



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



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The Legislature is working diligently this week to wrap up their business for the 2022 session. As we send this email out, the House is preparing to go back on the floor to debate the final pieces of legislation for the year.

As we read the last Capitol Notes of the 2021 session, we realize how a year ago felt like a dark and scary time in Idaho politics when seen through the lens of public education. We can say with confidence that we ended this session with a feeling of *hope*. **We want to thank you all – sincerely – for supporting our legislative efforts through your personal relationships, phone calls, and emails to your policy makers.** None of this work can be done without the support of school leaders across this state who are consistently working to provide the best possible education for the kids in their community.

Stay tuned for information about how to submit ISBA Resolutions to build the 2023 legislative platform.

HB 790 – the Literacy Bill After a quick introduction last Friday, the new literacy bill was fast-tracked through the House and Senate this week. The good news is that this dislodged the public school appropriation bills, and they sailed through the House and Senate.

We have heard concerns from many about the new language required to be included on supplemental levy ballots. Rest assured, we'll work with our partners around the state to help implement this new piece of ballot disclosure for supplemental levies.

HB723 – Enrollment After it was amended to ensure that kindergarten students aren't divided twice, the House *barely* supported HB723. It's now headed to the Governor's desk. In addition, JFAC met and created the trailer appropriation bills for Enrollment, Out of State Teachers (HB656), and the Rural Educator Incentive Bill (SB1290). So far, Governor Little signed HB656 and SB1290 into law.

End-of-Session Wrap up Webinar – March 31st! Want to hear all about what happened (and didn't happen) during the 2022 session? Join us for a Legislative Wrap-Up Webinar so you can hear about important issues and legislative changes impacting public schools. We'll host it next Thursday, March 31st at 12:00 p.m. MT/11:00 a.m. PT. You can register for the free webinar here: <https://us02web.zoom.us/meeting/register/tZYud-mgrjwpHdfa5QM-fjOH7JY0PrcxdfnH>

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 0807** | **Relates to the appropriation to the Public Schools Educational Support Program for the Divisions of Administrators and Operations, and to the Idaho Legislature for fiscal year 2023.**

Introduced: 03/23/2022 | **Last Action:** Mar 24, 2022 - Reported Enrolled; Signed by Speaker; Transmitted to Senate

Our Position: Support

Staff Analysis:

This is the trailer appropriation for H723 which moves schools to be counted on enrollment.

Tracking: Monitoring - Impact | **H 0805** | **Relates to the appropriation to the Public Schools Educational Support Program's Division of Teachers for fiscal year 2023.**

Introduced: 03/23/2022 | **Last Action:** Mar 24, 2022 - Reported Enrolled; Signed by Speaker; Transmitted to Senate

Our Position: Support

Staff Analysis:

This is the trailer appropriation for H656, related to placing out of state teachers on the career ladder.

Tracking: Monitoring - Impact | **H 0804** | **Relates to the appropriation to the Department of Education for fiscal year 2023.**

Introduced: 03/23/2022 | **Last Action:** Mar 24, 2022 - Reported Enrolled; Signed by Speaker; Transmitted to Senate

Our Position: Neutral

Staff Analysis:

This is the trailer appropriation for HB 716 related to content standards.

Tracking: Monitoring - Impact | **H 0797** | **Relates to the appropriation to the Public Schools Educational Support Program's Division of Operations for fiscal years 2022 and 2023.**

Introduced: 03/21/2022 | **Last Action:** Mar 24, 2022 - Returned Signed by the President; Ordered Transmitted to Governor

Our Position: Support

Staff Analysis:

This is the public schools budget for operations.

Tracking: Monitoring - Impact | **H 0796** | **Relates to the appropriation to the Public Schools Educational Support Program's Division of Facilities for fiscal year 2023.**

Introduced: 03/21/2022 | **Last Action:** Mar 24, 2022 - Returned Signed by the President; Ordered Transmitted to Governor

Our Position: Support

Staff Analysis:

This is the public schools budget for facilities.

Tracking: Monitoring - Impact | [H 0795](#) | **Relates to the appropriation to the Public Schools Educational Support Program's Division of Central Services for fiscal year 2023.**

Introduced: 03/21/2022 | **Last Action:** Mar 24, 2022 - Returned Signed by the President; Ordered Transmitted to Governor

Our Position: Support

Staff Analysis:

This is the public schools budget for the division of central services.

