in voting on confirmations for Charter School Commission, there are some names noted as presenters. If successful in moving these forward, **Mr. Chairman** would like to carry the two from North Idaho on the floor, and assumed **Senator Malepeai** would like to carry **Ms. Van Wart** on the floor. **Chairman Goedde** stated there were three positions before the committee and discussion had occurred the week prior. Since that time **Wanda Quinn's** position on the Coeur d' Alene school board was challenged, a judge found her appointment was not correct through no fault of her own. It was determined **Ms. Quinn** continued to be eligible for this position because she was a former trustee. The Chair stated he would entertain a motion. **Senator Winder** moved, seconded by **Senator Andreason** to send the confirmations of **Brad Corkill, Wanda Quinn and Esther Van Wart** to the floor for confirmation. The motion carried by **voice vote**.

MINUTES: **Senator Fulcher** moved, seconded by **Vice Chairman Mortimer**, to approve the minutes of January 17, 2012. The motion carried by **voice vote.**

Vice Chairman Mortimer moved, seconded by **Senator Fulcher**, to approve the minutes of January 18 and January 25, 2012. The motion carried by **voice vote.**

Senator Winder moved, seconded by **Senator Fulcher**, to approve the minutes of February 1, 2012. The motion carried by **voice vote**.

S 1297 **Chairman Goedde** welcomed **Senator Smyser** to the committee to present **S 1297**.

Senator Smyser thanked the committee and yielded her time to **Karen Echeverria**, Executive Director, of the Idaho School Boards Association (ISBA).

Ms. Echeverria said she was at the committee representing the members of ISBA. She said the ISBA supports **S 1297.** The purpose of the legislation is to bring grievances for non certificated or classified personnel more in line with certificated personnel and put the decision making authority with the elected trustees where they believe it belongs. Last year with the passage of Senate Bill 1108 of the Students Come First package grievance procedures for certificated personnel were changed. Procedures for non certificated personnel were not amended. Under the existing statute, non-certificated personnel who are non contract, at-will employees have more statutory grievance rights than do certificated staff and administrative personnel.

There are three major amendments in this bill. The first change clarifies under what circumstances a non certificated employee can file grievances. They are seeking to amend the statute so a grievance can only be filed if the Board of Trustees have violated their own school district policy. It is further clarified by saying the transfer, placement, evaluation or termination of employment shall not be grounds to file grievance.

Amendments also clarify timelines for filing a grievance and the manner in which it must be filed. In addition this legislation will allow for an appeal of the grievance to the Superintendent, then to a hearing panel. **Ms. Echeverria** noted that this legislation, by allowing for a hearing panel, still allows for one additional step that is not afforded certificated personnel.

The bill also deals with the grievance hearing itself. This legislation keeps in place the requirement for a hearing panel, clarifies that the hearing panel decision is an advisory opinion for the Board's consideration. ISBA firmly believes the final decision should be left with the Board of Trustees, who are elected to govern the school district.

QUESTIONS: **Vice Chairman Mortimer** asked about the six day filing period and the employee evaluations. **Ms. Echeverria** explained the process of evaluation disagreement and clarified the six day time period was for filing a grievance.

Senator Toryanski asked about non-certificated employee disagreements with performance evaluations and any limits on grievances that could be brought. **Ms. Echeverria** explained that performance evaluation disagreements are subject to Board policy, and there are no set limits on grievances that can be brought, and they can make appeals on actionable causes.

Senator Malepeai asked about school district hiring practices, and policies and procedures. **Ms. Echeverria** stated each Board sets its own, and that policies are available from ISBA.

TESTIMONY: **Tawni Berryman Hull,** Education Support Professionals (ESP) Joint School District No. 2, said because of a payroll issue she faced in her district, under this bill she would have had no recourse, because her six days would have been used trying to work the issue out before filing a grievance. She worked with the ISBA, IEA and NEA to satisfactorily solve the issues. The six day filing period of this bill would have prevented the ability to solve the problem without filing a grievance or going to court.

Barbara Leeds, Human Resources Director, Joint School District #2, represents Meridian School District and Board of Trustees and they support this legislation.

Bruce Gestrin, Assistant Superintendent of Joint School District #2, does not believe problems with paychecks are a grievance. The new language would still spell out due process rights. If the issue could not be solved at the administrative supervisory level, this legislation would get it to the Board of Trustees in an expedient fashion.

Sonya Packard, Meridian School District, ESP Staff, shared a story about a poor evaluation, which is not a grievance in the legislation. She opposes S 1297.

Rob Winslow, Executive Director of Idaho Association of School Administrators, supports this legislation. He said revising grievance procedures, clarifying the definitions for Boards and providing hearing panel for non-certificated personnel is a good addition.

Teresa Miller, ESP Joint School District No. 2, had an issue with an error in her paycheck and did not get paid due to human error; it took two months to resolve. With this new bill which has the six day limit there is no good recourse. She is not in support of the bill.

Paul Stark, General Counsel, Idaho Education Association (IEA). The IEA opposes the bill. Classified employees are often in positions of choosing between what might be justice and their job. He submitted written testimony from those who were not able to attend; and were not in support of the bill. He said he does not see necessity of this bill because the current law seems to be working. The bill itself is confusing as written, as it has conflicting provisions where grievances can only be brought for specific violations of board policy or for any matter related to employment. There is a draconian part in the bill which allows only for a six day limit and is potentially unconstitutional. The "subject matter of grievance" prerequisites are too broad and employees would be forced to file potential grievances simply to preserve their rights. At-will employment allows termination for any lawful reason. With a six day requirement, the employee would not be allowed to file a grievance if they did not make it in the six day time frame. Regarding this statute, there have only been four court cases reported in the 23 years it has been in place: The last one was 12 years ago. Finally, this bill conflicts with existing state law. In the Human Rights Act there are 365 days to file a grievance and other laws allow up to two years to file.

Marty Meyer, Coeur d'Alene, a former classified district employee has concerns with **S 1297**. The scope of issues that may be aggrieved, particularly placement and evaluation, are problematic. Districts may not be held accountable for evaluations based on job descriptions. When this results in a poor evaluation, there is no recourse. Personally, he has filed two grievances in 22 years; one for concern of health and safety for children and the other for personal liability. Both times these were associated with assignments outside his job description. Both times his concerns were ignored by his supervisors. Grievances usually aren't the first line of defense employees look to in an issue. Unfair treatment can be vague, because unfair treatment comes in a variety of forms. Idaho Code 33-517 is a problem solving statute and it works well when applied. However that statute is under used because classified employees still feel intimidated. S 1297 further muzzles classified employees. He is not in support of the bill.

Kathryn Packard, ESP of Joint School District No. 2, worked for the district for 14 years. After 13 years of excellent reviews she received an unfair evaluation. Her supervisor never said anything to her before evaluation and she felt that she had been singled out and is not in support of the bill.

All supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1, #2, and #3).

QUESTIONS: **Senator LeFavour** asked **Ms. Leeds** if claims without merit have been put through the process? And if all complaints represent violations of written board approved district policy? **Ms. Leeds** said in the past two years seven grievances have been filed, four are currently in the process. There have been instances where staff was unduly dismissed and they were placed back into their positions because due process was not in place. She could not speak to every Board's policy.

Vice Chairman Mortimer asked about the described pay issues. Did the employees have a right to file under work law without going through grievance process. **Mr. Gestrin** indicated that under the Fair Labor Standards Act it would not have needed to go through the grievance process. He also indicated that issue was a software problem, not a matter of intentional underpayment.

Chairman Goedde asked if six days was an adequate amount of time to file a grievance. **Mr. Gestrin** indicated six days gave a sense of expediency.

Senator Toryanski asked **Ms. Packard** if she filed a grievance related to her evaluation. **Ms. Packard** stated she filed a rebuttal, but if she had lost her job, she wouldn't have had the opportunity for explanation. She also indicated that line 25 of the bill indicates evaluations are something employees would not be able to file a grievance on; had she been terminated she would have no chance for explanation. It would only allow for the rebuttal of evaluation to be placed in her file.

Senator Andreason asked for **Ms. Packard's** suggestions on the bill. **Ms. Packard** stated it should not have a six day time limit, and that grievances should be allowed for evaluations that can be used against you.

Chairman Goedde asked **Mr. Winslow** if six days is realistic, or if it created problems. **Mr. Winslow** stated that six days was not new, and seemed adequate and expedient. He explained the new language simply clarified that if a grievance is not filed within the six days, it cannot move forward.

Senator LeFavour asked if there were instances of employees being improperly transferred, evaluated, etc. **Mr. Winslow** stated that he was unaware of any incidents, but imagined they could occur. He also referenced the processes in place, such as attaching a rebuttal to an evaluation.

Senator Winder asked **Mr. Stark** if employees give up the right to appeal or to judicial procedures when would the six day period apply. **Mr. Stark** stated that the time line is six days from the incident giving rise to the grievance, there is no discovery rule indicated, and that under state law the filing of a grievance is a prerequisite to filing any appeals.

MOTION: **Chairman Goedde** stated that there were enough questions regarding the constitutionality of the legislation that without dissent, he would like to hold S 1297 in committee to obtain an opinion from the Attorney General. When the Chairman receives the opinion from the Attorney General, he would allow for **Ms. Echeverria** to close debate.

ADJOURN: **Chairman Goedde** adjourned the meeting at 4:35 P.M.

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Senator Goedde
Chairman

_____

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, February 16, 2012

SUBJECT	DESCRIPTION	PRESENTER
JFAC Discussion	Discussion and Decision	Chairman Goedde
S1327	Amend Section 33-513 Revise provisions relating to professional personnel, contracts, renewable contracts, negotiation agreements and definitions	Jason Hancock State Department of Education
S1328	Amend Section 33-1021 Revise provisions to distribution of moneys, dual credit courses, ADA and online courses	Jason Hancock State Department of Education
S1329	Amend Section 33-1004F Revise obligations to retirement benefits and salaries	Jason Hancock State Department of Education
PRESENTATION:	Idaho Commission of Libraries	Ann Joslin Idaho Commission for Libraries
APPROVAL OF MINUTES;	January 23, 2012	Senator Fulcher
	January 24, 2012 & January 26, 2012	Senator Toryanski
PRESENTATION:	Presentation ~ A Farewell Tribute	Renae Feist

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, February 16, 2012

TIME: **Chairman Goedde** called the meeting to order at 3:03 P.M. and asked the secretary to take a silent roll.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

JFAC DISCUSSION & RECOMMEN--DATIONS K-12: **Chairman Goedde** said because this is the last day before the presentation he will be making to JFAC, the committee will review the document that he emailed. He said that he wrote the document based on the prior discussion of the committee. He would like the committee to review and prioritize the items. He also sent the committee the requests from **Mr. Morrill** from Idaho Public Television (IPTV). Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachments #1 and #2).

Chairman Goedde asked the committee if he missed anything that they reviewed. Does anyone have anything that they would like to add to the list or discuss? **Vice Chairman Mortimer** asked if there was any mention of maintenance funds for buildings. **Chairman Goedde** said the last paragraph under the K-12 budget mentions silos and facilities maintenance is one of those silos.

Vice Chairman Mortimer emphasized the need to support IPTV. They have received no facilities allocation; they need some consideration for capital replacement money. **Chairman Goedde** said there were some suggestions for establishing a line item for replacement capital and this might fall under that request.

Senator Winder said that while being a task force participant he was made aware of importance of staff training and professional development for helping the teacher in the classroom. He strongly emphasized the need to find the money for the first year of training. **Chairman Goedde** agreed with **Senator Winder's** suggestion. He said at a district level the IT staff will have to be available to assist teachers in maintaining the devices and make sure they are working. As devices are deployed to students, that task will be even greater. He wasn't sure if $2.5 million is realistic. Maybe for the first year that amount is sufficient, but in the following years that amount will or could be higher.

Vice Chairman Mortimer asked **Chairman Goedde** regarding the Idaho Digital Learning Academy (IDLA) whether a specific amount should be added to their budget. The House and the Senate have discussed the needed increase. Will **Representative Thayne's** bill address those costs?

Chairman Goedde explained to the education committee that there has been an ad hoc committee comprised of **Vice Chairman Mortimer**, IDLA representatives, **Jason Hancock**, **Representative Shirley**, and himself. The committee has been meeting a couple times a week for the last several weeks to determine the correct funding for IDLA. The committee has suggested that $5 million seems to be an adequate amount to cover the work of IDLA. The cost of **Representative Thayne's** bill will be offset by that amount.

Chairman Goedde asked the committee what their opinion was regarding IPTV. **Senator Andreason** said he thinks the programming has excellent options for the citizens of Idaho; it brings a good message and informs people about Idaho's landscape and culture. **Chairman Goedde** replied he absolutely agreed with this comment. He wants to know if the committee wants to address additional funding for IPTV knowing that resources will be limited to fund this program. **Chairman Goedde** suggested the Education Committee should propose that this program should continue to be funded at least at the present level. **Vice Chairman Mortimer** said he would like that suggestion to go to JFAC. He suggested that IPTV have all the critical needs on the list and use that number for a budget amount.

Chairman Goedde asked the committee to prioritize the K-12 budget items based on his proposal and the desires of the committee: 1. Statutory items will have to be funded first; 2. Support units need to be reemphasized; 3. Salary grid—backfill 4. IDLA; 5. Training; 6. Discretionary Fund; 7. IPTV; 8. PESF; and 9. Silos;

JFAC DISCUSSION & RECOMMEN--DATIONS INSTITUTIONS:

Chairman Goedde then addressed the funding issues for higher education. **Senator Andreason** called attention to the committee's recommendation for the three percent one time bonus. He said Commerce and Human Resources is considering a two percent across the board for an on going salary increase. He would hate to have the Education Committee recommend the three percent bonus. In light of this **Chairman Goedde** replied he was unaware of any other discussions. He asked **Mr. Headlee** if he was aware of anything. **Mr. Headlee** said yes there have been discussions of the two percent on going salary increase. JFAC will take action on that in the next few days.

Senator Toryanski said the salaries for the employees at the colleges and universities are different than public school teacher. What is done at the colleges and universities regarding salaries compared to what the salaries are throughout the remainder of state government is so different. He said that he would feel more comfortable with a general statement such as the committee supports compensation increases rather than state a specific amount or mention the Governor's recommendation.

Chairman Goedde asked the committee if there was anything more to discuss. Hearing none, he asked the committee to prioritize the list: 1. Enrollment work load adjustments; 2. Compensation; 3. IGEM; and JFAC can decide the priority of the remaining items

Chairman Goedde introduced **Jason Hancock,** of the State Department of Education, to present bills S1327, S1328, and S1329.

S1327:

Mr. Hancock said **S 1327** makes some clarifications and adjustments to S1108, which was the labor portion of the Student Comes First Legislation. He explained the changes line by line. There were a few questions asked by the Senators and **Mr. Hancock** was able to answer them satisfactorily.

Having no more explanations or questions for **S 1327, Chairman Goedde** asked if there was any testimony to the bill.

TESTIMONY: **Penny Cyr**, President, Idaho Education Association, stands in opposition to the amendment because the association is in opposition to the law.

Rob Winslow, Executive Director, Idaho Association of School Administrators (IASA), is in favor of this and all adjustments to the three bills.

Karen Echeverria, Executive Director, Idaho School Boards Association (ISBA), is in full support of the bill adjustments. She said we believe and support any clarification that makes the bill clearer and had no other issues with the bill.

MOTION: Having no more testimony, **Vice Chairman Mortimer** moved, second by **Senator Winder**, that **S 1327** be sent to the floor with a do pass recommendation. The motion carried by **voice vote**. **Senators Malepeai** and **LeFavour** asked that their vote be recorded as nay. **Chairman Goedde** will carry the bill on the floor.

S 1328: **Mr. Hancock** introduced **S 1328** which is to clarify questions from S 1184 from the Students Come First Legislation. The first change was a clerical mistake that needed to be fixed. This bill outlines how to qualify to have the state pay for online course work. Senators had questions regarding credit loads, qualifications as to how to get the state to pay for dual credits, and recording the average daily attendance when students are taking online courses. **Mr. Hancock** answered the questions sufficiently.

Having no more questions from the committee, **Chairman Goedde** asked if there was testimony from the audience.

TESTIMONY: **Rob Winslow**, Executive Director, Idaho Association of School Administrators, is in support of **S 1328**.

MOTION: **Senator Fulcher** moved, seconded by **Senator Pearce** to send **S 1328** to the floor with a do pass recommendation. The motion carried by **voice vote**. **Senator LeFavour** asked that her vote be recorded as nay. **Senator Goedde** will carry the bill on the floor.

S 1329: **Chairman Goedde** explained to the committee there is a second revised statement of purpose (SOP): Item number five is new on the SOP but has always been in the bill. He then asked **Mr. Hancock** to introduce **S 1329**. **Mr. Hancock** stated these are revisions and clarifications to S 1110 the pay for performance portion of the from Student's Come First Legislation. In the prior bill it was easy to interpret the language to read that benefits would have been calculated twice, which was not the intent. **Mr. Hancock** continued to review the changes one by one. Senators had questions regarding the schedule of pay for performance dates. **Mr. Hancock** explained the questions to the Senators' satisfaction.

Senator Winder moved, seconded by **Vice Chairman Mortimer**, to send **S 1329** to the floor with a do pass recommendation. The motion passed by **voice vote**. **Chairman Goedde** will carry the bill on the floor.

PRESENTATION: **Chairman Goedde** introduced **Ann Joslin** from the Idaho Commission of Libraries. **Ms. Joslin** said the Idaho Board of Library Commissioners is meeting in Boise on February 17th and introduced **Bruce Noble** from Post Falls, Idaho.

Ms. Joslin said that at a prior time **Chairman Goedde** asked about e-books in state libraries. **Ms. Joslin** replied about 35 percent of the libraries, which serve 70 percent of the state's population, offer e-book reading through a popular reading service. It is the small libraries in the state that don't have the recourses to offer that service.

Ms. Joslin handed out her presentation to the committee and gave them a brochure outlining "From Readers to Leaders," and state policies for internet use in libraries. There is a new statute on internet use in public libraries which becomes effective in October of 2012. The commission staff has developed a page on the website with Library internet policy information to help the public libraries meet the requirements. Some libraries have made the needed change to meet the statute others are working on changes, and some have costs constraints to complete the requirement. Some have reported complaints from users that can no longer purchase specific online items as some of the items sites are restricted; guns and lingerie. **Ms. Joslin** continued her presentation. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Senator Winder thanked **Ms. Joslin** for the great presentation. He said in his work in Boise looking for sites he was told that libraries would die. In hearing about how libraries are adapting to the change he has seen he is impressed. He knows they will continue to be the center of communities.

MINUTES: **Chairman Goedde** said there are minutes that need approving.

MOTION: **Senator Fulcher** moved, seconded by **Senator Toryanski** to approve the minutes from **January 23, 2012**. The motion carried by **voice vote**.

MOTION: **Senator Toryanski** moved, seconded by **Senator Winder** to approve the minutes from **January 24, 2012** and **January 26, 2012**. The motion carried by **voice vote**.

PRESENTATION: **Chairman Goedde** welcomed **Renae Feist,** Senate Page, to the podium. He asked her to speak about her experience as a Senate Page.

Ms. Feist thanked the committee for the wonderful opportunity she had as a Senate Page. She loved being on the education committee and having an opportunity to learn more about procedures. She also stated that she learned from the Senators the importance of listening to others and then to vote for what you believe is the best for Idaho citizens. She said she is excited for her future at Brigham Young University in Provo, UT.

ADJOURN: Having no questions, **Chairman Goedde** adjourned the meeting at 4:35 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.
Room WW55
Monday, February 20, 2012

SUBJECT	DESCRIPTION	PRESENTER
Presentation:	Equity & Merit Increases in Higher Education	Paul Headlee
S 1299	Relating to Military Education Training and Service; Amending Chapter 37, Title 33, Idaho Code, by the addition of a new section 33-3727 awarding academic credit for certain military education. Amending Chapter 26 Title 67, Idaho Code, by the addition of a new section 67-2620 that certain military training will be awarded licensure, certification or registration.	Mark San Souci, Regional Liaison Northwest Defense State Liaison Office
H 393	Relating to Rural Health Care Access and Physician Incentive	Tracie Bent State Board of Education
Presentation	Center for Healthy Teen Relationships	Annie Kerrick & Kelly Miller

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Monday, February 20, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Fulcher, Toryanski, Malepeai and LeFavour

ABSENT/ EXCUSED: Senators Pearce and Winder

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting to order at 3:00 PM. He said that in the red folders for the committee members there was quite a bit of information, including three of the four reports that the State Department of Education is statutorily required to provide, Math Initiative, Idaho Reading Indicator and the English Language Proficiency. The fourth report was 63 pages and the link was emailed to members of the committee rather than printing it. Also included is a report on 2011 discretionary expenditures by school district.

Chairman Goedde introduced the two new pages for the second half of the session, **Jamie Bush** and **Joshua Smith**.

PRESENTATION: **Chairman Goedde** welcomed **Paul Headlee** to the committee. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1). The report **Mr. Headlee** is presenting is a state wide report. From 2010-2012, there are 500 fewer active employees in the system. **Mr. Headlee** reviewed pages 2 and 3 of the document relating to the bonuses and short term merits that have been reported. **Chairman Goedde** questioned the statistics of the number of active employees at University of Idaho. **Mr. Headlee** stated this was a typo (on pages 3 and 6) and the number of active employees at the University of Idaho is 2,417 and the number of active employees at Lewis-Clark State College is 413. **Mr. Headlee** stated that pages 4-6 are the salary adjustments. **Chairman Goedde** commented on it being a lot of information to digest but an initial question he has is whether there is any way to try to develop any equity between the short term numbers and the merit numbers (he would guess the merit numbers would be ongoing). **Mr. Headlee** confirmed that **Chairman Goedde** is correct in his comment.

S 1299: **Chairman Goedde** welcomed **Mark San Souci**, Regional Liason of the Northwest Defense State Liason Office, to the committee. **Mr. San Souci** is here to ask the legislature to establish policies that ensure separating Service members do not have to repeat requirements completed during their military career to obtain academic credit or an occupational license. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2).

Senator Toryanski asked why more directive language was not used, for example, using "may". **Mr. San Souci** said more direct language was asked for but they took what they could get. **Senator Toryanski** asked if there was any opposition to this legislation. **Mr. San Souci** responded that he is generally aware of push back but cannot identify in Idaho where it is coming from. He has had great success in four other states that this legislation is currently working its way through.

