



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



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Welcome to Issue 4 of ISBA's weekly legislative newsletter – Capitol Notes. The Statehouse hallways have been bustling and we've had a busy week. Here are a few new updates and bills to watch for this week:

**S1255 Empowering Parents Program – New Bill** – Last week, we met with the sponsors about our concerns with the first version of this bill. We are grateful that they were amenable to our concerns and amended the bill accordingly. Again, this is a grant program for low-income families to use towards eligible education expenses for their kids. There is a household income threshold starting with \$60,000 for the first 30 days for which funds are available, \$75,000 threshold for the next 30 days. The program is open to all households regardless of income after that. Each student would be eligible for a \$1,000 grant, and each family is capped at \$3,000 total. **Call to Action:** It should be heard in Senate Education as soon as Monday, so please contact the committee and express your support over the weekend.

**H512 Limitations on Bond Elections** - Once again, the House State Affairs committee introduced a bill that would prevent local officials from placing a failed bond question on the ballot again for 11 months. Our members have brought resolutions for over two decades to reduce the supermajority requirement on facility bonds – something that is increasingly more difficult to achieve. This bill impedes efforts even further. It also came the day after the Joint Legislative Oversight Committee released their report on school facilities – in which they reported many eye-opening findings in their analysis, including an estimation that it would take upwards of \$874 million to get Idaho's school buildings to "good" condition. **Call to Action:** Please contact House State Affairs this week to talk about the difficulty you've had on passing a bond issue, and how you listen and respond to your community if a bond measure has failed.

A few other bills were introduced this week that conflict with a long-standing value of the ISBA: Local Governance, sometimes called Local Control. One is **House Bill 514**, that would prohibit any local government from requiring a facial covering or mask. The ISBA would similarly be against a law that would require you to mandate facial coverings. We firmly believe our school board members should have the authority to make the choice that is right for their community. Another is, **House Bill 531**, which would require a local government to take a change in historical monument or memorial – including the names of school buildings – to the Idaho State Historical Society for approval. We believe that locally elected and appointed officials that govern their schools should be able to work with their community on these topics, without having a non-elected body weigh in.

Lastly, a few other bills were introduced this week but still haven't made it on the Legislature's website. One is based on an ISBA Resolution to find a way to place out-of-state teacher's and administrators on Idaho's career ladder in a way that reflects their experience and expertise. Another creates a "Charter Revolving Loan Fund" that would create a fund that charter schools to apply to for the purchase facilities if they are eligible and meet key financial benchmarks. Lastly, Senate Education committee introduced a bill that would direct more funding to school districts to reduce their supplemental levy amount. We'll provide information to you on these bills in next week's issue!

**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.](#)



**We have one other call to action this week, which is asking our school board members and school leaders to contact their legislators to discuss the status of the Idaho Lottery and Powerball.** As a reminder, if the legislature fails to act on Powerball this session, it will cease to exist and puts millions of dollars dedicated to school maintenance at risk. Want to know why lottery is important for public schools? Check out the [Idaho Lottery's brochure](#) for how schools receive funding for projects on things like roof repairs, gymnasium bleachers, maintenance, HVAC repairs, carpet replacement, replacement of doors, etc.

**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 - No Expected Impact | **H 0533** | **Amends existing law to allow for certain employees to continue to receive master educator premiums.**

**Introduced:** 02/04/2022 | **Last Action:** Feb 04, 2022 - Introduced, read first time, referred to JRA for Printing

**Our Position:** Neutral

**Staff Analysis:**

This legislation creates a retroactive clause for approximately 23 school administrators who did the work and *received* the Master Educator Premium, but were ineligible to receive years two or three of the premium once they became an administrator. The Master Educator Premium program was phased out in 2020 when the Advanced Professional Rung was added to the career ladder. It's retroactive and has minimal impact.

**Tracking:** Monitoring - Impact | **H 0531** | **Adds to existing law to provide for the protection of certain monuments and memorials.**

**Introduced:** 02/04/2022 | **Last Action:** Feb 04, 2022 - Introduced, read first time, referred to JRA for Printing

**Our Position:** Oppose

**Staff Analysis:**

**ISBA is opposed to this bill using the guiding principal of Local Governance, sometimes called Local Control.** This legislation would say that no political subdivision can alter, relocate, or remove any historical monument or memorial without the two-thirds vote approval from the Idaho State Historical Society - including bridges, schools, parks, or any other public area. It also requires that the Governor, Speaker of the House, President Pro Tem, and Minority

Leadership in the House and Senate to be notified, and it may require them to go before the House and Senate State Affairs committees in the legislature. While we do appreciate that this years' version does allow some exceptions for construction or repair, we believe that local school boards should have the authority to work with their community on these issues, and not rely on a supermajority vote of a non-elected body. **Who to contact:** [House State Affairs Committee](#).

