

# CAPITOL



By Quinn Perry, Policy & Government Affairs Director

*To our members: we know we are starting to sound like a broken record. Thank you for continuing to read and reaching out about these important bills! – Karen & Quinn*

**March 9, 2020**

## **FIREARMS IN SCHOOLS**

Let's start right off into the week! First thing last week, the Senate State Affairs committee introduced **Senator Todd Lakey's (R – Nampa) [SB 1384](#)**, which would force schools and districts to allow any school employee who has an enhanced carry weapons permit to carry on school property. We have been hearing about this bill surfacing, and it did very late in the session. That said, we are anticipating it will be heard and moved very quickly, so it is time to engage all of you in our opposition! Here are some of our issues and concerns with the bill.

1) **This is a gross violation of local governance.** The local school board can – and some already do – allow school employees to carry firearms on school property. That process is done with input from staff, parents, students, and other patrons of the school. **For schools that already allow for campus carry, SB 1384 would usurp your local policies and procedures you have put into place.**

2) **The definition of school property is extremely broad.** It includes any property that is “owned, used, or leased by a school district,” which is extremely broad. This could include school buses and spaces that you use for graduation or events. We fear that for charter schools who rent spaces within other buildings, it could usurp the right of the private property owner you rent from.

3) **In the bill, the school employee only has to notify the principal and superintendent and provide them a copy of their enhanced carry permit, and the Superintendent may notify the school board confidentially.** The employee does not have to specify if they plan to carry daily, or not, and you are *not* allowed to keep a copy in the employee's personnel file nor share that information with anyone – including parents - other than law enforcement in exercise of their duties. We see this as a violation of parental rights.

4) **It derails your safety plans.** When a school board allows employees or other to carry firearms on school property, it is done in careful consideration with law enforcement and included within their safety plans. This throws a wrench in the work that you have all done in conjunction with law enforcement for your school safety plans.

We have been told this could be heard as soon as **Wednesday, March 11<sup>th</sup> at 8:00 a.m.** It's time to contact the Senate State Affairs committee and ask for their NO vote on SB1384. You can view the committee members and contact them on this page: <https://legislature.idaho.gov/sessioninfo/2020/standingcommittees/SSTA/>

## **A COMMITTEE SWITCH FOR HB393 – REMOVAL OF ELECTION DATES**

We learned midweek that **Rep. Wendy Horman & Sen. Lori Den Hartog's** election consolidation bill was rerouted to Senate Education. This could be good news for us, as Senate Education is more familiar with our staff and the inner workings of education policy. We have been working specific lawmakers on the committee, but if you had previously sent comments to Senate State Affairs, **please re-send the comments you shared with the Senate Education committee:**

<https://legislature.idaho.gov/sessioninfo/2020/standingcommittees/SEDU/>

## **PUBLIC SCHOOLS BUDGET & JFAC TUG-OF-WAR**

On Tuesday morning, JFAC set the Public Schools budget that reflected a 4.1% - or 78.7 million - increase in the schools budget. Although it is the lowest increase they have given in six years, it is still a solid budget that honored almost all of the budget requests between Supt. Ybarra and Governor Little. They did include an additional \$1 million into professional development to support social emotional learning for teachers. If the Governor's Career Ladder bill passes – which we anticipate it will – they will have to do a trailer appropriation to make up the difference.

Immediately after setting the schools budget, JFAC did have competing motions for the State Department of Education Budget, which turned into an interesting tug-of-war. Ultimately, the motion that passed decreased the State Department of Education's budget significantly, including the IT & Data Management staff of 18 people. Then, JFAC later added that department & the 18 FTE to the State Board of Education's budget.

To us, this seemed like inside baseball on something political. Ultimately, not much will change, except that the IT & Data Management staff will now work under the purview of the State Board and not just Superintendent Ybarra (who is one of eight members on the State Board of Education).

## **DON'T FORGET TO WATCH FOR FACEBOOK LIVE**

In addition to our weekly Capitol Notes, we will be doing a weekly Facebook Live broadcast. It will be a quick, abbreviated version of Capitol Notes. So, if you don't have time to read all of this, please tune in live (or watch a recording later) of our quick recap of our Stand Up 4 Idaho Schools Facebook page:

<https://www.facebook.com/idahosba/>

## **ISBA LEGISLATION BASED ON RESOLUTIONS**

Below is our progress on each of the ISBA Resolutions. Note that ***italicized and bold language is an update from last week.***

### **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 can make some headway with a formation of a task force to study this issue.

