

CAPITOL

NOTES

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ISBA's 2021 Legislative Staff

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“Life has two rules: Number 1, never quit! Number 2, always remember rule number 1.”

-Duke Ellington

Welcome to (Virtual) Day on the Hill

I am truly sad not to have all of our members here with us at Day on the Hill. This event is always a breath of fresh air for us who are working on your behalf in the state house, as you all bring such good energy and remind us the why we do this (occasionally) exhausting and taxing work. We hope you enjoy the workshops that we have prepared for you. We are hopeful that by next year we can have you with us in the halls of the Statehouse advocating on behalf of your schools and your students.

We're six weeks in, and I can say it has been an interesting session so far. I have heard from a lot of you expressing regret that you have not found a moment to engage with the policy arena – and, for what it's worth, we completely understand. I hope that Day on the Hill can act as a day where you can immerse yourself in what is happening at the Statehouse, and we can work together to make sure Idaho is enacting good policy for our public schools and the students that we serve. **On that note, we have a few urgent updates and calls to action:**

HB106 – Remove the August Election Date – Oppose: Despite excellent testimony from school leaders making their case to why this date is so critical, HB106 passed out of State Affairs and will be voted on by the full House on Monday, February 15th. It is being run by the Secretary of State. The stated reason is that county clerks have no time between the end of one election and the beginning of another, as they need time to purge the vote polls etc. As a reminder, when elections consolidation happened, county clerks received a significant sum of money to execute elections. **Call to Action – this will be voted on by the House on Monday, February 15! Contact your House member right now.**

HB122 (formerly HB89) – Guns on School Campuses – Oppose – This was re-printed on Tuesday of last week. Again, while it is slightly better than previous versions, it still removes the ability for the local school Board to make the decision as to whether or not guns should be allowed on school campuses. The bill does require that those carrying be identified to the principal and the superintendent but not the school Board. If it is an employee that is carrying, a photo of that employee must be shared with local law enforcement. They amended the bill in committee to allow that the employee would be free from liability unless there was willful, reckless, or wanton misconduct. However, the district would still need to defend that case. Finally, all “gun-free school” signs would need to be removed from campuses. **Call to Action – Please contact your House members, especially those on the House State Affairs Committee, and ask them to vote NO on HB122.**

HB 66- Bond/Levy Disclosure – Possible Solution to Our Concern – We met with Sen. Ricks – the Senate sponsor of this legislation and provided a possible solution to our concerns. It would be very similar to the current requirement which states that you must include the costs per \$100,000 for the current levy before them on the ballot, and you may also include the *current* costs per \$100,000 on the levy you *currently* collect. We see this as a reasonable compromise, and will work with the bill sponsors to move toward a solution.

HB90 Monuments –Oppose – As a reminder, this bill would remove your ability to change the name of a school or even a mascot that has a historical context. One major issue in this legislation is the ambiguity in the terms “historical,” “historical figure” and “historical event.” Karen reported on the constitutional concerns last week, and the [Idaho Attorney General released an opinion that HB90 is likely unconstitutional and unenforceable.](#) **Contact Senate State Affairs and ask them to keep these decisions in the hands of the local communities who elect you to represent them and vote “NO” on HB90.**

SB1046 – Innovative Classroom Curriculum – Oppose – After a long hearing where ISBA outlined our many concerns with the Innovative Classroom bill, this legislation was sent to the “14th Order” – which is the Senate’s Amending order. We will work with the bill sponsors to see if we can come to an agreement on this legislation. Some critical pieces of that will include – but not be limited to – ensuring that the local school board can approve the curriculum and that a fiscal note is accurately portrayed.

Education Bills Recently Introduced

SB1075 – Kindergarten Jump Start - Support – This bill would allow school districts and charter schools that offer a kindergarten readiness screener in the spring to be able to offer a 4-week “jump start” program for those students so long as the program includes parents and guardians. ISBA has been working on legislation that would allow a program like this at the discretion of the school board under Idaho’s school age statute. While it is our belief that the Legislature would *need* to amend that section of code for SB1075 to work, ISBA is in support of the concept.

HB111 – Category Contracts, Teacher Certification – Support – This legislation is based on an ISBA Resolution and clarifies some confusing language in the standard contract sections of code to state that that a person who has been utilizing a non-traditional route to their initial certification may not *exceed* a category 3 contract until they have completed the program, been issued their 5-year renewable certificate, and been issued a professional endorsement.

Other Bills

HB149– Coronavirus Liability Immunity – Support – This legislation extends the ‘sunset’ date on HB6, which provided liability immunity with the exception of ‘willful or reckless’ behavior as it relates to coronavirus transmission. It originally was set to expire in July 1, 2021. The new legislation extends it to July 1, 2022.