**Tracking:** Monitoring - Impact | [H 0514](#) | **Adds to existing law to establish provisions regarding the prohibition of mask mandates.**

**Introduced:** 02/02/2022 | **Last Action:** Feb 03, 2022 - Reported Printed and Referred to State Affairs

**Our Position:** Oppose

**Staff Analysis:**

**ISBA is opposed to this legislation using the principle of Local Governance, sometimes known as Local Control.** This legislation would prevent any local government - including school districts and charter schools - from requiring facial coverings or masks. Just like the ISBA would oppose a bill that would mandate the school board to require masks, we are opposed to bills that take away a school board's authority to do so. We believe that local school boards should have the ability to make decisions on these issues the way that they and their community feel is best. **Who to contact:** House State Affairs Committee.

**Tracking:** Monitoring - Impact | [H 0512](#) | **Amends existing law to prohibit holding another bond election within 11 months of a failed bond election.**

**Introduced:** 02/02/2022 | **Last Action:** Feb 03, 2022 - Reported Printed and Referred to State Affairs

**Our Position:** Oppose

**Staff Analysis:**

**ISBA is opposed to this legislation.** Once again, the House State Affairs committee introduced a bill that would place limits on local officials from placing a failed bond question on the ballot again for 11 months. Our members have brought resolutions for over 2 decades to reduce the supermajority requirement on facility bonds – something that is increasingly more difficult to achieve. This impedes efforts even further. It also came the day after the Joint Legislative Oversight Committee released their report on school facilities – in which they reported many eye-opening findings in their analysis, including an estimation that it would take upwards of \$874 million to get Idaho's school buildings to "good" condition. **Call to Action:** Please contact House State Affairs this week to talk about the difficulty you've had on passing a bond issue, and how you listen and respond to your community if a bond measure has failed.

**Tracking:** Monitoring - No Expected Impact | [S 1261](#) | **Adds to existing law to provide for the installation of adult content filters on tablets and smart phones.**

**Introduced:** 02/02/2022 | **Last Action:** Feb 03, 2022 - Reported Printed; referred to State Affairs

**Our Position:** Neutral

**Staff Analysis:**

This legislation would require manufacturers of "Internet Capable Devices" - including tablets, computers, and phones - to install and activate technology that enables parents to make filtering decisions for their children.

**Tracking:** Monitoring - Impact | [S 1255](#) | **Amends existing law to establish the Empowering Parents Grant Program, which provides funds to eligible students for certain education expenses.**

**Introduced:** 02/02/2022 | **Last Action:** Feb 03, 2022 - Reported Printed; referred to Education

**Our Position:** Support

**Staff Analysis:**

**This bill replaces SB 1242, and ISBA is now in support of SB1255 - Empowering Parents.** Last week, we met with the sponsors

about our concerns with the first version. We are grateful that they were amenable to our concerns and amended the bill accordingly. Again, this is a grant program for low-income families to use towards eligible education expenses for their kids. There is an income threshold starting with \$60,000 for the first 30 days, \$75,000 for the next 30 days. The program is open to all households regardless of income after that. Each student would be eligible for a \$1,000 grant, and each family is capped at \$3,000 total. **Call to Action:** It should be heard in Senate Education as soon as Monday, so please contact the committee and express your support over the weekend. Who to contact: [Senate Education Committee](#).

**Tracking:** Monitoring - Impact | [S 1238](#) | **Adds to existing law to establish the self-directed learner designation.**

**Introduced:** 01/26/2022 | **Last Action:** Feb 03, 2022 - Read First Time, Referred to Education

**Our Position:** Support

#### Staff Analysis:

**ISBA supports this legislation, formerly known as SB1226.** This legislation - sponsored by Senate Education Chairman Sen. Steven Thayne (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. It passed the Senate Floor and will be heard in House Education soon.

**Tracking:** Monitoring - Impact | [H 0461](#) | **Amends existing law to revise eligibility requirements for Armed Forces and Public Safety Officer Scholarships.**

**Introduced:** 01/25/2022 | **Last Action:** Jan 26, 2022 - Reported Printed and Referred to Education

**Our Position:** Support

#### Staff Analysis:

This is a bipartisan bill that amends Idaho's scholarship for military families who has a parent or spouse die in combat to add that they can be eligible if their parent or spouse dies in training or in their line of service. The change stems from a recent tragedy where three members of Idaho's National Guard died in a Blackhawk helicopter exercise, and the bill sponsors realized that their children wouldn't be eligible for the scholarship because they didn't die in combat. **ISBA supports scholarship opportunities for all students and is in support of this legislation. It passed House Education and will be voted on by the House next week!**

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

**Introduced:** 01/18/2022 | **Last Action:** Feb 01, 2022 - Introduced, read first time; referred to: Judiciary & Rules

**Our Position:** Support

#### Staff Analysis:

**ISBA Supports this legislation. It passed the House overwhelmingly and awaits a Senate Hearing.** 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:** Feb 04, 2022 - Reported Enrolled; Signed by Speaker; Transmitted to Senate

**Our Position:** Support

#### Staff Analysis:

**This bill passed the Senate overwhelmingly, and is now on the Governor's Desk!** 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. **Please wait for more information from the Idaho Department of Administration for information on the State's health plan.**

**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:**

**No update from last week.** 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:**

**No update from last week.** 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:**

**No update from last week.** 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:** Feb 03, 2022 - Delivered to Governor at 1:45 p.m. on February 2, 2022

**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

