

CAPITOL



By Karen Echeverria, Executive Director

*“Don’t count the days, make the days count.”
-Muhammad Ali*

**March 18, 2019
Issue 10**

IS THERE AN END IN SIGHT?

The simple and quick answer to my rhetorical question is yes. Although there are days when it certainly doesn’t feel like it. It’s that time of year when bills are getting printed right and left, most of which will never see the light of day because it’s so late in the session. But, that doesn’t mean that we don’t need to keep a close eye on them to make sure that doesn’t happen.

The legislature still has several big ticket items they need to deal with before they go home – Medicaid, Public School Funding, and Citizens Initiatives. With that said, Speaker Bedke has told his committees to shut down work on Tuesday, March 19. Of course, there will be exceptions to that rule, but, for the most part, committees will stop meeting after that. In addition, both chambers are spending more and more time on the floor dealing with bills that have been passed by committees and the other chamber.

While not necessarily longer in days, we have worked considerably longer hours during this session. Most of that has been on the Public School Funding Formula bill but we are also tracking over 40 other pieces of legislation. Please take a look at the bottom of this document.

So while it may not feel like it, I do think we will see them close up work close to the end of the month.

TWO GOOD BILLS, TWO BAD, AND TWO QUESTIONABLE

There were six bills printed recently that are of interest to us.

Excision – A Good Bill

This bill relates to one of our resolutions brought by Post Falls School District and relates to what happens when a group of patrons/taxpayers petition to move their neighborhood to another district. There are tax

implications to both the losing and receiving district when this occurs. We believe that all affected taxpayers should have a say in whether or not that occurs, not just the taxpayers that are asking to move into another district. The legislation is brought by Representative Chaney because of an issue occurring just outside the Treasure Valley. We reached out to Representative Chaney, and he was eager to work with us. While we will attempt to get this bill moving, as I said above, it may be too late in the year.

Facilities Funding – A Good Concurrent Resolution

As promised, Senator Chuck Winder printed a Concurrent Resolution asking for an interim committee to be formed that will take an in depth look at facility funding. As you all know, this has been a long standing problem in Idaho, and we are hopeful that this will make it through so some real work can begin on this issue.

Vouchers X Two – Two Bad Bills

We saw two voucher bills get printed in the last few weeks. Both refer to education savings accounts in an effort to bypass Idaho's Constitution, which does not allow public funds to be used for private education. They can call it whatever they want, but we all know what they are – vouchers! We have been told that neither of these bills will be heard but we know they will be back next year, so keep preparing for those battles.

Superintendent Evaluations – One We Are Not Yet Sure About

This bill would set out specific criteria about how superintendent evaluations are done. In general, we don't support bills that would take away any local control. With that said, we know that many Boards out there are not currently following the law when it comes to superintendent evaluations. This bill would add specific measures that need to be included, but you could use whatever tool you want. Again, I don't think this bill will move this year and the sponsor has been receptive to working with us on language in the bill so we will likely see this resurface early next year.

Schools as Public Polling Places – One Where We Need to Tread Lightly

This bill would require LEAs to allow their schools to be used as public polling places. Again, in general, we are not supportive of any bill that takes away local control. However, this may be a tradeoff that we need to stomach. If we don't, an election consolidation bill will be printed, and it will likely pass both chambers. An election consolidation bill would remove our March and August dates. That would be devastating for school districts that are trying to run bonds and/or levies. While we were hopeful that this bill would not move forward this year, it was set for a hearing this morning and will likely pass out of committee. We hope that we will have time during the interim to work with County Clerks on a resolution to this issue.

PUBLIC SCHOOL FUNDING – WHAT NOW?

The elephant in the room is still the public school funding formula bill. As you all know, this will dramatically change how districts and charters have been funded for the last 25 years so it is imperative that we get this right.

After the bill that all the stakeholders negotiated was defeated in the House Education Committee, two bills were printed in the Senate this week. The sponsors of the Senate bills – Chairman Mortimer and Senator Lori Den Hartog – have worked with all the stakeholders to make edits to the bill. Except for one key piece and some wording changes, the bill is the same as the one that all stakeholders negotiated.

The missing piece of the bill would have allowed for additional funds to go to LEAs for more experienced teachers. As a compromise to not including that language in the bill, the sponsors have included language that will identify a percentage of the formula that relates to salaries and benefits. In addition to the missing piece, we still have concerns about the validity of the spreadsheet and the process that was used to create the bill.

