

# CAPITOL



By Karen Echeverria, Executive Director

**“From what we get, we can make a living; what we give, however, makes a life.”**

**- Arthur Ashe**

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## **IT AIN'T OVER UNTIL THE GAVEL BANGS DOWN SINE DIE, BUT...**

Just a quick note to let you know that this will likely be the last issue of Capitol Notes for this year. There are two education issues still left (more on that below), but we believe the Legislature will finish up their work this week. We will send a quick email when those issues are completed.

While anything can happen in the last days of the legislative session, we remain cautiously optimistic that the two bills we were working diligently to kill have been placed in the drawers of the Senate Chairs.

Those two bills were HB590 – The GEM act, aka education tax credits, and HB639 – Bonds every 12 months only.

We want to take a minute and thank all of you that took the time to write or call your legislators on those two bills. It took a village this time and it would not have happened without your help. We also want to thank Senators Mortimer and Siddoway for not hearing these bills. If either of these Senators reside in your legislative district, you may want to take a minute and thank them personally.

## **BILL GRAVEYARD**

While we got several pieces of legislation passed, I feel like the majority of this year has been spent working on killing bills, not passing them. You can check out the last two pages of this document to see what I mean. I just did a quick count. If you remove the appropriation bills, there are 33 pieces of legislation that did NOT make it through the system for one reason or another and 37 that have passed or are likely to pass. Almost as many didn't make it through as did make it through!

## **WHAT'S LEFT?**

As you may have heard, there was a little dust up on the House Floor on Friday morning. Just to give you some background. The Joint Finance Appropriations Committee (JFAC) creates all funding bills. 99.99% of the time, those bills are a formality and pass easily. Also as a reminder, the Superintendent of Public Instruction (SOPI) has an appropriation that is separate from the K12 funding bills. That appropriation is for funding her office and some issues that impact the entire state.

This year, JFAC approved a budget bill (SB1354) for the SOPI that **removed** a \$443,000 request for funding for software for a new statewide-K-3 literacy test. After passing the Senate nearly unanimously, that bill died on the House floor with only Representative Kerby debating against the bill. His testimony addressed the removal of funding for the test. In addition, it had been rumored that the Governor was going to veto the bill if it came to him without that funding.

For the past 20 years, school districts and charter schools have used the IRI to test student literacy for grades K-3. This assessment is a statewide assessment and is used to gather statewide comparative data. One of the recommendations from the Governor's K12 Education Task Force was to address the usefulness of this test. The State Department of Education (SDE) convened a committee who researched the issue. One of their recommendations was to look for a new test that would provide better data. The SDE went out to competitive bid and eventually chose IStation as the vendor to provide the software for this test.

At the same time the appropriation bill was moving through the legislature, Chair VanOrden printed a bill in her committee (HB693) that would have made some significant changes to the statewide literacy test program. This bill is also being supported by Senate Chair Mortimer and Representative Horman, who writes and carries the education appropriation bills. HB693 would have allowed school districts and charter schools to choose their own assessment rather than having a statewide assessment. This concept is opposed by the State Department of Education, the State Board of Education (SBOE), the Governor's office, and some smaller education groups. The ISBA, the Administrators Association, and the Idaho Education Association have taken no position on the bill.

So, when you combine the opposition to HB693 and the lack of funding for a statewide assessment in the appropriation bill, we can understand the dust up on the House Floor.

There won't be an easy answer to the end of this legislative session. When the two Education Committee Chairs and a key JFAC legislator are at odds with the SDE, SBOE, and the Governor over legislation, it will take some work to come to consensus.

We know the legislature wants to leave town this week and we know they are working diligently to find some consensus. While we believe the education stakeholders will be consulted, we will not be taking a position on this issue. With the parties involved in this discussion, we believe it is best for us to provide information if needed but to allow both sides to find a resolution.

**QUICK UPDATE ON OUR LAST FEW PIECES OF LEGISLATION:**  
**ALL HAVE PASSED BOTH CHAMBERS AND ARE AWAITING**  
**THE GOVERNOR’S SIGNATURE**

**HB580 – Ability to Hire Spouses of Board Members.** This legislation we drafted removes a sunset clause from the law that allows school districts and charter schools to hire the spouse of a Board member under certain circumstances. The law has been in place now for three years. While it is not used very often, we do know that a few school districts have used this provision.

