

CAPITOL



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Success consists of going from failure to failure without loss of enthusiasm.

– Winston Churchill

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Issue 4

TWO STEPS FORWARD AND ONE STEP BACK **OR IS THAT** **ONE STEP FORWARD AND TWO STEPS BACK**

This week we attended the Boise City Club Pundits Forum. Betsy Russell, reporter for the Spokesman Review, described the session best when she used the one word term ‘circular’. We just finished our 4th week of the session and the Governor has only signed one bill. Despite being incredibly busy, there have only been 3-4 pieces of legislation introduced in the Senate and House Education Committees. We seem to be going around and around in circles but not really accomplishing much.

The same is true for any ISBA legislation that we are currently working on. Every time I feel like we have come to consensus and we are ready to move forward, someone has an objection or a “better idea” and we have to revert, discuss amendments, and redraft. I will discuss this in more detail below.

The Committees are very close to completing their review of administrative rules and the deadline for personal bills has passed. Despite our frustration at the end of this week, I really do feel like we will see things start moving this upcoming week.

TRUSTEE ELECTIONS

As you know, we are not running this legislation. We are attempting to keep these elections from moving to November of even years. The sponsors of the legislation, Senators Souza and Rice, have shared the legislation with us to assure that it is not contrary to our resolution.

The County Clerks have continued to express their concerns with certain pieces of the legislation. They are concerned that trustees will still have specified zones within the district. They have added language that states, “The boundaries of the several trustee zones shall be drawn, to the greatest extent possible, along existing county voting precinct boundaries.”

We were originally told that this would occur after the next census (2020) and would not go into effect until the 2023 election. However, we have now been told that the County Clerks want that language to go into effect immediately. That would mean that school districts would need to redistrict now and again after the 2020 election.

I explained to the sponsors that there would be a fiscal impact to school districts – I’m currently estimating \$500,000 statewide – and that we weren’t even sure how it would work. I am working with the civil engineering firm that did the rezones for school districts after the last census to see if or how that would work. Part of our concern is that school zones cannot have more than a 10% population variance from zone to zone. No such requirement exists for precinct boundaries. In addition, except for a certain time frame in even years, precinct boundaries can change at any time.

Because of all this uncertainty, this legislation is in flux. I committed to responding to the Senators early this week with what we learned from the civil engineers and with our estimated costs to school districts. We will not support the legislation if it means having to create new zones now and again after the census. I am not sure what that means for the fate of the legislation.

EXECUTIVE SESSION – SALE OF PUBLIC PROPERTY

This would be one of those pieces of legislation where we took two steps back and no steps forward this week. After securing agreement on the legislation from the Newspaper Association and some other stakeholder groups, we were unable to secure the support of the Press Club. With their objections, it is unlikely that this bill move any further this year.

BONDS AND LEVIES **EDUCATE VS. ADVOCATE**

I want to give some kudos to Quinn for her work on this piece of legislation. After several iterations back and forth with support and objections from different involved stakeholders, we finally came to agreement on the language. This bill should be printed this week. Once again, this is an example of our success when we play offense on legislation.

CARD COUNT FOR NEGOTIATIONS

We have been working since the beginning of the session with the Idaho Education Association (IEA) to come to terms on language. We did that early last week. There is another piece of

legislation that competes with ours. That legislation takes an extra step to ensure that any votes taken are kept secret. Because the IEA opposes that concept, we did not include that language in our legislation.

The competing legislation is optional, not mandatory. As such, ISBA would likely not oppose it. Any time legislation gives school districts an option, we usually remain neutral.

The Chairs of both Education Committees have asked us to see if we can combine the language and bring one bill forward. I have reached out to the IEA to see if we can craft language that they can accept and that both Chairs will move forward. Absent support from both sides on this, ISBA will continue to move forward with legislative language that meets the intent of our resolution and that we believe we can get passed.

OUT-OF-STATE TEACHERS – EDUCATION ALLOCATION **CTE TEACHERS – EXPERIENCE ALLOCATION**

We were able to have a teleconference with the State Department of Education (SDE) and two superintendents from the districts that sponsored the resolution related to out-of-state teachers receiving the education allocation. After some discussion, the SDE acknowledged that legislation would need to be crafted in order to meet the needs expressed in the resolution.

The superintendents are working with the SDE to assure that we have all our questions answered. Once that is complete, the SDE will help us craft the appropriate language.