Update on Important Issues from Last Week

S1043 – Student Discipline in Executive Session (Support) – Possible Amendment: Based on an ISBA Resolution, this legislation would grant authority to local school boards to take action on student disciplinary hearings in executive session, granting privacy to the student and their family. **While legislation was passed from the Senate Floor with minimal objection on Thursday, I was immediately contacted by a few Senate Members who asked if we could bring language that clarifies that the record of the hearing will be kept in the students file. Friday morning, they moved SB1043 to the 14th order (the amending order in the Senate), where we’ll work with the sponsor to add amendments.**

HB 73 – Uniform Reporting – Neutral: Last week, we reported that we were in support of HB 73, which will require a uniform reporting system for all taxing districts (and charter schools) which will go on the Transparent Idaho website. After I sent Capitol Notes on Monday, I heard from numerous business managers who expressed their concern that this would place a huge burden on them. ISBA’s Government Affairs Committee moved their position to neutral so that we could work towards finding a solution that will work.

A Few Other Things

Activities Plan Amended (Again!): – On Monday, State Board of Education revised its “Athletics Plan,” which is now named “Activities Plan” as it now also contains guidelines for other extracurricular activities. If you haven’t received a copy, let us know and we’d be happy to send it to you.

Keep it Local Idaho - We have partnered with Association of Idaho Cities, Idaho Association of Counties, and Highway Districts to launch a campaign related to taxes and allowing local governing bodies to make those decisions on a local level. We have created some short videos that we began launching last week. We encourage you to go take a look at those on our Facebook page and to share them on your district or charter Facebook page as well as your personal pages if you’re so inclined. <https://www.facebook.com/KeepItLocalIdaho>

Policy Briefs on Funding and Vouchers

In anticipation of having a voucher bill land on our lap any day, I’ll keep re-sharing these briefs. Below is a link to two policy briefs that were prepared by RISE, Treasure Valley Education Partnership, and Southern Idaho Conference (SIC) Superintendents. The briefs are related to school vouchers and funding. These briefs contain some great talking points that you can use when discussing these issues with your legislators. Below is a link to the briefs:

<https://risetvep.org/policy-forum>

ISBA LEGISLATION BASED ON RESOLUTIONS

Below is our progress on each of the ISBA Resolutions. If it's **bolded**, it means it has an update.

Local Control of Decision Making Regarding School Security (2020)

Status: This resolution does not require legislation. We are using this legislation as our direction to oppose HB89 and HB

Updating § 33-802(5), Idaho Code to Extend School Levies (2020) - Legislation Needed

Status: We have drafted legislation but have been unable to secure a legislative sponsor at this point in time.

40-50-60 Salary Allocation for Instructional & Pupil Service Staff (2020)

Status: Complete.

Task Force on Property Tax Reform (2020)

Status: This resolution does not require legislation. ISBA will monitor all changes regarding property tax reform.

Revision of Idaho Code on Excision (2020)

Status: Complete.

Discussion of Sale of Public Property within Executive Session (2020) – Legislation Needed

Status: We have drafted this legislation but have been unable to secure a legislative sponsor at this point in time.

Flexibility of Misassignment in Teaching Assignments (2020) – Legislation Needed

Status: We have drafted this legislation but have been unable to secure a legislative sponsor at this point in time.

Aligning Idaho's School Age & Accountability Requirements (2020) – Legislation Needed

Status: We have drafted this legislation but have been unable to secure a legislative sponsor at this point in time.

Support for Idaho Science Content Standards (2020)

Status: There is no legislation needed for this resolution.

K-12 Funding Formula Principles (2020)

Status: There is no legislation needed for this resolution. ISBA will use these principals if the

legislature continues to rewrite the school funding formula.

Increased Reimbursements for Driver Training Programs (2020)

Status: Complete.

Allowing for Decisions Regarding Student Hearings in Executive Session (2021)

Status: We have drafted legislation and secured a legislative sponsor. It is Senate Bill 1043. This bill passed off the Senate floor, but is now being considered for possible amendment.

Category Contracts on Non-Traditional Routes to Certification (2021)

Status: We have drafted legislation and secured a legislative sponsor. It is House Bill 111. It will be heard in House Education on February 22, 2021.

Amending Idaho Code 33-205: Denial of School Attendance (2021)

Status: We have drafted legislation and secured a legislative sponsor. There may be efforts to get this printed prior to the transmittal deadline, which is today.

Amending School Age Statute to Provide Flexibility for School Preparedness Programs (2021)

Status: We have drafted legislation and secured a legislative sponsor. We may try to include language in SB1075.

Opposition to Diverting Public Dollars to Private or Parochial Schools, including School Vouchers, Tax Credits for Scholarship Donors, or Amending Article IX of Idaho Constitution (2021)

Status: This resolution does not require legislation. We do anticipate many pieces of legislation that are related to this issue this session.

Reduce Super Majority on Facility Bonds (2021) – 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 can make some headway by forming a task force to study this issue.

Administrative Leave with Pay (2021) – Legislation Needed

Status: We have drafted legislation but have been unable to secure a legislative sponsor at this point in time.