Senator Fulcher asked for clarification on why this legislation does not have a fiscal impact on the General Fund. **Mr. San Souci** replied that many academic institutions use ACE and that is typically what they refer to as the tools to access any military transcript of course completion. He is not aware of a fiscal impact.

Vice Chairman Mortimer asked for examples of direct correlation between military training and education credits. **Mr. San Souci** said there are the typical case studies of Navy Corpman that have had a 20 year career in the medical field now wanting to be nurses and being told they have to start from day 1 of nursing school. There are cases of electricians and plumbers who have done work like that in different services and not having any provisions in the state to have the kind of start from the apprentice level. There are also civil engineers in the Corp. that need to get their degree. We are not talking about direct licensing of these Corpman, but pushing them in that direction.

MOTION: **Vice Chairman Mortimer** moved to send **S 1299** to the floor with a do pass recommendation. The motion was seconded by **Senator Toryanski**. The motion passed by voice vote and **Senator Toryanski** will carry **S 1299** on the floor.

H 393: **Chairman Goedde** welcomed **Tracie Bent** to the committee. **Ms. Bent** stated that H 393, as amended, proposes changes that would move the administration of the Idaho Rural Physician Incentive Program to the Department of Health and Welfare office. The Rural Physician Assistant Fund is composed of students preparing to be physicians in the field of medicine or osteopathic medicine supported by the state. These include the WWAMI medical education program and the University of Utah Medical Education Program. The funds from the account are then used to repay qualified medical education debt in exchange for the position working in a medically underserved area of Idaho. The Rural Physician Incentive Program aligns well the Department of Health and Welfare's Rural Healthcare Act. The combination of the two programs will allow for increased efficiencies in managing the programs. Between the two programs, there will be one joint review board created with 13 members. Other proposed changes include changing the disbursement to a maximum of $50,000 over 4 years, rather than the current 5 years and incorporate what is currently an administrative rule regarding the application process and eligibility requirements in the State Code. The Board of Education staff worked with the staff of the Department of Health and Welfare and the Department of Health and Welfare is in support of the changes.

Vice Chairman Mortimer asked why this change is needed to be made. **Ms. Bent** responded that the office of the State Board has limited contact with the medical education students once they have graduated from the programs and completed their residency. The individuals participating in this program are physicians. They have found that after trying to administer it for the last two years that with the limited resources in their office, they have not been able to do a great job of marketing it and getting applicants who are willing to go through the process. The Rural Healthcare Act already has a network set up and is aligned with their primary mission They feel that they would have a greater ability to market and administer the program. **Vice Chairman Mortimer** asked how much time it would take to do this as far as actual employee overhead is concerned. **Ms. Bent** responded that during the application process itself it does take a considerable amount of staff time. The Department of Health and Welfare feels they have adequate staff already in place that can handle this change and may not take any additional employees. **Vice Chairman Mortimer** asked how much it would decrease FTE and increase the Department of Health and Welfare's FTE. **Ms. Bent** stated that it would not decrease ours or increase theirs, but it will allow the individual staff person who manages the office currently to work on other duties.

Chairman Goedde asked for clarification on the amendments to the bill. **Ms. Bent** stated that the amendment was to clearly specify in section 39-5902 that the funds that are for these students can only be used for the Rural Physician Fund and not for the Rural Healthcare Act.

Chairman Goedde said that the committee would continue to hear testimony on **H 393** but would delay the vote until the correct bill is before the committee.

Senator Fulcher said that it appears to be just a transfer of oversight to Health and Welfare but the question is are the education institutions standing in support because there may be implications on how medical training is managed within the state. **Ms. Bent** said that each of the institutions had the opportunity to give input as it went through the approval process and object to it. This does not impact the programs themselves. The changes were discussed with the members that are currently sitting on the current oversight committee for the program through the Department of Education's office and they were in support of this change as well. **Senator Fulcher** asked if the Department of Education has opposition on this matter. **Ms. Bent** stated there is no opposition.

TESTIMONY: **Chairman Goedde** welcomed **Mary Sheridan**, the Program Manager for the State Office of Rural Health and Primary Care, to the committee. **Ms. Sheridan** is here to testify in support of **H 393**. The Department of Health and Welfare has been working with the Department of Education and the language that was proposed is designed to align the programs together. One of the responsibilities that the State Office of Rural Health and Primary Care is collecting data and submitting federal applications that describe health work force shortage areas for the State of Idaho and also to create some programs to provide some strategies around the recruitment of retention of physicians and clinicians that serve rural and under-served Idaho communities. In the proposed legislation, they proposed modifications to better align this program with the Rural Healthcare Access Program. One modification is that the timeline would align with the Rural Healthcare Access Program. The existing board would be added to so they were inclusive of the area health education center. They also proposed to modify the statute so that it is a four year loan repayment instead of five (as currently exists).

Chairman Goedde said the bill would be held until February 21, 2012, at which time they will have the correct document in front of them and they will be able to vote.

PRESENTATION: **Chairman Goedde** welcomed the representatives from the Center for Healthy Teen Relationships to the Committee. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #3).

Ms. Miller is the Executive Director of the Idaho Coalition Against Sexual and Domestic Violence. The Center for Healthy Teen Relationships has been in existence since the mid-2000s. They have a very comprehensive strategy which includes engaging and educating youth in schools and out of schools. They reach approximately 15,000 high school and junior high school students in the state each year. **Senator Crapo** is the national leader and the leading sponsor of resolutions to create National Teen Dating Violence Aware Month (the month of February).

Ms. Miller then introduced **Pat Stewart**, the Coordinator of the School Health Programs with the Department of Education. **Ms. Stewart** spoke of the Idaho Youth Risk Behavior Survey which is collected in the spring. Idaho has participated in this survey since 1991. The survey results are representative of large, medium and small schools across the state. The average is about 9% of students reporting being in abusive relationships in the past 12 months. Idaho was the only state to ask the question about sending/receiving nude or semi-nude images via email or text. Surprisingly, overall, 33% of students indicated they had sent or received nude or semi-nude images (in 12th grade students, 33% of girls and 37% of boys).

Vice Chairman Mortimer stated that the Judiciary and Rules Committee just passed legislation that broadens the scope of criminal activity. **Ms. Stewart's** presentation is very upsetting to him. His question is what we can do about these large percentage she has presented. **Ms. Stewart** said that the Department of Education has been working very closely with school districts in talking about working with them on their health education curriculum, but also presenting this information to parents and faith groups do to make them aware of this issue. RADAR, the resource center at Boise State University, has a document that talks about the laws when you are 18 and what it means. **Vice Chairman Mortimer** asked **Ms. Stewart** to review the legislation that was introduced in Judiciary and Rules to see how she feels it would apply. **Ms. Stewart** said she does not know that legislation well enough to speak to that. **Senator LeFavour** said that the legislation is usually the exploitation of a minor by another person and so it is slightly different than what is being discussed here. **Vice Chairman Mortimer** will get **Ms. Stewart** the bill numbers for her to review. **Senator Fulcher** asked if the funding comes through the Department of Education. **Ms. Stewart** responded that her funding primarily comes from the Center for Disease Control and they are funded through a 5 year federal grant from the United States Department of Health and Human Services. Fifty percent of **Ms. Stewart's** salary is state funded through the Department of Education. Their current budget for the next year is just slightly over $200,000.

The next presenter was **Sherry Iverson**, representing the Pediatricians of the State of Idaho, the Idaho chapter of the American Academy of Pediatrics and St. St. Luke's Children's Hospital. People between the ages of 12 and 19 experience the highest rates of rape and sexual assault. One city showed that in high school young women, if they are in a physical or sexual violent dating relationship, they are 4 to 6 times more likely to become pregnant. If they continue in this relationship, they are 8 to 9 times more likely to consider suicide or attempted suicide as they are trying to figure out if there is a way to get out of the relationship. This needs to be a collaboration between health care, education and our communities. **Ms. Iverson** stated that when parents were asked who they would most like to see talk to their kids about teen dating violence and relationships, pediatricians and health care providers came up as their number one trusted source of information. We need to move this into an education partnership with health care providers, education in the schools and the teens themselves. Many teenagers do not know what an unhealthy relationship looks like and just need to be walked through what the boundaries should be.

The next presenter was **Khadija Khan**, a junior at Capitol High School, and is a teen activist for the Center for Healthy Teen Relationships. **Ms. Khan** often witnesses emotional or verbal abuse within her school. Schools are where students should be shaped for their future in all aspects of their life. This program would give teachers an idea of how to handle talking with students.

The next presenter, **Shannon Page**, is a Policy Consultant with the Center for Healthy Teen Relationships. Up to 43% of students report dating abuse occurring on school grounds and victims generally have lower academic performance and are at a greater risk for dropping out. Students must have a safe and secure learning environment. Important considerations in policy development include definitions of key terms, youth engagement to ensure relevance and acceptance, age appropriate prevention education curriculum, training school personnel on adolescent relationship characteristics and skills for intervening in abusive situations, early intervention to stop unhealthy or abusive behaviors from escalating, reporting mechanisms and confidentiality. She is currently working on a model policy that has been developed to use with Idaho school districts.

Chairman Goedde inquired if this is something that is normally found in a student handbook. **Ms. Page** responded that it is not something that is on the radar screen yet. She said you will find other forms of harassment policies, bullying, etc. but you typically do not find the adolescent dating abuse prevention response yet. The difficulty is that most administrations and teachers would like to think that dating occurs outside school time, and once they walk on the school property, the young minds and hearts are not interested in being romantic - which is completely false thinking.

Senator Fulcher commented that so much of what the Education Committee does is supporting the public education system and trying to help find the funds to do that. It seems to him that there is more burden being put on the school system which means more administrative overhead to compensate. After listening to this presentation, the first thing that comes to mind is that families should be taking care of this. **Ms. Page** responded that there is a portion of this program that is very actively involved in "teen/parent education nights" where they are working with parents to be more open with their teens. They agree that the first line of defense should be within the home. Fortunately, **Senator Crapo**, with the Safe Teen Act, is recognizing that this will take some funds and there will be a reallocation of funds to provide this service.

Senator LeFavour commented that the administrative and counselor offices are the ones dealing with the consequences of this on a daily basis because the teens did not know what to look out for in a healthy relationship.

Senator Toryanski commented that this sounds like a program that would be appropriate for a class that already exists in the schools. Even though **Ms. Page** mentioned that this information was not yet available in the schools, **Senator Toryanksi** inquired as to whether or not any of this information is already covered in a health class. **Ms. Page** responded that it is in the course of study for health education classes but there is a great amount of curriculum that needs to be covered in one semester and they would like to see it a much more comprehensive program. **Senator Toryanski** stated that these teenage relationships have been going on for centuries and inquired as to whether or not teens are abusing each other at a greater rate now or is it just at a greater awareness to the way people treat each other. **Ms. Page** said that it is both because we are increasing our awareness of the issues making it more in the forefront. **Kelly Miller** came to the podium to address this matter. She stated that there is a lack of parent attachment, creating adolescent risk factors. Ms. Miller pointed out that since they have been working with the Idaho Coalition, along with the Department of Education, there has been a decrease in the youth risk behavior survey question about being hit, slapped or hurt by a dating partner. Idaho may be the only state that has shown a 5% decrease from 2007 to 2011. However, work still needs to be done in the area of teens receiving nude or semi-nude photographs by text or email.

Senator Fulcher inquired as to who actually develops the content of the program. **Ms. Miller** said that it is team members from the Department of Education, St. Luke's, and a number of their teams. There are handbooks provided to middle school and high school parents to help them begin to have the conversations with their young sons and daughters about what healthy relationships should be like.

Ms. Miller said the take away message is that adolescent dating abuse and sexual assault is a significant problem in our communities and our schools. We have learned that Idaho can become a national model for other states in the country to look at how all the systems can work together to create comprehensive and effective prevention and response programs.

ADJOURN: **Chairman Goedde** adjourned the meeting at 4:25 PM.

Senator Goedde
Chairman

LeAnn South
Secretary

Shannon Dearing
Assistant Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, February 21, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 393	Relating to Rural Health Care Access and Physician Incentive	Tracie Bent State Board of Education
Presentation	Idaho Leads Project Boise State University	Roger Quarles Boise State University
Discussion	Joint Legislative Oversight Committee	Chairman Goedde

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Tuesday, February 21, 2012

TIME: **Chairman Goedde** called the committee to order at 3:04 and asked the secretary to take a silent roll.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

H 393: The Chairman welcomed **Tracie Bent** of the State Board of Education to present changes to **H 393.**

Ms. Bent discussed **H 393**, held for an engrossed amendment, which strikes out language from subsection 1, reverting it back to original language, adding subsection 2, which specifies clearly that funds that were a fee to education programs can only be used for rural physician incentive program. This language was previously in the education section.

Senator LeFavour stated she had expected to hear from medical programs, and asked if they were okay with the change. **Ms. Bent** indicated the medical educational programs are in agreement with the changes. Part of the reason for this is that the rural incentive program is for practicing physicians rather than those still in school.

TESTIMONY: **Steve Millard**, Idaho Hospital Association spoke to the committee saying he has been Chairman of the Rural Community Assistance Partnership (RCAP) program. He also sits on the other program board and was involved in the merging of the two programs. This bill should be supported as it is an efficiency measure.

Senator Mortimer asked about the amendment indicating the expenses of administrating the program up to 10 percent. He asked if those costs are currently assessed in the program. **Mr. Millard** indicated he did not deal with the finances, but that the state Office of Rural Health does and the program is in their budgets. He also stated that he is not the person to answer that question. **Ms. Bent** responded the current language allows the Board to use up to 10% of the costs and explained where those dollars are used. **Senator Mortimer** followed up asking if the 10 percent was being used. **Ms. Bent** explained that a portion of the dollars were being spent, but would need to double check to see if it was all being spent each year.

Senator Mortimer asked if putting this in the hands of Health and Welfare was the best place. **Mr. Millard** stated that it was, and the Department had done a great job with the RCAP program.

MOTION: **Senator LeFavour** moved, seconded by **Senator Andreason**, to send H 393 as amended to the floor with a do pass recommendation. Having no discussion, the motion carried by **voice vote. Senator LeFavour** will carry on the floor.

PRESENTATION: **Chairman Goedde** welcomed **Roger Quarles** from Idaho Leads Project at Boise State University to the committee. **Mr. Quarles** introduced the Idaho Leads Project team that were in attendance. The project is funded through the J.A. and Kathryn Albertson Foundation and they are four months into the two year project. Every district and charter was invited to be part of this initiative and help build leadership capacity for kids. Good geographical representation came from the 43 school districts and six charter schools. The Leads team has met with districts and teams. A team consisting of ten people which include a superintendent, a trustee, a principal, a teacher, and a student; the other five people were selected by their group because they are actively engaged in their school.

In an effort to improve K-12 public education throughout Idaho, Leads is using social media, a website, print resources, training and other methods to engage individuals. They are anticipating regional pace setting academies and demonstration districts by using technology and human resources to improve leadership capacity. The Leads projects is looking for drivers to move educational opportunities for kids in Idaho. There are specific outcomes to be reached in school improvement by the use of regional collaboration and understanding what kids need.

The purpose of Leads is to build leadership capacity, with a focus on student learning and the culture of the community being the norm. The right drivers are building relationships, implementing effective practices, managing change and committing to continuous improvement. After reflection individuals focused on success of all students, enriching and extending for gifted kids and remediating the bottom 20% so kids don't leave before they get to high school. The 21st Century classroom framework is to build relationships, have effective practices, enable change management, and promote continuous improvements. Pre-assessment and post-assessments were conducted and aggregated. **Mr. Quarles** then explained the numbers generated from their research. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

QUESTIONS: **Chairman Goedde** asked how the Idaho Building Capacity (IBC) program fits with what Idaho Leads Project is trying to accomplish. **Mr. Quarles** indicated that the IBC program was an effort to help districts struggling under current federal and state regulations which is done through capacity builders, 3 of 49 districts are part of the IBC program. The participating districts are working with Leads to improve those schools.

Chairman Goedde followed up, noting that the Coeur d'Alene district was working independently with structure towards leadership, and asked how the Leads project participation melded with what they were previously trying. **Mr. Quarles** stated that team was put together with help of the District's Superintendent. It is using shared information and resources and are working well together to help the system grow.

Chairman Goedde also asked if the teachers went through a blended learning process, and was the Leads team participating in that training. **Mr. Quarles** indicated that they assisted in working on adaptive solutions for teachers and teams.

Senator Toryanski asked if technology was being used to increase the quality of education, if economic benefits, such as this investment, allow for offsets in another area. Is that apparent as well?. **Mr. Quarles** stated that technology for students is like water to a fish. He explained that students spend five to eight hours a week on homework, while 60-80 hours a week is spent in social media sectors: this is how they communicate. Technology is an investment in student engagement, but does not replace the classroom teacher. He explained that teachers using technology will replace those who don't, and if we don't invest in technology, we are doing a disservice to our students.

Senator Toryanski asked if investing in more technological approaches would result in a need for more teachers, with a smaller teacher to student ratio, or if it could be done with a larger student to teacher ratio. **Mr. Quarles** indicated that this was not a measurable outcome of the project, but that it might eventually gather that information to be informed of those things. He went further to point out the relationship between student and teacher has a greater impact than almost anything else that can be done. Technology can carry those relationships and conversations beyond the school day. Additionally, more options are available to educators when they embrace technology.

JLOC DISCUSSION:

Chairman Goedde noted that **Rakesh Mohan**, Director of the Office of Performance Evaluations gave the committee one more day to review the research before it is presented the **JLOC** request. Last year the higher education equity piece was granted, but K-12 education teachers study did not get funded. **Chairman Goedde** drafted a request from the committee to look at that aspect again and he asked for comments from the committee.

Senator LeFavour asked what are the issues that have been heard from teachers about retention, related to time and money. Would those be encompassed in the study? **Chairman Goedde** indicated that he believed it would.

Vice Chairman Mortimer asked if questions should be added regarding major challenges that teachers may be facing over the next five years if they stay in the classroom. In the next five to ten years there will likely be significant turnover because of changes, age, etc., looking at how to attract teachers to the environment, be it through pay, environment, challenges, change, and also how to retain and motivate those in the middle of their career. **Vice Chairman Mortimer** referenced a conversation he had with a teacher who was frustrated. After a long discussion about possible changes in the near future, frustration might lessen.

Chairman Goedde indicated he would pose the question to JLOC about challenges and opportunities to attract new teachers and retain current staff.

Senator Malepeai asked when the presentation would be made. **Chairman Goedde** indicated that JLOC needed the letter by the next day.

Senator Fulcher indicated he liked question number five, which focused on teachers' skills to be successful in the classroom. He wondered what skill-set needs are changing? He would like to review that issue a bit more. He then asked what categories they may be seeing deficiencies in; whether it be technology, or something more traditional. What are the deficiencies.

Senator Toryanski said he liked question two about learning why teachers are leaving the profession, and wants to add a supply versus demand inquiry to that question. He also wanted to examine the population of teachers versus students in the state. How are teachers being utilized and how has that changed over the years.

Chairman Goedde said that might be a study of its own. When the ratios are given of certified personnel per child it does not necessarily mean that is classroom teachers. A lot of those personnel are doing jobs that aren't servicing the classroom, but will try to put something together on the point to extend the study that far. **Chairman Goedde** indicated he would accept suggestions until noon the following day.

ADJOURN: **Chairman Goedde** adjourned the committee at 3:56 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #4 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Wednesday, February 22, 2012

SUBJECT	DESCRIPTION	PRESENTER
Presentation	Idaho Public Charter School Facilities	Diane Demarest, Executive Director

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Wednesday, February 22, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting to order at 3:06 P.M. and asked the secretary to take a silent roll. He announced to the audience and the committee that this would be a short meeting due to the caucus at 3:30 P.M.

PRESENTATION The Chairman welcomed **Diane Demarest** of the Idaho Public Charter Schools to the Committee. **Ms. Demarest** presented a handout on Idaho Charter School Facilities. **Ms. Demarest** took the committee through an overview of facilities available within a community where a charter school is located. She noted that no public funds were available for facilities for charter schools, yet there is a strong demand for these schools.

Jackie Collins, Principal, Idaho Arts Charter School, discussed the growth of their charter school, moving from portable classrooms to a permanent building. She also noted that they were able to save funds to provide for bonding on the open market in order to buy facilities and renovate. Using part time staff has allowed them to help save money.

QUESTIONS **Vice Chairman Mortimer** asked her about the fees paid for financing and why they would continue to seek bonding instead of normal real estate transactions. **Ms. Collins** stated they have gone to local banks and the fear of stability of charter schools prevents them from securing certain funding.

Senator Andreason asked how students were selected and what kinds of classes were taught. **Ms. Collins** indicated that they fulfill all state requirements, and that students are chosen in a lottery process.

Senator Toryanski asked if faculty earned more or less than public school faculty of equivalent education and experience. How do they attract and retain faculty. **Ms. Collins** stated that the benefits of a charter school is that their pay scale is decided by the school, their pay is relatively equivalent to the Meridian School District, based on experience and education. Charter schools advertise positions the same way as public schools, and to retain they use professional development and other opportunities. **Senator Toryanski** followed up by asking if they have found a shortage of quality applicants. **Ms. Collins** replied they have not encountered a problem filling positions.

Senator Pearce asked about the funding for buildings for charter schools and the current bond rating. **Ms. Collins** stated that they were funded much like a small business, and had to get a Standards and Poor rating. The bonds were sold in the open market, and the school must report to the investors. **Ms. Collins** further indicated the current bond rating was 6.5-7%.

PRESENTATION **David Meyer**, Administrator of Monticello Montessori Charter School discussed the facility built by Dome Technology of Idaho Falls. The school is looking for permanent financing to pay them back. They are currently using discretionary funds to pay the lease and using federal and Albertson's grant money for other spending, thus there are no funds left for contingency. **Mr. Meyer** stated that these were public charter schools relying on private companies to fund operations.

Don Keller, Administrator of Sage International School, discussed the amount of time it took to get their school open. Facilities were a key obstacle for charter schools. **Mr. Keller** said that Sage's enrollment is climbing and 64% of entitlement funding is used to pay for buildings so they have space for the students. He also noted the outstanding academic performance of the students. The staff is predicting a large waiting list and could use more room for growth, but needs funding to accomplish facility goals.