With that said, we need to ensure that we stay at the table and continue to be willing to negotiate. Whether or not the bill will pass this year remains to be seen. I think it has uphill battles in both committees and in both chambers. Either way, we want the legislature to continue to turn to us for advice on how to make the bill even better and/or how to move forward, so it is imperative that they understand it.

The bill will be heard in Senate Education on Monday afternoon at 2 pm. The Lincoln Auditorium has been reserved. Testimony will likely be limited to three minutes but if you have time and would like to testify, we would welcome the assistance. It would be nice to have some Board members, superintendents, and business managers in the room to testify. In the meantime, I urge you to check your email frequently this week. Quinn and I will do our best to keep you updated.

UPDATE ON A FEW BILLS

Strategic Plans

This is the bill that would have removed the requirement for LEAs to include a long list of metrics in their Strategic Plans/Continuous Improvement Plans. All of that data is already reported in the Report Card that is posted online by the State Department of Education. This bill would have allowed LEAs to simply link to the report card.

Unfortunately, the House Education Committee began discussing accountability plans and the ESSA requirements – all things that are not relevant to the bill. In the end, they sent the bill to the amending order to remove all the struck out language (the metrics) which are the guts of the bill.

We urge you to contact your legislators and ask them to vote NO on any amendments and to keep the bill in its current form. This bill has already been passed by the Senate, and we believe it should be passed by the House as well.

Threats on School Grounds

This bill has passed the House and out of the Senate Judiciary and Rules Committee. It is now on the Senate Floor, and we are hopeful that it will pass and go to the Governor for his signature.

Executive Session

This bill has passed both chambers and is awaiting the Governor's signature. We have no reason to believe that he won't sign the bill, so this would should be law by the end of the week.

FACEBOOK LIVE

This is a quick shout out to everyone who has been watching Quinn and I live on Facebook every Friday at 2:15 p.m. MT. Again, these videos provide a brief summary of the week where you can join the video and ask us questions on the spot. You can watch us live on Fridays or watch previous videos here:

ISBA LEGISLATION BASED ON RESOLUTIONS

Below is our progress on each of the ISBA Resolutions.

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: This language will not be included in the Public School Funding Formula bill, so we will need to discuss it next year.

Card Check for Negotiations (2018) – HB647

Status: This legislation passed last year and is now law.

CTE Teachers Experience Factor (2018) – Legislation Needed

Status: This language will not be included in the Public School Funding Formula bill so we will need to discuss next year.

Contracts for Teachers Holding an Interim Certification under an Alternate Route (2018) – Legislation Needed

Status: Although it passed the Senate unanimously, this legislation failed to pass the House Education committee last year. After speaking with the school district that brought this legislation, we don't think we are going to be able to come to consensus on this bill.

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

Status: This legislation passed and is now law.

Transportation Reimbursement (2018) – Legislation Needed

Status: This legislation needs a sponsor. However, there would be winners and losers under this legislation. We are asking to see if there would be any chance to refund the \$7.5 million that was removed during the recession. This is the only recession era cut that has not been restored. We are not hopeful that the funding will be available.

K-12 Funding Principles (2018)

Status: See my notes above on the Public School Funding Formula bill.

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.

Permissible Education Activities in School Bond and Levy Elections (2018), HB620

Status: This legislation passed and is now law.

Salary Based Apportionment for Classified Salaries (2019) – Legislation Needed

Status: We have drafted legislation. The sponsoring districts are working to find a legislative sponsor. Because this legislation carries a very large fiscal note and because some legislators are working on the funding formula legislation, we are not sure if the Legislature will be willing to address this issue this year.

Reduce Super Majority on Facility Bonds (2019) – Legislation Needed

Status: We have drafted legislation. As usual, we don't expect to see any movement on this legislation this year. We are hoping to convince some legislators to put a group of people together to discuss this issue. We are hopeful that we make some headway with a task force discussion.

Executive Session on Simple Majority (2019), HB150

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

Funding for Full Day Kindergarten (2019) – Legislation Needed

Status: This bill will not move forward this year.

Opposition to Public Funds Diverted to Private Schools (2019)

Status: *Rep. Ron Mendive introduced an Education Savings Account bill. It's late in the year, but ISBA will adamantly oppose this. In addition, Rep. Vanderwoude introduced the same "GEM" act bill that we fought last year. We are hearing that Chairman Clow does not plan to hear either one of these bills this year, but they will definitely keep coming back.*

Amending School Age Statute for Flexibility (2019) – Legislation Needed

Status: This will not move forward this year.