### **Executive Session on Simple Majority (2019) – Completed**

**Status:** This became law on July 1, 2019.

### **Funding for Full Day Kindergarten (2019) – Legislation Needed**

**Status:** We have drafted legislation about this and it was a recommendation by Governor Little's Education Task Force. The good news is that he has asked for his literacy funding from last year, (which could be used for full-day kindergarten), to be ongoing. The bad news is that at this time, there has been little appetite to introduce legislation because of its high fiscal note.

### **Opposition to Public Funds Diverted to Private Schools (2019)**

**Status:** This resolution does not require any legislation. There was legislation printed last week by Senator Thayne that would allow for the use of Advanced Opportunity Dollars by non-public school students. ***ISBA testified on this bill earlier this week and it failed to pass the committee on a 5-3 vote.***

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

**Status:** We have drafted legislation and secured sponsors for this legislation. However, after Quinn and Karen spoke with both of the Education Chairs, we are doubtful that this will move forward this year. We are hoping that we can get some support from the Governor's Office in years to come.

### **Recourse for Charter School Renewals (2019) – Complete**

**Status:** The House and Senate Education Committees have adopted this rule and it will go into effect upon adjournment of the legislature.

### **Strategic Plans and Reporting Requirements (2019) – Complete**

**Status:** The changes to this statute went into effect on July 1, 2019.

### **Threats on School Grounds (2019) – Complete**

**Status:** This legislation passed last year. However, the Idaho Supreme Court struck down the entire statute to which we added our language as unconstitutional before the bill even went into effect. The Supreme Court's decision had an even larger impact on police officers in cases of domestic abuse of adults and children. They have introduced a joint resolution that would allow law enforcement to make a warrantless misdemeanor arrest based upon probable cause.

## **Local Control of Decision Making Regarding School Security (2020)**

**Status:** This resolution does not require legislation. *SB1384 does just this, so we oppose SB1384.*

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

**Status:** This legislation has a bill sponsor and should be introduced once the committee completes their review of the administrative rules. The bill sponsor is leery of introducing anything related to taxes this year, so we may need to wait until next year to attempt to get this done.

## **40-50-60 Salary Allocation for Instructional & Pupil Service Staff (2020) – Legislation Needed**

**Status:** *HB 523 – this is the Governor’s bill that has passed out of the House and is awaiting a hearing in the Senate Committee.*

## **Task Force on Property Tax Reform (2020)**

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

## **Revision of Idaho Code on Excision (2020) – Legislation Needed**

**Status:** This legislation has been drafted, and we have secured a bill sponsor. *HB501 on Excision passed the House Floor with a unanimous vote. It is set to be heard on Monday, March 9 at 3:00 p.m.*

## **Discussion of Sale of Public Property Within Executive Session (2020) – Legislation Needed**

**Status:** This legislation has been introduced. We thought we didn’t have a sponsor for this bill, but Representation Bill Goesling (R District 5) has agreed to run it. It had a rocky introduction in House State Affairs earlier this session, and we may sit on this one for the year and work on it over the interim.

## **Flexibility of Teaching Assignments (2020)**

**Status:** After working to get this printed, we found that we needed to add some additional requirements to it in order to not conflict with IDEA or Title 1 requirements. Instead, the Senate Education committee approved a “Teacher to New Endorsement” rule that could do nearly the same thing, but the teacher would be required to take a Praxis exam at some point during the year.

## **Aligning Idaho’s School Age & Accountability Requirements (2020) – Legislation Needed**

**Status:** We have drafted this legislation and secured a legislative sponsor. Please watch for updates on this resolution.

## **Support for Idaho Science Content Standards (2020)**

**Status:** There is no legislation needed for this resolution. ISBA will testify in support of Idaho’s Content Standards, including science. The Senate Education Committee passed the rules containing all Standards this week. They will remain in place.

## **K-12 Funding Formula Principles (2020)**

**Status:** There is no legislation needed for this resolution. ISBA will use these principles as guidance if the Legislature continues to rewrite the school funding formula.