Joe Lovestadt , of Pocatello Academy Charter School, said the overcrowding in their school had forced some classes to be taught in hallways. **Mr. Lovestadt** stated they had been approved for expansion because of successful programs. There is an empty school building one mile away that has been offered for sale, but that investors could not be found for purchase and renovation of the site. They are currently looking for other options.

Cindy Hoovel, Administrator of DaVinci Charter School, said the plans for the school were challenged by location. The board has kept a frugal budget and didn't want to take risks, but the location was found unacceptable based on surrounding businesses. **Ms. Hoovel** stated they were able to find a community partner to hold land for them to purchase when they can secure financing. Now it is just a matter of time.

Ms. Demarest closed by stating that facility issues were the biggest challenge for most charter schools, and that she would be happy to answer questions.

ADJOURNMENT **Chairman Goedde** adjourned the meeting at 3:33 P.M.

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Senator Goedde
Chairman

_____

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.
Room WW55
Thursday, February 23, 2012

SUBJECT	DESCRIPTION	PRESENTER
Presentation:	Freemont School Video Blended Learning	Rick Barrett
H 426	Amend Chapter 16 Title 33 Idaho Code, adding new section 33-1628, to establish the "8 in 6" program. To establish provisions relating to the State Department of Education paying for certain overload courses & summer courses. To establish criteria relating to participation in the program. Establish provisions relating to eligible courses, to provide rules and definitions.	Representative Steven Thayn
RS21332c1	A concurrent resolution stating findings of the Legislature and recognizing the Idaho Digital Learning Academy for its achievements in providing quality online education for Idaho students	Chairman Goedde
Presentation:	Idaho Professional Technical Education	Ann Stephens State Department of Education

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, February 23, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, and LeFavour

ABSENT/ EXCUSED: Senator Malepeai

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting to order at 3:02 PM and asked the secretary to take a silent roll.

Let the record reflect that **Chairman Goedde** acknowledged the early arrival of **Senator Fulcher** and the excused absence of **Senator Malepeai**. The agenda will be reordered, **RS 21332C1**, which is a concurrent resolution acknowledging Idaho Digital Learning Academy (IDLA) and its achievements over the last decade. He is looking for unanimous consent to send that to Judiciary Rules for printing; without objection that will be done.

PRESENTATION: **Chairman Goedde** welcomed **Garry Lough**, Idaho Education Network to introduce **Rick Berrett**, History teacher, and **Misty Berrett,** Business Education teacher, both from South Freemont High School. They will demonstrate to the committee the work they are doing with their students in a blended learning format.

Mr. Berrett said with computers and portals, while the distance is 300 miles away, we can communicate face to face about the educational matters. **Mr. and Mrs. Berrett** both teach their subject matter as a blended course with approximately 60 to 70 percent being an online format. The courses are designed to be either online or stand alone.

Through video and examples they showed the committee what students see in their blended classrooms. Students can log in to the portal anywhere that internet service is available. The learning program to teach students how to "do" online learning is called BrainHoney. With this program students gain the skills necessary to move in and out of online blended learning.

In a blended class, the teacher is able to observe and interact with the students that are attending the class remotely. They can see the students' computer screen at all times and can see what they are learning. There is online discussion boards where students converse with one another regarding a certain topic or to rely on each other as a study group.

Mr. Berrett said he can track what curriculum he is teaching better and can better measure it to the state's requirement. Online has helped him to be a more thorough teacher.

They concluded their presentation demonstrating the online history book that students use. **Mr. Berrett** mentioned that it does take a bit more time to set the book up, however, it is really worth the effort. He then asked if there were questions from the committee.

QUESTIONS: **Senator Winder** asked what percentage of school students are taking online blended learning. **Mr. Berrett** replied approximately 15-20% of the students. The only thing that is holding them back is the lack of computer access. **Senator Winder** then asked if his school requested for the first installments of one to one devices. **Mr. Berrett** said yes.

H 426: **Chairman Goedde** welcomed **Representative Thayn** to the podium.**Representative Thayn** introduced his wife and his daughter, **Carly**, to the committee. He stated that **Carly** would be testifying for this bill from a student's point of view. **Representative Thayn** said when writing this bill he wanted to benefit everyone (students, teachers and taxpayers) as best as possible. He was wondering how some students were able to obtain college credits while they were taking a full class load in High School. What he found is that many take overload classes, which are online classes in the evenings, weekends, and during breaks. The goal of the bill is to help students graduate high school early and with some college credits.

TESTIMONY: **Carly Thayn**, a senior at Emmett High School, testified in favor of the bill. She spoke to the committee about her experiences with online classes through Idaho Digital Learning Academy (IDLA). She has become a more independent learner with online courses, she knew she had to motivate herself when taking online classes. She used online classes to graduate high school a year early and then begin on her college courses.

QUESTIONS: **Senator LeFavour** asked if she has met the entrance requirements for different colleges and whether or not she felt she could go to any college or just community colleges. **Ms. Thayn** said she has looked at a few of the larger college's requirements but she wants to stay closer to her parents, so to begin her college learning she is wanting to go to a small college.

Representative Thayn then turned the podium over to **Jason Hancock**, State Department of Education, to explain the costs to the state. **Chairman Goedde** noted to the committee that there are a couple of documents in their folder: the revised statement of purpose, and draft not "officially engrossed." When the bill came to the committee it came with the acknowledgment from the House stating there was going to have to be some work on it. The draft not officially engrossed was work that was done with **Mr. Hancock** and **Representative Thayn**. If the bill is going to proceed forward it will have to go to the amending order.

TESTIMONY: **Chairman Goedde** welcomed **Mr. Hancock** to the committee. He said that he will testify in support of this bill and will review the changes that are in the draft. The State Department of Education supports this legislation with some revisions. This is the next logical step to take after establishing the dual credits for those who finish early, which is in **S 1184**. It provides that the state pay for dual credits for students who meet the criteria. The challenge with the program was students ability to move ahead. The "8 in 6" is a boost to the previous program because it helps get the students in a position where they can take advantage of **S 1184**.

Mr. Hancock reviewed the not official engrossed document with the committee. There is language saying the state would pay for college courses, but did not state who was supplying the funding. This document identifies where the sources are and it is from the moneys appropriated to the education support program: the public schools budget. This is statutory apportionment. Redundancy in the bill has been removed and specifying for students who are accelerating they can take the dual credit courses during their 11th and 12th grade years. There is wording in this legislation regarding IDLA's obligation to this program.

The fiscal impact for this program in FY 2013 is zero if IDLA's budgeted appropriation is $5 million.

QUESTIONS: **Senator LeFavour** asked **Mr. Hancock** about the Governor's recommendation for IDLA's funding. **Mr. Hancock** replied it is about $1 million for FY 2013.

Senator Pearce asked if there were bills coming out of JFAC with some numbers for IDLA? **Mr. Hancock** replied JFAC has not set that budget yet. He thinks there is some significant interest and discussion about the need to provide a minimum funding level for IDLA. **Senator Pearce** then asked what are the state's savings the way this program will be implemented. Will it save the state any money? **Mr. Hancock** said this program will save money in the long haul but it doesn't necessarily at the front end save money. It will be about three or four years before a savings is seen. He doesn't see much activity in this program. Due to the timing of the implementation of this project many current juniors and seniors will not qualify. Those students in the lower grades have a chance to accelerate. If they have the ambition they can get themselves in a position for the dual credits.

Mr. Hancock continued to outline the changes stating that there were some concerns that were raised with wording so those were better defined. Finally, the definition of a "normal school' is defined as the State Board of Education defines a day.

TESTIMONY: **Briana LeClaire**, Executive Director, Idaho Freedom Foundation (IFF), testified in favor of the bill. They believe that students and families should have more control over the schooling destinies. This bill adds to the body of the school choices that are available. It allows children to accelerate through their required education with the support of their family and their community. Parents that are paying for college would save money due to the short amount of time it would take for their children to complete college. Finally, it is the funding mechanism for successful completion. If the students fails to complete the class with a C or better, the parents will have to cover those expenses. This bill has incentives for student learning and this is public policy the IFF would like to encourage.

Bert Marley, Idaho Education Association (IEA), likes the idea of saving families money. But as they reviewed the presentation in the House, IEA has some concerns. He is not here to testify against the bill. There are some questions on the fiscal statement and what the costs are to parents. If the costs are too high only affluent families will be able to afford this program. This money is coming out of general funds, so what is going to be given up to put this plan into work. IEA understands how the funding helps families but not how it helps the state save money. They make the savings at the detriment of higher education.

Senator Pearce asked **Mr. Marley** why he didn't think a student getting out of high school early would save the state money? **Mr. Marley** said he didn't think the savings were that significant. To get the overload classes done would cost at least $4,800. He really has more questions about 8 in 6 then he has answers. He stressed again that IEA is not opposed to this, they would just like the committee to know that we have concerns.

Janet Orndoriff, Trustee with the Boise School District. The biggest question from the District is what is the ten percent. Being restricted to ten percent of the school's population, how will that be chosen if greater than ten percent want to take advantage of this opportunity? Are there any numbers as to how many students are already doing this? The $2.5 million that is spent on the program is only for the ten percent and only for those that fall in that category. If there is an additional $2.5 million available could that money go into the public education budget and then all students in Idaho could benefit.

Chairman Goedde welcomed **Representative Thayn** back to the podium to close his presentation. **Representative Thayn** said there are some programs for the gifted and talented and there is money for the struggling kids. Now this would be a program for the exceptional student. There are currently over 10,000 overload classes out of the 17,000 from IDLA that are taken in the summer.

Chairman Goedde excused himself from committee and turned the gavel over to **Vice Chairman Mortimer**.

Representative Thayn said one of the reasons he wrote this legislation for this program, is some students really know the system because their parents know the system and are doing this already. His concern are the students who do not know the system and are disadvantaged economically; thereby they can take advantage of the opportunity. IDLA has already discussed eight courses that they could acquire scholarships for students at the cost of $225. The State Board of Education has the goal of 60 percent of the students take secondary education and using the 8 in 6 program reduces the cost to the state in accomplishing that goal. At this time **Representative Thayn** asked for questions.

Senator Toryanski asked if the accelerated students would physically be showing up for school for the full six years. **Representative Thayn** said they have a choice. They can do the classes at home or at school. **Senator Toryanski** said he has watched the programs that in sensitize parents to encourage their children to leave high school early. That concerns him because they are only a kid once and they can only do the high school activities once. Why the hurry to get out of school? He continued by asking if there are more than ten percent in a school that are interested in the program, how are the participants selected? **Representative Thayn** said he picked ten percent to get some budgeting figures. The preference is given to the students that successfully completed at least one online course prior to this program. The students are going to have to agree to take a full course load. Currently, there is not the capacity in the system to offer to more than ten percent of the students. He responded to the high school activities by saying this bill does not require that the student leaves high school. They can do all the activities they want. His biggest concern is for those students that can't afford to go to college. This gives them a choice.

Vice Chairman Mortimer said after discussion with **Chairman Goedde** it is recommended that this bill be held and addressed on Monday. **Ann Stephens** from the Idaho Professional Technical Program presentation will be rescheduled.

ADJOURN: **Vice Chairman Mortimer** adjourned the committee at 4:16 PM.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW55

Monday, February 27, 2012

SUBJECT	DESCRIPTION	PRESENTER
S 1331	Amend Section 33-1004E, Idaho Code, to revise provisions relating to certain adjustments to a district's salary-based apportionment; and provide a contingent sunset date.	Senator Cameron
H426	Amend Chapter 16 Title 33 Idaho Code, adding new section 33-1628, to establish the "8 in 6" program. To establish provisions relating to the State Department of Education paying for certain overload courses & summer courses. To establish criteria relating to participation in the program. Establish provisions relating to eligible courses, to provide rules and definitions.	Representative Steven Thayne
Presentation	Idaho Digital Learning	Cheryl Charlton Director
Presentation	AVID	Stacie Curry Boise School District

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Winder
Sen Toryanski
Sen Malepeai

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321

Sen Pearce
Sen Fulcher

Sen LeFavour

email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Monday, February 27, 2012

TIME: Chairman Goedde called the meeting to order at 3:02 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** reordered the agenda and announced to the committee, in order to have more clarification, they will hear H 426 on Thursday March 1st.

S 1331 **Chairman Goedde** welcomed **Senator Cameron** to the committee to present **S 1331. Senator Cameron** explained to the committee the history of the salary based apportionment decisions and how it affected education budget reductions which occurred in 2011 moving through 2017. Many people approached **Senator Cameron** stating that this can be fixed in 2013. This year many colleagues approached him saying they would really like to backfill and were wondering where would S 1184 continue on the path on dollar based apportionments? No words were more compelling than the testimony from **Superintendent Luna**, at which time **Senator Cameron** read to the committee **Superintendent Luna's** letter to JFAC.

Senator Cameron realized that **Superintendent Luna's** suggestion was to backfill this year in the amount of $18.8 million dollars. As he thought through this process he realized that this would be the process for every year going forward. The legislature would need to be backfilling, and if he was to remain as budget chairman and the legislature was intact, every year they would be looking for money to backfill from the reductions of salary based apportionment and fund the remainder of pay for performance and technology. He also realized that they were talking about the same amount of money no matter which way it was done. He then thought about ways to manage this from a better budgeting approach. The result after working with his staff, budget staff, and others was to draft the bill that is in front of the committee today.

The bill that is in front of the committee today does away with future reductions and in salary based apportionment that were put in place by S 1184. Page 2, line 7 would change the funding for 2012 to be "2012 and each fiscal year thereafter at the 1.67 percent." That stays in place until the time the state can afford to backfill that as well. In the years 2013-2017 all the additional factors are removed from the bill.

This bill has a $34 million dollar fiscal impact. That fiscal impact is spread out over the next five years. The first year, 2013-2014 is $18.2 million, 2015 is $21 million, 2016 is $1.1 million and the following year is a reduction for a total of $34.7 million. If this bill does not pass, that is the amount of money the legislature will be looking for in the years stated.

He said he would like the committee to send this bill to the floor with a "do pass recommendation." He is open to questions.

QUESTIONS: **Senator Winder** acknowledged **Senator Cameron's** presence at the committee and said it was good to have him there. He thanked him for hearing some of the concerns that were voiced last year when the legislature was trying to figure out a way to look to the future and save on monies available to sweep back in to salary based apportionment. He stated that **Senator Cameron** is the guru of the budgeting process and all the various things from the Governor's state of the state budget address to all the things JFAC deals with every day. **Senator Winder** asked him to run through this and outline how it fits into the big picture of the budget and available funding.

Senator Cameron replied in this fiscal year, JFAC takes the opinions of the Governor and Legislature and weighs them with the priorities. Public schools have remained and he hopes will always remain the highest priority of the Legislature. It is the first and fundamental priority to fund. The Governor purposed funding to public schools in a couple of different ways. His proposal had funding for pay for performance, technology, and a three percent one time bonus for teachers and classified staff. The Superintendents proposal was a little more ambitious in that it had funding for pay for performance, technology, pay increase, and improving discretionary funds by two percent. As the committee began to work through the budgeting process, one of the first decisions was how to handle salary increases, how to fit Superintendent Luna's and many legislators backfilling the reductions in salary based apportionment by $18 million, and finally how to comply with what the Governor was asking for in his overall education budget. The decision was that JFAC would adopt a two percent across the board salary increase for everybody but the school teachers.

The money that would have been used for teachers' salaries would be included to fill or take care of the backfill for this fiscal year. It did not make any sense to **Senator Cameron** to give school teachers a two percent raise and then turn around and take 4.05 percent out in salary reductions. That seemed counter intuitive. Thus therein lies part of the problem, pointing out that if salary based apportionment was level or the same as it was last year, then pay for performance and if funded is equivalent to about a 4.7 percent increase. Not every district or teacher will get that increase, but hopefully, it would be shared as broadly as possible. While JFAC would have loved to give an across the board increase as well, the discussions with teachers and administrators proved that it was much more important to remove the uncertainty of S 1184 than it was to address salary increases at this time.

Senator Winder asked does **Senator Cameron** feel that, based upon what he understands of the revenue that is available and the budgeting process, JFAC is going through, is there the ability to do this: backfill this year and going forward for the next 5 years and thereafter. **Senator Cameron** replied that is a large question about the future. He is very comfortable with this year's numbers. He is somewhat comfortable for next year's numbers; he is hoping that the funding requirements will be okay. Of course there is always uncertainty with the future. In this new proposed process, if passed, when it comes to public school funding, JFAC will look to the Superintendent's recommendation, pay for performance, technology, growth and support units, and discretionary dollars; just like it has always done in the past. If there is a budget shortfall, JFAC will look everywhere to minimize the shortfall for public schools.

Chairman Goedde stated it is this year and the year out that are going to make big fiscal impact; beyond that it is a little over $1million. **Senator Cameron** replied yes, that is the request.

Senator Andreason asked what effect would this have on the classified employees. **Senator Cameron** disclosed to the committee a possible conflict of interest. Pursuant to **Senate Rule 39, Senator Cameron** has a possible conflict on the applicable law. His wife is a classified employee with the Minidoka County School District. To the extent that any classes are affected by the passage of this bill, she will be impacted. One of the problems with S 1184 as passed was that it reduced certified personnel and reduced classified personnel. Yet, classified personnel are not privileged to participate in the pay for performance program. One of the issues **S 1331** addresses is it takes away the additional reduction for classified personnel as well as certified personnel and holds classified personnel harmless.

Chairman Goedde asked for more questions. Having none, he asked for testimony from the audience.

TESTIMONY: **Rob Winslow** Executive Director of Idaho Association of School Administrators (IASA), thanked **Senator Cameron** and the co-sponsors of **S 1331**. IASA highly supports this bill. It has been identified as one of the priority bills for the association.

TESTIMONY: **Jason Hancock** of the Department of Education said he has a letter in support of **S 1331** from Superintendent Luna which he read to the committee. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1). In addition to the letter, **Mr. Hancock** said the dollar side of this budget request that was put forward by the Superintendent and the Governor had sufficient dollars within it to offset this reduction in salary based apportionment. S 1331 accomplishes through statute that funding is getting done.

TESTIMONY: **Jessica Harrison** of the Idaho School Board Association (ISBA) strongly supports **S 1331.**

TESTIMONY: **Penny Cyr,** President of Idaho Education Association (IEA) supports **S 1331**. Although IEA believes these three education bills that were passed last year were flawed from the start because the state didn't go out to the educators to get their input as to how to put students first. Come this November, citizens will have a chance to vote. Should these laws remain in effect, **S 1331** would provide a small correction to the faulty funding mechanism that is now taking place for education personnel. The funding mechanism is far from the only problem with the law as IEA views it. The bills take away local control, take away teachers wages, and are not based on research of how children learn. IEA does very much acknowledge **Senator Cameron's** work in remedying teachers wages.

Senate Fulcher said he gets the IEA Newsletter mailed to him. He read aloud the following statement "*should we agree to backfill salary based apportionment as necessary however, we wonder as several of you wonder, as the questions to Superintendent Luna last week indicated; what will happen in the next four years when the money will continue to be taken for the base salary approval to fund new reforms approved last year? This ongoing disturbance is why the IEA alliances encourage Idaho voters to overturn the reforms on the ballot this November, as those schools do not face this money each year."* He asked **Ms. Cyr** if the Legislature passes **S 1331** does that change the position of IEA in regards to the overturning the ballot? Will that issue be put to rest?"

Ms. Cyr replied it fixes only one item. The IEA feels that all the issues should be revisited. She hopes that will happen when the voters overturn the reform.

Senator Fulcher asked **Ms. Cyr** does your position stay the same. **Ms. Cyr** said yes.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Andreason,** to send **S 1331** to the floor with a do pass recommendation. The motion carried by **voice vote**. **Senator Cameron** will carry the bill on the floor.

PRESENTATION: **Chairman Goedde** introduced **Dr. Cheryl Charlton**, Director of Idaho Digital Learning Academy (IDLA), to make their presentation. They are celebrating their 10th anniversary this year.

Dr. Charlton thanked the committee for the opportunity and for equity in education. She said her staff, a parent, and a student will be making the presentation today and then introduced them to the committee: **Mike Caldwell** and **Ryan Curvet** from IDLA; **Heather and Trevor Rice,** parent and student.

Mike Caldwell said IDLA started as a statewide legislative initiative in 2002. When he speaks to the pride in IDLA this is really the IDLA's pride in Idaho and the students they have taught. The committee received a brochure from IDLA which **Mr. Caldwell** said covers all the services that IDLA provides. In a Power Point presentation, he showed the committee based on specific words, the work of IDLA. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Sharing their personal stories from IDLA are **Heather Rice** a parent, and **Trevor Rice** a student. **Chairman Goedde** welcomed **Ms. Rice** to the committee. **Ms. Rice** said her son is a 17 year old Boise High School student. He transferred from Bishop Kelly High School and needed to get caught up with some required courses. Her son is taking two classes from IDLA and from a parent's perspective, IDLA's programs are excellent. Her son can work at his own pace and time, and gets the support/help he needs. She thanked the committee for the opportunity to speak.

Chairman Goedde welcomed **Trevor Rice** to the committee. **Mr. Rice** spoke about his positive experience at IDLA. He said he transferred from Bishop Kelly High School to Boise High School his sophomore year and found he needed more credits for graduation. He has been able to get the courses he needs through IDLA. He said the experience has been positive and he recommends the program to other students.

Senator Fulcher thanked **Mr. Rice** for being here today and asked what he does when he needs an instructor to talk to when the concept is difficult to grasp. **Mr. Rice** said he either asks his mom for help or goes online to the discussion boards on IDLA which allows you to talk to the teachers. They are available to personally help the student. **Senator Fulcher** asked **Mr. Rice** what are his plans after high school graduation. **Mr. Rice** replied he would like to take college classes at IDLA so when going to college he can take fewer classes, to cut the expenses.

Mr. Caldwell returned to the podium and described blended learning and what districts are doing to build classes to accommodate the state's requirements. This is not technology in the classroom but changing the delivery model from face-to-face to online learning. " Effective online teachers are better teachers than face-to-face teachers." From his experience of teaching both styles, he knows that statement to be true. **Mr. Caldwell** highlighted teachers from around the state who have won teaching awards and all are online teachers. During the ten years that IDLA has been a part of education in Idaho, they are part of being a change agent for the state. IDLA innovations have helped the state navigate through technology. IDLA are partners with school districts.