Recourse for Charter School Renewals (2019)

Status: After speaking with a representative from the State Board of Education, we believe that we can accomplish the tenets of this resolution through Administrative Rule. The SBOE will work on a rule after the legislation session and, if passed, it will go into effect in 2020.

Strategic Plans and Reporting Requirements (2019), SB1057

Status: *See my notes above on this bill.*

Threats on School Grounds (2019), HB115

Status: *See my discussion above on this bill.*

HOW TO CONTACT YOUR LEGISLATOR

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 2019

Bills highlighted in purple are based on ISBA Resolutions

Bills highlighted in red are dead

Bills highlighted in green have become law

| Bill # | TITLE | STATUS | POSITION |
|--------|--|--|----------|
| HB41 | Public Employees, Severance Pay | Awaiting hearing | Oppose |
| HB65 | Administrative Rulemaking Overhaul | Awaiting hearing | Neutral |
| HB69 | PERSI Employee Definition | Awaiting hearing | Oppose |
| HB91 | Impact Fees for Charter Schools | Senate floor | Support |
| HB93 | Nontraditional Educator Preparation Program | Passed House Awaiting Hearing, Senate | Neutral |
| HB103 | Levy Elections Disclosure | LAW | Neutral |
| HB115 | Threats on School Grounds | Replaced by HB209 | Support |
| HB120 | Sex Education | Passed House Awaiting Hearing, Senate | Oppose |
| HB133 | Immunization Exemptions | DEAD | Oppose |
| HB150 | Executive Session, Simple Majority | Awaiting the Governor's Signature | Support |
| HB153 | Career Ladder, Teacher Pay | Awaiting the Governor's Signature | Support |
| HB161 | Purchasing – Publishing Online Rather Than Newspaper | Died in Senate Committee | DEAD |
| HB177 | Hiring Retired Law Enforcement to Work in Schools | Passed House, Senate Floor | Neutral |
| HB185 | Educator Loan Assistance | Awaiting hearing | Neutral |
| HB203 | Firearms | DEAD | Oppose |
| HB209 | Threats on School Grounds | Passed House, Senate Floor | Support |

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| HB218 | Rural Teacher Incentive Program | Died in House Ed | Neutral |
| HB253 | Education Savings Account | Awaiting Hearing | Oppose |
| HB270 | Public Schools Polling Places | Awaiting Hearing | Neutral |
| HB272 | School Bonds – Excision | Awaiting Hearing | Support |
| HB273 | GEM Act – Voucher Bill | Awaiting Hearing | Oppose |
| HCR006 | Music in Schools Month | Passed both chambers | Neutral |
| HJR2 | Redistricting Commission | Pulled back to committee | Neutral |
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| SB1029 | School Turnaround Act | Passed Senate House Floor | Neutral |
| SB1030 | School Boards, Organizational Meeting | LAW | Support |
| SB1057 | School Improvement Plans | Passed Senate House Amending Order | Support |
| SB1058 | Charter School Administrators | Awaiting Governor’s Signature | Neutral |
| SB1059 | Mastery Based Education | Passed Senate, House Floor | Neutral |
| SB1060a | Flexible Schedule and Early Graduation | Passed Senate, House Floor | Neutral |
| SB1061 | School Levies | Passed Senate, Awaiting Hearing House | Support |
| SB1101 | Literacy Intervention | Awaiting Hearing Senate | Neutral |
| SB1102 | Charter School Financial Support | Dead | Neutral |
| SB1103 | Charter School Facility Fund | Reprinted | Neutral |
| SB1104a | Certificate Renewal/Professional Development | Passed Senate, Awaiting Hearing House | Neutral |
| SB1105 | Advanced Opportunities for CTE | Passed Senate, House Floor | Neutral |
| SB1106 | Career Technical Opportunities for Virtual Charters | Amending Order Senate | Neutral |
| SB1107 | Sunset Provision for 33-1004 | Awaiting Governor’s Signature | Neutral |
| SB1108 | Drivers Ed Training, Needs Based Scholarships | Passed Senate, House Floor | Neutral |
| SB1113 | Campaign Finance | Passed Senate, Amending Order House | Neutral |
| SB1131a | Increased Fines for School Bus Passing | Passed Senate, Awaiting Hearing House | Neutral |
| SB1180 | Charter School Facility Fund | Passed Senate, Awaiting Hearing House | Neutral |
| SB1181 | Superintendent Evaluations | Awaiting Hearing Senate | Neutral |
| SB1196 | Public School Funding Formula | Awaiting Hearing Senate | Neutral |
| SCR111 | School Construction | Awaiting Hearing Senate | Support |