



CAPITOL
NOTES
A WEEKLY PUBLICATION OF THE IDAHO SCHOOL BOARDS ASSOCIATION • 2022 LEGISLATIVE SESSION



Misty Swanson
ISBA Executive Director



Quinn Perry
ISBA Deputy Director & Government Affairs



Catherine Bates
ISBA Communications & Program Manager

Welcome to Issue 2 of ISBA’s weekly legislative newsletter – Capitol Notes. It’s still eerily quiet in the hallways of the Statehouse. Committees are still reviewing administrative rules and have only introduced a handful of bills. Bills introduced the first week have yet to receive a committee hearing. The Senate Education Committee heard a pitch from former Democratic Lawmaker and now Republican Candidate for Superintendent of Public Instruction Senator Branden Durst introduce an RS titled “Idaho Parental Freedom in Education Act”, which would have allowed parents and guardians to enter classrooms without advance notice and would impose \$1,000 civil penalties on schools who failed to comply. After a lot of concerns shared, the committee failed to introduce the bill on a 4-4 tie vote. At the end of the hearing, the bill sponsor confronted Sen. Jim Woodward and ultimately the interaction was intervened by Idaho State Police. You can read more on this [Idaho Reports article](#).

As a reminder: Positions of the Idaho School Boards Association are determined two ways. First, by ISBA Resolutions which are voted on annually at the Business Session. Secondly, by the Government Affairs Committee of ISBA which uses the guiding principles outlined on Page 1 of the 2022 Resolutions. To view all active ISBA Resolutions, [visit our website at this link](#).



Our call to action this weekend is House Bill 443 – which creates a dedicated fund for the sole purpose of funding the one-time amount required for public schools to buy into the state’s medical and dental group insurance plan for school employees. It’s co-sponsored by Rep. Rod Furniss (R- Rigby), Rep. Wendy Horman (R-Idaho Falls), and Rep. Ryan Kerby (R- New Plymouth) but has strong list of co-sponsors and has bipartisan support across the state. **Please contact ALL House of Representative Members in your area TODAY – as it’s scheduled to be debated and voted on by Monday, January 24th.** This issue has been a headscratcher for decades – and being able to utilize the historic surplus for districts and charter schools to choose to join the state’s health plan could be extremely beneficial. Again, this would be optional for schools and districts but provides the necessary financial support to join the state pool. It also phases out the statutory allocation of Leadership Premiums. While we know many have liked the leadership premium program, this proposal has strong support to off-set the loss of these funds with a large increase in other areas of the public schools budget that can benefit *all* school employees.

Need help navigating the Idaho Legislature? To stay up to date on what is happening in the 2022 Legislative Session [visit their website](#). **A few helpful links:**

Find your legislative representatives [here](#). Find the House Committee Agendas [here](#). Find the Senate Committee Agendas [here](#).

Color Coded Bill Key:

Pink: Bills that are urgent | **Green:** ISBA Sponsored Bill | **Yellow:** Monitoring - Impact | **Blue:** Monitoring - No Expected Impact

Tracking: Monitoring - Impact | **H 0444** | **Amends 2021 session law to extend a sunset date to July 1, 2023.**

Introduced: 01/18/2022 | **Last Action:** Jan 19, 2022 - Reported Printed and Referred to Judiciary, Rules & Administration

Our Position: Support

Staff Analysis:

ISBA Supports this legislation. This legislation extends the “sunset” - also known as the ‘repeal’ date - of the Coronavirus Liability Immunity Act. It protects school districts and charter schools from litigation that arise out of COVID-19 infections. Since it's original passage during the Extraordinary Session of 2020, they have extended the sunset date at least once. This legislation extends it until July 1, 2023, extending it from July 1, 2022.

Tracking: Urgent | **H 0443** | **Adds to existing law to create the Public School Health Insurance Fund.**

Introduced: 01/18/2022 | **Last Action:** Jan 21, 2022 - Read second time; Filed for Third Reading

Our Position: Support

Staff Analysis:

ISBA supports this bill and it requires an urgent call to action! This legislation creates a dedicated fund for the purpose of funding the one-time amount required for public schools to buy in to the state's medical and dental insurance plan. The creation of the fund does not *require* school districts and charter schools to buy-in to the plan, but creates the necessary resources to do so if you choose. Schools and districts would have two-years to utilize these funds to join the state pool. This has broad support from the Education Stakeholder groups, and is a recommendation from Governor Little. It also has a strong list of bi-partisan co-sponsors. It is heavily opposed by private insurance companies. ISBA has long advocated for the resources necessary for schools to join the state insurance pool - and this would create the opportunity for you to do that. It does also phase out the leadership premium allocation, which we know many have liked. However, it has strong support to offset the loss of these funds with a larger increase in other areas of the public schools budget that can benefit *all* employees. **It was fast-tracked through the House committee and will likely be debated and voted on by Monday, January 24th. Please, call or email House Members in your region today.**

Tracking: Monitoring - Impact | **S 1226** | **Adds to existing law to establish the self-directed learner designation.**

Introduced: 01/18/2022 | **Last Action:** Jan 19, 2022 - Reported Printed; referred to Education

Our Position: Support

Staff Analysis:

ISBA supports this legislation. This legislation - sponsored by Senate Education Chairman Sen. Steven Thayn (R-Emmett) - allows students to request and teachers to designate students as a “self-directed learner.” It’s a mastery-type bill that says students can have more flexibility in their day to day schedule, but it would still require them to meet the school or district's graduation requirements. It provides a lot of latitude to teachers and districts to ensure this happens. The biggest piece is that students who are designated are still counted as a 1.0 Full Time Equivalent – so it has no impact on your budget.

