

# CAPITOL



By Quinn Perry, Policy & Government Affairs Director

**“Democracy is the art and science of running the circus from the monkey cage”**

**-H.L. Mencken**

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Issue 3**

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Greetings! Last week was Education Week, where we heard from all Community College & University Presidents, as well as both the State Board of Education & Superintendent of Public Instruction’s budget presentations in JFAC. Friday was also the deadline for the introduction of personal bills. With that said, it’s a little bit like we’re rodeo clowns in the circus.

## **ARE WE AT THE CIRCUS...OR THE LEGISLATURE?**

A handful of interesting pieces of legislation were introduced in time for Friday’s deadline of personal bills. Personal bills are measures that don’t first go through a committee. Occasionally they get hearings, but more often they go into a proverbial drawer to die. I won’t go into much detail here, but wanted you to be aware of them.

Representative Ron Nate (Idaho Falls) printed three bills. The first is HB 412, related to Common Core. It would allow school districts to adopt alternative content standards and curricular materials that are consistent with the alternative standards. We are unclear how those students would be tested or on what standards they would be tested.

The second bill, HB 413, would limit federal education funding to no more than \$300 million in the next fiscal year. The current estimates for federal funding next year are slightly over \$264 million. The \$300 million would be reduced by \$40 million every year until fiscal year 2027 when we would no longer receive any federal education dollars. The reason for not accepting the federal dollars is so Idaho can be free of any of the regulations associated with those federal dollars.

The last bill, HB 423 would allow qualified retired police officers to carry guns on school campuses.

Representative Paulette Jordan introduced a bill, HB 425 that would require Idaho to adopt net neutrality laws because the federal government no longer requires it.

Finally, Representative Heather Scott brought a bill, HB 436, which would require all elected officials to release a copy of their tax returns. That would include trustees. This is interesting because, earlier this session, the House State Affairs opposed legislation that would have required them to release financial information about themselves and their spouses.

Again, we'll be watching these closely and will let you know if they get moved to a hearing.

The House State Affairs Committee *did* introduce HB 418 sponsored by Representative Priscilla Giddings (White Bird) that would ban state agencies, universities, school districts, and charter schools from hiring lobbyists to influence state lawmakers. We know that some charters and at least one school district hire lobbyists to do work for them. If you are one of those schools, this bill would prevent that from occurring. We will be keeping a close eye on this to ensure that ISBA will still be able to be your voice as you confront the daily challenges in and around the education of Idaho's children.

That same committee also introduced HB 420, another of Representative Nate's bills, to allow government entities to publish their websites rather than in the newspaper. ISBA had a resolution on this issue a couple of years ago and we would support this if it moves forward.

### **PSC SEAT NOMINATION**

If you recall, ISBA's Government Affairs Committee (GAC) voted to oppose this legislation due to its extremely broad language that would have allowed for "other education stakeholder groups" to nominate seats on the PSC. ISBA, along with other non-agency stakeholder groups, voiced our concerns and opposition to this bill to the State Board of Education, and the State Board of Education agreed to pull that language out of this bill. They will re-introduce a similar bill that makes needed technical corrections to the PSC, and we will continue to watch it closely.

### **EXECUTIVE SESSION – SALE OF PUBLIC PROPERTY**

Last week we told you that we have been negotiating with media groups on this legislation. The Newspaper Association gave us suggested language and we plan to meet with Betsy Russell, President of the Idaho Press Club, early this week to see if we can ease their concerns regarding this legislation.

We are hopeful we can come to an agreement and move forward with this legislation before the transmittal deadline on February 5<sup>th</sup>!

## **BONDS AND LEVIES** **EDUCATE VS. ADVOCATE**

We are excited to report to you that this legislation should be on its way to Legislative Services by the time you are reading Capitol Notes! We worked with Representative Jason Monks (Nampa) and the Office of Drug Policy on their concerns and got the green light on Friday afternoon.

Like Karen said last week – this is a good example of how we can play offense on a legislative issue and all come out as winners. I do want to note that we came to an agreement on a new ‘title’ for this act – which will be dubbed as the Public Integrity in Elections Act. We’ll keep you posted on its introduction!

## **CARD COUNT FOR NEGOTIATIONS**

Representative Paul Amador (Coeur d’Alene) has agreed to be the sponsor of this legislation. We worked together to clarify the language, along with the Idaho Education Association (IEA), and we should get a print hearing sometime within the next week.

Karen mentioned last week that we know another bill had been drafted that would require all voting to be done by a secret ballot. IEA would heavily oppose this legislation. While we would likely take a neutral position to this ‘secret ballot’ bill, there is something to be said about legislation that is crafted together in collaboration with other education stakeholders. We included the IEA in our discussions and in drafting of our legislation. We are hopeful that our legislation can be run out ahead of the ‘secret ballot.’

## **ISBA RESOLUTIONS ON HOLD**

Because we continued to have confusion between the State Department of Education (SDE) and the sponsoring district on the application of the CTE Experience factor, we have scheduled a phone conference to get everyone in the same room and on the same page.

Similarly, after we heard from one of our school districts that the education allocation for out-of-state teacher legislation was not needed because SDE was now interpreting the statute correctly, Karen reached out to SDE to confirm. They confirmed that this legislation was likely unnecessary and we are working on getting a telephone conference scheduled with the sponsoring district to make sure that this is being communicated to school districts.

Until then, both of these pieces of legislation are on hold.