Personnel Funding – Use it or Lose It (2021)

Status: We have drafted legislation and secured a legislative sponsor. However, given the nature of this legislative session, the resolution sponsor has agreed to wait until the 2022 legislative session. We will continue to have discussions with lawmakers.

Funding for All Day Kindergarten (2021) – Legislation Needed

Status: We have drafted legislation but have been unable to secure a legislative sponsor at this point in time.

Reclamation of Career Ladder Placement for Instructional and Pupil Service Staff (2021)

Status: This resolution does not require legislation. It does appear that the career ladder will be implemented in both FY21 and continued for FY22.

Salary-Based Apportionment for Classified Employees (2021) – Legislation Needed

Status: We have drafted legislation but have been unable to secure a legislative sponsor at this point in time.

Restoration of FY21 Funding Holdbacks (2021)

Status: This resolution does not require legislation. Given the amount of federal funds flowing to Idaho Schools, we will have a difficult time convincing the legislature to backfill any holdbacks or reduction in FY21 spending.

Development Impact Fees for School Districts

Status: We have drafted legislation and have secured at least one legislative sponsor. We are working to secure a legislative sponsor from the majority party, work on fiscal impacts, and gather more information from stakeholders.

How to Contact Your Legislator

Here is a link to the Idaho State Legislature's 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 2021

Bills highlighted in **purple** are related to ISBA Resolutions

Bills highlighted in **red** are dead

Bills highlighted in **green** have become law

Bill #	TITLE	STATUS	POSITION
HB2	Bond/Levy Disclosure	Pulled and replaced by HB8	OPPOSE
HB4	Disasters/ Parental Rights	House Judiciary & Rules	Neutral
HB8	Bond/Levy Disclosure	Pulled and replaced by HB66	OPPOSE
HB16	Emergency/Balance of Powers	House Floor	Neutral
HB17	Abortions/No Public Dollars Used	House State Affairs	Neutral
HB20	Property Tax/Medical Deduction	House Rev & Tax	Neutral
HB22	Public Charter School Funding	Died in committee	Neutral
HB53	Electronic Notices, Public Agencies	Died on House Floor	Support
HB62	Empower Parents –Education Savings Accts	Personal bill	OPPOSE
HB65	Monument & Memorials Protection	Replaced by HB90	OPPOSE
HB66	Bond/Levy Disclosure	Senate State Affairs (working on amendments)	OPPOSE
HB67	School Closures, Infectious Diseases	Passed the House, on to Senate Education	Support
HB69	Continuous Improvement Council	Replaced by new bill soon.	Support
HB72	Joint Lotteries	House State Affairs	Support
HB73	Local Government Uniform Reporting	House Floor	<i>Reviewing</i>
HB89	Guns on School Campus	Replaced by HB 122	OPPOSE
HB90	Monument & Memorials Protection	Senate State Affairs	OPPOSE
HB106	August Election Date Removal	House Floor	OPPOSE
HB111	School Employees, Category 3	House Education	Support
HB122	Guns on School Campus	House State Affairs	OPPOSE
HB149	Coronavirus Immunity, Sunset Extension	House Judiciary	Support
HB1108	Cap on Taxing District Budgets	Senate Local Government and Taxation	<i>Reviewing</i>
HCR1	Disaster Declaration Ended	House State Affairs	Neutral
HCR2	Gatherings, Group Size	Senate State Affairs	Neutral
HCR4	Open Disaster Emergencies	House State Affairs	Neutral
HCR5	Gathering Prohibition, Null	Adopted by the House	Neutral
SB1002	Emergency Disaster, Funding Retention	Senate State Affairs	Neutral
SB1006	Literacy Achievement Act	House Education	Neutral
SB1007	Salary Schedule, Definition	House Education	Neutral
SB1029	Internet Sales Tax, General Fund	Personal bill	Support
SB1039	Workforce Readiness Diploma	House Education	Neutral
SB1042	Qualifications Based Services – Procurement	14 th Order	Support
SB1043	Student Discipline Decisions in Exec Session	14th Order	Support

SB1045	Advanced Opportunities for Private School Students	Senate Floor	OPPOSE
SB1046	Innovative Classrooms	14 th Order	OPPOSE
SB1048	Cap on Taxing District Budgets	Replaced by SB1109	Neutral
SB1052	Flex Schedules, Elementary Schools	Held in Committee	Neutral
SB1054	Extreme Perils, Governor's Orders	Senate State Affairs	Neutral
SB1069	Absentee Ballot Clarification	Senate State Affairs	Neutral
SB1075	Kindergarten Jumpstart Program	Senate Education	Support
SB1109	Workforce Development, Promise Mentor Program	Senate Education	Neutral
SCR101	Disaster Emergency Terminated	Senate State Affairs	Neutral
SCR103	Isolation Order, Terminated	Senate State Affairs	Neutral