

CAPITOL

NOTES

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"There is virtue in work and there is virtue in rest. Use both and overlook neither."

--
Alan Cohen

Just When We Thought We Were Through...

Well, we thought that Thursday of last week was going to be the last day of committee hearings and then one more week of floor work, but no such luck. As I'm sure most of you have heard by now, the legislature has recessed for two weeks and will return on Tuesday, April 6. That is good and bad. The reason for the recess is because there has been an outbreak of COVID, especially among House members, in the Capitol. It is important that we keep everyone healthy. At the same time, it does drag out the session and still leaves several things on the table that are not yet finished. There is always a concern when we have unfinished business. Some of that business is good, and some of it could be bad.

We will likely take a break from Capitol Notes while the legislature is in recess. However, we will write only one last issue to recap after the last week of work.

What Is Still Left Undone?

HB294 Vouchers, Strong Families, Strong Students Scholarship Program

When presenting this bill to the Senate Education Committee, the sponsors of the bill asked for it to be sent to the amending order. They pulled *most* of the bill that we had objected to – the scholarship portion. However, there is still one line in the bill that prevents ISBA from being able to support the bill.

Again, this bill has a good part – the continuation of the Governor's grant to low income families that provided them with funds to purchase necessary technology equipment and services. However, one

of the uses of the dollars in the grant program found in this bill that was NOT in the Governor's program, is that the dollars can be used for tuition and fees at private or religious school. As we all know, ISBA has had a long-opposed the use of any public dollars for private or religious schools. As such, we are still opposed and are working to see if we can get it killed, or even amended again, on the floor of the Senate. **Please contact your Senator and ask them to oppose HB294.**

If you need talking points on why HB294 is bad for public education in Idaho, don't hesitate to reach out to us. Please watch [ISBA's Facebook Page](#) for information on HB294, and please share it.

H122 – Guns in Schools, Remove School Board Authority

Again, this legislation would force school districts and charter schools to allow employees who possess an enhanced carry weapons permit to carry a firearm on school property. In fact, there is not even a required notification to the locally elected school board. All education groups, as well as the Idaho Sheriff's Association and the Idaho Chiefs of Police, opposed it. While we are hopeful it will not be heard in the Senate, we're asking you to **contact Senate State Affairs and ask them to vote "NO" on HB122.** Ask them to keep the school board as the decider for who carries firearms on school property.

HB249 – Sex Education This is a semi-familiar bill from Rep. Ehardt. This is the 3rd year she has brought some form of this legislation forward. She wants sex education to be opt-in rather than opt-out. She has made amendments to the bill that she previously presented. However, we still have concerns about the definition of the term "sexuality". In addition, we know this means more work for districts/charters and fewer students receiving the education they need. This bill has passed the House. Senator Thayne had previously scheduled to have this heard today but because of the recess, it was not heard. However, once they come back it could still be heard. **We encourage you to contact Senate Education members about this bill.**

HB298 – Immunization Exemption Disclosure - This is also a familiar bill and we seem to see it every year. Despite the fact that Idaho has one of the highest exemption rates in the nation, there are those that want more reporting by school districts. We believe that districts already do this so we don't believe the bill is necessary.

Preschool Development Grant (No Bill No. Yet) Even though this bill – which only provides spending authority for the federal funds awarded to the state – was killed on the House Floor, it has been reprinted again and the Governor hopes to get it passed this time. As a reminder, this bill would allow the State Board of Education to manage a grant awarded to the state. This does not cost any state funds.

Lottery This bill was killed in the House State Affairs Committee. Once again, we believe that there are efforts to revive this bill and assure that we continue to get the millions of dollars from sales of lottery tickets.

And the Crazyness Continues

Unbelievably, they are still introducing new bills despite two weeks ago being the "transmittal" deadline by which bills needed to cross to the other side of the rotunda.

The time to print RSs has long passed, but that doesn't seem to prevent committees from continuing to print them. Even as late as Friday morning of last week, House committees were printing RSs, including House Education.

Because of the recess, the House did not take up any business, so none of those bills will be printed until after they return. As such, we don't have the actual language. All we can do is give you a brief rundown of what we heard during the print hearings.