Tracking: Monitoring - Impact | [H 0793](#) | **Relates to the appropriation to the Public Schools Educational Support Program's Division of Teachers for fiscal year 2023.**

Introduced: 03/21/2022 | **Last Action:** Mar 24, 2022 - Returned Signed by the President; Ordered Transmitted to Governor

Our Position: Support

Staff Analysis:

This is the public schools budget for the Teachers Division.

Tracking: Monitoring - Impact | [H 0792](#) | **Relates to the appropriation to the Public Schools Educational Support Program's Division of Administrators for fiscal years 2022 and 2023.**

Introduced: 03/21/2022 | **Last Action:** Mar 24, 2022 - Returned Signed by the President; Ordered Transmitted to Governor

Our Position: Support

Staff Analysis:

This is the appropriation bill that includes the Division of Administrators.

Tracking: Urgent | [H 0790](#) | **Amends and adds to existing law to provide funding for literacy intervention, to provide for a ballot disclosure on the purposes of levy funds, and to provide that supplemental levy revenues may be used only for the purposes identified in the disclosure.**

Introduced: 03/21/2022 | **Last Action:** Mar 24, 2022 - Returned Signed by the President; Ordered Transmitted to Governor

Our Position: Neutral

Staff Analysis:

This bill replaces SB1373 and changes the literacy distribution to say that 50% of funds are distributed based on enrollment, but the remainder would be based on growth to proficiency. It would weight economically disadvantaged students as 1.75, and would ensure funding for schools with very few students. It also adds additional levy disclosure that would require that school districts include, in simple, understandable language, a description and approximate amount of levy funds for each intended purpose. You'd be required to use those funds for those specific purposes only and would be required to publish . prior to your regular July meeting . a summary of levy revenues and the items they were used for along with the disclosure on that ballot for your patrons to compare. The bill has passed both the House and Senate and is expected to be signed into law.

Tracking: Monitoring - Impact | [H 0788](#) | **Relates to the appropriation to the Public Schools Educational Support Program's Division of Children's Programs for fiscal year 2023.**

Introduced: 03/17/2022 | **Last Action:** Mar 24, 2022 - to Senate

Our Position: Support

Staff Analysis:

This is a one of the public schools' budget bills and includes IDLA, school nutrition, mastery, literacy proficiency dollars, and more.

Tracking: Monitoring - Impact | [S 1404](#) | **Relates to the appropriation to the Public Schools Educational Support Program for the Division of Administrators, the Division of Teachers, and the Division of Operations for fiscal year 2022.**

Introduced: 03/14/2022 | **Last Action:** Mar 23, 2022 - Reported signed by the Speaker & ordered delivered to Governor

Our Position: Support

Staff Analysis:

This is an FY2022 supplemental appropriate that is funding \$1,000 bonuses for administrators, teachers, pupil service staff, and classified positions.

Tracking: Monitoring - Impact | [H 0741](#) | **Amends and adds to existing law to provide property tax relief for owner-occupied homesteads, to increase the grocery tax credit, and to raise the sales and use tax rate to provide replacement funding for local tax areas.**

Introduced: 03/04/2022 | **Last Action:** Mar 07, 2022 - Reported Printed and Referred to Revenue & Taxation

Our Position: Neutral

Staff Analysis:

This bill does not appear to be moving forward this legislative session, but the sponsors hope to gain feedback throughout the interim. It would remove all property taxes - with the exception of voter-approved bonds and school levies - from owner-occupied residential properties by increasing the sales tax from 6% to 7.85%. It would also raise the grocery tax credit to \$175 per person. It would dedicate 1.65% of the increase to the local governments impacted - such as cities and counties. It would, however, make Idaho's sales tax the highest in the country.

Tracking: Monitoring - Impact | [S 1374](#) | **Adds to existing law to provide for career exploration courses.**

Introduced: 03/04/2022 | **Last Action:** Mar 21, 2022 - Returned from House Failed; to Secretary of Senate

Our Position: Neutral

Staff Analysis:

This legislation defines career exploration for 8th grade students to assist them in identifying potential interests and resulting career paths.