Chairman Goedde welcomed **Ryan Curvet** to the committee to give his portion of the presentation. **Mr. Curvet** is the technology guru for IDLA. He spoke about the changing climate of technology in schools. IDLA has been around for ten years and reflecting back he stated that IDLA was in place before Gmail, Wikipedia, Google Maps, and Skype. The program was rolled out at the same time as Windows XP-98 Operating System was introduced.

Mr. Curvet spoke to the committee regarding the innovation of IDLA and schools. The first one is personalized learning. Online learning takes away the restrictions of time, path, and place. The time and place that classes are offered; the path is individualized and customized for each student's learning progress. Each student has a different course load than another, because the path is being customized for each student. This changes the way a teacher interacts with a student, rather than the traditional way "Sage on the stage" they are now the "Guide on the Side." The teacher comes along side the student and teaches in an individualized method. Learning online through this personalized learning means the model with the instructor is personalized and there are individualized interactions with that teacher/student. Online learning changes the way teachers and students interact.

Mr. Curvet showed pictures of the latest technology 10 years ago and compared it to what is being used today. The changes are big. He asked the committee to imagine what 10 years from now will bring.

John Watson of Evergreen Education Group was welcomed to the committee by **Senator Goedde**. He compared Idaho's technology education implementation to the rest of the country. Idaho is doing great; other states would like to replicate the program. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1 & #2).

Chairman Goedde thanked **Dr. Charlton** and the presenters and announced that IDLA is hosting a reception at the Hampton Inn at 4:30 today. If there are any questions they can be asked at the reception.

Chairman Goedde introduced **Dr. Stacie Curry** from Boise Public Schools, director of Advancement Via Individual Determination (AVID) and welcomed her to committee. She had a handout for the committee to follow along as she reviewed the work of AVID. This program works with the forgotten middle students: neither gifted nor remedial students. The teachers in the hosted schools look for the middle students who have the potential to go on to college. The students are enrolled in the program and their required elective teaches them study skills and other techniques to enable them to succeed in furthering their education. The results are excellent for those students. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #3 & #4).

Senator Winder said he had the opportunity to visit an AVID class at Capital High School and it is great example of students that were excited to be in that program and excited about their future potential. It is a great program and will help the segment of the population that once was not college bound.

Senator Malepeai asked **Ms. Curry** what role do the parents of the children in the program play. Do you interview the parents for a commitment? **Ms. Curry** stated that only the student is interviewed and a letter goes to the parent. Then at the AVID contract signing night both students and parents sign. Throughout the year at the individual sites, there are parent nights to learn more about the program and how to better support the student. **Senator Malepeai** asked what the follow up program is once the student leaves the system. **Ms. Curry** said the student reports their college and post college information to AVID directly. Many AVID graduates are now coming back to their schools as tutors.

Senator Toryanski said he had been hearing about AVID since last year when school reform was rolled out; some people commenting that it was Boise School District's answer to school reform. What is the percentage of Boise students actually enrolled in the AVID program? Will all students get the benefits of the AVID program? **Ms. Curry** said that AVID is not the answer for school reform but part of the strategic plan for college readiness. All students will benefit from the program and all students can access the AVID information. **Senator Toryanski** said he was glad to hear that information. He knows that all kids need those skills no matter what economic level they are from. He asked how schools determine which students are least served and how do the schools know if a parent is not a good advocate. **Ms. Curry** said the counselors of the schools know the students' stories. They open the program to all that apply and qualify. Boise School District is still in the beginning stages of the program.

Chairman Goedde said professional development is the major part to get teachers in the program. How many hours of training are needed and what are some of the costs? **Ms. Curry** said before a program is implemented in a district and a school, there is a commitment of a minimum of eight people from representing every content area, counseling and administration. This group attends a summer institute. There they are trained in their content area and/or elective. This training averages about 25 hours. The financial commitment is as follows: initial training $2,000 per team member; $4,600 a year for high schools; and $4,200 a year for junior high schools. This gives the schools access to all the professional and curriculum development. There is a program director from AVID that visits and observes the schools to give suggestions to better the programs. BSD has access to all the data collection from AVID. BSD's current 2012 budget with 11 schools, with tutors and training, is $157,000. The 2013 budget request is $201,000. She said she feels that this is a very small amount of money for the huge benefit in the district.

Chairman Goedde thanked **Ms. Curry** for the presentation. He said it is neat to see these programs work in a local district.

ADJOURNED: Having no more business, **Chairman Goedde** adjourned the meeting at 4:45 P.M.

Senator Goedde Chairman	LeAnn South Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, February 28, 2012

SUBJECT	DESCRIPTION	PRESENTER
S 1297	Amend Section 33-517, Idaho code to revise provision relating to powers and duties of school districts, to revise provisions relating to certain grievance procedures relating to noncertificated personnel and make a technical correction.	Karen Echeverria Idaho School Board Association
H 498	Amend Section 33-1006 Idaho Code, to delete language relating to certain duties of the legislative audits section of the legislative services office and to make technical corrections: and declaring an emergency	Representative Darrell Boltz
Presentation	Idaho Education Network	Garry Lough Idaho Education Network

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Tuesday, February 28, 2012
TIME:	3:00 P.M.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour
ABSENT/ EXCUSED:	Senator Andreason
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
MINUTES:	**Chairman Goedde** called the committee to order at 3:02 P.M. and asked the secretary to take a silent roll. He then welcomed **Karen Echeverria** to the committee.
S 1297:	**Karen Echeverria,** Executive Director, Idaho School Board Association. The ISBA has been working with the IEA over the last week and asked to hold the **S 1297** in committee. The two groups will work together over the next year to find a resolution to bring back to the committee. The Chairman held the bill in committee without objection.
H 498:	**Chairman Goedde** welcomed **Representative Bolz** to the committee to present **H 498.** **Representative Bolz** presented **H 498,** which was brought to him by the head of Legislative Audits, Don Berg. **H 498** deletes the section of code that allows the Legislative Services Office (LSO) to review cap increases granted by the State Board of Education pursuant to this section of Idaho Code, 33-1006. On page 2, lines 41-45, **H 498** deletes five lines dealing with the section that allows LSO to review cap increases granted by Idaho State Board of Education pursuant to IC 33-1006. LSO does not have authority to review caps, they are set by code. This section of code was mistakenly left in after the section that sets the parameters for the code was added.
MOTION:	**Vice Chairman Mortimer** moved, seconded by **Senator Malepaei**,to send **H 498** to the floor with do pass. The motion passed with voice vote.
PRESENTATION:	**Garry Lough,** of the Idaho Education Network (IEN), updated the committee on the status of IEN, with content coordination for schools from **Julie Best**. **Mr. Lough** showed a power point and a video to demonstrate a classroom environment. He then showed how Sugar-Salem school district used a creative design class to capture the environment on video. The video showed an interactive class in two different classrooms at two different sights. The hope is to help stakeholders understand what is possible with interactive teaching.

Phase one was finished ahead of schedule and below budget, all the schools in the state have chosen to participate in the consortium. The state used E-Rate which is administered by Universal Service Administrative Company (USAC) under the direction of the Federal Communication Commission (FCC) to help with the project. Originally, this was a concern, but the leveraged expertise of vendors can bring in more dollars to serve the schools. The project is paid for through a reimbursement allocation process funded by USAC which provides E-Rate dollars. Discounts for support depend on the level of poverty and the urban/rural status of the population served and range from 20% to 90% of the costs of eligible services. The responsibility of the dictate, amounted to approximately 76 percent reimbursement of the total annual expense or about $8-9 million dollars. These are dollars being allocated to schools independent of that are used for telecommunication services. He showed the committee a graph that highlighted how more resources were coming into the state.

IEN provides more than just bandwidth, it is also the bridge for connecting multiple sites, helping to train, expanding use, and leveraging technology. Most meetings happen organically, but if help is needed, it is available. IEN has evaluated how the equipment is being used; 60% were using technology for multiple purposes which indicated a strong level of adoption. The staff is working with the remainder of the schools to help them understand the possibilities of the system. The first full year that all schools will be using the technology was in 2012.

Vice Chairman Mortimer said he was excited about getting this into schools. He asked what struggles are schools having getting it into the classroom and implementing it. What is the predicted time frame? **Mr. Lough** stated that there is a lag in implementation and adoption because of the way budgets are set. Districts vary in how they leverage their usage. Some are developed quickly while others are brought into the school in phases. The IEN team will continue to go to schools to demonstrate use and help them overcome challenges.

Vice Chairman Mortimer asked are there resources available to help? **Mr. Lough** stated eventually, it is dependent on time lines. What they are finding is, as schools are being connected, the training is occurring. There is a multiplier effect when schools have access to the network. It allows schools to collaborate, expanding availability of classes across communities, which increases availability for dual credit classes between schools.

Mr. Lough continued the discussion about training by explaining the work they have done with POST academy for law enforcement officers. The goal is to connect new schools by making them eligible to join by July. The IEN evaluates demands but they do not create the content that is delivered. They are asking content providers to leverage their ability to deliver content in new ways. Currently, the IEN is in the strategic planning process of defining stakeholder roles and IEN abilities. They will be conducting a needs assessment of schools and collect feedback for new uses for online delivery. They have been able to capture feedback from students and teachers with help from Idaho Public Television. **Mr. Lough** showed a video on classroom environments and stood for questions. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

QUESTIONS: **Chairman Goedde** asked **Mr. Lough** how the coordination of bell schedules and calendars are working with the program. **Mr. Lough** signified that was a challenge, but they are allowing schools to figure it out amongst themselves. They know which schools to collaborate with that are within their vicinity. Opportunities with blended learning will help offset differences. Blackboard can help improve access, he believes this will become norm over time.

Vice Chairman Mortimer asked how teachers are sharing experiences and concurrent enrollment, also are teachers being shared from district to district. **Mr. Lough** gave examples of particular areas of the state that are sharing teachers. Some of the changes with Students Come First law may encourage growth in that arena. There will be some districts that will find sharing easier.

Senator Toryanski asked if students in rural areas are taking classes from urban areas, does the ADA money go to the larger district? **Mr. Lough** indicated that it does not, however, discussions in the future may change the current practice.

ADJOURNED: Having no more questions for Mr. Lough, **Chairman Goedde** adjourned the meeting at 3:36 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW55

Wednesday, February 29, 2012

SUBJECT	DESCRIPTION	PRESENTER
Presentation	High Quality Online Learning	Patrick Lowenthal Boise State University
Minutes Approval:	January 19, 2012	Vice Chairman Mortimer
	February 6, 2012	Senator Fulcher
	February 13, 2012	Senator Winder

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Wednesday, February 29, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, and Malepeai

ABSENT/ EXCUSED: Senator LeFavour

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting to order at 3:07 P.M.

PRESENTATION: **Chairman Goedde** introduced **Patrick Lowenthal** from Boise State University as an Instructional Designer. **Chairman Goedde** stated that **Mr. Lowenthal** is intimately involved in online education. He gave two presentations to the technology task force.

Mr. Lowenthal passed out his presentation to the committee. He talked to the committee about his experiences as a teacher, online student, and now as a parent of two girls in school. He designs and manages online course programs. He has done about everything there is to do when it comes to online learning. Today he is here today as a parent. Based on the new legislation he is wondering what schools were going to do to make the statements happen.

He said that at the pace of technology changes he wonders what colleges will look like in five years. There are all these predictions that online school will eliminate Liberal Art colleges. Ten years ago there were no iPods, iPads, or TiVo: The world has changed drastically. He continued his presentation citing number of students over the past four years taking online classes. Online courses are the way today's and tomorrow's children will be learning. The students are choosing online courses.

Mr. Lowenthal said that today in 2012 one-third of students K-12 are taking online courses. How many will be taking online courses in the next three years? Online courses are going to be here and most colleges will have a mix of face to face and online classes. He said he wants his children to be prepared for college, so how will that happen. Learning online is a skill set that needs to be taught to teachers.

He said there are high quality online courses as well as lousy ones. But in the best schools, there are lousy face to face teachers, and in the worst schools there, are good face to face teachers. There is nothing about face to face teaching that makes it wonderful. Schools will never get rid of teachers they will just use their qualities in different ways.

He reminded the committee in many corporate settings managers and staff learn skills online. There must be skilled teacher to teach online. He broke down one slide of what questions should be about when designing quality online classes. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

He concluded his presentation stating even the colleges, like Princeton, that never wanted online courses are going online using BlackBoard with their students. Society needs to understand that online courses are here, now how are they to be taught better.

QUESTIONS: **Chairman Goedde** thanked **Mr. Lowenthal** and asked him are there companies that have standards for rating online classes, from his perspective are they good or is there room for improvement. **Mr. Lowenthal** replied there is room for improvement. He would like the rating to show a variety of aspects of the program from content to teacher. **Chairman Goedde** said that the State Department of Education is charged to create a rubric by which they are going to weigh online classes to see if they are up to the standard that they are requiring. He hopes that the DOE will give **Mr. Lowenthal** the opportunity to be a part of the process.

Vice Chairman Mortimer asked **Mr. Lowenthal** what he believes is the single most difficult challenge to the implementation of online learning in K-12. **Mr. Lowenthal** said the single most challenge is fear of unknown and fear of change.

Chairman Goedde thanked **Mr. Lowenthal** for the presentation and enthusiasm.

MINUTES APPROVAL: **Chairman Goedde** said there are three sets of minutes to approve.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Fulcher**, to approve the January 19, 2012 minutes. The motion carried by **voice vote**.

MOTION: **Senator Fulcher** moved, seconded by **Vice Chairman Mortimer**, to approve the February 6, 2012 minutes. The motion carried by **voice vote**.

MOTION: **Senator Winder** moved, seconded by **Senator Fulcher** , to approve the February 13, 2012 minutes. The motion carried by **voice vote**.

ADJOURN: Having no more business, **Chairman Goedde** adjourned the meeting at 3:43 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, March 01, 2012

SUBJECT	DESCRIPTION	PRESENTER
Presentation:	Idaho Professional Technical Education	Ann Stephens State Department of Education
H 499	Amend Section 33-1019, Idaho Code, to revise a provision relating to the submission by school districts of certain information to the state department of education and amend section 39-8006A Idaho Code to revise provisions relating to the submission by each school district of a certain plan to the division of building safety and to revise provisions relating to the information included in such plan.	Jason Hancock State Department of Education
H 521	Amend section 33-118A Idaho Code to remove certain language relating to a complete and cataloged library of curricular materials.	Jason Hancock State Department of Education
H 534	Amend section 33-1004I, Idaho Code, to revise provisions relating to certain leadership awards, and providing a contingent sunset date.	Jason Hancock State Department of Education

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

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Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, March 01, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Vice Chairman Mortimer, Senators Pearce, Fulcher, Winder, Toryanski and Malepeai

ABSENT/ EXCUSED: Chairman Goedde, Senators Andreason and LeFavour

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Vice Chairman Mortimer** called the meeting to order at 3:03 PM. **Vice Chairman Mortimer** reminded the committee the Chairman is out of town for an educational conference.

INTRODUCTION: **Vice Chairman Mortimer** introduced **Doyle Beck** from District 32. **Mr. Beck** is running for a House position in November and was at the committee to see the workings of the legislature.

PRESENTATION: **Vice Chairman Mortimer** introduced and welcomed **Ann Stephens**, State Administrator of Idaho Professional Technical Education (PTE). Ms. Stephens introduced PTE staff that joined her at the meeting: Dr. Vera McCrink, Kurt Dennis, Kristi Enger, Tracy English, Micheal Page, and Dr. Dick Ledington.

Ms. Stephens began her presentation by saying that the legal authority for their agency comes from Idaho Code which establishes the State Board for Professional Technical Education. The Board appoints the State Administrator whose responsible for coordinating all efforts in professional technical education. **Ms. Stephens** continued her presentation speaking from the Point Power slides. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Vice Chairman Mortimer asked **Ms. Stevens** what is the greatest challenge that PTE will have over the next four to six years. **Ms. Stevens** said it will be the ability to keep up with the needs of the programs and making sure the programs meet the labor market needs. Critical needs are to reintegrate adults that are in the workplace or are out of work to get them back into workplace and have the academic skills needed in order to successfully complete programs.

Senator Toryanski asked **Ms. Stevens** about the PTE that is in the high schools obviously has an investment that is required. Whose budget does that come from? **Ms. Stevens** replied PTE pays a percentage of the added costs for PTE in the high schools; which goes towards equipment, supplies, and other things that are the additional costs of running a PTE program. **Senator Toryanski** said offering these programs does not cost the school districts more. **Ms. Stevens** replied that is not the case. The local district does pay from a great deal of the program. There is more expensive equipment in the programs and they do cost the districts more. **Vice Chairman Mortimer** thanked **Ms. Stevens** saying that he is very proud of the work that her staff does.

Vice Chairman Mortimer welcomed **Jason Hancock** from the State Department of Education to present three house bills.

H 499 **Mr. Hancock** presented **H 499** which deals with the school district facility maintenance plans. In H 743, of 2006, this was the legislature's primary response to the school facilities law suit. One of the requirements with that legislation has been school districts to put together a school's ten year maintenance plan and revise it every year and resubmit every year to the State Department of Education (DOE). This legislation shifts these plans from the DOE to the Department of Building Safety. There is no one in DOE that has any expertise in maintenance inspections. The other change is rather than having to redo the plans every year, plans will be done in years ending in zero and five. Finally, the school districts will have more time to get the square footage report into the state. There were no questions from the committee and no testimony from the audience.

MOTION: **Senator Winder** moved, seconded by **Senator Fulcher**, that **H 499** be sent to the Senate floor with a do pass recommendation. The motion carried by **voice vote**. **Senator Toryanski** will carry **H 499** on the floor.

H 521: **Mr. Hancock** presented **H 521** to the committee. **Mr. Hancock** said this is a simple piece of legislation that deletes the sentence stating the DOE by law will maintain a curriculum library at their site. The rational is no one has used the library in the last year. BSU and all the other colleges around the state have more complete libraries. This is a waste of space in the department and there are better uses for that space. This is efficiency in government trying to eliminate unnecessary duplication.

Vice Chairman Mortimer asked **Mr. Hancock** if this is for space and money savings? **Mr. Hancock** said this is more for cost avoidance of having to house people working on special projects in other spaces.

Senator Fulcher said there are several libraries all over the state. Are they mandated by law that they maintain the library. **Mr. Hancock** replied he was not aware of any requirements but curriculum is part and parcel of teacher education programs and colleges have them up to date.

MOTION: **Senator Fulcher** moved, seconded by **Senator Pearce**, that **H 521** be sent to the Senate floor with a do pass recommendation. The motion carried by **voice vote**. **Senator Fulcher** will carry **H 521** on the floor.

H 534 **Mr. Hancock** introduced **H 534** to the committee. This bill deals with the pay for performance program. This strikes some wording in regards to teacher leadership. It currently states that teachers with less than three years of experience cannot be awarded a leadership award. The problem is the youngest teachers may be the ones providing the training for technology as they are more experienced in that area and should be awarded a leadership position.

Senator Pearce asked **Mr. Hancock** if this is only for new teachers and is it the only tweak for pay for performance. **Mr. Hancock** said S 1329 also addressed pay for performance and that has moved through .

MOTION: **Senator Pearce** moved seconded by **Senator Fulcher**, that **H 534** be sent to the Senate floor with a do pass recommendation. The motion carried by **voice vote.** **Senator Pearce** will carry **H 534** on the floor.

ADJOURN: Having no more business, **Vice Chairman Mortimer** adjourned the meeting at 3:38 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, March 05, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 481	Amend Idaho Code 33-5203(2)(a) to remove the growth cap of six new public Charter Schools per year, and to remove the cap of one new public charter school per-district per year.	Representative Nonini
H 556	Amend Chapter 53, Title 67, Idaho code by the addition of a new section 67-5333A, provisions relating to sick leave of employees for community colleges. Amend chapter 53, title 67, Idaho code, adding section 67-5333B, establishing provisions for sick leave to former employees of Selland College. Declare an emergency.	Representative Chew
Presentation	p16 Caldwell Education Project Introducing an unprecedented initiative to double the post-secondary-going rate of Caldwell students.	**Derick O'Neill,** CEO, United Way of the Treasure Valley **David Duro,** COO, Treasure Valley Family YMCA **Tricia Stone**, Principal, Lincoln Elementary School (Caldwell) **Elaine Carpenter**, member, YMCA Board of Directors (Caldwell) **Amy Rojas**, member, Caldwell School District Board
CR 124	A concurrent resolution stating findings of the Legislature and recognizing the Idaho Digital Learning Academy for its achievements in providing quality online education for Idaho students.	Chairman Goedde
Minutes Approval	January 30, 2012	Senator Fulcher
	January 31, 2012	Senator Winder
	February 2, 2012	Senator Pearce
	February 7, 2012	Vice Chairman Mortimer
	February 8, 2012	Senator Toryanski

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

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MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

MINUTES: **Chairman Goedde** called the meeting order at 3:06 PM.

H 481: **Chairman Goedde** welcomed **Representative Nonini** to the committee to present **H 481**. He explained the purpose of **H 481** which is the attempt to remove growth cap of six new public charter schools per year and to remove the cap of one new public charter school per district per year. There is no anticipated impact to the general fund. The indication of the removal of the cap will not result in an increased rate of growth in the number of charter schools. This piece of legislation is supported by the State Board of Education, Public Charter Schools Commission, and the Department of Education. He said the two biggest concerns they have heard regarding this legislation is that students leaving traditional schools to attend charter schools and traditional schools having a lack of funding due to a decline in enrollment. **Representative Nonini** yielded to the co-sponsor **Representative Bayer.**

Representative Bayer said **H 481** is the attempt to address the caps on charter schools statewide and per district. What was learned is that caps are irrelevant and obsolete. They act as a barrier to access additional non-state financial resources. These include but are not limited to national private foundations, nonprofit entities, and also limits Idaho's competitiveness for Federal Grant funding. **Representative Bayer** relayed to the committee the history of Public Charter School caps. The work and restructuring that occurred will make growth self-limiting. If the cap is lifted, Idaho will see similar growth trends as it did during the past years. As the current law is, funders consider Idaho to be an unfriendly state. Idaho ranking in charter schools has dropped because of the cap. Many states have dropped their caps to become more competitive for President Obama's "Race To The Top" for education funds. More of 90 percent of Idaho's charter school budget is in state apportionment. They are required to work with amount to meet all the other needs that schools encounter as they try to sustain the schools. Whereas, 67 percent of public schools budget is from state apportionment. By removing the caps the legislature will provide the opportunity for Idaho Charter Schools to be more competitive for financial assistance from other sources. **Representative Bayer** yielded his time to **Diane Demarest**, Executive Director of the Idaho Charter Schools Network.

