

MINUTES
SENATE EDUCATION COMMITTEE

DATE: Wednesday, March 15, 2023

TIME: 2:00 P.M.

PLACE: Room WW55

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

ABSENT/ EXCUSED: Vice Chairman Toews

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) at 2:00 p.m.

MINUTES APPROVAL: **Senator Carlson** moved to approve the Minutes of February 8, 2023. **Senator Nichols** seconded the motion. The motion carried by **voice vote**.

MINUTES APPROVAL: **Senator Nichols** moved to approve the Minutes of February 15, 2023. **Senator Herndon** seconded the motion. The motion carried by **voice vote**.

H 228 **SEX EDUCATION - Amends existing law to revise definitions. Senator Carlson** stated the purpose of the bill was to revise the definition of abstinence in State Code and give parents more knowledge about the program.

Representative Ehardt emphasized **H 228** was a parental rights bill. The bill would make consistent the definition of abstinence in sex education curriculum across the State. She said one of the reasons for inconsistent use of the term in sex education programs was because some schools and programs got their curriculum from the subject from the Department of Health and Welfare (DHW). She said DHW had the ability to change services like that to satisfy conditions of federal grant applications. The definition **H 228** would establish was the practice of zero sexual related activities before marriage.

DISCUSSION: **Senator Ward-Engelking** was concerned that the redefinition of abstinence into State Code was overstepping the authority of local school districts, and the State serving as the moral police for everyone. **Representative Ehardt** stated the purpose of the bill was to correct the definition and inform parents rather than police local school districts. She also said the **H 228** did not create a singular sex education program for all schools to implement. **Senator Ward-Engelking** asked why marriage had to be included in the revised definition. **Representative Ehardt** said the traditional use of the term in most circles involved marriage, so that was the reason for its inclusion in the provided definition.

TESTIMONY: **Nicole Trakel** testified in favor of the bill. She argued the current definition abstinence had too many loopholes that resulted in improper instruction in many sex education programs in Idaho.

MOTION: **Senator Herndon** moved to send **H 228** to the floor with a **do pass** recommendation. **Senator Nichols** seconded the motion. The motion carried by **voice vote**.

H 113

CHARTER SCHOOLS - Amends existing law regarding certain procedures for charter and virtual schools. Senator Den Hartog stated an objective of the legislation was to have the assessment of the student body during the renewal process consider at-risk student population. The next change proposed in **H 113** was to allow districts to authorize virtual charter schools. The final changes were to prevent a negative mark on a charter school's renewal as a result of their having outstanding financial commitments to service providers. The bill aimed to clarify language in State Code that related to the role of service providers.

DISCUSSION:

Chairman Lent asked why an outstanding financial obligation to a service provider should not be a factor when their renewal was considered. **Senator Den Hartog** replied that a lot of these schools were non-profit organizations that had difficult years that made it difficult for them to satisfy their financial obligations.

Chairman Lent asked what services were eligible for reduced or waived payment if the bill were passed. **Jeremy Chou**, Stride K/12, said the bill simply clarified a portion of existing State Code where that was concerned. He said it was already in statute that schools had the ability to be exempted from some or all financial elements of the performance framework, and the amount owed reflected as a credit on the school's account. To clarify further, he said that meant the schools, once they paid off all their bills and paid salaries, if they still had more to pay service providers, they were exempt if they did not have the means to pay. **Mr. Chou** said, from his client's perspective, that part of Code was a great protection for the schools and, for the service provider, their hope was to collect whenever it was the schools were profitable.

TESTIMONY:

Dr. Donna Hutchinson, Vice President, Partnerships and Policy, Pearson Virtual Schools, testified in favor of the bill. **Dr. Hutchinson** said the provisions in **H 113** made it easier to authorize a charter school, especially virtual charter schools, which the State needed.

Irene Shaver testified in favor of the bill. She noted that this bill offered a model that was made to serve students and gave them access to quality education at moments in life they otherwise could have been prevented that access.

MOTION:

Senator Nichols moved to send **H 113** to the floor with a **do pass** recommendation. **Senator Herndon** seconded the motion. The motion carried by **voice vote**.

H 267

EDUCATION - Adds to existing law to establish the Career Ready Students Program and the Added Cost Funding Program. Representative Boyle said the name of **H 267** was Idaho Career Ready Students. As the name suggested, she said the objective of the legislation was to expand Career Technical Education (CTE) in middle and high schools, with a focus on rural and remote areas.

State Superintendent of Public Instruction **Debbie Critchfield** said **H 267** addressed the access disparity between urban and disparity in rural areas for CTE programs. The other objective of the bill was to prepare students for whom college was not part of their plans for after graduation. She said the bill had the ability to allow individual districts to access State funds to establish CTE programs. **Ms. Critchfield** clarified that, while the focus of the bill was to reinforce and assist in the development of CTE programs in rural areas, urban schools were not precluded from applying for the program.