Tracking: Urgent | [S 1373](#) | **Amends existing law to provide for certain state funding distributions.**

Introduced: 03/04/2022 | **Last Action:** Mar 22, 2022 - U.C. to be returned to Education Committee

Our Position: Support

Staff Analysis:

The bill would amend Idaho's Literacy Achievement & Accountability Act to state that literacy funds could be used for optional full-day Kindergarten. While it isn't a universal full-day kindergarten bill, it provides additional clarity on the use

of literacy funds and may provide enough resources for your school or district to offer full-day kindergarten. It also changes the literacy distribution formula to say that 50% of funds are distributed based on enrollment, but the remainder would be based on growth to proficiency. It would weight economically disadvantaged students as 1.75, and would ensure funding for schools with very few students. **We're supportive of the bill, but testified to concerns about the predictability and stability of programs when half the funds could be inconsistently distributed.** This legislation is on "life support" and is most likely dead for the session.

Tracking: Urgent | **H 0734** | **Amends existing law to revise provisions regarding school-required actions to prevent the spread of infectious disease.**

Introduced: 03/03/2022 | **Last Action:** Mar 09, 2022 - Introduced, read first time; referred to: Education

Our Position: Oppose

Staff Analysis:

Like other bills that usurp a school boards decision on school operations, ISBA is opposed to this legislation on the principle of local control. This would require school districts and charter schools to allow for a religious, medical, or personal belief exemption to wearing a facial covering at school. It had a lightning fast hearing and passed the House, and is awaiting a hearing in Senate Education.

Tracking: Urgent | **H 0733** | **Adds to existing law to prohibit evaluations, questionnaires, surveys, and data collection on a student's behavioral well-being without the approval of the school board and a parent or guardian.**

Introduced: 03/03/2022 | **Last Action:** Mar 03, 2022 - Reported Printed and Referred to Education

Our Position: Oppose

Staff Analysis:

We have concerns with the legislation and believe it should be divided in to two separate bills. This legislation would require that schools cannot collect data by survey, evaluation, or questionnaire on a students behavior, trauma, attitude, or social emotional status be given without the approval of both the school board and their parent or guardian. It goes further, however, to say that all learning or curricular materials or activities used for social emotional learning and mental/behavioral well-being are displayed on a school website – including the title, author, organization and website of materials, link to learning materials or a brief description, or the identity of a teacher, staff member, or school official who created such material. It applies to charter schools as well. The hearing brought out a lot of opposition from stakeholders and school counselors. It was pulled from the agenda and is likely dead for the year. We have committed to working with the sponsor to ease concerns.

Tracking: Monitoring - Impact | **H 0732** | **Amends existing law to provide that publicly funded programs shall not be designated as home schooling.**

Introduced: 03/03/2022 | **Last Action:** Mar 09, 2022 - U.C. to be placed on General Orders, no objection

Our Position: Neutral

Staff Analysis:

This legislation states in the compulsory attendance definition that no Idaho public school or department is allowed to designate any publicly funded program as "home schooling" or "homeschooling" nor shall they designate students who are enrolled in or receiving K-12 funding as either. It also seems to be targeted at Idaho's Virtual Charter schools that may consider themselves a "home schooling" program.

Tracking: Monitoring - Impact | **H 0731** | **Amends and adds to existing law to establish provisions regarding certain dyslexia interventions.**

Introduced: 03/03/2022 | **Last Action:** Mar 24, 2022 - Reported Signed by Governor on March 23, 2022 Session Law Chapter Effective:

Our Position: Neutral

Staff Analysis:

This legislation is a compromise dyslexia bill that first defines dyslexia, and then directs the State Department of Education to create screening tools and intervention practices to support children with dyslexia. It does require LEA to provide evidence-based interventions in alignment with the literacy plan and dyslexia handbook. It would also require all instructional staff member and coaches involved in the instruction of students in Kindergarten through grade 5, including special education teachers, to receive professional development on dyslexia interventions. Also by 2023, every teacher, administrators, and school counselors with instructional certificates in grades 6-12 are required to have received professional development on characteristics of dyslexia. By 20215, all teachers or administrators with a K-8 endorsement, exceptional child endorsement, blended early childhood, or school counselor serving students in K-5th grade earn one or more credits of professional development on dyslexia and understanding the pedagogy for instructing students with dyslexia in order to re-certify. This legislation has passed the House, Senate Education, and is expected to pass the full Senate.

