

MINUTES
SENATE EDUCATION COMMITTEE

- DATE:** Thursday, March 02, 2023
- TIME:** 3:00 P.M.
- PLACE:** Room WW55
- MEMBERS PRESENT:** Chairman Lent, Vice Chairman Toews, Senators Den Hartog, Nichols, Semmelroth, Herndon, and Lenney
- ABSENT/ EXCUSED:** Senators Carlson and Ward-Engelking
- NOTE:** The sign-in sheet, testimonies and other related materials will be retained with the minutes in the committee's office until the end of the session and will then be located on file with the minutes in the Legislative Services Library.
- CONVENED:** **Chairman Lent** called the meeting of the Senate Education Committee (Committee) to order at 3:01 p.m.
- PRESENTATION:** **School Counseling. Training and Scope of Practice. Aimee Hurst, President, Idaho School Counselor Association**, presented the role of school counselors to students, and indicated that counselors also provided information to high school students regarding career pathways.
- DISCUSSION:** **Senator Herndon** asked Ms. Hurst to talk about the social and emotional learning in schools. **Ms. Hurst** replied that she was unable to give a definitive answer outside of her immediate experiences.
- Senator Herndon** asked Ms. Hurst about the high levels of suicide among K-12 students in Idaho, and if she had an insight into why suicidal ideation was so high in the State of Idaho. Ms. Hurst pointed to students easy access to harmful technology like social media and the overall lack of resources as the other reason.
- Senator Herndon** asked Ms. Hurst what she believed was contributing to the increase in gender dysphoria among teenagers. She replied that her experience was that students who were bombarded by social messages and an overall lack of social connection were highly susceptible to gender dysphoria. Based on her experience, these were the two most likely causes.
- Senator Lenney** asked Ms. Hurst to speak to the confidentiality practices that school counselors used regarding sharing information with a student's parents. **Ms. Hurst** answered that the ethical guidelines related to being a counselor dictated that the student's parents be made aware of the problems that a student was going through at the earliest moment possible unless there were cases of a student being harmed by their parents. The other scenario that Ms. Hurst pointed to that would breach student confidentiality would be if a student was planning on committing acts of violence to themselves or others.
- Senator Nichols** asked Ms. Hurst what sort of issues did counselors typically deal with. **Ms. Hurst** pointed out that the issues a counselor dealt with varied based on grade level. In elementary schools, a counselor helped students with regulating emotions and at the secondary level, a counselor dealt more with anxiety and depression. **Senator Nichols** asked if Ms. Hurst had to have liability insurance in case a student did not thrive. She replied that she had liability insurance through her Association.

Senator Nichols asked what the number one issue facing students that counselors dealt with. **Ms. Hurst** answered that it was students mental health not being able to cope with big emotions or different settings.

H 112

EDUCATION OPPORTUNITY RESOURCE COMMITTEE. Tracie Bent, Chief Planning and Policy Officer, Idaho State Board of Education (ISBE). Ms. Bent presented **H 112** alongside Representative Sauter, a bill that amended Idaho Code § 33-5603. The bill changed the jurisdiction of the Education Opportunity Resource Committee from the Department of Education (D of E) to the ISBE.

DISCUSSION:

Senator Lenney asked Ms. Bent to explain what an E-Rate was. **Ms. Bent** replied that it was a Federal Communications Committee program and the E-Rate program made telecommunications and information services more affordable for schools and libraries.

Ms. Bent affirmed that the impact on the State funds was a net zero expense.

MOTION:

Senator Den Hartog moved to send **H 112** to the floor with a **do pass** recommendation. **Vice Chairman Toews** seconded the motion. The motion carried by **voice vote**.

H 163

Relating to Parental Rights. Vice Chairman Toews noted that the bill would significantly enhance parental knowledge over what occurred in their child's classroom. He specifically mentioned the bill would give parents greater access to their children's learning materials.

State Superintendent Critchfield commented that the purpose of the bill was to build trust with parents by making a greater emphasis to keep parents informed of what was going on in their child's school. She also added that this bill would not do away with local governance and that the school districts in Idaho had been doing a good job of keeping parents informed. This bill would only add to the success that Idaho had seen with involving parents.

DISCUSSION:

Senator Lenney asked why the bill did not clarify the reason the parent or guardian of the child would not be notified in the case of physical abuse. **Superintendent Critchfield** said she agreed with Senator Lenney that the bill could be more clear, but that the language followed the advice of the school counselors who testified before the Committee and would stand by their judgement.

Senator Semmelroth asked Vice Chairman Toews to walk her through the part in the bill that talked about private cause of action. He replied that the point of having a private cause of action was to set up a complaint process where parents could file a complaint if they felt like their rights were being violated in order to ensure that there was a process in place to fix problems.

Senator Semmelroth noted that she had concerns that the process would be abused because it would encourage parents to proactively search for problems before they arose instead of fixing an issue after it took place.

Superintendent Critchfield noted that she understood Senator Semmelroth's concern, but pointed to the fact that this process was already in place and the bill simply reiterated that.

TESTIMONY:

Christy Hardy, representing the Parents for Policy Change, testified in favor of the bill. She stated that the bill would make it much easier for parents to recommend policy improvements to the school board. She mentioned specifically that her daughter was asked in writing to state her preferred pronouns without her parent's permission. She urged the Committee to pass the bill.

Nicole Trakel, of Caldwell, testified in favor of the bill. She noted that she appreciated the bill's new wording about how parents had to be notified if their child's locker was searched or if they had an interaction with a school resource officer. She asked that the Committee advance the bill.

Amy Henry, District 13, testified in favor of the bill. She stated that her daughter had been through some tough experiences without the school notifying her and therefore supported greater involvement between parents and schools.

Alex Kiper, a junior at Pocatello High School, testified against the bill because he believed that it would negatively impact transgender students.

DISCUSSION: **Senator Herndon** expressed concerns that the bill was too vague because it said that a parent would not be notified if a student was a victim of physical abuse. He specifically noted that he had concerns over whether a parent would be notified about their child's abuse if the suspected abuser was not the victim's parents or legal guardian, based on the wording of the bill. **Superintendent Critchfield** noted that she had discussed the wording of that section with the Attorney General at length and felt comfortable with the current wording.

Ms. Hurst pointed out that there were four types of abuses: sexual, emotional, physical, and neglect. She recommended that instead of simply having abuse defined as physical, the Committee should change the bill language to simply "abuse." **Superintendent Critchfield** noted that she was in support of that recommendation.

MOTION: **Senator Den Hartog** moved to send **H 163** to the floor with a **do pass** recommendation. **Senator Semmelroth** seconded the motion. The motion carried by **voice vote**.

ADJOURNED: There being no further business at this time, **Chairman Lent** adjourned the meeting at 4:14 p.m.

Senator Lent
Chair

Linette Grantham
Secretary