PRESENTATION: **Ms. Demarest** testified that her organization is in favor of the bill. She named the significant reasons why the cap bill should be passed. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

PRESENTATION: **Tamara Baysinger**, Director of the Public Charter School Commission, said the commission that authorizes charter school is in favor of the bill. She testifies as to why the bill will not be detrimental to districts or the charter schools movement. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2).

PRESENTATION: **Michele Clement-Taylor,** School Choice Coordinator of the Department of Education. The area she spoke to is the impact the cap has had on Federal Charter School start-up. The current cap on Charter Schools has made the state of Idaho to be regarded as one of the most unfriendly states towards Charter School development. Federal Grant criteria are not favorable to states with caps coupled with the large waiting lists for schools, thereby Idaho rarely wins these grants.

QUESTIONS: **Senator Winder** said in the testimony he heard the impact that having a cap on schools presents the inability for grant awards from private nonprofit foundation. Can they supply any written statement to that claim? **Ms. Demarest** said she has quotes from conversations, but not directly. If you were to go to the websites and look at who wins the grants, the states those are from do not have caps. **Senator Winder** asked if there is time that she could communicate with any of the foundations to verify her claims? **Ms. Demarest** said yes she has email contact with them and would be glad to get that clarified.

Senator Andreason asked **Ms. Demarest** what portion of the public schools should be charter schools. **Ms. Demarest** said that nationally and locally the charter school movement is about 5 percent of the national market share of school students. She said when the waiting lists are smaller that is when the level is correct. **Senator Andreason** asked what number of Charter Schools is Idaho trying to build. **Ms. Demarest** was not sure that there has been any study as to the optimum level. It is really important to the Charter School Network, the Department of Education, and to the State Board of Education, that all schools are high quality schools. The number of Charter Schools is dependant on the market and for those communities where parents feel their child's needs are being meet there won't be very many Charter Schools. **Senator Andreason** said he thought he heard her say the Charter Schools were of higher quality. Why is that? **Ms. Demarest** said her observation is that in schools that are mission driven, there is definite clarity as to the goals of the school and the benchmarks to get there. Those are focused on a great deal.

Senator Toryanski echoes **Senator Winder's** concern. He would like support for the reason the cap is being removed is due to the fact that private money will start to flow to the schools. Please supply to the committee any back up regarding those statements. He asked if the statewide cap is lifted, that could take the number of charters that could be created per year from six to 115 and in a two year period there could be 230 charter schools created in the state. He asked, if she thought just lifting the cap alone would make Idaho friendly enough for the private money? **Ms. Demarest** said in the National Alliance Ranking there is the ability to score up to 12 points. It is very clear how they get to the numbers: Idaho scored three out of the 12. If the cap is removed the score will not go up. No the cap will not matter. With regard to the number of possible charter schools founded, is very unlikely. That explosion of schools simply will not happen due to the oversight from the State Department of Education.

Chairman Goedde asked if the cap was removed where would Idaho rank in friendliness for Charter Schools? **Ms. Demarest** said Idaho would move from 32nd to 28th.

Senator Malepeai said there was a lot of information given here. He asked if the Walton and Gates Foundations will not invest at all in Idaho Charter Schools, because of the cap. **Ms. Demarest** said that is the indication from the Walton Family. She has spoken with the Gates Foundation and they said that Idaho is not on their radar at this time. **Senator Malepeai** said that even if a Charter School is doing a remarkable job,a cap would prevent the nonprofit foundation from investing in the school. **Ms. Demarest** said the cap makes the environment unfavorable and investors are not interested.

Vice Chairman Mortimer asked **Ms. Baysinger** about getting information from the school districts. Do you get any statement from the school districts about their position of new charter schools coming into their districts. **Ms. Baysinger** said yes. Statute requires the DOE send notice to the district that a petitioner is wanting to open a school. Then the petitioner has to send a referral for a hearing. There is quite a process to get done before a Charter School is ever opened.

Senator LeFavour asked what percentage of dollars do Foundations give to Charter Schools. **Ms. Demarest** said she didn't have the data with her. She did know the Walton Foundation gave $157 million in 2011. They donate to about ten different states. **Senator LeFavour** asked how many other states still have caps and do the foundations give to those states. **Ms. Demarest** said there are five and is uncertain about Foundation gifts in those states. None appear to be on the Walton Foundation gift list.

Chairman Goedde asked **Ms. Demarest** if the Charter School Growth fund is looking at start ups? **Ms. Demarest** replied yes. They are looking to plant high quality schools. Usually, the determinant is the Charter School Management Organization, they review the state's high achieving Charter Schools and use funds to replicate that in a new school. **Chairman Goedde** asked what is a Charter Management Organization. **Ms. Demarest** said it is a nonprofit organization that is tasked with maintaining the feasibility of a particular school. This group trains the principals and teachers and extends to the new school the policies and procedures so they can have all the mechanisms for a strong application. They only support a replicated program rather than a new program.

Senator Fulcher asked what is the demand of Charter Public Schools in Idaho. How many students are in charters and how many are on waiting lists? **Ms. Demarest** said currently there are about 18,000 students enrolled and 7,000-8,000 on the waiting lists. **Ms. Taylor** said that there is actually 16,233 enrolled and about 7,000 on the waiting lists. Most of the waiting lists occur in the metropolitan area schools. Currently, there are seven schools that are on track to open in the near future.

Senator Malepeai asked **Ms. Taylor** how much weight on the overall evaluation does the cap actually have on Federal grant awards. **Ms. Taylor** said in terms of grant with the cap rate has to do with the number of high quality charter schools that open each year. In the "required" category it is worth 20 points out of 100 and in the competitive category it is worth 10 out of 100. Idaho's rate was between 9 and 17 depending on the reviewer. The amount of money the state has been awarded from the Federal grant has been $2 million over a three year period.

Chairman Goedde said there are many that would like to testify. It will alternate pro/con until he has gone through the list. There are quite a few in favor, so if someone has already stated your opinion, please do not repeat the statement. He called **Robin Nettinga** to the podium.

TESTIMONY: **Robin Nettinga**, Executive Director, Idaho Education Association, said they are in opposition to **H 481**. To be clear the IEA supports charter schools and appreciated **Ms. Demarest's** comment, that many parents are not looking for a better school for their parents but they are looking for the right school for their children. The IEA supported and helped to write the original Charter School Legislation. They did so with the understanding that those charters would share their best practices with traditional schools, so they could be replicated. But that has not happened. There are wonderful Charter Schools that are preparing students for the future and we believe that they are using some very creative and innovative approaches to education. The members of IEA first take steps to insure more sharing and learning of our existing charter and traditional schools before more Charter schools are authorized. Finally, every charter school takes resources from neighborhood schools that most of our children attend. With resources so scarce now is not the time to divert more resources away from schools. For these reasons IEA opposes **H 481**. **Chairman Goedde** said the Superintendent has said there may be a need to sit down and review the charter title and take a look at statutes and make some comprehensive changes. Is that something IEA would be willing to participate in? **Ms. Nettinga** replied absolutely.

TESTIMONY: **Victoria Loegering**, parent of a Sage International Charter School student, is in favor of **H 481**. They did have a great experience in the public schools. As her daughter got older the public school program didn't work for her. **Ms. Loegering** looked at private charter schools and put her daughter on the waiting list to get enrolled. Because it took awhile for her daughter to get into Sage International, her education floundered. If the cap is removed there would be more options for children like her daughter.

TESTIMONY: **Don Keller**, Founder and Administrator of Sage International Charter School, is in favor of **H 481**. By lifting the cap it not only makes winning a large foundation grant possible but also smaller awards. It took four years of strategic planning before having the school available for enrollment. The lottery for the school was done on March 1st and there were over 500 names for 180 positions. The removal of the cap will help to alleviate waiting lists.

TESTIMONY: **Renee McKenzie**, a Charter School mom from Nampa, is in favor of **H 481**. This family put their kindergartner on the waiting list for a school in Nampa and he was not called until he was in eighth grade. In the meantime he was enrolled in a charter school in Caldwell. She believes a choice in education creates excellence in education.

TESTIMONY: **Leslie Maudlin**, President of the Coalition of Idaho Charter School Families, and a parent at Liberty Charter School in Nampa. She is in favor of **H 481**.

TESTIMONY: **Briana LeClarie**, Idaho Freedom Foundation, believes people are the happiest when they are free. They should be free to choose the school their children attend and she is in favor of **H 481**.

TESTIMONY: **Superintendent Luna**, State Department of Education, is in favor of the bill. There has been good testimony. This bill is for existing as well as new charter schools. Keeping the cap in place has made it difficult for existing charter schools to access federal funds, donations, and investments from nonprofit organizations. He is often asked by others around the country as to how Idaho can be leading the nation in education reform and still be one of just a handful of states that still has a cap on providing parents more choice in education. Removing the cap does not give public charter schools an advantage over traditional public schools. Removing this cap does not guarantee that charter schools will receive funding, but it is 100 percent certain that they will not be funded if the caps remain. He thinks that it is important to remember the revenue sources for public charter schools versus traditional public

schools. Traditional schools have access to local funds that charter schools do not. In every public charter school there are no local property taxes going to schools.

Please consider that scenario because it is a demonstration as to how fiscally responsible the charter schools have to operate. Because of this cap, charter schools have lost about $250,000 a year because of the lost federal grant. At the time he took office there were 23 charter schools with 7,000 students on waiting lists. Today there are 42 charter schools and 7,000-8,000 on waiting lists. So the answer to when will there be enough charter schools is when the demand is met. The number six was not a magic number, it was decided arbitrarily because there would be unmanaged growth. The concern by removing the cap has never happened: there have never been more than six charters schools opened in a year and never more than one in a district have been petitioned in a year. This is philosophical approach to education no other choices of education alternatives have a cap. Many choices of schooling are going to be needed in order to provide individualized education. One size fits all does not work. In Idaho, students should not have to win a lottery to be able to attend the school that is best for them. He concluded by asking the committee vote yes on **H 481.**

QUESTIONS: **Senator Toryanski** asked **Superintendent Luna** if it is true when a student leaves a traditional school to go to a charter school, the traditional school is ahead money wise. **Superintendent Luna** said that it is true. The local property tax money and some federal money stays with the school, whereas, some federal dollars will follow the student. Thereby, the per student spending is higher in the traditional schools when students leave to go to charter schools.

Senator Malepeai asked **Superintendent Luna** if he was suggesting that every public school was a public charter school. **Superintendent Luna** stated that is not what he supports. He gave an example of the tax burden of public charter schools versus traditional public schools. There should be many choices for students and a public charter school should be one of those choices.

Chairman Goedde asked if he was correct in questioning that the committee discuss doing something in the interim while looking into the whole public charter school statute. **Superintendent Luna** replied yes. There has been some meetings with stakeholders to begin the discussion about what the next charter school would look like. Some have been addressed in this bill. But it is time to review the law.

Senator Andreason asked **Superintendent Luna** if it is his opinion that a charter school is a better school to send your child to? **Superintendent Luna** replied this question can be applied to his children. He and his wife raised six children and all of them graduated from high school. Each child received the schooling that was best for them; some went to traditional schools, some charter schools, and one at a virtual school. Each child got the education in a place where they were best served. **Senator Andreason** asked generally speaking is a charter school better. **Superintendent Luna** replied no. **Senator Andreason** asked the reason as to why there are such large numbers of students on the waiting lists. **Superintendent Luna** replied, he didn't know and that each parent has a different reason as to why they put their child on the waiting list.

Senator LeFavour said if five percent of the students of the state are in charter schools, how many dollars go to the charter schools. **Superintendent Luna** replied there is not a separate funding stream for charter schools. The per pupil amount they receive from the state is close to the average per pupil across the state. **Jason Hancock**, Department of Education, followed up by adding that there is about $65-70 million that goes to charter school and it is funded through the same formula. **Senator LeFavour** stated that the amount of money given to states from large foundations is not much. That will not allow for a lot of growth. **Superintendent Luna** replied the $65-70 million that was given to you is still money the state has, it just goes to charter schools rather than traditional schools. There has been a great loss of Federal grant money that goes to charters and the little amount that could come from foundations would make a difference is start up costs and capital expenditures of charter schools. Idaho needs an environment where nonprofit grants can be awarded.

MOTION: **Senator Winder** moved, seconded by **Senator Fulcher** to send **H 481** to the floor with a do pass recommendation.

SUBSTITUTE MOTION: A substitute motion was made by **Senator Toryanski** , seconded by **Senator Malepeai**, that **H 481** be held in committee, subject to the call of the chair, subject to the receiving of additional information.

DISCUSSION: **Senator Toryanski** said that he is persuaded in supporting this bill because of all the children that are on the waiting list to attend the charter schools. He is encouraged that the districts have the first opportunity to weigh in on whether or not a charter school should be created. He is also encouraged by the long lead time that it takes to open a charter school. However, this bill hinges on the prospect of lifting the cap will give the state the opportunity to gain private funds. Before he could support this bill, he would like to see citation to a law, rule, policy, or position to corroborate the testimony the committee has heard today. He has confidence in the testimony, but before he supports this bill he would like to see something tangible that would indicate that more private dollars would be flowing to the state of Idaho.

DISCUSSION: **Senator Winder** said that **Senator Toryanski** gives good advise, however, the committee has been looking at this issue for several years. He believes there has been ample testimony to verify that lifting the cap may or may not help in getting extra funding. He sees this bill more as a way to show the committees' support for parent choice in their students' education. He believes the state's pilot schools; they are the ones developing the new challenges for today's students. He is sorry the IEA does not feel there has been that cooperation and that is something the committee should look to establish that communication. With that he will not be supporting the substitute motion.

DISCUSSION: **Senator Andreason** said this may be a good idea, but he doesn't believe the committee is ready for it. It is not the right time to do that and he will vote aye to the substitute motion and nay to the original motion.

DISCUSSION: **Senator Malepeai** said he would like to keep this bill in committee. His lack of support is in no way hostile to choices of parents. His concern is when he looks at educating the youth he is looking at educating every single one of the students in Idaho. It is not that the cap is not supporting schools, he is concerned about funding that continues to move in the direction of charter schools. The responsibility is to educate every single child in Idaho and the job is to maintain that commission. With that said, he is voting aye to the substitute motion.

VOTE: **Senator LeFavour** requested a roll call vote. The ayes were four (Malepeai, LeFavour, Andreason and Toryanski), nays five (Pearce, Goedde, Mortimer, Fulcher and Winder), the substitute motion failed.

MOTION: **Chairman Goedde** presented the original motion for debate.

DEBATE: **Senator LeFavour** said as a member of JFAC, she sees the state being so far from giving the schools the resources they need to get by. There are discretionary funds that need to purchase so much. What worried her about charter schools is that for every one that is established those funds are taken away from traditional schools. In time there may be a better way to fund schools, but for right now, this isn't the direction the state should go.

Chairman Goedde commented to **Ms. Demarest** that they have conversed about getting something in writing from funders and so far he has not seen that. He hoped that she recognized the importance of that documentation. Please have that before this bill goes to the floor, if this motion passes.

VOTE: Having no more debate **Chairman Goedde** asked the secretary to take a roll call vote. The ayes were five (Pearce, Goedde, Mortimer, Fulcher and Winder) and the nays were four (Malepeai, LeFavour, Andreason and Toryanski). The motion passes by roll call vote. **Senator Winder** will carry the bill on the floor.

Representative Nonini thanked the committee for their time and **Chairman Goedde** acknowledged that and then reordered the agenda to have P-16 present next.

PRESENTATION: **Derrick O'Neal**, Executive Director of the United Way of Treasure Valley, took the podium. He thanked the committee for their time to show the committee the collaborative work of two entities. He explained P-16 and how it came to fruition. He showed the statistics of the drop out/completion rate as well as the higher education ratio of students in Caldwell. This numbers were of grave concern. The program began this year and the goal is in the years to follow it will have a wider reach.

David Duro, Chief Operating Officer of the Canyon County YMCA, then took the podium to present the work of P-16. This program is trying to redefine the start and finish line for education in the Caldwell School District. His presentation came from the Power Point presentation. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

Tricia Stone, Principal of Lincoln Elementary School, spoke to the good work and collaboration of P-16 in her school. She highly recommends it to other schools.

Elaine Carpenter, a Caldwell business owner and a board member of the Whittenberger Foundation, stated that this is a vital program between business and community entities. Government cannot solve all the problems in communities. There needs to be collaboration and P-16 is a good example.

Jim Everett, Chief Executive Officer of the YMCA of Idaho, encouraged the committee to watch this program. They have a shared philosophy that kids are not dispensable. Programs need adults to promote kids to their highest abilities and P-16 is working towards that goal. He spoke about the great partnerships the YMCA has with local businesses, parents, and schools. Please if you have the chance come see the work we are doing to get kids educated.

Senator Fulcher asked how the YMCA staffs a project of this magnitude. **Mr. Everett** said the staff in Caldwell does a great job of finding, interviewing and training the staff. The staff members are in the school and they are another resource for the students and help teachers as the need arises.

Chairman Goedde thanked the committee and **Ms. Hoover** to get this scheduled.

H 556 **Representative Chew** presented **H 556** to the committee. This adds a new section to the Idaho code. Section 67-5333a allows educational agencies to take up to 90 days sick leave for community college employees to go to work for them. Currently this is in code and this provision would provide a critical tool to the state education agencies maintaining talent for key positions. The second section 67-5533b fixes the unintended consequence from sick leave of Boise State Sellman College of Technology employees that worked at the College of Western Idaho. The legislation limited the ability of those employees to transfer their sick leave. She introduced **Tracie Bent**, State Board of Education.

Tracie Bent commented there were some questions that arose in the House as to whether or not it affects PERSI.

TESTIMONY: **Luci Willits** of the Department of Education, said that she has an employee that lost 100 hours of sick leave when she came to work for them from the College of Western Idaho. This bill would really help her and others in the same predicament.

MOTION: **Senator LeFavour** moved, seconded by **Senator Andreason**, to send **H 556** to the floor with a do pass recommendation. The motion carried by **voice vote. Senator LeFavour** will carry the bill on the floor.

SCR 124: **Chairman Goedde** turned the gavel over to **Vice Chairman Mortimer** so he could present **SCR 124**. **Chairman Goedde** said this bill before the committee is in recognition of Idaho Digital Learning Academy (IDLA) and its 10th Anniversary. All the facts show the outstanding work of IDLA. He acknowledged **Donna Hutchinson** former director of IDLA, who was in the audience.

MOTION: **Senator Fulcher** moved, seconded by **Senator Pearce**, to send **SCR 124** to the floor with a do pass recommendation. The motion carried by **voice vote. Chairman Goedde** will carry the bill on the floor. **Vice Chairman Mortimer** turned the gavel back to **Chairman Goedde.**

MINUTES: **Senator Fulcher** moved, seconded by **Vice Chairman Mortimer**, to approve the minutes for **January 30, 2012.** The motion carried by **voice vote.**

MINUTES: **Senator Winder** moved, seconded by **Senator Fulcher**, to approve the minutes for **January 31, 2012.** The motion carried by **voice vote.**

MINUTES: **Senator Pearce** moved, seconded by **Vice Chairman Mortimer**, to approve the minutes for **February 2, 2012.** The motion carried by **voice vote.**

MINUTES: **Vice Chairman Mortimer** moved, **Senator Fulcher**, seconded by to approve the minutes for **February 7, 2012.** The motion carried by **voice vote.**

MINUTES: **Senator Toryanski** moved, seconded by **Vice Chairman Mortimer**, to approve the minutes for **February 8, 2012.** The motion carried by **voice vote.**

ADJOURN: **Chairman Goedde** adjourned the meeting at 5:20 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.

Room WW55

Wednesday, March 07, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 426	Amend Chapter 16 Title 33 Idaho Code, adding new section 33-1628, to establish the "8 in 6" program. To establish provisions relating to the State Department of Education paying for certain overload courses & summer courses. to establish criteria relating to participation in the program. Establish provisions relating to eligible courses, to provide rules and definitions.	Representative Thayne
HCR 39	This Concurrent Resolution states findings of the legislature and urging support of Idaho students learning in the arts.	Representative Shirley
H 579	Related to the employment of retired teachers of administrators. Repealing section 3, chapter 131, laws of 2007, relating to employment of certain retirees, amending section 59-1356, Idaho Code to remove a sunset provision.	Representative Bedke
HJM 8	This Joint Memorial to the Congress of the United States calls for the repeal by Congress of the federal No Child Left Behind Act of 2001	Representative Bateman

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Wednesday, March 07, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, and LeFavour

ABSENT/ EXCUSED: Senator Malepeai

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** said that **Senator Malepeai** has an excused absence. He then reordered the agenda moving **HCR 389** to the top, next **H 579**, **H 426,** and finish with **HJM 8.**

HCR 389 **Chairman Goedde** welcomed **Representative Shirley** to the committee to present **HCR 389**.

Representative Shirley told the committee that the month of March is art month for the state of Idaho. There have been musical performances in the capital and artwork on the fourth floor. He is bringing forth this resolution to coincide with those activities. He told of a grant that was given to the state from the National Endowment of the Arts. A leadership team was sent to Chicago for a week long institution regarding the importance of arts education in the public schools. A variety of community members representing different entities went on the trip.

The resolution drafted by **Representative Buckner-Webb** and **Representative Shirley** is an outgrowth of that seminar and one of the ways they chose to continue to encourage the promotion of preservation of the arts in the public schools of Idaho. He continued by saying there has been a corrosion of the arts in school curriculums necessitated by the economy and budget cuts. Some patrons in the state have reported that there has been a complete loss of art in their schools: that is a tragedy. Research shows that art develops various thought capacities. Business leaders, educators, and parents want the schools to provide those to children, as they are being prepared for the demands of today's marketplace.

This resolution encourages the utilization of innovative techniques and methods of delivering the arts where otherwise there is a shortage. Collaborative use of community expertise can make a significant contribution to preservation to the arts curriculum in public schools. He yielded the podium to his co-sponsor **Representative Buckner-Webb.**

TESTIMONY: **Representative Buckner-Webb** thanked the committee for their consideration in hearing **HCR 389**. She said she sat on the Idaho Commission of the Arts Board and has a long-term love for the arts. Arts provide a vehicle for creativity, critical thinking, collaboration, and many other learning skills. Arts open the flood gates to new ways of doing things and providing inspiration for future endeavors. She continued to laud the importance of arts to the students in Idaho.

