

# CAPITOL



By Quinn Perry, Policy & Government Affairs Director

"Great leaders harness personal courage, capture the hearts and minds of others and empower new leaders to make the world a better place"

– Maxine Driscoll

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Issue 6

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## **WELCOME TO DAY ON THE HILL!**

By the time you read this, it will be ISBA's Annual Day on the Hill! We're so excited to have you in town and at the State House advocating for school districts and charters. It's hard to believe we're already six weeks into the session. The Joint Finance & Appropriations Committee will begin setting the public school budget on Monday. We can finally see the light at the end of the tunnel!

## **TAX CUTS, BONDS & LEVIES...OH MY!**

Like Karen said last week, if one theme is resounding this year, it's the legislature's prerogative to slash funding and put a limit on bonds and levies. We did play offense on one piece of legislation that relates to Permissible Activities in Bonds and Levies, and I'll give an update on that in our resolution update below.

**HB478**, sponsored by Representative Heather Scott, which would limit a school district's ability to run a bond or levy election to once every 12 months, had a hearing on Friday, February 16. ISBA and IASA, along with the Association of Idaho Cities and the Idaho Library Association, testified in opposition to the bill. Ultimately, the House State Affairs Committee voted to send it to "General Orders", more commonly known as the Amending Order, to amend language to say 11 months and to address other technical corrections. We are hopeful it will go to the Amending Order to die, but we need our members to tell legislators how and why this limitation would be detrimental to school districts. Educating legislators on this issue is key!

**HB556**, sponsored by the Idaho Association of Commerce and Industry (IACI), would give

unilateral authority to county commissioners to exempt all or part of business owned personal property from property taxation within the county. If County Commissioners chose *not* to collect on this tax, it would be devastating for school districts because the tax burden would shift from big business to homeowners, farmers, and small businesses. Voters would be heavily discouraged to ever pass another bond or levy again. As a reminder, ISBA supported the personal property tax relief legislation that passed in 2008 that protected local government budgets by providing replacement revenue to offset the loss in personal property tax revenue. This legislation does not provide that. HB556 was introduced on Monday and is slated for a hearing on Wednesday. Ultimately, it was pulled from the agenda. We expect to see it appear early this coming week, so **please remember to use this as a talking point when meeting with legislators.**

**HB560**, sponsored by Representative Ron Nate, would add new requirements for bond election ballot questions. It would include a disclosure statement indicating the term of the bond and the anticipated average annual tax increase per \$100,000 of property value based on the amount of the bond, net interest costs, term of the bond, and the most recent valuation of taxable property in the taxing district. We didn't weigh in on the issue because we believe this is already something that school districts accomplish when working with bond counsel and preparing to run a bond issue. However, we want to bring it to your attention because the rhetoric used in testimony painted school districts in a poor light. Some stated districts use deceitful or bullying practices when the reality is that you are all trying to fulfill your oath as a school board trustee. We'll be following this closely. Also of note, both the Secretary of State and County Clerks opposed the bill citing that it was unnecessary and would likely cause confusion among voters.

Other tax bills were introduced – such as **HB557** – which would repeal the tax on groceries. We know this is heavily supported but likely faces a veto stamp if it is passed. We don't believe this will get a hearing, but we'll continue to track it as well.

## **GUIDED EDUCATION MANAGEMENT SCHOLARSHIPS**

This legislation, **HB590**, creates a policy surrounding a scholarship granting organization to pay for qualified education expenses for certain types of students to attend private or parochial schools, known as the GEM Scholarship Act. The types of students who can qualify for this would be students from low-income families, students with special needs, students who are at-risk, and children of active duty military.

While a bill to ostensibly benefit military families and students with special needs sounds positive and unobjectionable, this makes all of the education stakeholders very apprehensive. Our organization is heavily opposed to any taxpayer money being appropriated to private or parochial schools in any way. As a reminder, Idaho is 49<sup>th</sup> in the nation when it comes to per-pupil spending. 93 of our 115 school districts have to run a 'supplemental' levy just to meet the needs of day-to-day operations. We believe this legislation is the "camel's nose under the tent" – meaning the first step in what we call a full-blown 'voucher' system. We'll be tracking this closely, especially as we hear there will be a separate appropriation piece.

We hope that while you are here, you'll discuss with legislators the extreme importance of keeping tax dollars funneled to public schools.

## **CAMPAIGN FINANCE DISCLOSURE**

**HB573** - The Secretary of State introduced this legislation as a product of the interim Campaign Finance Legislative workgroup. The purpose is to shine more light on what they consider “dark money and grey money”, it would require a list of PAC Leadership. Of more significance, it would also extend the sunshine law to local special and recall elections and requires the establishment of a single, searchable online database that would accommodate all the filings under the required Sunshine Law. The bill will also require reporting for any candidate who spends more than \$500 on an election and removes the exemption we currently have for trustees running in a small district. We doubt that many of you spend more than \$500 on your election, so we don't think that will have an impact. The Bill is over 30 pages; we'll do our research and report back on what changes this may cause for you.

## **CHARTER SCHOOL ADMINISTRATOR REQUIREMENTS**

**HB566** – This legislation would give flexibility to a charter school board of directors to choose an administrator who ‘best fits their school.’ It would grant a person the ability to obtain a Charter School Administrator Certificate if the person holds a bachelor's degree, passes a criminal background check, receives training on teacher evaluations, and demonstrates that a charter school board of directors seeks to hire them and oversee their work. We are not opposed to the local governance issue of this bill – which is permissive and left entirely to the Board. However, we are fundamentally opposed to state statutes that carve out exceptions for charter schools.

