

MINUTES  
**SENATE EDUCATION COMMITTEE**

**DATE:** Tuesday, March 14, 2023

**TIME:** 2:00 P.M.

**PLACE:** Room WW55

**MEMBERS PRESENT:** Chairman Lent, Vice Chairman Toews, Senators Den Hartog, Nichols, Carlson, Herndon, Lenney, Ward-Engelking, and Semmelroth

**ABSENT/ EXCUSED:** None

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

**CONVENED:** **Chairman Lent** called the Senate Education Committee (Committee) to order at 2:00 p.m.

**MINUTES APPROVAL:** **Senator Semmelroth** moved to approve the Minutes for January 31, 2023. **Senator Den Hartog** seconded the motion. The motion carried by **voice vote**.

**MINUTES APPROVAL:** **Vice Chairman Toews** moved to approve the Minutes for February 14, 2023. **Senator Carlson** seconded the motion. The motion carried by **voice vote**.

**H 219** **Education - Amends existing law to revise eligibility and other provisions regarding Armed Forces and public safety officer scholarships.** **Representative Mathias** presented four changes to the Armed Forces and public safety officer scholarships that would alter the program's eligibility requirements. The first change codified how Idaho residency was determined for eligibility by requiring any applicant for the scholarship to have been an Idaho resident upon entering active service. The second change increased the allowance for books and supplies in the scholarship from \$500 to \$750. The third change extended the eligibility for the qualified event that caused the disability from 10 years to 19 years after the event. The last change involved removing the Idaho Division of Veterans Services (IDVS) from the determination of disabilities for applicants of this program. **Representative Mathias** relayed that this was because the IDVS determination was based upon the Veterans Affairs (VA) standards for disability, which did not have any say over whether the applicant was able to work or was employable. Instead, the bill would solely rely on the Social Security Administration's (SSA) standards for disability, which would provide the exact same standards for eligibility for both veterans and public safety officers.

**DISCUSSION:** **Senator Lenney** asked if the SSA could deny disability to any of the applicants. **Representative Mathias** said that this theoretically could happen, but it was unlikely for a veteran who already had a 100 percent disability rating.

**TESTIMONY:** **Senator Trakel** testified in opposition to the bill in its original form. He testified that the SSA did not actually track a veteran's disability rating and refuted the assertion that a 100 percent disabled veteran would most likely be approved by the SSA. **Senator Trakel** disclosed to the Committee that he was a 100 percent disabled veteran and was denied Social Security. He distinguished for the Committee the difference between 100 percent disabled and 100 percent unemployable. One hundred percent unemployable meant that a veteran was unable to be employed or to hold a job, while a person who was considered 100 percent disabled could still work and be employed despite their deficiencies. **Senator Trakel** also took issue with the residency section of the bill. He pointed out that a veteran who claimed Idaho residency at the beginning of their service but then moved to another state at the end of their service, could still apply for the scholarship, even though they no longer resided in the state. For these reasons, he requested the Committee send **H 219** to the 14th Order of Business for possible amendment.

**DISCUSSION:** **Senator Lenney** asked Senator Trakel what he thought the implications were by removing the IDVS from the program. **Senator Trakel** stated he thought this would remove more veterans from consideration, but that this was consistent with the original intention of the bill, which was to serve the children of veterans who were unable to work. Doing this would remove those who were still considered employable from consideration for this scholarship. **Senator Trakel** recommended utilizing the VA Veterans Administration instead.

**Senator Den Hartog** asked Representative Mathias if the changes that were being considered for the bill were compatible with the goals he was trying to accomplish with **H 219**. **Representative Mathias** responded by stating he would be open to any amendments that were made in good faith. He felt as though the changes Senator Trakel was proposing were workable, even though he believed the change to disability status would add more steps for those trying to apply for the scholarship.

**MOTION:** **Senator Lenney** moved to send **H 219** to the 14th Order of Business for possible amendment. **Senator Nichols** seconded the motion.

**ROLL CALL VOTE:** **Chairman Lent** asked for a roll call vote. **Chairman Lent**, **Vice Chairman Toews**, and **Senators Den Hartog**, **Nichols**, **Carlson**, **Herndon**, and **Lenney** voted aye. Senators **Ward-Engelking** and **Semmelroth** voted nay. The motion passed.

**S 1161** **Education - Amends, repeals, and adds to existing law to revise provisions regarding the Empowering Parents Program and to provide for tuition grants.** **Senator Den Hartog** said that this bill built off of an existing program called the Empowering Parents Grant Program (Program). The Program had provided student applicants with \$1,000 and a maximum of \$3,000 per household to help pay for qualifying educational expenses. **Senator Den Hartog** explained **S 1161** added transportation to the eligible expenses a student could use. The bill also switched the agency that was operating the Program from the State Board of Education to the State Department of Education (SDE). The most substantial change to the Program was the addition of a pilot tuition grant program for non-public schools or the hiring of a certified teacher for a micro-school. The application for the pilot program accepted 2,000 students and would distribute \$6,000 to each accepted student. The SDE would prioritize the distribution of funds to the families with the lowest income. The SDE of education would also require annual reporting for the tuition grant to maintain accountability. The State Controller's Office would then post the region and income levels of those who were taking advantage of the tuition grant to Transparent Idaho for the public to track. **Senator Den Hartog** also mentioned the bill modified the parent advisory panel so that they had a more direct role in approving who received tuition grants. The parent advisory panel would also evaluate the schools and teachers eligible families chose to receive the grant. These teachers and schools were required to satisfy Idaho's constitutional and