## **TRANSPORTATION REIMBURSEMENT**

A couple of weeks ago, we reported that we put a 'hold' on this resolution after we received information from SDE that it would actually have a negative impact on over 80 school districts across the state. However, a few Senators have taken a serious interest in putting the transportation reimbursement back at pre-recession rates and have asked the SDE to fix it.

This puts us in a tricky position. We do not like to support legislation that creates 'winners' and 'losers' when it comes to funding – but we also recognize the huge administrative burden that the current reimbursement model is putting on school districts. **Please take a look at the spreadsheet from SDE, which is on our website. (Link)** We want to hear as much guidance and feedback from all of you as possible!

Karen and I have a meeting with SDE to go over how we can work this out in the best possible way for school districts. At this point, we will push for this legislation to be revenue neutral in hopes that we can keep everyone whole.

## **REPRESENTATION ON ASSESSMENT COMMITTEE**

In addition to our work on legislation this week, several school Board members participated in a meeting with the State Department of Education related to assessments.

Vice President Wally Hedrick, Immediate Past President Marg Chipman, President Elect Jennifer Parkins, Region 9 Chair Louis Pipher, and Region 7 Vice Chair Karen Pyron all participated in the meeting. The main focus of the meeting was how to work with the public and patrons to help explain the need for assessments. The SDE also asked for input on the assessments. Our participants indicated that we needed to focus on growth and not comparisons against other students.

## **ISBA LEGISLATION BASED ON RESOLUTIONS**

Below is our progress on each of the ISBA Resolutions.

*Anything found 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:** The sponsoring district is working with their local legislators in hopes of drafting some legislation to address this issue.

## **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)**

**Status:** This resolution requires ISBA to oppose any legislation that would ask for an amendment to the constitution. This amendment would allow public funds to flow to private and parochial schools. We know of one piece of legislation that is similar to what we have seen in the past that would allow for tax credits. We are also hearing that there will be a piece of legislation that will allow for general fund dollars to flow directly to private and parochial schools.

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

**Status:** We have seen a draft copy of this legislation that the State Department of Education intends to move forward. Currently, there is money in the Superintendent of Public Education's budget to fund this work. This will be legislation that we will support should it move forward.

## **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 teacher's 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 have scheduled a teleconference call with the State Department of Education, the sponsoring school districts, and ISBA staff to discuss this legislation. We hope to have all the answers at the end of that discussion.

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

**Status:** See explanation above.

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

**Status:** We have scheduled a teleconference call with the State Department of Education, the sponsoring school districts, and ISBA staff to discuss this legislation. We hope to have all the answers at the end of that discussion.

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

**Status:** This legislation should have a print hearing next week.

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

**Status:** This legislation has been drafted and sent to Legislative Services. It does move all dates to November of odd years. All trustees would take office in January so all of your terms will be extended by six months. Your annual meeting where you elect your officers for the year would take place in January. You would still hold your annual budget meeting in July. The section that would allow school districts to vote by district rather than zone has been removed. Finally, there is language that would require school districts to align their zones with voting precincts as closely as possible. That would not occur until after the next census.

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

**Status:** Please see explanation above

### **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:** See explanation above.

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

**Status:** See explanation above.

## **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/>

## **REMOTE TESTIMONY**

This year, the House Education Committee is conducting a Remote Legislative Testimony Pilot Project. This project allows Idaho citizens to participate in the legislative process from locations a minimum of 100 miles outside of Boise.

Under the pilot project, utilizing video teleconferencing technology, registrants will be able to testify remotely on proposed legislation scheduled for a remote testimony meeting by the House Education chair.

For more information and a list of locations that you can use this service, visit this link:

<https://legislature.idaho.gov/remote-testimony/>

## **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 in to committee meetings or watch debate in JFAC or on the floor of either chamber, that link 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>
<b>HB366</b>	Workers' Compensation for work study students	Awaiting a hearing in House Ed	Neutral
<b>HB367</b>	Resident requirements for higher education	Awaiting hearing in House Ed	Neutral
<b>HB368</b>	Updates outdated language regarding PERSI unfunded liability requirements	Awaiting hearing in House Ed	Neutral
<b>HB412</b>	Common Core Standards	Likely dead	
<b>HB413</b>	Federal funding phase out in Education	Likely dead	
<b>HB414</b>	Sex Education Standards	Awaiting a hearing in House Ed	Neutral
<b>HB415</b>	Excused Absence for a Military Funeral	Awaiting a hearing in House Ed	Neutral
<b>HB418</b>	No lobbyists at school, school districts, or charter schools	Awaiting a hearing in House State Affairs	Oppose
<b>HB420</b>	Legal publications online and not in the newspaper	Awaiting a hearing in House State Affairs	Support
<b>HB423</b>	Firearms on school campuses	Likely dead	
<b>HB423</b>	Net Neutrality	Likely dead	
<b>HB436</b>	Elected Officials must release tax returns	Likely dead	
<b>SB1211</b>	Appointment to the Professional Standards Commission	SBOE has agreed to pull this legislation	Oppose
<b>SB1212</b>	CTE – Adding grades 7 and 8	Awaiting a hearing in Senate Ed	Neutral
<b>SB1219</b>	Waiver – Self-Funded Insurance	Awaiting a hearing	Neutral
<b>SB1222</b>	CTE – Funding for five new programs	Awaiting a hearing in Senate Ed	Neutral
<b>SB1227</b>	Immunizations – no signature on a form would be required	Awaiting a hearing in Senate Health and Welfare	Oppose
<b>SB1233</b>	STEM Action Board	Awaiting a hearing in Senate Ed	Neutral