## **CARD CHECK FOR NEGOTIATIONS VS. SECRET BALLOT**

As a reminder, ISBA worked with the Idaho Education Association (IEA) to come to terms on some card check legislation. We have a sponsor for the bill, and were hoping to get it printed and moving in House Education.

This past week, Chair VanOrden asked all the education stakeholders and sponsors of another bill related to collective bargaining to meet to see if we could come to agreement on legislation. While the other legislation meets the tenants of our resolution, it goes a step further by requiring the use of a secret ballot, in some instances, when determining 50% +1. As you can imagine, the IEA is vehemently opposed to the secret ballot requirement. As I had suspected and despite the good Chair's efforts, we were unable to come to terms.

It is now in the hands of both of the Education Chairs. They can decide to run either one of the pieces of legislation, both pieces of legislation, no legislation, or they can run something of their own. I believe that if they run something of their own, it will contain secret ballot language.

## **OUT-OF-STATE TEACHERS – EDUCATION ALLOCATION**

Since not all resolutions come in **only** the form of legislation, we worked with the Districts that sponsored these resolutions and got everyone on the same page with the State Department of Education and State Board of Education. We believe we have finally come to an agreement on language. We are unsure that we'll get anything printed in time this year, but we will try. If we're unsuccessful this year, we'll be doubly prepared for next year. In addition, these two resolutions brought to light what we believe could be significant issues when the Career Ladder is fully funded. ISBA has committed to bringing stakeholders together over the summer to discuss what kind of legislation will be needed in 2020 in order to correct these issues

## **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)**

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

### **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 is 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 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:** See the explanation above.

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

**Status:** See the explanation above.

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

**Status:** See the explanation above

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

**Status:** This legislation printed last week and will be heard this afternoon in Senate Education.

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

**Status:** This was introduced and is now SB 1280. It was moved to Senate State Affairs and has yet to be scheduled for a hearing.

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

**Status:** This legislation was introduced in Senate Education and is now SB 1304. We think the legislators that are working on moving this have lost some momentum. Again, our GAC voted to support the bill if it remains revenue neutral, which SB1304 does accomplish.

## **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**

**Status:** *As I discussed above we did play offense on a piece of legislation regarding Permissible Activities in Bonds and Levies to ensure that Districts can still be transparent with electors about the reasons for your bond/levy, and also ensures that Trustees and personnel can still exercise their First Amendment Rights so long as District property, funds, or resources are not used. We have been working with Representative Monks on that bill, and it printed in House State Affairs on last week. Due to a clerical error, it had a delay in getting a bill number (HB600). In addition, we heard feedback on some unintended concerns, so we worked with the bill sponsor who will re-introduce it with clarifying language. We will keep you posted.*

## **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 conferencing 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 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>POSITION</b>
HB366	Workers' Compensation for work study students	Neutral
HB367	Resident requirements for higher education	Neutral
HB368	Updates PERSI unfunded liability requirements	Neutral
HB412	Common Core Standards	Oppose
HB413	Federal funding phase out in Education	Oppose
HB414	Sex Education Standards	Neutral
HB415	Excused Absence for a Military Funeral	Neutral
HB418	No lobbyists at school, school districts, or charter schools	Oppose
HB420	Legal publications online and not in the newspaper	Support
HB423	Firearms on school campuses	Neutral
HB423	Net Neutrality	Neutral
HB436	Elected Officials must release tax returns	Neutral
HB443	Firearm education	Neutral
HB469	School Safety Patrol	Neutral
HB487	Bond and Levies only every 12 months	Oppose
HB501	Remove IRI as an Assessment Tool	Neutral
HB502	More Participation in Mastery Based Education	Neutral
HB503	OT and PTs on the Career Ladder	Neutral
HB504	Education Loan Assistance Program	Neutral
HB556	Business Personal Property Tax – County Option	Oppose
HB560	Bond Elections – Ballot Language	Neutral
HB561	Income Tax, Revenue Growth Reduction	Neutral
HB565	Firearms on campus – retired law enforcement officers	Neutral
HB566	Charter School Administrators	Neutral
HB573	Campaign Finance Requirements	Neutral
HB579	Sex Education	Neutral
HB580	Repeal sunset on Hiring of Board Spouse (ISBA Legislation)	Support
HB588	Violence on School Campuses	Neutral
HB589	Mastery Based Education	Neutral
HB590	Guided Education Management (GEM) Act	Oppose
HB600	Public Integrity in Elections Act	Support
HB611	Meeting Notices, Action Items, Posting Online	Neutral
SB1211	Appointment to the Professional Standards Commission	Oppose
SB1212	CTE – Adding grades 7 and 8	Neutral
SB1219	Waiver – Self-Funded Insurance	Neutral
SB1222	CTE – Funding for five new programs	Neutral
SB1227	Immunizations – no signature on a form would be required	Oppose

<b>SB1233</b>	STEM Action Board	Neutral
<b>SB1243</b>	PERSI – High 42 for retirement	Neutral
<b>SB1266</b>	Removal of Senior Math Requirement	Neutral
<b>SB1267</b>	Providing a STEM Diploma	Neutral
<b>SB1278</b>	Update Wireless Technology Standards	Neutral
<b>SB1280</b>	Trustee Elections in November	Support
<b>SB1291</b>	School Turnaround Act	Neutral
<b>SB1292</b>	Advanced Opportunities Act – Update Criteria	Neutral
<b>SB1293</b>	Category 1 Contracts on an Alternate Route	Support
<b>SB1294</b>	Tobacco Tax to benefit Idaho School for the Deaf & Blind	Neutral
<b>SB1295</b>	Career Technical School Funding	Neutral
<b>SB1304</b>	Transporation Reimbursement	Support
<b>SB1308</b>	Public Employees, civil actions	Neutral