statutory compulsory education requirements. Once this evaluation was complete, the funds were distributed on a digital platform. The pilot grant program would last five years and then would have to be re-evaluated by the Legislature if it was to continue. **Senator Den Hartog** emphasized this was to allow the Legislature to learn what worked and what did not work with the program so they could improve it going forward. She pointed out the bill would cost only \$12 million over the course of the 5-year pilot program and did not defund public schools.

**TESTIMONY:** The following testified in favor of **S 1161**: Anna Miller, Idaho Freedom Foundation; Chris Cargill, Mountain States Policy Center; Tera Myers; and Bill Philips, American Federation for Children.

Comments from those who testified in support of the bill included: there was evidence that showed school choice programs increased student performance in other states; this bill was small compared to other proposed Education Savings Account (ESA) programs and did not require a significant amount of money; applicants who were accepted into the program would be able to better tailor their child's educational needs; there was a belief that this bill would be successful and benefit rural communities; programs like the one included in this bill would incentivize educational innovation.

The following testified in opposition to **S 1161**: Jean Henscheid; Paul Stark, Idaho Education Association; Kathy Dawes, Georgia Boatman, Yvonne Sandmire; Blanca Romero; Dennis Boatman; Rod Grammar, Idaho Business for Education; and Dr. Wendy French.

Comments from those who testified in opposition of the bill included: this bill allowed for indirect funding of tuition for private schools, which was not the original intent of the Empowering Parents Program; private schools were not held accountable for their curriculum and should not be receiving public funds; learning outcomes for programs that received this money were not determined or clear; studies have shown that school choice programs hurt student performance; money for this bill should instead be used to further fund public schools; this bill was a small step towards larger and more expensive ESA programs; the bill would hurt rural communities by diverting money away from rural public schools.

**DISCUSSION:** **Senator Carlson** asked what the dollar cap per student was in the bill. **Senator Den Hartog** explained the dollar cap per student was \$6,000 and the money would be distributed on a quarterly basis.

**Senator Ward-Engelking** recounted the passage of S 1255, the Empowering Parents Grant Program, during the previous legislative session and how some members of the Committee were originally worried that the bill could lead to funding private tuition. In her view, this now was taking place with **S 1161**. She noted the funds for the Program had been recently expanded to continually help schools move forward after the COVID-19 pandemic and not fund private school tuition. She emphasized her support for public schools and stated that she would not support the bill in question. **Senator Den Hartog** acknowledged the manner in which S 1255 was written left some open-ended language so that changes could be made later on down the line. She then asserted the Legislature had a duty to adapt and address the needs of Idaho.

**Senator Semmelroth** voiced her support for public schools and her displeasure with the support for private schools that was offered through this bill. She pointed out that public schools served all students while private schools could pick and choose which students they admit. She also observed students with disabilities had no legal protections with private school vouchers. **Senator Semmelroth** reported

that 90 percent of Idaho's counties were voting on supplemental levees, implying public schools were still not receiving enough funding. She then stated she would be voting against the bill.

**Senator Lenney** stated his support for the bill and that he would be voting in favor of it.

**Senator Herndon** reminded the Committee that the Joint Finance-Appropriations Committee (JFAC) recently approved an increased public schools budget which included \$97.4 million in additional classified staff salaries. With the large increase in the public schools budget for FY 2024, **Senator Herndon** believed that what **S 1161** proposed was reasonable and did not harm the public schools budget in any way.

**MOTION:** **Senator Nichols** moved to send **S 1161** to the floor with a **do pass** recommendation. **Vice Chairman Toews** seconded the motion.

**DISCUSSION:** **Senator Nichols** thanked Senator Den Hartog for sponsoring this bill and spoke to the benefits of education choice policies like **S 1161**. She felt as though the bill was a good step in the right direction for providing education choice in Idaho and reminded the Committee that the bill was a pilot program and could be re-evaluated in the future.

**Senator Ward-Engelking** commented the Blaine Amendment of the Idaho Constitution was still intact and recent Supreme Court decisions did not support subsidies to private schools.

**ROLL CALL VOTE:** **Senator Herndon** requested a roll call vote. **Vice Chairman Toews**, and **Senators Den Hartog, Nichols, Carlson, Herndon**, and **Lenney** voted aye. **Chairman Lent** and **Senators Ward-Engelking** and **Semmelroth** voted nay. The motion passed.

**ADJOURNED:** There being no further business at this time, **Chairman Lent** adjourned the meeting at 3:30 p.m.

---

Senator Lent  
Chair

---

Linette Grantham  
Secretary

---

Tyler Allen  
Assistant Secretary