DISCUSSION: **Senator Semmelroth** inquired about the next steps for the State if the legislation passed. **Ms. Critchfield** said the first step would be to begin outreach to educate parents about what new opportunities were available for their students.

Senator Nichols asked if the legislation included language about a one-time appropriation or if ongoing funding was required. **Ms. Critchfield** said she consulted with the Finance Committee, and they said it was possible ongoing funding was required.

Senator Den Hartog asked if one of the policy requirements was a local match. **Ms. Critchfield** said there was a provision for applicant preference, specifically rural schools. She noted there were established standards enumerated in the legislation for grant awards, which included a plan to demonstrate what the intended use of the funds was and how industry and the community were going to be involved to make the new programs sustainable.

Senator Carlson expressed concern over government expansion and asked what the source of the funds would be. **Ms. Critchfield** responded that the bill was limited and had practical benefits for the State. **Senator Carlson** asked if it was wise to connect industry and government close together on the bill, and asked her to speak to that concern. **Ms. Critchfield** said she did not see **H 267** as an expansion of government, rather it was a change to the way the State handled CTE. In response to the funding question, she said the passage of H 1 during the special session made \$75 million available for education, and this program was certainly eligible for those dollars. **Senator Carlson** expressed concern over the potential for industry to run a State program. **Ms. Critchfield** indicated the intent was for businesses to assist with the procurement of equipment and development of curriculum.

Chairman Lent noted the preparation of students for the workforce was a major goal of the State's education model, as was the case in other successful states around the country.

TESTIMONY: **Jody Hendricks**, Hendricks Logging, Inc., testified in favor of the bill. He noted there were significant labor shortages, and the support of CTE programs in schools was a good way to prepare the next generation to enter the workforce.

Tom Schultz, Idaho Falls Power, testified in favor of the bill when he noted that this bill would make it easier to recruit and employ young workers.

Anna Miller, Center for American Education, Idaho Freedom Foundation, testified in opposition to the bill. She stated there were already significant investments made in the sphere of public education in Idaho, and the additional appropriation this bill required to prop up a new program instead of a redirection of existing funds was not beneficial to the State.

Alex LaBeau, President, Idaho Association of Commerce and Industry (IACI), testified in favor of the bill. He noted that this bill presented a unique opportunity to invest in rural areas and advance the State's mission to prepare the next generation of the workforce.

Debbie Critchfield testified in favor of **H 267**. She said the program did not increase the tax burden on Idahoans because it would use dollars already made available for education from the State's significant surplus. She emphasized the bill gave Idaho a unique opportunity to help Idaho students prepare for success in their life after graduation.

DISCUSSION: **Senator Den Hartog** asked for clarity about the role of the CTE Council, and if its responsibilities stood to change if the legislation passed. **Ms. Critchfield** said the bill added to existing Board policy, and the composition of the Board would not change, nor was there to be duplicative efforts of different groups.

MOTION: **Senator Ward-Engelking** moved to send **H 267** to the floor with a **do pass** recommendation. **Senator Den Hartog** seconded the motion.

DISCUSSION: **Senator Den Hartog** recognized the fact that not all members of the Committee were present during the special session when H 1 passed. She expressed concern over the significant funding disparity between rural and urban schools, and stated **H 267** was a step towards a level playing field for CTE programs in those rural areas. She said the legislation facilitated the connection of industry to education without the forfeiture of program administration.

Senator Ward-Engelking noted CTE programs were very expensive, but stressed they were incredibly important, and it was crucial students learned new skills and about career opportunities they might not have learned about otherwise.

Senator Lenney emphasized the importance of CTE, but he was concerned about the creation of new programs that did not address the areas of greatest concern in Idaho's education system.

Senator Carlson said she had mixed feelings about the legislation. She was concerned about the cost of the bill, the makeup of the Workforce Development Council, the broad nature of the bill, and the potential for creation of an on-going expense to the State. She emphasized, however, that she wanted to trust the process, and there were elements of the bill she did like.

Chairman Lent noted the workforce had changed dramatically in the last several years, and outdated education models had to be changed in order for Idaho students to adapt. He said there was an increasing number of students every year that chose not to pursue higher education, and greater support for them during their time in K-12 to help them learn meaningful skills and connect with employers would be a great help to them after graduation.

Senator Carlson asked if the dollars made available for education after the passage of H 1 were already allocated. **Senator Den Hartog** confirmed they had not.

ROLL CALL VOTE: **Chairman Lent** noted there was a request for a roll call vote. **Senators Den Hartog, Carlson, Ward-Engelking, Semmelroth,** and **Chairman Lent** voted aye. **Senators Nichols, Herndon,** and **Lenney** voted nay. The motion carried.

ADJOURNED: There being no further business at this time, **Chairman Lent** adjourned the meeting at 3:22 p.m.

Senator Lent
Chair

Linette Grantham
Secretary

Kieran Sprague
Assistant Secretary