TESTIMONY: **Michael Faison**, Executive Director of the Idaho Commission of the Arts, spoke in strong support of **HCR 389**. The Commission is a long term partner of the Department of Education and helps children in Idaho to have a good full education which includes arts instruction. Art works on the creative side of the brain helping future leaders to develop new ideas to solve problems.

MOTION: **Senator Winder** moved, seconded by **Senator Fulcher**, to send **HCR 389** to the floor with a do pass recommendation. The motion carried by **voice vote. Vice Chairman Mortimer** will carry the bill on the floor.

H 579 **Representative Bedke** presented **H 579** to the committee. This bill originally had a five year sunset clause and that five years expired this year. This new bill eliminates the sunset provision. The House had the options to have a new sunset, but due to the success of this program and the flexibility it allows school districts opted to eliminate any sunset clause. This legislation is to rehire the retired if the three provisions are there: 1. The person did not participate in the early retirement program; 2. The teacher reached the rule of 90; and 3. They must be 62 years of age or older. There is no actuarial consequence to employing these people. He asked for the committee's support.

QUESTION: **Senator Toryanski** said from his understanding of this legislation if a teacher avails themselves to early retirement, under this law they cannot be hired back. What is the rational from prohibiting the early retiree from returning to work . **Representative Bedke** said it is the IRS laws that do not allow early retirees to return. They also had the Attorney General's office review the IRS rules, and they too concluded the safest procedure for the retirement fund system should be not to rehire early retirees. **Director Drum** from Public Employee Retirement System of Idaho (PERSI) said yes, the issue with the IRS is maintaining the retirement plan to be qualified. As an agency, he said, they work on the conservative side of the law.

Chairman Goedde asked if **Representative Bedke** knew how many retired teachers and administrators have used this program. **Representative Bedke** said that he didn't have the break down. The latest figures he had were about 62 people have used this program over the last five years. It is not overly used, but it is very useful for districts. **Chairman Goedde** said that he has had one email from a young constituent, who is a young teacher, saying this program is denying her employment. Please address that issue? **Representative Bedke** said the school system is for kids and he thinks that those that are rehired are the most effective teachers that have been in the system. To the extent that it deprives a young teacher of a job, he does not think that statement is entirely true. There are some openings around the state.

TESTIMONY: **Phil Homer** of the Idaho Association of School Administrators (ISA), said this bill has been one of their legislative priorities of the session. He said the ISA supports **H 579** and supports districts to be able to rehire retired, eligible teachers.

TESTIMONY: **Karen Echeverria** of the Idaho School Board Association (ISBA) said her association is in favor of **H 579 .** There are currently 23 teachers and six administrators that are taking advantage of the current bill. She said this has been a success, it is a cost saving measure for districts when they hire a teacher or an administrator at less than full-time and without having to pay benefits to the employee. That saves dollars in the school district that can be used in other areas. She asked the sunset clause be removed.

MOTION: **Senator Andreason** moved, seconded by **Vice Chairman Mortimer**, to send **H 579** to the floor with a do pass recommendation.

DISCUSSION: **Senator Winder** asked **Jason Hancock** of the State Department of Education, if the department is okay with this legislation. **Mr. Hancock** said they weren't concerned about this bill. **Senator Winder** said he would like to know if this bill conflicts with last year's reform bills. **Mr. Hancock** said no this does not conflict. What was removed last year was the early retirement bonus.

VOTE: The motion carried by **voice vote. Senator Andreason** will carry the bill on the floor.

H 426: **Representative Thayne** was welcomed to the committee to present **H 426**. He refreshed the committee on the bill saying it allows students to take overload classes to finish school faster. He asked **Mr. Hancock** to review the amendments.

Chairman Goedde welcomed **Mr. Hancock** to the committee. **Mr. Hancock** instructed the committee members to review the highlighted document in front of them to make reviewing more streamline. He explained the yellow highlighted areas. These are the important parts in the bill. The intent of this is to send the bill to the amending order.

QUESTIONS: **Chairman Goedde** said the Boise School District has only six periods, how does a zero hour work with the students. **Mr. Hancock** said zero hour is within the scope of the seven periods and is not considered an overload class.

Vice Chairman Mortimer said he has heard concerns from area school districts and one of the comments was this legislation may hinder rather than facilitate the development of college readiness for some students. **Mr. Hancock** asked how are they thinking this bill hinders college readiness? **Vice Chairman Mortimer** said this legislation does not allow for advance placement classes, dual credit, or concurring enrollment courses to be covered under this program. The implication then is there is no readiness for college. **Mr. Hancock** replied there is still ample opportunity even under this legislation for a student to take a dual credit course. Those courses would just be taken in context of their regular school day.

Vice Chairman Mortimer asked what was the reason that the "8 in 6" program doesn't cover these courses? **Mr. Hancock** said this is put into place as a mechanism to move regular students through the regular requirements more quickly. There is currently a program called dual credit for early completers. That program is the reward for the students who move through more quickly. This new program is to help students find a way to get the requirements out of the way so they can qualify for the dual credit program. **Vice Chairman Mortimer** said he sees a void. He restated **Mr. Hancock's** comment and asked if during the process of getting their high school diploma they wanted to take part of those courses from concurrent or dual enrollment, under this program that would not be allowed. **Mr. Hancock** said the students have at least seven periods a day to take concurrent credit classes. This is not the only path for the extra courses the students would take in either the evenings or summer on their own time. There is ample opportunity for students to manage the "8 in 6" in their seven periods.

Vice Chairman Mortimer asked **Mr. Hancock** to address what are the districts' resources to monitor and track student progress. What is the State Department's requirement and what are the district's requirements. **Mr. Hancock** said there will need to be some reporting of this program. The student record data that districts are required to upload information to the IT data system will need to have a check box or something similar to be added that would designate the student being in this program.

Vice Chairman Mortimer said one of the districts that he visited with said the IT system is too rigid to facilitate the type of adjustments necessary to efficiently track the data. What is the responsibility of the Department to promote this program. **Mr. Hancock** said to promote this program the SDE will develop brochures, websites, and other media type things to inform districts and for them to hand out to their students and parents. School counselors will be the number one promoter of this program. In the case of the rigidity of the IT system, he said he is not an expert on data systems or computers, but believes that it will be simple to add the necessary components. **Vice Chairman Mortimer** asked if someone from the Idaho Association of School Administrators could respond to the question, what is the district's responsibility with this legislation.

Rob Winslow, Executive Director of Idaho Association of School Administrators (IASA), responded the membership envisions they would have the responsibilities of for implementation of this bill. They will most likely work with the SDE to get the information needed to implement this program. This issue that IASA has with this bill is the ten percent cap. They want to make sure that enough kids have access to the program. However, if too many in one building wanted the program and there were not enough students in another school of the same district, could the district, as a whole get up to that ten percent cap. If this does become law, IASA will work with its members to get it implemented. **Vice Chairman Mortimer** asked is this legislation something the IASA is wanting? **Mr. Winslow** replied this hasn't been fully vented, but right now the bigger issue is with IDLA being fully funded. In the limited conversations this could be implemented easily.

Senator Toryanski stated as the law stand right now, can a student graduate with enough credits after six years of secondary school to have gone through two years of college. Can they take some overload classes, can they take classes in the summer and end up with enough college credits to do the "8 in 6." **Mr. Winslow** said it is his understanding that they can do that now. **Senator Toryanski** asked is there any restriction in the law or the rules that would prevent administrators in a school from putting together a guide to hand out to parents when the child is in middle school indicating how to go about an eight in six year model. Is there any law that would not let a school do that? **Mr. Winslow** said no, there is not. **Senator Toryanski** asked how much would a student pays out of pocket to take with the IDLA right now? **Mr. Winslow** replied the price is $75.00 and that is the price set and some districts pay that for students.

CLOSING REMARKS:

Representative Thayne said **Mr. Hancock** has done an excellent job explaining the bill and the amendments to go forward. He has spent a great deal of time helping his children get through high school faster and with college credits. He realizes that there is nothing that is prohibiting students from going through school faster, it is just that they do not know how to schedule classes to make it possible. He is putting this program together so that it will be easier for future students. He is trying to help reduce costs to families.

Vice Chairman Mortimer thanked **Representative Thayne** and **Mr. Hancock** for the work and the thorough explanations they have done on this bill. He also apologized for his slowness is comprehending this bill. He sees this bill as a way to bring more emphasis to the students advancing. There currently is this ability in the system, but nothing to promote it or brings it to the attention to someone. The implementation is still unclear. The SDE has a major roll to publicize "8 in 6." This puts added monetary and personnel burden on the districts and administrators.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Winder**, to send **H 426** to the amending order for amendment and corrections.

DISCUSSION: **Senator Pearce** said this bill should help parents get involved with their child's education place. He thinks it is a positive plan.

Vice Chairman Mortimer said this doesn't address completely the overload issue. There are students taking overload for make-up credits, and to get ahead. The committee is going to have to address that issue next year. His hope is when it is in the amending order they recognize that and they take more time with the bill to make sure the districts and SDE are involved in the promotion of this legislation.

VOTE: The motion carried by **voice vote. Vice Chairman Mortimer** will carry the bill on the amending order.

Chairman Goedde thanked **Representative Thayne** and **Mr. Hancock** for all the work they have done on this bill.

HJM 8 **Representative Bateman** introduced **HJM 8** and said it calls for the repeal of "No Child Left Behind" legislation passed by Congress in 2001. This is a vehicle to express our dissatisfaction with unpopular federal policies. This is one of the most unpopular federal policies ever conceived by the mind and purpose of man. He continued to talk about his experiences as a teacher trying to work with this program. He urged the committee to send this bill to the floor with a do pass recommendation.

MOTION: **Senator Winder** moved, seconded by **Senator Fulcher** to send **HJM 8** to the floor with a do pass recommendation. **Chairman Goedde** said he will refrain from voting as he is a member of the National Conference of State Legislatures and their position is they have urged amendments to ESEA and he believes that conflicts with repeal. He is fine with moving this forward.

VOTE: The motion carries with a **voice vote. Senator Andreason** would like the record to reflect he voted nay. **Senator Winder** will carry the bill on the floor.

ADJOURN: Having no more business, **Chairman Goedde** adjourned the committee at 4:15 P.M.

_____ _____

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #3 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Thursday, March 08, 2012

SUBJECT	DESCRIPTION	PRESENTER
Presentation:	Flipped Class	Aaron Sams Science Teacher, Woodland Park School District Co.
	GUBERNATORIAL APPOINTMENTS	
	William H. Goesling, Moscow Idaho	
H 386	Amend § 33-4302 and 33-4302A bring both scholarship programs into alignment increasing the efficiency in the management of the programs. Clarity the process for determining disability and eligibility.	Tracie Bent State Board of Education
HCR 48	Concurrent Resolution to congratulate members of the Idaho Education Association on the 120th anniversary of the organization.	Representative Ringo

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, March 08, 2012

TIME: 3:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

PRESENTATION: **Chairman Goedde** called the meeting to order at 3:00 and discussed background on the Flipped Classroom, and the presenter, **Aaron Sams**.

Aaron Sams from Woodland Park High School, CO, discussed the use of video as an instructional tool in the classroom, also called Flipped Classroom. **Mr. Sams** discussed accessibility through social media outlets. Teachers must be currently using good instructional practices to drive classroom technology. There is the need to be conscious as educators to leverage technology to meet the needs of students. He stated that teachers must evaluate where they are most needed in face to face instruction, and what can be removed from the classroom to enhance this time. He explained an example would be removing lecture portions of classes to concentrate on direct application. This technique of teaching helps save time in the classroom. Students who may have a difficult time understanding a concept, can watch the lecture on video and while in the classroom teachers can focus on answering questions. Other students outside of the classroom and school can use these videos as remediation tools. Using the flipped classroom model allows more time for hands on activities and individual attention.

QUESTIONS: **Vice Chairman Mortimer** asked if students were getting opportunities to teach each other through the process. **Mr. Sams** stated that he facilitates students teaching and collaborating together.

Senator Fulcher asked how to identify and deal with students who may be falling behind. **Mr. Sams** indicated that increased time available in the classroom has allowed individual instruction for each student so they are able to deal with problems before they continue on. The time for more interaction with students allows relationships for teachers to help them understand concepts.

Vice Chairman Mortimer asked if this model actually made the homework listening to the lecture and what would traditionally be the homework was worked on in class, and in this case how the homework is graded. **Mr. Sams** stated this would be an accurate description. Looking at the notes taken on the lecture was how he assessed what the students were doing outside of the classroom. In several rural areas, computer labs are opened up to allow students access to these lectures. Lectures are also available on DVD for watching on television.

Chairman Goedde discussed the differences between personally recorded videos as opposed to video lessons on the internet for teachers to access as a supplement and asked for comments. **Mr. Sams** indicated despite good educational content available, students prefer their own teacher with whom they have a relationship. Videos are approximately 12 minutes long, trying to aim for ten, but would prefer a five minute length.

GUBERNATORIAL APPOINTMENT: **Dr. William Goesling**, Moscow, ID, has been appointed by Governor Otter as a member of the State Board of Education. He has served on Moscow school board, charter school commission, and as a faculty member at post-secondary institutions. He also holds a doctorate in higher education administration.

QUESTIONS: **Senator Pearce** asked about reform of higher education, and what would be the biggest needs and priorities. **Dr. Goesling** stated that the major issue is getting students from K-12 and other programs into higher education, and develop seamless systems from K-12, vocational education, transferring credits from two year to four year colleges. Higher education needs to respond to those coming from K-12, jobs, military, and older students by providing better alternatives.

Senator Pearce asked about costs and what can be done to keep them from getting too high. **Dr. Goesling** stated that opening up education for people earlier in their careers, making dual and concurrent credit available, using professional technical schools and community colleges to allow students to earn technical degrees earlier in their careers helps to keep costs down.

Senator Pearce commented the costs continue to rise at the state universities, and what can be done about that to help keep higher education within the reach of students. **Dr. Goesling** stated that because of rising costs, three stand alone, research institutions may not work. There is a need to look at the overlap and gaps, they are asking the universities to respond to this dilemma and help drive costs down through cooperation across campuses. There is also a need to look at programs from outside the state, not just using tax dollars to fill the void. This problem is big and there is the need to seek more ways to help decrease costs.

Chairman Goedde said being the appointment is from Moscow, please address the university flagship issue. **Dr. Goesling** noted that he wears the hat of the region, and the hat of the Trustee, and to achieve capacity it must be done collaboratively. He also noted it's important what comes after the word institution rather than before. All of the universities are achieving growth and opportunity.

Senator Toryanski asked if there were models across the country to look to for improved efficiency. **Dr. Goesling** noted there were success stories in several different areas, although no one school has a perfect system. Idaho is also leading in many ways for K-20 growth. **Senator Toryanski** asked about other schools coming into areas where the universities already exist. Would a systems approach be willing to impose a solution, or if it should rely on collaboration. **Dr. Goesling** indicated collaboration usually works best, although there are situations where it becomes necessary to indicate direction.

Vice Chairman Mortimer asked how he would encourage the administration and faculties to work together. **Dr. Goesling** stated this is already occurring, and that faculty have established cooperative process and are working that up through the administration.

Senator Winder asked if from his experience, if **Dr. Goesling** felt there were enough sideboards in place on the number of charter schools in Idaho if the cap was lifted. **Dr. Goesling** indicated this question had bothered him while on the Charter School Commission. If the successes of charter schools could be brought to the public schools that would be ideal. The removal of the cap is about opening opportunities, but if there are too many charter schools in a district, there could be issues with funding levies. The number of charter schools coming to the state rather than working to improve local school districts is problematic. The traditional schools in this state have done a great job, and there shouldn't be two distinct systems. **Senator Winder** asked why the things going well in charter schools are not being translated to traditional schools. How can the issue be addressed and how should the breakdown be corrected. **Dr. Goesling** stated that process is happening slowly. Chartering on the local level would be beneficial because districts would have an ownership process.

Senator Pearce asked what universities can do to return to traditional lifestyles. **Dr. Goesling** stated that universities need to look forward to help society. Idaho Global Entrepreneurial Mission could help do this by reviewing the need to the delivery of education to single parent families. There are other areas where social issues must be considered.

Senator LeFavour asked what efforts were being made on behalf of gay and lesbian students. **Dr. Goesling** said the focus is recognizing them as students.

Vice Chairman Mortimer took over as Chairman of the Committee, and reordered the agenda to allow **Representative Ringo** to present a bill.

HCR 48: **Representative Ringo** presented the resolution to congratulate the Idaho Education Association (IEA) on their 112th birthday. The IEA always has had a broad scope, including the introduction of The Children's Fund, which contributes to Idaho families with extraordinary needs. **Representative Ringo** said the IEA has offered training on technology in the classroom and other areas to benefit children and teachers over the years.

Penny Cyr thanked the committee on behalf of the members of the IEA for acknowledgement of service to the profession and Idaho's children and for advocating for comprehensive professional standards and ensuring all children are taught by highly qualified, caring and committed teachers.

MOTION: **Senator LeFavour** moved, seconded by **Senator Fulcher,** to send **HCR 48** to the floor with a do pass recommendation. The motion carried by **voice vote. Senator LeFavour** will carry the resolution on the floor.

MINUTES: **Vice Chairman Mortimer** requested a reschedule of **H 386**.

ADJOURNMENT: The Committee adjourned at 4:00 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Monday, March 12, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 588	Amend § 33-1003 Special application of educational support program. Students residing in a certain area to be counted as a separate school and to provide for exceptions.	Representative Hartgen
Presentation:	Teacher of the Year	Erin Lenz Winton Elementary School Coeur d'Alene, Idaho
Presentation	National Conference of State Legislatures	Michelle Exstrom Program Principal
Confirmation	**Gubernatorial Appointments**	
	William H. Goesling, Moscow Idaho	Chairman Goedde
H 386	Amend § 33-4302 and 33-4302A bring both scholarship programs into alignment increasing the efficiency in the management of the programs. Clarify the process for determining disability and eligibility.	Tracie Bent State Board of Education

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Monday, March 12, 2012
TIME:	3:00 P.M.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour
ABSENT/ EXCUSED:	Senator Andreason
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
MINUTES:	**Chairman Goedde** called the meeting to order at 3:12 P.M. and asked the secretary to take a silent roll. The **Chairman** reordered the agenda to move the presentation of the National Conference of State Legislatures to the top. **Chairman Goedde** then introduced **Michelle Exstrom** to the committee.
PRESENTATION:	**Michelle Exstrom**, Education Program Principal of National Conference of State Legislatures (NCSL), gave the committee an update of education policies in the states. **Ms. Exstrom** offered a power point presentation on the state of K-12 education. She discussed the decrease of tax revenues and gaps between projected revenues and expenditures in K-12 education through 2020. NCSL has opened dialogue with state legislators to improve positive outcomes in difficult budget times. **Ms. Exstrom** discussed policy options available to state legislatures to help students find success. **Julie Davis Bell** of National Conference of State Legislatures for higher education presented the major topic across the country. The relationship between the states and higher education are changing. The driver is state funding capacity and budgets; she noted that Idaho has been doing notably well here. **Ms. Bell** also discussed the challenges with college completion rates and the need of higher education for employment. Student populations needs are changing as there are more nontraditional students, students changing institutions, and students taking longer to complete a degree. Those students need different kinds of services from higher education. New providers, such as online and for-profit, have also changed higher education approaches. **Ms. Bell** said in terms of outcomes and accountability states need more from higher education. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1). **Chairman Goedde** noted it was nice to work on a national level and see that Idaho is not alone in the issues it faces regarding education.

QUESTIONS: **Senator Malepeai** asked about the impact of institutional efficiencies and structural changes on post secondary education. **Ms. Bell** noted that Maryland has been pushing through an efficiency and effectiveness plan that incorporated technology, instruction, and other facets; this plan has been working well. The response from the legislature and the public has been positive. **Senator Malepeai** continued by asking if a chancellor system versus Idaho's appointed State Board of Education was a preference across the country. **Ms. Bell** indicated many states were looking at the governance systems for higher education. The history and philosophy of each state's system and other factors are being considered when looking at changing the system. Idaho is somewhat envied for the incorporation of higher education into the K-12 system to view as a complete K-16 system. Most states have the two different systems separated. Many states are looking at where inefficiencies exist in their systems and what can be done to improve them.

Senator LeFavour said that higher education needs to be accountable. To help students absorb less debt could student fees be reduced with the use of budget incentives? **Ms. Bell** said there has been direction from the President toward institutions to be more thoughtful about tuition levels. The universities are being rewarded with federal dollars based upon what they've been able to accomplish. Some state legislatures are concerned about that plan, due to the control issues between the institution and the state. There has been interest expressed in subsidizing certain things, like application fees. They are seeing policies being designed such as tying financial aid to years completed or credit hours. The goal is to decrease the kind of debt accumulated by students.

H 588: **Senator Brackett** introduced **H 588**, which addresses border contracts between school districts with border states. Current law requires the state to pay whatever is charged by the border state's school district. This legislation provides for an enhancement of the existing state funding formula for those students being educated out of state. Four school districts currently contract out of state; Bruneau-Grandview, Soda Springs, Pleasant Valley and Swan Valley. This will allow the school district to negotiate with out-of-state districts for better rates with border states.

Representative Hartgen presented an example of school district costs rising sharply and concerns border districts have had with the fee charges. He provided an example with the Owyhee City, Nevada district. **Representative Hartgen** stated that costs in one district had risen from approximately $400,000 in 2005 to $697,000 today, and it continues to increase. The costs are passed through to the state, not falling on the districts and property tax owners. This legislation proposes a separate category for these border districts. This would also be a trigger for other adjustments, such as improved transportation rates. It was noted that it was in the best interest of the state to negotiate better rates with border districts in other states and this gives them leverage by increasing the money they have available. He recommends letting individual districts negotiate, rather than the State Department of Education, that will keep things in local control.

QUESTIONS: **Senator Mortimer** asked what are the lowest minimum support units and more clarification on funding numbers. **Representative Hartgen** deferred to **Jason Hancock** from the Department of Education. **Mr. Hancock** indicated that the lowest minimum support unit devisor is not applied because in secondary schools that figure is eight support units, and the intention is not to create a funding stream. An enhanced funding stream would allow schools to negotiate better rates.