TRANSPORTATION REIMBURSEMENT

Can you say complicated? Wow, I had no idea what you all deal with related to transportation! First of all, thanks to all of you who took the time to review the Excel document that outlined what would happen financially to each school district or charter if we went back to a straight 85% reimbursement. We appreciated your feedback.

We did meet with the SDE transportation staff who are assisting three Senators with the drafting of this legislation. We expressed our desired to keep the language revenue neutral. That means that the projected \$2.7 million loss would stay in the pool and be redistributed. The outcome of that means that the overall reimbursement would be around 88%. However, some districts will still lose and some will win. If you are one of the districts or charters that is being reimbursed more than 88%, you will lose funds; if you are reimbursed at less than that, then you will gain funds. I do want to be clear that we asked for that language to be included but we have no guarantee that it will be part of the bill.

With all of that said, the overarching comments we received were related to the \$7.5 million that is taken off the top of the transportation reimbursement. As a reminder, once transportation is funded, around 10% is taken and moved down to Operational Funding. This language was added to the transportation law during the downturn in the economy in an effort

to provide charters and districts with some flexibility with funds. We learned that this is the ONLY recession era budget cut that has not been restored. No matter what happens with this legislation, we believe that this issue needs to be front and center in our testimony and that we need to pursue getting these funds restored.

PSC SEAT NOMINATION

Last week, we thought that we had solved our concerns with this legislation. Unfortunately, Chair Mortimer has indicated that he would like to see nominations from other education stakeholders for certain seats on the Professional Standards Commission. We are working with the State Board of Education to craft language that will meet the Senator's wishes while, at the same time, ensuring that we maintain representation on the PSC.

FIREARMS TRAINING IN SCHOOL DISTRICTS

Representative Ron Nate introduced legislation regarding firearms training in school districts HB443. While ISBA's Government Affairs Committee voted to stay neutral, we did want to let you know that it has been scheduled for the first ever "remote testimony" pilot project on Thursday, February 8th at 9:00 a.m. MT. Should your District or Charter want to testify, check out this link to see what cities are testing the pilot project:

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

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: *We will be sending you a survey from the sponsoring district about this issue. Please take some time to respond.*

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 would allow 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 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: *After our teleconference with the sponsoring districts and the State Department of Education, it was determined that we still need to proceed with this legislation. We are currently working to ensure that we have the correct text to accomplish the intent of the resolution.*

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 to be held today 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: *See explanation above.*

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: *We have come to terms on this legislation and it should receive a print hearing sometime this week.*

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 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

Bill #	TITLE	STATUS	POSITION
HB366	Workers' Compensation for work study students	Awaiting a hearing in House Ed	Neutral
HB367	Resident requirements for higher education	Awaiting hearing in House Ed	Neutral
HB368	Updates outdated language regarding PERSI unfunded liability requirements	Awaiting hearing in House Ed	Neutral
HB412	Common Core Standards	Likely dead	
HB413	Federal funding phase out in Education	Likely dead	
HB414	Sex Education Standards	Awaiting a hearing in House Ed	Neutral
HB415	Excused Absence for a Military Funeral	Awaiting a hearing in House Ed	Neutral
HB418	No lobbyists at school, school districts, or charter schools	Awaiting a hearing in House State Affairs	Oppose
HB420	Legal publications online and not in the newspaper	Awaiting a hearing in House State Affairs	Support
HB423	Firearms on school campuses	Likely dead	
HB423	Net Neutrality	Likely dead	
HB436	Elected Officials must release tax returns	Likely dead	
HB443	Firearm education	Awaiting a hearing in House Education	Neutral
HB469	School Safety Patrol	Awaiting a hearing in House Transportation	Neutral
SB1211	Appointment to the Professional Standards Commission	SBOE has agreed to pull this legislation	Oppose
SB1212	CTE – Adding grades 7 and 8	Awaiting a hearing in Senate Ed	Neutral
SB1219	Waiver – Self-Funded Insurance	Awaiting a hearing	Neutral
SB1222	CTE – Funding for five new programs	Awaiting a hearing in Senate Ed	Neutral

SB1227	Immunizations – no signature on a form would be required	Awaiting a hearing in Senate Health and Welfare	Oppose
SB1233	STEM Action Board	Awaiting a hearing in Senate Ed	Neutral
SB1243	PERSI – High 42 for retirement	Awaiting a hearing in Senate Education	Neutral
SB1266	Removal of Senior Math Requirement	Awaiting a hearing in Senate Education	Neutral
SB1267	Providing a STEM Diploma	Awaiting a hearing in Senate Education	Neutral