

2018 ISBA RESOLUTION NO. 16

**PERMISSIBLE EDUCATION ACTIVITIES
IN SCHOOL BOND AND LEVY ELECTIONS**

WHEREAS, Idaho Code currently covers only certain specific disclosures in elections to authorize bonded indebtedness and to authorize a levy, and requires those disclosures to be made in the ballot form and election notice;

WHEREAS, these disclosures are limited to a brief official statements and specific financial information;

WHEREAS, because these disclosures are on the ballot, the legal concept of “ballot sanctity” does not, and should not, call for additional disclosures on the ballot itself;

WHEREAS, although dedicated governmental resources should not be used to direct the outcome of an election, school districts need to be able to disseminate neutral informative and educational information about the purpose and reasons for the bond or levy;

WHEREAS, many school districts are asked to meet with community members in various public forums to provide additional details about the use of resources generated through bonded indebtedness or levy;

WHEREAS, these educational forums are not currently defined as distinct from advocacy that could direct the outcome of an election; and

WHEREAS, certain political groups have introduced legislation that seeks to restrict activities that should be permissible and that would subject district officials to liability as well as possibly invalidate an otherwise valid election;

NOW THEREFORE BE IT RESOLVED, that the Idaho School Boards Association research, draft, and submit legislation that more clearly defines the permissible use of government resources and personnel to educate voters on the planned uses, amounts, and costs of proposed bonded indebtedness and levies.

STATEMENT OF PURPOSE

Voters need to be able to be educated about proposed school district budgets, projects, and use of levies and bonds. School district personnel have the most complete set of details and they need to be able to answer voter questions and provide these details without advocating for specific outcomes in elections.

Submitted by Moscow School District No. 281

RECOMMENDATION OF THE ISBA EXECUTIVE BOARD: DO PASS

Janie Gebhardt of the ISBA Executive Board will address the Executive Board's recommendation to the membership at the Business Session of the Annual Convention.

PASSED
TABLED
FAILED

AYES
NAYES
TOTAL