Senator Mortimer asked for dollar amount per student numbers and if anyone had talked to the other school districts to determine what is occurring with their student fees. **Mr. Hancock** said no interest from the other districts had been expressed, but in two of the other districts the issue may not be relevant. Dollar amount per student in Elmore county equals approximately $7000 a student. **Senator Mortimer** asked if the goal was to increase the amount of money per student to give the areas the possibility to educate their own students. **Mr. Hancock** said that it makes it financially feasible, not that they will or that they want to, but it makes it a financial possibility. That will put the districts and department in a better negotiating position for price regarding out of state costs.

TESTIMONY: **Terri Gibson**, Tribal Chairman, Shoshone – Paiute Tribes, stated they learned about the bill through the media and calls from community members. Their counsel would have appreciated earlier knowledge of this issue. He suggested that these issues should be communicated on a government to government basis to prevent misunderstandings. **Mr. Gibson** said the intent of the bill is understood, but future tribe leaders may change their ideas on how they want children educated, as they are working within the community to lower dropout rates. Transportation is also a priority issue because of condition of roads, length of travel time and other issues. **Mr. Gibson** expressed concerns that students are being used as pawns and students themselves are worried about their education.

QUESTIONS: **Chairman Goedde** asked if this legislation was a barrier to sitting down with the local school board. **Mr. Gibson** indicated the school board members said they were willing to communicate.

Senator LeFavour asked if it was anticipated this legislation might create animosity. **Mr. Gibson** indicated that was exactly what they were trying to avoid. The potential issues in the future were a concern, given the concerns they are addressing on the reservation currently. **Mr. Gibson** reminded the committee that 90-95% of Duck Valley does the major portion of business and commerce in Idaho. **Senator LeFavour** asked to clarify as to whether he opposes the bill. **Mr. Gibson** stated he is in opposition of the bill until the two school boards are able to negotiate.

Senator Malepeai asked if it was the preference of the tribe to hold the bill in committee until something is worked out. **Mr. Gibson** said yes. He would help to set up a meeting to resolve this issue.

Senator Winder asked if the bill went to the floor, would it exacerbate the problem or could the issue be worked out while the bill is passed. **Senator Brackett** indicated this could provide a path forward and they would be able to continue face to face negotiations. **Representative Hartgen** stated that there had been conversations between the Bruneau-Grandview and Elko school districts, but since the money comes from the state, there hasn't been a great deal of local discussion. **Mr. Gibson's** comments are appreciated. The sponsor of the bill asked that the students effected by this bill get the word that the effort is not to remove them from their districts but instead to have a statute in place that allows the ability to reduce costs where and when feasible.

Senator LeFavour asked whether there has been consideration of the community that may span the border, and whether holding off on this might help in negotiations. **Representative Hartgen** stated that there was no intention to take students out of their current school district, the only intent is to focus on the rate issue. Idaho does not want to build separate schools in these communities, the statute is only to help decrease costs to the state. Since the cost is passed through to the state, the school district does nothing to negotiate the contract. However, the district came to him with the concern that the statutory encouragement toward negotiation would be valuable.

Senator Brackett apologized for any communications breakdown between the state and the tribe. He reiterated this bill simply provides negotiating ability.

MOTION: **Senator LeFavour** moved, seconded by **Senator Malepeai**, to hold **H 588** in committee time certain for one week. **Senator Fulcher** offered a substitute motion, seconded by **Senator Toryanski**, to send **H 588** to the floor with a do pass recommendation. The substitute motion passed on **voice vote**.

PRESENTATION: **Erin Lenz**, Teacher of the Year from Winton Elementary School in Coeur d'Alene, ID presented information on the need for every child to learn how to read. She offered a personal story of a child reading below grade level, and noted the importance of reading for all other educational subjects. **Ms. Lenz** said there is a great need to reduce the number of students proceeding in their education without reading at grade level. Literacy skills are becoming more demanding and complex. The effects of illiteracy are costly for society, increasing the likelihood of high school drop outs, incarceration, unemployment and economic costs. She indicated teachers have difficulty passing along information when students do not read at grade level. Early intervention reduces time and costs, and is more successful for student careers. It is critical to have primary teachers dedicated to proficiency in reading. They must have training and resources to be effective. Kindergarten and first grade reading are essential to building a solid educational foundation. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #2).

QUESTIONS: **Senator Fulcher** expressed appreciation for **Ms. Lenz's** work, and asked about the profile changes in students now as compared to when she started teaching, eleven years ago. **Ms. Lenz** indicated there is less engagement with students, particularly with those considered at-risk. Because of the changes to instruction, engagement for teachers is more difficult.

Chairman Goedde asked about the effectiveness of the IRI. **Ms. Lenz** stated that the IRI is an indicator to help identify at-risk children immediately at the outset of the school year. However, there are also unintended consequences in that teachers will instruct to the test and not to the skill. **Ms. Lenz** indicated that K-1 should focus on learning reading skills before moving the student forward.

GUBERNATORIAL APPOINTMENT: **Chairman Goedde** noted that **William Goesling** had already presented to the committee and a motion was in order. **Senator Fulcher** moved, to send the gubernatorial appointment of **William H. Goesling** to the State Board of Education to the floor with the recommendation that it be confirmed by the Senate. **Senator Winder** seconded the motion. The motion carried on a **voice vote**. **Chairman Goedde** will carry the appointment on the floor.

H 386 **Tracie Bent** of the State Board of Education, presented **H 386**, which amends existing Idaho code regarding the Freedom Scholarship and the Public Safety Officer Scholarship. **Ms. Bent** explained the Freedom Scholarship provides a full ride scholarship for the dependent of a military veteran disabled by injuries sustained in action or POW/MIA, and the Public Safety Officer Scholarship provides a full ride scholarship for dependents of a public safety officer killed or disabled in the line of duty. The amendments align the two scholarships and provide increased efficiency in management of the programs. The legislation clarifies that dependent means spouse or child, it defines disabled as totally and permanently disabled, and it clarifies the application is only for undergraduate education. Additional language makes clarifications about residency, as current language stands, it is too broad and creates large financial difficulties for the state. The scholarship is based on eligibility, not available funding, thereby requiring the State Board of Education to grant scholarships to all eligible applicants regardless of financial impact to the state.

QUESTIONS: **Senator Toryanski** asked about the language regarding disability and asked if Veterans Service Administration had been consulted. **Ms. Bent** stated that the Veterans Administration uses varying degrees of disability, so the criteria is slightly different, but that the language has been vetted through PERSI as well. **Senator Toryanski** followed up to ask about possible confusion regarding the "totally and permanently disabled" language. **Ms. Bent** stated Social Security determinations were used, and the Department doesn't expect confusion.

MOTION: **Senator Winder** moved, seconded by **Senator Toryanski**, to send **H 386** to the floor with a do pass recommendation. The motion carried by **voice vote**.

ADJOURNMENT: **Chairman Goedde** adjourned the committee at 4:36 P.M.

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Senator Goedde
Chairman

_____

LeAnn South
Secretary

AGENDA
SENATE EDUCATION COMMITTEE
3:00 P.M.
Room WW55
Tuesday, March 13, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 590	A number of minor amendments to Idaho Code to establish more practical time lines for public hearings, and the roles of the different entities for Public Charter Schools.	Tamara Baysinger Director Idaho Public Charter Schools Commission
H 604	Amend § 33-118, Idaho Code, to determine the Department's process to review and approve online courses and fees.	Jason Hancock State Department of Education
H564	Amend § 33-1209 Idaho Code to revise provisions relating to investigations of unethical conduct, to revise provisions relating to an allegation. Amend § 33-1210 to revise revisions to define certain terms.	Representative Wood

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
Room: WW39
Phone: (208) 332-1321
email: lsouth@senate.idaho.gov

MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Tuesday, March 13, 2012
TIME:	3:00 P.M.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Fulcher, Winder, Toryanski, Malepeai, and LeFavour
ABSENT/ EXCUSED:	Senators Andreason and Pearce
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED **Chairman Goedde** called the meeting to order at 3:05 P.M. and asked the secretary to take a silent roll. He then reordered the agenda and directed **H 604** to be heard first.

H 604 **Jason Hancock** of Department of Education presented **H 604.** He said this legislation relates to the technology task force. They will review any online course to ensure the courses meet state standards. This legislation is making a statute subsection and consulting rules. The rules will be in front of the State Board of Education where they will be temporary and promulgated until next session when they can be placed before the Senate Education Committee for approval.

Vice Chairman Mortimer said he remembered from last year the online classes could be approved by the department and the Idaho Digital Learning Academy (IDLA). **Mr. Hancock** responded this does not relate to IDLA. IDLA will use that authority to approve their own courses. This pertains to any outside providers.

Chairman Goedde asked if IDLA has the ability to charge fees and can they do reviews of courses. **Mr. Hancock** replied he was not sure and he would have to review their statutes.

Vice Chairman Mortimer moved, seconded by **Senator Toryanski** to send **H 604** to the floor with a do pass recommendation. The motion carried by **voice vote**. **Chairman Goedde** will carry the bill on the floor.

H 590 **Tamara Baysinger**, Director of Idaho Public Charter Schools Commission (IPCSC), presented **H 590**. She said this is a clean up bill. After working and living in the law, it was time to have them reflect how IPCSC does its work. She gave the committee a hand out explaining all the changes and she highlighted some of the changes.

Vice Chairman Mortimer asked if another group has also reviewed these changes. **Ms. Baysinger** said yes; the Idaho School Board Association and the Idaho Charter Schools Commission. All were okay with the modifications.

Vice Chairman Mortimer moved, seconded by **Senator LeFavour,** to send **H 590** to the floor with a do pass recommendation. The motion carried by **voice vote. Vice Chairman Mortimer** will carry the bill on the floor.

ADJOURN: After waiting for 15 minutes for **Representative Wood** to present **H 564**, **Chairman Goedde** adjourned the meeting at 3:39 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.
Room WW55
Wednesday, March 14, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 564	Amend § 33-1209 Idaho Code to revise provisions relating to investigations of unethical conduct, to revise provisions relating to an allegation. Amend § 33-1210 to revise revisions to define certain terms.	Representative Wood
H 603	Amend section 33-1002 To revise a certain table for the computation of elementary support units. Amend section 33-1003 remove certain provisions to ADA. Amend section 33-1009 to provide certain payments to school districts.	Rob Winslow Idaho Association of School Administrators
H 626	Public School Technology. Amend 33-1022 relating to distribution of moneys for certain classroom technology	Jason Hancock State Department of Education

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Wednesday, March 14, 2012
TIME:	3:00 P.M.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour
ABSENT/ EXCUSED:	Senators Andreason
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
CONVENED:	**Chairman Goedde** called the meeting to order at 3:09 P.M. and asked the secretary to take a silent roll.

H 564

Chairman Goedde welcomed **Representative JoAn Wood** to present **H 564**. **Representative Wood** said this is a clarification of last year's bill. The reason the bill was originally brought forward is there has not been adequate time for a school board to gather information of prospective personnel. There is some uncertainty with the professional standards commission in the material they were able to gather to be able to make a good decision to hire the people to work in the state of Idaho in administrative or teaching positions. In the time they had to look at the original bill, the stakeholders reported that the bill needs to be more specific in what the state is requiring for information to be provided to the districts.

This bill is to provide more transparency and open communication between Idaho's public schools and the Professional Standards Commission with regard to investigations and status of review of complaints and charges of unethical conduct which may impact the employment decisions and employee status of Idaho's certificated public employees. This bill defines for Idaho public schools the specific information to be conveyed between public schools associated with employee applicants. It provides greater clarity relating to "provisional employment" of certificated personnel as there is no manner nor mechanism currently available allowing for such a provisional retention and no manner in which to address employment decisions associated with subsequently provided performance materials once an employee has been provisionally retained.

Representative Wood explained to the committee all the changes that were made to the bill. In crafting this bill she asked the Idaho Education Association (IEA) for their input and they gave her five pages of suggested changes. Her hope is the changes are satisfactory with the IEA.

She stood for questions. **Chairman Goedde** said for the committee's benefit they do not have the engrossed copy, there is a pink sheet that shows the changes. He then asked **Representative Wood** in regards to page 5, lines 1-3 in reading the language, could an administrator slip something in the employees file without the employee ever knowing? **Representative Wood** said that is a possibility, however, the bill also states that employees have the ability to rebut any allegations. **Chairman Goedde** then asked do districts have records of prior pending revocation, suspensions, or existence of prior letters of reprimand? Is that something that is standard and would it be found in a teacher's file. **Representative Wood** replied that she didn't have the answer for that question.

Senator Toryanski said there is a lot of detail in this statute such as the type of documents that are in the file to be transferred. Is there any reason why there is such detail and such particularity in statute rather than a more general description as to how the process is expected to work. Could the Board of Education work out the details and put them into the rules. **Representative Wood** said the Idaho School Board Association wanted to see more consistency in what school districts were sending to other school districts. The stakeholders wanted more rules to explain what districts should have in the employee files.

TESTIMONY: **Paul Stark**, counsel for the Idaho Education Association (IEA), said they have difficulty with section two. It was eluded in the previous testimony that the IEA did not work with the authors, yet, the IEA did ask to meet with them on three different occasions and was never given that opportunity. It is his contention that many of the difficulties he explained could have been resolved had those meetings occurred. The original bill has been on the books for just a little under a year and it was represented earlier as a clerical burden for district employees. He said the unintended consequence of this bill is that it becomes more of a clerical burden in regards to how much information is sent. These changes turn this legislature into a humongous human resource department for school districts having legislated everything in regards to hiring standards.

He went through the bill, provision by provision, discussing some of the problems of the bill.

Vice Chairman Mortimer said that it looks like this legislation is trying to limit what is coming from the prior school district. It is his understanding the way the current legislation is written, the new district gets every piece of information on a teacher from the prior district. By specifically saying it needs to be related to job performance and job conduct this keeps unnecessary documents from being sent and gives them what they really want to see.

Mr. Stark said the way he reads the statute is this is the minimum amount of information to be sent to the hiring district. Prior to this bill anything related to job performance would be included in the personnel file. There are investigative files that include items that are irrelevant to a personnel file.

Chairman Goedde would like to discuss the investigative or other files statement in the statute. He understood there is the potential for those to be used without an employee's knowledge. That is a conflict and how does it get fixed. **Mr. Stark** said there could be some amendments drafted to fix this ambiguity. This went to the amending order in the House of Representatives on a Thursday morning and was heard on the next Friday morning. For a variety of reasons the changes didn't get added to the bill that they have before them. The two amendments greatly improve and simplify the bill. Up to this point IEA has not been able to add those amendments. **Chairman Goedde** asked if **Mr. Stark** thought they were friendly amendments. **Mr. Stark** said he thinks they are logical and reasonable.

TESTIMONY: **Mr. Stark** said another curious part of this amendment, is that the school districts had to request these files from past public employers. Why the limitation to public employers? There are individuals that come into the public school system from the private sector. His further complaints towards the bill included the added clerical responsibility, which creates burden and more bureaucracy. This is a cumbersome procedure in regards to getting information back and forth to the districts, which can take up to 56 days before they could be hired. The employee could be hired as a long term substitute, however, that greatly reduces their pay and benefits, thereby creating a massive disincentive for teachers to come to Idaho to teach. The question is this good policy for Idaho? Given the pay conditions this does not encourage people to come to Idaho.

Chairman Goedde asked for a chronological breakdown of what a school district would do in offering employment to a teacher. What is the time of year. **Mr. Stark** said under the current legislation contracts must be offered July 1st. **Chairman Goedde** replied 56 days from July 1st puts a teacher close to September 1st. Can the teacher get retroactive pay? **Mr. Stark** said he didn't know that answer.

Mr. Stark said this entire bill and the entire amendments could be reduced to one section and really one sentence. He argued the only statement that should be in the bill is " the district board shall develop a policy to confirm prior work experience and check references." He said that is all that is needed in the statute. This is typical due diligence to any business entity. He stated this change is being driven by one poor hiring choice in southeastern Idaho. This is closing one loop-hole to remedy one situation; whereas, simple business sense and due diligence on the part of the school boards could remedy this issue.

TESTIMONY: **Karen Echeverria,** Executive Director of the Idaho School Boards Association (ISBA), gave the committee a letter from **Christina Linder** from State Department of Education who was unable to attend today's hearing. **Ms. Echeverria,** then gave her testimony saying the ISBA supports this bill. Their association asked **Representative Wood** to bring this bill forward because she was the sponsor of the 2011 bill **H 201**. The association had passed resolutions to support the changes. **Ms. Echeverria** stated in her testimony that she would answer some of the questions that have been asked. She said most of the questions **Mr. Stark** asked had to do with language from the 2011 bill not any of this year's changes. She then answered the earlier questions from **Mr. Stark and Vice Chairman Mortimer.**

TESTIMONY: **Jason Hancock** from the State Department of Education, said they support this legislation. Ms. Linder, who was involved in putting this legislation together, is not available today to testify. There were no questions from the committee to **Mr. Hancock.**

TESTIMONY: **Rob Winslow** the Executive Director of Idaho Association of School Administrators, said that his association is supporting a streamline process of transferring employee files from one school district to another in the hiring process. They appreciate **Representative Wood** for updating this current legislation to limit the transfer of information to only job performance and job related activities. These limitations simplified the process and provides administrators the critical information during the hiring process.

Senator Pearce asked **Mr. Winslow** are there other states that have these regulations. **Mr. Winslow** said he is not aware of any state with similar laws. For the state of Idaho, this law allows personnel files to follow the person from one district to another. In the past that was not allowed. Districts must do due diligence in hiring and this will help.

CLOSING REMARKS: **Representative Wood** said she felt she was being accused of not sitting down and meeting with the IEA. However, she asked for a letter from the IEA with their changes. She called their legal staff to make the changes and worked back and forth to get the bill written as it is presented. She said she appreciated IEA's willingness to work with her. She referred the committee to the letter from **Christina Linder.** These changes to the bill were recommended by her. She believed that this legislation and the way it was written was very transparent. The goal of this legislation is to benefit the school districts in the hiring process, thereby, benefiting the students of Idaho. She asked the committee to please recommend this bill to the Senate floor.

DISCUSSION: **Senator Malepeai** said that he is hearing a lot of information. In this type of bill, the committee looks for collaboration from the stakeholders and that is not the case with the bill. He believes the differences in this bill could be worked out. He is not comfortable with the bill as it is written. Can the stakeholders get together and figure out how to write this so the best interest of all parties is served. He would like to hold this bill until the stakeholders can get together to work it out.

DISCUSSION: **Vice Chairman Mortimer** said he believes there are a few things that can be corrected to make the legislation better. There are a few areas where the wording needs to be more definitive.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Fulcher**, that **H 564** be sent to the 14th Order for the possibility of amendment.

DISCUSSION: **Senator Toryanski** would like the record to reflect that he is not comfortable with this approach. He feels like the legislature is being asked to be a human resources body. The approach he would be more comfortable with is some general guidelines or directions. Then leave it to a body with access to more expertise; such as the Board of Education to hammer out rules as to what should or should not be in a file. This bill reminds him of a "dogs breakfast" of personnel policy. There is a need for information for the protection of the children, which explains his vote last year. He wants to make sure that employees are treated fairly and that the authors of this bill should utilize the expertise of experts to craft this bill to protect employee, employer and the children. So many factors for employment can reside in the personnel file that is why those files must be treated with the most reverence and respect. His stated his approach would be for a general and streamlined approach from the legislature.

VOTE: The motion carried by **voice vote. Chairman Goedde** said to **Representative Wood** he would be happy to work with her and the stakeholders to make some friendly amendments to satisfy everyone. **Chairman Goedde** will carry the bill on the 14th Order for amendment.

H 603: **Rob Winslow,** Executive Director of Idaho Association of School Administrators (IASA), introduced **H 603.** This legislation provides for 97 percent average daily attendance (ADA) funding protection for Idaho school districts. The IASA worked with the State Department of Education and Idaho School Board Association to design this revenue neutral bill. All stakeholders are in agreement with this legislation.

Vice Chairman Mortimer asked **Mr. Winslow** were all the members surveyed? Was the agreement a 100 percent? **Mr. Winslow** said yes. In drafting this bill they worked with Tim Hill of the Department of Education and got a ten year history as to which district has needed the protection. There were nine districts that had never participated in the protection. The others have had to use it on occasion. The bill was examined by the finance group at the Education Department and the districts that never used the protection, and those groups were asked as to what level they were willing to fund.

TESTIMONY: **Jason Hancock** of State Department of Education, said he is registering the Department's support of this legislation. They gave IASA a way to proceed with this bill so as it would not cost the state any money.

TESTIMONY: **Jessica Harrison,** Policy and Public Affairs Coordinator for ISBA, said on behalf of the 550 members of the ISBA that they are in support of this bill. The ISBA has a resolution that overwhelmingly passed in their membership. The association strongly supports the passage of **H 603.**

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Pearce,** to sent **H 603** to the floor with a do pass recommendation. The motion carried by **voice vote. Vice Chairman Mortimer** will carry the bill on the floor.

H 626: **Jason Hancock** from the State Department of Education, introduced **H 626**. This bill implements one of the recommendations of the 2011 Public School's Task Force, from the online course subcommittee. Their recommendation is that the state create a clearinghouse for approved online courses. This website could be reviewed by students, parents, and schools. This is a site where people can go to find information regarding the various online courses that are available. The key aspect is that this site is a mechanism for those who have taken these courses to review and give them a quality rating. The fiscal allocation is up to $500,000 for FY 2013 for the development of the site. Then reduced to $150,000 in future years for the maintenance.

QUESTIONS: **Senator Pearce** asked does it really cost a half of a million dollars to put a website together. **Mr. Hancock** said they believe it will. They are looking at creating a fairly robust website. **Senator Pearce** wondered if this idea could be developed at one of the State's Universities. **Chairman Goedde** said there is some indication that IDLA can do this for far less.

MOTION: **Senator Toryanski** moved, seconded by **Senator Fulcher**, to send **H 626** to the floor with a do pass recommendation. The motion carried by **voice vote. Chairman Goedde** with **Senator Toryanski's** permission, will carry **H 626** on the floor.