## **Increased Reimbursements for Driver Training Programs (2020) – Legislation Needed**

**Status:** This legislation has been drafted, and a bill sponsor has been secured. *This bill passed the Senate and is awaiting a hearing in the House Education Committee.*

### **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 2020**

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
HB 347	Limitations on Bond Elections	Passed House; awaiting hearing in Senate State Affairs	OPPOSE
HB 355	Freeze on Property Tax Levies	Became HB 409	Neutral
HB 364	School Year Start Date	Awaiting Hearing	OPPOSE
HB 388	Advance Enrollment for Military Students	Passed the House On the Senate Floor	Neutral
HB 391	Update to Concussion and Head Injury Guidelines	Became HB 577	Neutral
HB 393	School Levy and Bond Election Date Removal	Passed House Awaiting Hearing in Senate Education	OPPOSE
HB 409	Freeze on Property Tax Budgets	Amending order in the Senate	Neutral
HB 430	Public Employee Damages	Awaiting Hearing	Neutral
HB 439	Public Notices, Electronic	Killed in House State Affairs	Support
HB 440	Discrimination in Hiring – Public Agencies	Passed House, awaiting Senate hearing	Neutral
HB 445	Public Works, Contracts	Awaiting Hearing	Neutral
HB 446	Professional Service Contracts	Awaiting Hearing	Neutral
HB 447	Public Works, Cost Estimates	Awaiting Hearing	Neutral
HB 448	PERSI Cost of Living	Awaiting Hearing	Neutral
HB 470	Student Literacy Online	Pulled back to committee	Neutral
HB 480	Bi-literacy Diplomas	Passed House On the Senate Floor	Neutral
HB 481	Digital Literacy Block Grants	Became HB 576	Neutral
HB 500	Ban on Transgender Girls in Sports	Passed House, 2 <sup>nd</sup> Day of Hearing in Senate committee	Oppose
HB 501	Excision	Passed Floor Awaiting Hearing in Senate	Support
HB 511	Charter Schools, Cash on hand, Revocation	Awaiting Senate Hearing	Neutral
HB 512	Charter School Lottery, Weighting	Senate Floor	Neutral
HB 523	Teacher Funding – Adding another Rung	Passed the House, awaiting Senate hearing	Support
HB 530	Executive Session – Sale of Public Property	House State Affairs	Support
HB554	School Funding for Classroom Supplies	Killed in House Ed	Neutral

HB555	Literacy Intervention Tools	House Education	Neutral
HB 576	Digital Curriculum Block Grants	House Floor	Neutral
HB 577	Concussion & Head Injury Guidelines	House Floor	Neutral
HB 599	Non-Public Teacher Preparation Programs	Passed House, awaiting Senate hearing	Neutral
HCR 30	PERSI Cost of Living Adjustments	Awaiting Hearing	Neutral
HJR 5	Public Owned Property that is Leased	Pulled back to Committee	Neutral
SB 1236	Educational Interpreters	LAW	Neutral
SB 1238	AP Government, Civics Test Requirement	LAW	Neutral
SB 1239	Flexible Schedule, Elementary Students	Reprinted, Now SB 1293	Neutral
SB1278	Driver Education	Passed the Senate; Headed to House Education	Support
SB1279	Superintendent Evaluations	Passed out of Senate; awaiting House hearing	Neutral
SB 1285	School Boards, Training	Passed out of Senate; awaiting House hearing	Neutral
SB 1293	Flexible Schedule, Elementary Students	Passed out of Senate; awaiting House hearing	Neutral
SB 1323a	Teaching Certificate Revoked, Certain Crimes	Passed out of Senate; awaiting House hearing	Neutral
SB 1324	Promise Mentor Program	Awaiting Hearing	Neutral
SB 1325	Non-certificated Employees – Grow Your Own	Passed out of Senate; awaiting House hearing	Neutral
SB 1326	Quality Educator Loan Assistance	Awaiting Hearing	Support
SB 1327	School Funding Formula	Awaiting Hearing	Reviewing
SB 1328	Advanced Opportunities; Non-Public Schools	Died in Committee	Oppose
SB 1329	Career Ladder; Career Technical Ed	House Floor	Support
SB 1330	Extended Employment Services Program	Amending order in Senate	Neutral
SB 1362	Open Meetings/AG Ability to Review	Senate Judiciary Committee	Neutral
SCR 120	ISAT Alternatives	Adopted	Neutral
SCR 122	Graduation Alternatives	Passed Senate; awaiting House hearing	Neutral
SCR 128	Personal Finance Class	Passed Senate; awaiting House hearing	Neutral
SCR 132	Content Standards Study Committee	Passed the Senate, awaiting hearing in House Education	Neutral
SCR 134	Property Taxes, Study Committee	House Floor	Neutral
SJR 104	Warrantless Misdemeanor Arrests Upon Probable Cause	Awaiting Hearing	Neutral