**HB620 – Educate vs. Advocate.** This is legislation we drafted to help clarify what school districts can and cannot do when it comes to bonds and levies.

**HB647 – Card Check.** This is legislation based on our resolution that will require the local education organization to show proof of representation that has been obtained in the last two years. In other words, the signatures must be current.

**SB1280 – Trustee Elections.** This is the bill that moves trustee elections to November of odd years. I know that our members are split on this resolution. The ISBA membership passed a resolution that supported this move in an effort to compromise and keep elections off the November ballot in even years.

One piece of legislation that we did not write and we took a neutral stance on was **SB1291 – School Turnaround Act.** This legislation would provide additional resources to non-Title 1 schools that are in the lowest performing 5%. Under the new statewide ESSA plan, Title 1 schools will have some additional assistance so this bill will complement that. The original bill had some mandatory language, and we worked with Senator Mortimer, who is sponsoring the bill, to make this optional. Thus, if a school wants to participate they may, but there is no requirement.

As sometimes occurs, when a bill that is sponsored by those who take actions that are not popular to everyone (Senator Mortimer holding HB590 – GEM Act), there is some sort of retaliation. That seems to be the case with this bill. After passing the Senate and House Education Committee, it is likely to be pulled back to the House Education Committee and will not move forward this year.

**ISBA LEGISLATION BASED ON RESOLUTIONS**

Below is our progress on each of the ISBA Resolutions.  
*Anything in italics is new information from last week.*

**Retention of Retired Teachers (2017) – HB113**

**Status:** Became law last year.

**Funding School Construction (2017) – Legislation Needed**

**Status:** We sent a survey out to all superintendents this year. We hope you take the time to complete the survey.

## **Reducing the Supermajority for School District Bonds (2017) – Constitutional Amendment Needed**

**Status:** We have been unable to find a sponsor for this legislation.

## **Reduce the 2/3 Majority Vote Requirement to go into Executive Session – Legislation Needed (2017)**

**Status:** We are going to work with the Newspaper Association and possibly the Idaho Press Club over the interim and we hope to come to consensus on language before next legislative session.

## **Opposition to Amending Article IX Section V of the Idaho Constitution (Blaine Amendment) (2017) – HB590**

**Status:** See explanation above related to the GEM Act.

## **Rural School Centers (2017), HB630**

**Status:** Unfortunately, this legislation failed to pass the House of Representatives. We'll continue to work with the Superintendent of Public Instruction to accomplish this resolution.

## **Salary Based Apportionment for Classified Employees (2017) – Legislation Needed**

**Status:** There are many ways to address an increase in funding for classified staff. That could include changing the factor or simply increasing the total dollars in this line item. Because of the significant amount that will likely be placed in teachers' salaries this year, this legislation will likely not be heard. Should any district wish to pursue this, we would encourage them to bring another resolution.

## **Revision of Idaho Code on Excision (2018) – Legislation Needed**

**Status:** We have drafted legislation, and the sponsoring district is working with their local legislator in hopes of finding a sponsor.

## **Education Allocation for Out of State Teachers (2018) – Legislation Needed**

**Status:** We don't believe that this legislation will move forward this year. We believe that we have come to consensus on what this legislation should look like. Unfortunately, it is too late in the year.

## **Card Check for Negotiations (2018) – Legislation Needed – HB647**

**Status:** This legislation has passed both chambers and is awaiting the Governor's signature.

## **CTE Teachers Experience Factor (2018) – Legislation Needed**

**Status:** We don't believe that this legislation will move forward this year. We believe that we have come to consensus on what this legislation should look like. Unfortunately, it is too late in the year.

## **Contracts for Teachers Holding an Interim Certification Under an Alternate Route (2018) – Legislation Needed, SB1293**

**Status:** Although it passed the Senate unanimously, this legislation failed to pass the House Education committee. We'll be working over the interim to see if we can come to another solution, otherwise we'll bring similar legislation next year.