- A proposal by Rep. Wendy Horman, R-Idaho Falls, to create "community councils" at each Idaho school, made up of parents, teachers and the principal.
- A proposal by Dan McKnight, an Eagle football coach, to amend athletic rules to give parents who coach high school sports more flexibility to also coach clubs and recreational leagues. This is in direct conflict with an Idaho High School Activities Association rule.
- A proposal by Ed Humphries of Eagle, to "prohibit teaching racist and sexist concepts in Idaho public schools."

We don't believe that any of these bills will actually get a hearing or move forward, but they are shots over the bow of what to expect next year.

Update on Bills from Last Week

H331 Full Day Kindergarten This bill was set to be heard on Monday of last week. 30 minutes before the hearing it was pulled by the sponsor because there were concerns about the language related to funding. Shortly after that the Chair and Vice Chair of the Education Committee tested positive for COVID. The bill has not yet been heard. We are getting mixed signals as to whether or not it will be heard this year.

H321 (Reprinted to extend timelines, no bill number yet) – School Trustees, Recall – Neutral
Sponsored by Rep. Barbara Ehardt (R – Idaho Falls) this would change the current process for how trustees are appointed when a seat vacated by recall – or by a resignation due to recall – is filled. It was scheduled for a hearing in the middle of last week but was pulled back due to technical issues. They have since extended the period of time in which the seat must go to election prior to a temporary appointment. We do not yet have a new bill number.

H329 – School Clubs and Organizations – Neutral, with technical corrections
Also sponsored by Rep. Barbara Ehardt, HB329 would require that all schools/districts adopt policies and procedures for school clubs/organizations. It would require that sponsored clubs and organizations be formally approved by the school board, and require that school clubs/organizations be published, and that parents or legal guardians give or 'withhold' permission from students to participate in the club. We do have some small concerns about the administrative burden that this places on schools and would appreciate clarification that only minor students need parental permission. Otherwise, most school districts/charter schools already do this, so we're not really sure this is necessary. **This bill passed out of House Education and is on the House Floor. No technical corrections were made.**

Update on ISBA Bills

S1043 Student Discipline in Executive Session (Support): 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. This has passed the Senate, passed House Education unanimously, and is on the 3rd reading calendar in the House.

HB111 – Category Contracts on Non-Traditional Routes (Support): This legislation clarifies that instructional staff who are still seeking their initial certification through a non-traditional route and/or alternative authorization program *cannot* move to a renewable contract until they have received their five-year renewable certificate. **Awaiting the Governor’s signature.**

SB1116 – Weapons, Denial of Attendance (Support): This is based on an ISBA resolution that seeks to amend Idaho’s denial of school attendance code so that school boards have the latitude to not automatically expel children who bring non-deadly weapons to school. This passed the Senate, passed House Education unanimously, and is on the 3rd reading calendar in the House.

ISBA LEGISLATION BASED ON RESOLUTIONS

Below is our progress on each of the ISBA Resolutions. If it’s **bolded** there is a new 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 HB122.

Updating Section 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: SB1043aa is on 3rd reading in the House. Once passed, it will go to the Governor's desk.

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

Status: HB111 is awaiting the Governor's sig.

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

Status: SB1116aa is on 3rd reading in the House. Once passed, it will go to the Governor's desk.

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

Status: We have drafted legislation and secured a legislative sponsor. While we supported a similar bill – S1075 – a school age change is unlikely to happen this year.

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. All hands on deck; Contact legislators about HB294 NOW!**

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: H331 was pulled from the agenda to make further edits. It is unsure at this time whether a bill to fund Full Day Kindergarten will happen this year.

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. We are watching the Joint Finance Appropriations calendars to see when this might be heard.

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: The Public Schools Budget was set on Friday, March 12, and the holdbacks were restored.