Tracking: Monitoring - Impact | [H 0723](#) | **Adds to existing law to provide that enrollment shall replace average daily attendance in funding formulas for fiscal years 2023 and 2024 and to provide for a study committee on the public school funding formula.**

Introduced: 03/02/2022 | **Last Action:** Mar 24, 2022 - Delivered to Governor at 10:45 a.m. on March 24, 2022

Our Position: Support

Staff Analysis:

A compromise on moving the state permanently to Enrollment and away from average daily attendance, this bill would fund schools on full-time equivalent enrollment for FY23 and FY24. It would also call for a new committee to study Idaho's funding formula. **This legislation was amended in the Senate, and must go back to the House for 'concurrence' on the Senate amendments.**

Tracking: Monitoring - Impact | [H 0717](#) | **Amends existing law to provide an alternative means to determine school readiness.**

Introduced: 03/01/2022 | **Last Action:** Mar 02, 2022 - Reported Printed and Referred to Education

Our Position: Support

Staff Analysis:

ISBA supports this legislation based on an ISBA Resolution on school age flexibility. This legislation would amend Idaho's school age statute that says if a child's parent or guardian have determined that a child is "school-ready" and their 5th birthday is before the 31st of December, a child may be eligible to enroll in school at age 4.

Tracking: Urgent | [H 0716](#) | **Adds to existing law to provide for the adoption of initial certification and content standards prepared by 2020-2021 work groups.**

Introduced: 03/01/2022 | **Last Action:** Mar 24, 2022 - Reported Signed by Governor on March 23, 2022 Session Law Chapter Effective:

Our Position: Neutral

Staff Analysis:

This legislation directs the State Board of Education to adopt the draft Idaho Content Standards for English Language Arts, Mathematics, and Science. The bill passed the Committee and will head to the House Floor. We testified to go on record that we hope to see a commitment from the legislature to receive the financial resources needed to implement these standards.

Tracking: Monitoring - Impact | [H 0701](#) | **Adds to existing law to establish the Idaho Workforce Housing Fund and to provide for the allocation of funds.**

Introduced: 02/28/2022 | **Last Action:** Mar 24, 2022 - Returned Signed by the President; Ordered Transmitted to Governor

Our Position: Support

Staff Analysis:

ISBA Supports this legislation. It passed the House and is expected to be heard very soon in the Senate. This legislation would create an advisory commission who would be tasked with developing, implementing, and maintaining a statewide workforce housing plan. The fund would be created to accept funds appropriated by the legislature, and distribute funds according to the statewide workforce housing plan implemented by the Commission. We know that workforce housing is an issue deeply impacting school districts – in areas rural and urban. This is a step in the right direction to collaborate with other local governments and employers to be able to recruit and retain a workforce in Idaho's schools.

Tracking: Monitoring - No Expected Impact | [S 1354](#) | **Amends existing law to establish an apprenticeship program for certain high school students.**

Introduced: 02/28/2022 | **Last Action:** Mar 21, 2022 - Reported signed by the Speaker & ordered delivered to Governor

Our Position: Neutral

Staff Analysis:

This legislation would allow high school students who have completed two years of high school to enroll in a licensed barber or cosmetology program and begin accruing training hours during their junior year.

Tracking: Monitoring - Impact | [H 0680](#) | **Amends existing law to provide that school boards shall have the authority to adopt policies and procedures regarding student clubs and organizations.**

Introduced: 02/24/2022 | **Last Action:** Feb 25, 2022 - Reported Printed and Referred to Education

Our Position: Neutral

Staff Analysis:

This legislation would require that school districts and charter schools receive explicit parental permission for their student to participate in school clubs. It also requires that the school board approve and publish annual a list of all approved school clubs, advisors, and a description of the club and it's activities. While we do believe this creates a huge barrier for students to be able to participate in clubs, we're neutral on the legislation. In addition, it should be stated that schools cannot limit a students constitutional right to assemble.