ADJOURN: Having no more business, **Chairman Goedde** adjourned the committee at 4:35 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

3:00 P.M.
Room WW55
Thursday, March 15, 2012

SUBJECT	DESCRIPTION	PRESENTER
	Gubernatorial Appointment	
	State Board of Education	
	Milford Terrell, Boise Idaho	
Presentation	SchoolNet	Troy Wheeler Matt McCarter Dept of Education
H 633	Amend section 33-909 establish public school facilities cooperative funding program.	Mike Rush State Board of Education
Minutes:	February 29, 2012	Senator Fulcher
Minutes:	March 1, 2012	Vice Chairman Mortimer

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
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MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Thursday, March 15, 2012
TIME:	3:00 P.M.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour
ABSENT/ EXCUSED:	Senator Andreason
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
CONVENED:	**Chairman Goedde** called the committee to order at 3:12 P.M. and asked the secretary to take a silent roll.
GUBERNATORIAL APPOINTMENT:	**Chairman Goedde** welcomed **Milford Terrell,** to the committee to make his presentation and answer questions regarding his past work on the State Board of Education.

Mr. Terrell introduced his brother, **Terry Duffer** to the committee. Being raised as orphans in **The Children's Home** Boise, they were separated in their youth. They were able to reconnect and are now enjoying a lot of "first" things together. **Mr. Terrell** and his brother received a nice round of applause.

TESTIMONY: **Mr. Terrell** began his testimony stating that at the State Board of Education (SBE) meetings someone often goes home sad because sometimes the decisions that are made are not what was requested. From the SBE standpoint the members all try to do their best under the circumstances. The economic downturn has also been tough for the SBE.

Mr. Terrell addressed the controversy regarding the changes made to the universities' mission statements. He told the committee the process for the changes began in September 2011 in response to a change in accreditation requirements. The updates were made at the September meeting to meet the accreditation deadline. At that board meeting it was clearly indicated it would be discussing the mission statements in more detail during a work session at the February 2012 meeting. In February, all the institutions' minutes statements were discussed. The SBE member voted unanimously to approve all the mission statements changes proposed. He told the members of the committee that they have a handout of all universities' statements for their review in their files.

Mr. Terrell took the committee through each institution's changes from the 1998 to the present time. He addressed the removal of "flagship" from the University of Idaho's mission statement. **Mr. Terrell** said of the 73 land grant institutions of the United States, only six include the word "flagship" in their mission statement. The majority of those six are lead institutions for a statewide university system. He then gave examples of the universities that have that term in their mission statement. He knew this was very controversial so he addressed the issue.

QUESTIONS: **Chairman Goedde** thanked **Mr. Terrell** for his past service to the SBE . **Chairman Goedde** said he received a draft of the minutes from the SBE for February 15 & 16, and February 20, 2012. On page three is where the discussion began regarding the mission statements. It appeared to him, from these minutes, that **Mr. Terrell** initiated the discussion for the state's flagship institution and discouraged the words in the mission statement. The minutes quoted him saying "using that term provided a feeling of prejudice and belittling other institutions." **Chairman Goedde** asked for more background as to why **Mr. Terrell** feels that way. **Mr. Terrell** said he had done a lot of research on his own before this ever came up. He thought the board was going to discuss this issue at the September meeting, so he decided to do some research between September and February on the terminology.

Chairman Goedde asked **Mr. Terrell** if he was aware of the Carnegie Classifications and asked him to describe to the committee the difference between Carnegie Classification at the University of Idaho and that of Boise State University. **Mr. Terrell** said Carnegie refers to different institutions in different ways. Flagship is a Carnegie word. BSU is metropolitan and that is not a Carnegie word.

Chairman Goedde explained his next question saying there have been some accusations among U of I alumni that **Mr. Terrell**is prejudiced toward BSU. There have been discussions with the Governor what the role of SBE members are and he has urged no parochialism among the members of the SBE. Carnegie classification recognizes each university in a different manner; U of I is high research activity institution, BSU is master's colleges and universities graduate programs (there is no research activity highlighted). **Mr. Terrell** said he did understand the two of them. U of I is a land grant university and you can never take that away from them. The range of deferential between the two is one is a lot older than the other. He said he spoke with the Governor regarding the institutions and the five star program; that is about all the institutions working collaboratively together as research centers. That puts them all in the same classification, but U of I will always be the land grant school. He emphasized that all the institutions should work together.

Chairman Goedde asked **Mr. Terrell** about BSU and U of I football programs and the cross state rivalry. **Mr. Terrell** said he thinks rivalries are great; the stronger the better the game. The SBE is not going to tell institutions where they can and can't play. He down played the importance of athletics to education and said they are just the ability to get free advertising to the institutions. **Chairman Goedde** said the SBE has some responsibility for some oversite of the actions of the presidents of the various institutions. Could he comment on "nasty and inebriated" please. **Mr. Terrell** said unfortunately that was a very poor choice of words; very poor pick of words. He believed the President of BSU admitted to that poor verbiage. But it is a personnel issue and an issue that he could not dwell on because of the status of their employees.

Vice Chairman Mortimer said to that he compliments the work of the universities and in the years he has served he has seen them work closer together on research and funding. He asked him what are some of the important issues that he thinks that are coming before SBE in the next year or two. Could he also comment on a direction he sees for the universities. There are some challenges that SBE have talked about and been wanting to work on with the universities. What are those challenges and the directions he would like to see them move towards? **Mr. Terrell** said the issues are to model higher education of other states' universities. He spoke to the different ways other states address tuition costs, remediation, and streamlining the degree this will keep students from going into debt and aid them in getting through school in a timely manner.

Vice Chairman Mortimer asked what his thoughts were regarding the institutions asking for tuition increases. **Mr. Terrell** said that is tough. We should be working to help the children get ahead and he hates to see any child denied schooling because of costs. Unfortunately it takes money to run the schools. The schools are not getting all the money they need and the state isn't getting all the money it needs to fund the schools. It is not the price of education that is the big issue, the biggest cost that students incur is living expenses, loss of income, and not being able to work full-time. During this economic hardship this state has lost $80M towards higher education.

Senator Fulcher said one of the industries that has promise for growth is the medical industry. There have been discussions regarding medical training in the state of Idaho. Where should Idaho go in regards to medical training. **Mr. Terrell** said he chaired that committee for four years so is very acquainted with what is happening with medical training in Idaho. First issue is there is no money to start that program. If we can't give the higher institutions $80M they need right now, how is the state going to find 1/2 billion dollars to build a program. There is already a good medical partnership program with WWAMI. There would be the opportunity to put 20 more kids into the WWAMI program if there were funds to do that option. The alternative is with one of the best universities in the nation; University of Washington. University of Utah would consider opening up more spots but the cost is too high. It is better to get the medical students to do an internship in Idaho where they have a tendency to stay and live there.

Senator Toryanski said he reviewed the gubernatorial appointment conformation information form. It states that he has had nine years experience on the SBE. He asked two very basic questions. Why do you want to volunteer for this job for four more years and in the past nine years what unique talents and special values has he brought to the board. **Mr. Terrell** answered those saying his wife has questioned him several times as to why. I have an obligation for the kids for the state of Idaho. I don't want the kids to go through the experiences he had as a kid in Hawthorne Elementary School in Boise. This was a poor area of town and the building was assembled from Old World War II barracks on a piece of dirt. He said he offers the board common sense. He doesn't care for the political issues, he cares for the kids. He wants to make a difference in their lives.

Senator Winder said he had a comment than a question. He knows **Mr. Terrell** from a different perspective of life. He knows him from the years he served on the Children's Home Board of Directors and sharing his story of growing up there when it was an orphanage. Through the education and through hard work he has become a very successful contributor to the community. He is generous to the children of this state and when he says he is doing this for the kids, he is doing it for the kids.

Chairman Goedde said last session we heard from the SBE that they were looking for some kind of outcome based payment for the universities. Does he know where that stands? **Mr. Terrell** said they are working on it and they are putting it together. There are still a lot of questions on the process. **Chairman Goedde** asked if he heard him say the SBE has no role in what sports league a university associates itself with. **Mr. Terrell** indicated it was set by the board that we hire university presidents who hire people to make those decisions. It is not in the best interest of the SBE to be telling institutions where and who they play. They do need to come to the board to get clearance to move from one conference to another. **Chairman Goedde** then asked would you support the University of Idaho moving to the Mountain West Conference? **Mr. Terrell** said absolutely.

Chairman Goedde told **Mr. Terrell** typically the committee does not vote on a confirmation the same day they hear the testimony. The committee will vote on his confirmation on Monday, March 19th.

Vice Chairman Mortimer asked him if he thought the universities are as efficient as they could be. How can they be better. **Mr. Terrell** said he thinks they are doing the best they can with what money they have been given. Currently, in order to operate at the best levels, the institutions must work for grants, trusts, donations, and other types of funding sources because the state simply doesn't have the resources. They are going to still have to find outside funding.

PRESENTATION: **Troy Wheeler,** Chief Financial Officer and **Matt McCarter** from the State Board of Education (SBE) introduced **Superintendent Allan Dunn** from Sugar-Salem and **Retired Superintendent David Rawls** from Coeur d'Alene to help present SchoolNet from the users perspective.

Mr. McCarter thanked the committee for the opportunity to review with the committee the works of SchoolNet. This program allows the users to make informed deliberate decisions in the classroom from administration, teacher, and student perspectives around how to use the limited time and resources. How to deliver deliberate data to the people who need it most.

He reviewed for the committee SchoolNet's objectives and turned the presentation over to **Mr. Dunn** to explain the experiences of Phase II of implementation. There is no downside to SchoolNet. He gave an example of how his district is using the program and all the immediate feedback that teachers and students receive. It is a great program and is correlated with the common core standards of Idaho. Currently, the teachers are inputting lesson plans for others to review. They then can collaborate with teachers all over Idaho to update their lessons.

Vice Chairman Mortimer asked how does Idaho System for Educational Excellence (ISEE) and SchoolNet fit together. **Superintendent Dunn** said so well that he often confuses one with the other. The information that schools have in ISEE are available in SchoolNet as well as the other way around. With this program the information is available to see growth based on each student, year after year, teacher to teacher.

Mr. David Rawls spoke to the committee explaining his role with SchoolNet as an ISEE Navigator and SchoolNet mentor. He spoke to the roll out of the program and how much data is available. State Superintendent Luna's requested that every district, teacher, student and parent should have the information available. It is not an easy transition, yet it will happen. His job is to look at this project as to how he can stimulate that thought that this is really bigger than learning how to use particular software. This is a philosophical point of view of looking at data and making data available. This is a superior program to any of the others they have rolled out. He wishes he had this program when he was working in school.

Senator Toryanski asked if the Students Come First laws are repealed, will this program go away? **Mr. Wheeler** answered that some of the funding comes from the Albertson's Foundation and their philosophy is they will start it up but the state will have to own it. In three years from now part of the state's budget will need to support this program.

H 633

Mike Rush, Executive Director, of the State Board of Education said in 2006 the legislature created a piece of legislation for facilities that if a facility is certifiably unsafe the state could come in and repair the building. They have built one building under that piece of legislation and learned a few lessons. This modification allows money to be spent up front to do the planning before the certification and approach the legislature if the costs are too high or there are cost overruns.

Vice Chairman Mortimer asked what are the safe guards for cost overruns. **Mr. Rush** replied in planning they can only spend $150K. In cost overruns, they will have to come back to the legislature to get a supplemental appropriation. This is a rigorous process.

MOTION: **Vice Chairman Mortimer** moved, seconded by **Senator Winder**, to send **H 633** to the floor with a do pass recommendation. The motion carried by **voice vote. Chairman Goedde** will carry the bill on the floor.

ADJOURNED: Having no more business, **Chairman Goedde** adjourned the meeting at 4:32 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AMENDED #1 AGENDA
SENATE EDUCATION COMMITTEE
2:00 P.M.
Room WW55
Monday, March 19, 2012

SUBJECT	DESCRIPTION	PRESENTER
	Gubernatorial Appointment	Chairman Goedde
	State Board of Education	
	Milford Terrell, Boise Idaho	
Minutes Approval	February 16, 2012	Senator Toryanski
	February 20, February 29 & March 8, 2012	Senator Fulcher
	March 1, 2012	Vice Chairman Mortimer
	February 21 & February 23, 2012	Senator Pearce
	Page Presentation	Jamie Bush
	Page Presentation	Joshua Smith

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

LeAnn South
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MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Monday, March 19, 2012
TIME:	2:00 P.M.
PLACE:	Room WW55
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, and LeFavour
ABSENT/ EXCUSED:	Senator Malepeai
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
CONVENED:	**Chairman Goedde** called the meeting to order at 2:10 P.M. and asked the secretary to take a silent roll.
GUBERNATORIAL APPOINTMENT:	**Chairman Goedde** said the committee needs to vote on the gubernatorial appointment for Milford Terrell to the State Board of Education.
	Senator Winder moved, seconded by **Senator Andreason** to send the name of Milford Terrell to the floor with a recommendation of confirmation by the Senate for another term on the State Board of Education.
DISCUSSION:	**Chairman Goedde** said for the record he asked Mike Rush from the State Board of Education, through proxy, to provide to the committee a spreadsheet on the research dollars of Idaho State University (ISU), Boise State University (BSU), and University of Idaho (UofI). **Chairman Goedde** said Mr. Terrell indicated in his comments that BSU was growing in research dollars and the annual percentage shows that he is correct; an average of 6.8 percent versus the U of I at 1.9 percent. However, when the research dollars of ISU and BSU are combined the U of I is almost one and one half times more then the two combined. He wanted the committee to be made aware of the research work of the University of Idaho.
	The second item **Chairman Goedde** revealed to the committee excerpts from the Carnegie Foundation classifications. The University of Idaho is classified as a research university with high research activity. Boise State University is classified as a masters college or university; that classification says nothing about research. He recognized that Mr. Terrell was walking a fine line of trying to find equity in institutions but he believes everyone needs to acknowledge that there is a difference between the University of Idaho and Boise State University.
VOTE:	The motion carried by **voice vote. Senator Winder** will carry the recommendation on the floor.
MINUTES:	**Senator Toryanski** moved, seconded by **Vice Chairman Mortimer,** to approve the minutes of **February 16, 2012.** The motion carried by **voice vote.**
MINUTES:	**Senator Fulcher** moved, seconded by **Senator Winder,** to approve the minutes of **February 20, and February 29, 2012.** The motion carried by **voice vote.**
MINUTES:	**Vice Chairman Mortimer** moved, seconded by **Senator Fulcher,** to approve the minutes of **February 21, February 22, February 23, February 28, and March 1, 2012.** The motion carried by **voice vote.**

Chairman Goedde said the remainder of the minutes will be approved by buck-slip.

PRESENTATION: **Jamie Bush,** Senate Page, thanked the committee for the opportunity to serve the Senate and the education committee. She was so happy that she got to have this opportunity. She thanked **Senator Winder** for sponsoring her. She said she really appreciated their service to Idaho and the citizens. Before she served as a page, she wasn't sure where she stood politically. Through this process she understood that she does have a strong opinion on specific subjects. She found it kind of difficult to sit back and listen when she was on the Senate floor; instead she wanted to get involved in the debate. **Chairman Goedde** thanked her and asked from questions from the committee.

Senator Fulcher asked **Ms. Bush** what is next after high school. **Ms. Bush** replied she is looking into working for a year to save money for school. Her hope is to go to college and study in the area of literature and be an event planner.

PRESENTATION: **Joshua Smith,** Senate Page, thanked the committee for the opportunity to serve. He felt that he has learned so much in this role. This program has taught him a great deal about politics and he knows more in that area than what he did when he arrived. He learned that all the Senators really fight for what they believe in. He has also learned where he stands in regards to politics. Having no more information, he stood for questions.

Vice Chairman Mortimer asked **Mr. Smith** what is the most important thing you have learned while being a senate page. **Mr. Smith** replied the senators do their jobs well and this is a great role model atmosphere. Everyone works hard and works to do their best. He will remember that always.

Chairman Goedde said to remember that it is the issue not the people.

Senator Andreason asked **Mr. Smith** what were his educational plans for the future. **Mr. Smith** said he is going to attend Idaho State University and major in a medical field.

Senator Winder said to **Ms. Bush** thank you for your service. As her sponsor, he is really proud of her. She worked hard, was available, and was always smiling. Her willingness to work was appreciated. **Senator Winder** said to **Mr. Smith** it was nice to get to know him and to have him working here. He wished him well for his future endeavors.

Senator LeFavour thanked both pages for being so kind as to make sure her special chair was at her desks. It really helped her back feel better. She hoped that their experience was good, as there were some very interesting issues this session.

Chairman Goedde called both pages forward and presented them a gift and referral letters.

ADJOURNMENT: **Chairman Goedde** adjourned the committee at 2:26 P.M.

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Senator Goedde
Chairman

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LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

1:00 P.M.
Room WW54
Monday, March 26, 2012

SUBJECT	DESCRIPTION	PRESENTER
	ROOM CHANGE AND TIME CHANGE	
H 672	This legislation provides one additional year for local school districts to forego their building maintenance match contribution.	Representative Nonini

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

COMMITTEE SECRETARY

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MINUTES

SENATE EDUCATION COMMITTEE

DATE:	Monday, March 26, 2012
TIME:	1:00 P.M.
PLACE:	Room WW54
MEMBERS PRESENT:	Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Fulcher, Winder, Toryanski, and Malepeai
ABSENT/ EXCUSED:	Senators Pearce and LeFavour
NOTE:	The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
	Chairman Goedde called the meeting to order at 1:00 P.M. and asked the secretary to take a silent roll.
H 672	**Representative Nonini** presented to the committee **H 672** explaining this legislation provides one additional year for local school districts to forego their building maintenance match contribution. There is no fiscal impact to the State General Fund.
MOTION:	**Vice Chairman Mortimer** said this piece of legislation gives clarity to the districts. Having no testimony or discussion, **Vice Chairman Mortimer** moved, seconded by **Senator Winder,** to send **H 672** to the floor with a do pass recommendation. The motion carried by **voice vote. Vice Chairman Mortimer** will carry the bill on the floor.
ADJOURNMENT:	**Chairman Goedde** adjourned the meeting at 1:03 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary

AGENDA

SENATE EDUCATION COMMITTEE

1:00 P.M.
Room WW55
Thursday, March 29, 2012

SUBJECT	DESCRIPTION	PRESENTER
H 662	YOUTH CHALLENGE PROGRAM - Amends existing law to provide for federal funds and state funding, to provide that the school district where the Youth Challenge Program is located may take steps to have the Youth Challenge Program be considered and designated as an alternative secondary school and to revise the sunset date.	Senator Brackett
H 698 **	EDUCATION - Amends existing law relating to education to revise provisions relating to certain adjustments to a district's salary-based apportionment. **Only if bill is brought to the Committee it will be heard	Representative Nonini

If you have written testimony, please provide a copy of it to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

Chairman Goedde
Vice Chairman Mortimer
Sen Andreason
Sen Pearce
Sen Fulcher
Sen Winder
Sen Toryanski
Sen Malepeai
Sen LeFavour

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MINUTES

SENATE EDUCATION COMMITTEE

DATE: Thursday, March 29, 2012

TIME: 1:00 P.M.

PLACE: Room WW55

MEMBERS PRESENT: Chairman Goedde, Vice Chairman Mortimer, Senators Andreason, Pearce, Fulcher, Winder, Toryanski, Malepeai, and LeFavour

ABSENT/ EXCUSED:

NOTE: The sign-in sheet, testimonies, and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.

CONVENED: **Chairman Goedde** called the meeting to order at 1:50 P.M. and asked the secretary to take a silent roll.

H 698: **Chairman Goedde** reordered the agenda and asked **Representative Nonini** to present **H 698.**

MOTION: **Vice Chairman Mortimer** said he has had a chance to review this legislation and the committee has seen most of this in prior legislation with the exception of a couple of changes. He spoke to those changes. **Vice Chairman Mortimer** moved, seconded by **Senator Winder,** to send **H 698** to the second reading calendar with a do pass recommendation.

VOTE: The motion carried by **voice vote. Chairman Goedde** will carry the bill on the floor.

H 662: **Chairman Goedde** welcomed **Senator Brackett** to the committee to present **H 662.** This legislation amends Idaho Code § 46-805 Youth Challenge program. This is a multiphase intervention program for youth dropouts that are not yet in the judicial system. This is a structured, military discipline based residential school for at least 22 weeks. It concentrates on educational instruction, practical life skills, experimental learning, and centering. The focus is for participants to achieve their high school diploma or their General Equivalence Degree (GED). This will insure that participants will become productive participants of society. **Senator Brackett** reviewed the changes of the bill to the committee. He said the community is in favor of this alternative high school as it will bring in additional jobs to this economically depressed county. He said there is a letter affirming the federal funds are available. Supporting documents related to this testimony have been archived and can be accessed in the office of the Committee Secretary (see Attachment #1).

DISCUSSION: **Senator Pearce** asked the Chairman about the process of this bill. It was his understanding that the money appropriation for this program was killed in JFAC. Could the Chairman explain how this process will work? **Chairman Goedde** said there is still the opportunity for JFAC to reconsider this bill; they could call another meeting. But there is also the opportunity for the Governor, as money becomes available, to fund this program. **Senator Brackett** agreed and said this is the second germane committee action. The House has already approved the bill.

Senator Winder said there was discussion with the Co Chairman of JFAC, **Senator Cameron**, earlier today, they feel there is a way for funds to be found for this program. So much of the funding is coming from private donations and federal funds. It does appear the Governor would have the ability to deal with that when the legislature is not in session.

Senator Malepeai asked for an explanation regarding the consideration of the Youth Challenge Program being an alternative secondary school. **Senator Brackett** said that they are in the application process to become an alternative school. **Chairman Goedde** said alternative schools have access to enhanced funding.

Senator LeFavour said there is no question that the offset to criminal expenditures is worth the cost of this program.

Chairman Goedde said 90 percent of the participants of this program graduate. That diploma changes their lives.

Senator Brackett said there has been over $1.5 million of private contributions raised. There is significant support.

MOTION: **Vice Chairman Mortimer** said he feels very strongly about this program. It gives these youth a great opportunity to change the circumstances in their lives. He moved, seconded by **Senator Pearce,** to send **H 662** to the second reading calendar with a do pass recommendation.

VOTE: The motion carried by **voice vote. Senator Brackett** will carry the bill on the floor.

ADJOURN: Having completed the **Senate Education Committee** business for this legislative session, **Chairman Goedde** thanked everyone and adjourned the meeting at 2:09 P.M.

Senator Goedde
Chairman

LeAnn South
Secretary