## **Move School Board Trustee Elections to November of Odd Years (2018), SB1280**

**Status:** *This bill has passed both chambers and is awaiting the Governor's signature.*

## **Transportation Reimbursement (2018) – Legislation Needed, SB1304**

**Status:** This legislation was introduced in Senate Education and is now SB1304. We think the legislators that are working on moving this have lost some momentum. *We will work over the interim to address the larger funding issue related to transportation funding.*

## **K-12 Funding Principles (2018)**

**Status:** This resolution addresses the work of the Funding Formula Committee. We will work closely with that committee to address these issues.

## **Discussion of the Sale of Public Property in Executive Session (2018) – Legislation Needed**

**Status:** We were unable to come to terms with the Press Club on this language. This legislation will not move forward this year.

## **Permissible Education Activities in School Bond and Levy Elections (2018) – Legislation Needed – HB620**

**Status:** This legislation is awaiting the Governor's signature.

## **HOW TO CONTACT YOUR LEGISLATOR**

In case you don't know how to contact your legislators, here is a link to the Idaho State Legislature page. It can help you find out who your legislators are and how to contact them:

<https://legislature.idaho.gov/legislators/>

## **STAY TUNED**

You can view any bills that are moving through the Legislature at the following link:

<https://legislature.idaho.gov/sessioninfo/>

If you want to listen to committee meetings or watch debate in JFAC or on the floor of either chamber, the links to do so can be found at:

<http://idahoptv.org/insession/leg.cfm>

## **ISBA Bill Tracker 2018**

Bills highlighted in **purple** are based on ISBA Resolutions

Bills highlighted in **red** are dead

Bills highlighted in **green** have become law

| <b>Bill #</b> | <b>TITLE</b>   | <b>STATUS</b>              | <b>POSITION</b> |
|---------------|--|----------------------------|-----------------|
| HB366         | Workers' Compensation for work study students                | LAW                        | Neutral         |
| HB367         | Resident requirements for higher education                   | Held in Committee          | Neutral         |
| HB368         | Updates PERSI unfunded liability requirements                | Governor Signature         | Neutral         |
| HB412         | Common Core Standards  | Held in Committee          | Oppose          |
| HB413         | Federal funding phase out in Education                       | Held in Committee          | Oppose          |
| HB414         | Sex Education Standards                                      | Held in Committee          | Neutral         |
| HB415         | Excused Absence for a Military Funeral                       | Held in Committee          | Neutral         |
| HB418         | No lobbyists at school, school districts, or charter schools | Replaced by Another Bill   | Oppose          |
| HB420         | Legal publications online and not in the newspaper           | Died in Committee          | Support         |
| HB423         | Firearms on school campuses                                  | Held in Committee          | Neutral         |
| HB425         | Net Neutrality   | Held in Committee          | Neutral         |
| HB436         | Elected Officials must release tax returns                   | Held in Committee          | Neutral         |
| HB443         | Firearm education  | Governor Signature         | Neutral         |
| HB463         | Tax reduction – tax conforming                               | LAW                        | Neutral         |
| HB469         | School Safety Patrol   | LAW                        | Neutral         |
| HB487         | Bond and Levies only every 12 months                         | Returned to Committee      | Oppose          |
| HB501         | Remove IRI as an Assessment Tool                             | Governor Signature         | Neutral         |
| HB502         | More Participation in Mastery Based Education                | Held in Committee          | Neutral         |
| HB503         | OT and PTs on the Career Ladder                              | Governor Signature         | Neutral         |
| HB504         | Education Loan Assistance Program                            | Died in Committee          | Neutral         |
| HB556         | Business Personal Property Tax – County Option               | Held in Committee          | Oppose          |
| HB560         | Bond Elections – Ballot Language                             | Held In Committee          | Neutral         |
| HB561         | Income Tax, Revenue Growth Reduction                         | Held in Committee          | Neutral         |
| HB565         | Firearms on campus – retired law enforcement officers        | Governor Signature         | Neutral         |
| HB566a        | Charter School Administrators                                | Senate Floor               | Neutral         |
| HB573         | Campaign Finance Requirements                                | Held in Committee          | Neutral         |
| HB579         | Sex Education  | Returned to Committee      | Neutral         |
| HB580         | Repeal sunset on Hiring of Board Spouse (ISBA Legislation)   | Governor Signature         | Support         |
| HB588         | Violence on School Campuses                                  | Held in Committee          | Neutral         |
| HB589         | Mastery Based Education                                      | Killed in Senate Committee | Neutral         |
| HB590         | Guided Education Management (GEM) Act                        | Held in Senate Committee   | Oppose          |
| HB600         | Public Integrity in Elections Act                            | Replaced by Another Bill   | Support         |
| HB611         | Meeting Notices, Action Items, Posting Online                | Governor Signature         | Neutral         |
| HB620         | Public Integrity in Elections Act                            | Governor Signature         | Support         |
| HB626         | Bond Election – Ballot Language                              | Governor Signature         | Neutral         |
| HB630         | Rural School Networks  | Killed on House Floor      | Support         |
| HB629         | High School Apprenticeship – Home Building                   | Governor Signature         | Neutral         |