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	Pulled and replaced by HB220	Neutral
HB20	Property Tax/Medical Deduction	House Rev & Tax	Neutral
HB22a	Public Charter School Funding	Governor's Desk	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 Amending Order	OPPOSE, neutral with ISBA amendments
HB67	School Closures, Infectious Diseases	LAW	Support
HB69	Continuous Improvement Council	Replaced by new bill soon.	Support
HB72	Joint Lotteries	House State Affairs	Support
HB73	Local Government Uniform Reporting	Governor's Desk	Neutral
HB89	Guns on School Campus	Replaced by HB 122	OPPOSE
HB90	Monument & Memorials Protection	Senate State Affairs	OPPOSE
HB106	August Election Date Removal	DIED in Senate State Affairs	OPPOSE
HB111	School Employees, Category 3	Senate Floor	Support
HB122	Guns on School Campus	Senate State Affairs	OPPOSE
HB140	Political Subdivisions, Vaccine Discrimination	Senate Commerce and HR	Neutral
HB149	Coronavirus Immunity, Sunset Extension	Governor's Desk	Support
HB172	Extended Learning Opportunities	Governor's Desk	Neutral
HB174	"Shall" to "May" Teacher Negotiations	DIED Senate Education	Neutral
HB175	In Person Learning	Senate Floor	Neutral
HB199	Sales & Income Tax Cuts	House Rev and Tax	OPPOSE
HB201	Electrical Exemptions	House Business replaced by HB292	Neutral
HB215	Strong Families, Strong Students, Scholarship Program	House Floor Replaced by HB294	OPPOSE
HB218	Business Personal Property Tax	House Rev and Tax	OPPOSE

HB220	Abortions/No Public Dollars Used	House State Affairs	Neutral
HB221	Teacher Certificates	Senate Education	Neutral
HB222	Continuous Improvement Plans	Senate Floor	Support
HB247	In-Person Learning, Financial Penalty	House Education Replaced by HB293	OPPOSE
HB248	School Districts, Health Insurance	DIED Senate Education	Support
HB249	Human Sexuality	Senate Education	Neutral
HB250a	Advanced Opportunities, Exams	Senate Floor	Neutral
HB264	Charter School Facilities Funding	Senate Floor	Support
HB265	School Bus Transportation Costs	Senate Floor	Support
HB280	Professional Endorsements	Senate Floor	Neutral
HB281	Mask Mandate Pre-emption	Replaced by HB339	OPPOSE
HB292	Fire Alarms Electrical Inspections	Senate Commerce and Human RR	Neutral
HB293	Reimbursement to Parents if School is Not In- Person Full time - Vouchers	DIED Senate Education	OPPOSE
HB294	Strong Families, Strong Students Scholarship Program - Vouchers	Senate Education	Amending Order Senate
HB298	Immunization Exemption Disclosure	Senate Education	OPPOSE
HB331	Funding for Full Day Kindergarten	House Education	Support
HB321	School Trustee, Recall Vacancies	House State Affairs	<i>Reviewing</i>
HB329	School Boards, School Clubs & Orgs	House Floor	Neutral
HB339	Mask Mandate Pre-emption	House Floor	OPPOSE
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	Senate State Affairs	Neutral
HCR15	Property Tax Study Committee	House Rev & Tax	Neutral
SB1002	Emergency Disaster, Funding Retention	Senate State Affairs	Neutral
SB1006	Literacy Achievement Act	House Floor	Neutral
SB1007	Salary Schedule, Definition	House Education	Neutral
SB1029	Internet Sales Tax, General Fund	Personal bill	Support
SB1039a	Workforce Readiness Diploma	House Floor	Neutral
SB1042a	Qualifications Based Services – Procurement	House Floor	Support
SB1043a	Student Discipline Decisions in Exec Session	House Floor	Support
SB1045	Advanced Opportunities for Private School Students	House Floor	OPPOSE
SB1046a	Innovative Classrooms	House Floor	Neutral, with amend
SB1048	Cap on Taxing District Budgets	Replaced by SB1108	Neutral
SB1052	Flex Schedules, Elementary Schools	Held in committee	Neutral
SB1054	Extreme Perils, Governor's Orders	Senate State Affairs	Neutral
SB1069	Absentee Ballot Clarification	House State Affairs	Neutral
SB1075	Kindergarten Jumpstart Program	House Floor	Support

SB1108a	Cap on Taxing District Budgets	Died Senate Floor	Neutral
SB1109	Workforce Development, Promise Mentor Program	Died on tie vote	Neutral
S1114	K-3 Technology Program	Senate Education	Neutral
S1115	Charter Commission Change	House Floor	Neutral
S1116	Weapons, Expulsion	House Floor	Support
S1135	Guns in Schools, Local Control	Held in Senate State Affairs	Support
SB1117	Educator Loan Assistance	Held in Senate Education	Support
SB1170	Taxing District Budgets Trailer	Senate Local Gov	Neutral
SCR101	Disaster Emergency Terminated	Senate State Affairs	Neutral
SCR103	Isolation Order, Terminated	Senate State Affairs	Neutral