Tracking: Monitoring - Impact | **H 0438** | **Amends existing law to revise provisions regarding filling vacant school trustee positions following a recall or resignation resulting from a recall petition.**

Introduced: 01/13/2022 | **Last Action:** Jan 14, 2022 - Reported Printed and Referred to State Affairs

Our Position: Neutral

Staff Analysis:

This concept - similar to HB350 from the 2021 Session - changes how vacancies are filled following a successful recall election or resignations following the filing of a recall petition. If there is an election date (using the 4 dates for school districts) within 85 days, the vacated seat will remain vacant unfilled until that election. If it is *within* 100 days of an election, the seat shall also remain vacant until the election, in which that newly elected trustee will serve the remainder of that zone's term (unless that zone was already up for re-election on that date, in which they'll fill out the next full term). If more than one trustee is recalled and the Board no longer has a quorum, the county commission will step-in to appoint only one member so that the Board can conduct it's business until the next election. If it's more than 100 days to the next election, the Board may appoint a temporary trustee until a new trustee is elected at the next possible election. **While we have concerns about the complications of this legislation, the ISBA GAC voted to remain neutral, as we believe that citizens *can* and *should* be involved in the process of electing trustees from their respective communities. In addition, school board members are one of the few - if not only - public bodies that appoints vacant seats themselves. If you want to express your thoughts or sign up to testify, contact: House State Affairs Committee.**

Tracking: Urgent | [H 0437](#) | Adds to existing law to provide for the adoption of the content standards prepared by the 2020-2021 content standards review committees.

Introduced: 01/13/2022 | **Last Action:** Jan 14, 2022 - Reported Printed and Referred to Education

Our Position: Oppose

Staff Analysis:

This legislation would force the State Board of Education - by July 1, 2022 - to adopt and incorporate the draft of the Idaho content stands for English Language Arts and Literacy, Math, and Science prepared by the 2020 - 2021 standards review committee which was completed July 13, 2021. It would also state that each school district and charter school boards have until June 30, 2024 to incorporate curricular materials that correspond with these new content standards. **Based on 2022 ISBA Resolution No. 5, the ISBA is opposed to this legislation. The ISBA is not opposed to a review and proposed revision of content standards, but without an independent review of the changes in the proposed revision, it could create fiscal instability and wreck havoc on our educators ability to implement the standards. Content standards drive everything at the local level from curricular materials adoption, to teacher professional development, and assessments. The ISBA respectfully requests a thorough analysis about what has changed within each content section, and once determined, requests an appropriate time frame and financial resources for school districts and charter schools to implement these new standards in a predictable and stable manner. Who to contact: House Education Committee.**

Tracking: Urgent | [HCR 0027](#) | States findings of the Legislature and rejects certain rules of the State Board of Education relating to Idaho content standards.

Introduced: 01/13/2022 | **Last Action:** Jan 14, 2022 - Reported Printed and Referred to Education

Our Position: Oppose

Staff Analysis:

This concurrent resolution would reject - in their entirety - Idaho's content standards for English Language Arts, Math, and Science. It was introduced and is paired with HB437. **Based on 2022 ISBA Resolution No. 5, the ISBA is opposed to this rejection. The ISBA is not opposed to a review and proposed revision of content standards, but without an independent review of the changes in the proposed revisions, it could create fiscal instability and wreck havoc on our educators ability to implement the standards. Content standards drive everything at the local level from curricular materials adoption, to teacher professional development, and assessments. The ISBA respectfully requests a thorough analysis about what has changed within each content section, and once determined, requests an appropriate time frame and financial resources for school districts and charter schools to implement these new standards in a predictable and stable manner. Who to contact: House Education Committee.**

Tracking: Monitoring - Impact | [H 0436](#) | Amends existing law to revise the individual and corporate income tax rate and to provide for an income tax rebate.

Introduced: 01/12/2022 | **Last Action:** Jan 21, 2022 - Introduced, read first time; referred to: Local Government &

Taxation

Our Position: Neutral

Staff Analysis:

This legislation consolidates the income tax brackets from five to four, lowers each rate, and makes it retroactive to January 1, 2022. Additionally, it lowers the income tax rates to 6% retroactively, and provides a one-time tax rebate of \$350 million, returning 12% of 2020 personal income tax - or \$75 for each taxpayer and dependent - whichever is greater. Because it has a possible impact to Idaho's general fund, ISBA is monitoring impact. However, we are neutral to the bill.

Please contact Misty, Quinn, or Catherine if you have any questions.

Thank you,

Your ISBA Legislative Team