|         |  |                           |         |
|---------|--|---------------------------|---------|
| HB632   | Counseling Support Increase                              | Governor Signature        | Neutral |
| HB633   | Card Check   | Replaced by Another Bill  | Support |
| HB634   | Suicide Prevention                                       | Governor Signature        | Support |
| HB636   | Lobbyists, school districts                              | Killed in Committee       | Neutral |
| HB639   | Bond Elections Every 12 Months                           | Held in Committee         | Oppose  |
| HB647   | Card Check   | Governor Signature        | Support |
| HB648   | Computer Science Courses                                 | Governor Signature        | Neutral |
| HB665   | School Violence (formerly HB588)                         | Governor Signature        | Neutral |
| HB693   | Reading Intervention                                     | House Education           | Neutral |
| HCR049  | Public School Funding Formula Committee                  | Complete                  | Neutral |
|         |  |                           |         |
| SB1211  | Appointment to the Professional Standards Commission     | Held by the Sponsor       | Oppose  |
| SB1212  | CTE – Adding grades 7 and 8                              | LAW                       | Neutral |
| SB1219  | Waiver – Self-Funded Insurance                           | LAW                       | Neutral |
| SB1222  | CTE – Funding for five new programs                      | LAW                       | Neutral |
| SB1227  | Immunizations – no signature on a form would be required | Held in Committee         | Oppose  |
| SB1233  | STEM Action Board  | LAW                       | Neutral |
| SB1263  | PERSI – High 42 for retirement                           | LAW                       | Neutral |
| SB1266  | Removal of Senior Math Requirement                       | LAW                       | Neutral |
| SB1267a | Providing a STEM Diploma                                 | LAW                       | Neutral |
| SB1278  | Update Wireless Technology Standards                     | LAW                       | Neutral |
| SB1280  | Trustee Elections in November                            | Governor Signature        | Support |
| SB1291a | School Turnaround Act                                    | Sent Back to Committee    | Neutral |
| SB1292a | Advanced Opportunities Act – Update Criteria             | LAW                       | Neutral |
| SB1293  | Category 1 Contracts on an Alternate Route               | Killed in House Committee | Support |
| SB1294  | Tobacco Tax to benefit School for the Deaf & Blind       | LAW                       | Neutral |
| SB1295  | Career Technical School Funding                          | House Amending Order      | Neutral |
| SB1304  | Transportation Reimbursement                             | Held in Committee         | Support |
| SB1308  | Public Employees, civil actions                          | Held in Committee         | Neutral |
| SB1347  | Appropriations, Public Schools, administrators           | Governor Signature        | Support |
| SB1348  | Appropriations, Public Schools, teachers                 | Governor Signature        | Support |
| SB1349  | Appropriations, Public Schools, operations               | Governor Signature        | Support |
| SB1350  | Appropriations, Public Schools, children’s programs      | Governor Signature        | Support |
| SB1351  | Appropriations, Public Schools, facilities               | Governor Signature        | Support |
| SB1352  | Appropriations, Public Schools, central services         | Governor Signature        | Support |
| SB1353  | Appropriations, Public Schools, deaf and blind school    | Governor Signature        | Support |
| SB1254  | Appropriations, Superintendent of Public Instruction     | Killed on the House Floor | Neutral |