Tracking: Urgent | [H 0676](#) | **Amends existing law to provide a certain exception regarding concealed weapons, to revise provisions regarding preemption of firearms regulation, and to provide for civil enforcement for violations.**

Introduced: 02/23/2022 | **Last Action:** Feb 24, 2022 - Reported Printed and Referred to State Affairs

Our Position: Oppose

Staff Analysis:

This legislation would state that any public agency - including a school district or charter school - that leases, rents, or contracts with a private entity must not have the rights to prohibit the use or carry if firearms on it's property. In other words, if a school rents out it's gymnasium for an event, that private entity must allow people attending to bring their firearms to that event. Further, it would allow anyone to bring a civil lawsuit for damages against a political subdivision if they failed to comply. **This is a huge infringement on local control, and we're opposed to the bill.**

Tracking: Urgent | [H 0669](#) | **Adds to existing law to establish provisions regarding the Hope and Opportunity Scholarship Act.**

Introduced: 02/18/2022 | **Last Action:** Feb 21, 2022 - Reported Printed and Referred to Education

Our Position: Oppose

Staff Analysis:

GOOD NEWS! This bill is dead for the session. ISBA is opposed to school vouchers and any attempt to divert public, taxpayer dollars to private institutions. This legislation in particular is extremely broad, and doesn't even require the private school to be accredited. Want to know more about why we're opposed to school vouchers? Check out our blog post here: [HB669 IS A VOUCHER BILL \(idsba.org\)](#). **Contact the committee here and tell them to vote "NO" on HB669: [HEDU – Idaho State Legislature!](#)**

Tracking: Monitoring - Impact | [H 0656](#) | **Amends existing law to provide for placement on the career ladder of certain previously certified staff.**

Introduced: 02/16/2022 | **Last Action:** Mar 22, 2022 - Reported Signed by Governor on March 21, 2022 Session Law Chapter 83 Effective: 07/01/2022

Our Position: Support

Staff Analysis:

Good news - this legislation passed the House and Senate unanimously. This legislation helps more clearly place out of state teachers and administrators on Idaho's career ladder when they may not have the exact same evaluation framework or other criteria to make them eligible for movement. This is based on ISBA Resolution No. 1.

Tracking: Monitoring - Impact | [H 0655](#) | **Amends existing law to provide for dyslexia intervention and screening programs in certain grades.**

Introduced: 02/16/2022 | **Last Action:** Feb 17, 2022 - Reported Printed and Referred to Education

Our Position: Neutral

Staff Analysis:

This legislation defines "dyslexia" based on the definition from the International Dyslexia Association and directs the state department of education to implement a dyslexia handbook, which includes strategies and available resources and services to support students with dyslexia. It requires the state department of education to provide training for educators and to designate a dyslexia specialist to support reading improvement plans for students with dyslexia.

Tracking: ISBA Sponsored Bill | [H 0654](#) | **Amends existing law to authorize certain professionals to work as school counselors.**

Introduced: 02/16/2022 | **Last Action:** Mar 22, 2022 - Reported Signed by Governor on March 22, 2022 Session Law Chapter Effective:

Our Position: Support

Staff Analysis:

Good news - this legislation passed the House and Senate unanimously. This legislation would add licensed professional counselors and licensed clinical professional counselors as individuals eligible to qualify as school counselors. This is based on [ISBA Resolution No. 2](#).

Tracking: Urgent | [H 0653](#) | **Adds to existing law to provide that a ballot question for a supplemental levy must be accompanied by a disclosure about the purposes for which the levy revenues will be used and to provide that school districts must use levy revenues for the purposes identified in the disclosure.**

Introduced: 02/16/2022 | **Last Action:** Mar 01, 2022 - Introduced, read first time; referred to: State Affairs

Our Position: Neutral

Staff Analysis:

This legislation would require additional levy disclosure, in that schools would be required to include a detailed purposes for the levy, and include the amount for each purpose. If you fail to comply, it would invalidate the levy. In addition, if you had more than a 10% variance on the stated purpose on the ballot, the board would be required to hold a public hearing prior to taking action on using the levy dollars differently.

Tracking: Urgent | [H 0652](#) | **Amends and adds to existing law to provide that funds appropriated for employee health insurance shall be used for such insurance and to provide for the payment of certain premiums by the retirement board.**

Introduced: 02/16/2022 | **Last Action:** Feb 17, 2022 - Reported Printed and Referred to Education

Our Position: Oppose

Staff Analysis:

This legislation is sponsored by Rep. Horman and has two main components: first, it would mandate that the discretionary monies allocated for health insurance is spent **only** on health insurance, and if used for other purposes would revert back to the state. If they failed to make such reimbursement, the “misused funds” would be deducted from the district or schools next payment. If you used up to 90% for the health insurance money, you could retain the remaining amount but it must be used on health insurance the following year. **While we support the intent, we think there are substantial unintended consequences. ISBA GAC directed staff to address these concerns and in the meantime oppose to the first piece.** The second piece, which we are supportive of, ensures that all school employees can still use unused sick leave to pay for health insurance upon retirement. Contact: [House Education Committee and your own local legislators.](#)

Tracking: Urgent | [H 0651](#) | **Amends existing law to require drug testing and criminal background tests for certain teachers.**

Introduced: 02/16/2022 | **Last Action:** Mar 03, 2022 - Filed in Office of the Chief Clerk

Our Position: Oppose

Staff Analysis:

Good news - this legislation died on the House floor. This legislation would require a school district and charter to drug test substitute teachers prior to their hire. **ISBA is opposed.** While we’re certainly opposed to all employees being under the influence on school property, this feels like we’re violating privacy rights of parents and community members who are stepping up to serve a need. In addition, there is no fiscal note so districts would have to pay for the additional cost. Most schools and districts have policies in place that require drug testing on suspicion, and that process has seemingly worked well.

Tracking: Urgent | [H 0650](#) | **Amends existing law to revise provisions regarding curricular materials adoption committees.**

Introduced: 02/16/2022 | **Last Action:** Mar 24, 2022 - Delivered to Governor at 10:45 a.m. on March 24, 2022

Our Position: Neutral

Staff Analysis:

This legislation changes the curricular materials adoption committees to a required committee, and outlines that it must consist of 12 members – 3 teachers, 1 board member, 1 administrator, 1 community member, and 6 parents of children attending school. ISBA GAC voted to oppose only the prescriptiveness of the committee, it could place a very difficult burden on small districts and charters to recruit that many people to the committee. **The good news is that Senate Education sent the bill to the amending order to provide more flexibility on the makeup of the committee, thus we’ve switched our position to neutral.**

Tracking: Urgent | [H 0649](#) | **Amends existing law to require approval of supplemental material.**

Introduced: 02/16/2022 | **Last Action:** Feb 17, 2022 - Reported Printed and Referred to Education

Our Position: Oppose

Staff Analysis:

This legislation would require school boards to approve *all* supplemental materials teachers use in classrooms. **ISBA GAC voted to oppose.** While we don't disagree with the intent, this could be a logistical nightmare for a volunteer board to meet regularly to approve a discussion, article, or idea in the classroom. Teachers are already expected to adhere to Idaho's professional standards and are evaluated on components to avoid outrageous curriculum in classrooms. Further, we have grievance processes in place for these types of issues and believe are best handled at the local level. Contact: [House Education Committee and your own local legislators.](#)

Tracking: Urgent | [H 0627](#) | **Amends existing law to provide for enrollment-based funding and to allow for alternative education programs.**

Introduced: 02/14/2022 | **Last Action:** Feb 15, 2022 - Reported Printed and Referred to Education

Our Position: Support

Staff Analysis:

This would change Idaho permanently to allocating support unites based on FTE Enrollment, instead of Average Daily Attendance. This is how we've essentially been funded the last two years, it's a much more accurate way to count students. ISBA supports this legislation.

Tracking: Urgent | [H 0607](#) | **Amends existing law to provide that the commission may adopt certain rules and to revise provisions regarding joint lotteries.**

Introduced: 02/14/2022 | **Last Action:** Mar 21, 2022 - Reported Signed by Governor on March 18, 2022 Session Law Chapter Effective:

Our Position: Support

Staff Analysis:

Good news - this passed the House and Senate! **ISBA is in strong support of this legislation.** This legislation ensures that Idaho can still remain in the Multi State Lottery Association and play Powerball - Idaho's most popular lottery game. Idaho schools receive significant amount of support for facility upgrades and bond/levy equalization. Without this legislation, Idaho would no longer be eligible to have Powerball and those funds would be at risk.

Tracking: Monitoring - Impact | [S 1318](#) | **Amends existing law to establish provisions regarding certain kindergarten students.**

Introduced: 02/14/2022 | **Last Action:** Feb 15, 2022 - Reported Printed; referred to Education

Our Position: Oppose

Staff Analysis:

1318 says that support units for kindergarten students who only enroll in a half-day program – but, who meet certain conditions – can be counted as a 'full-day' student if they participate in kindergarten screeners or assessments are provided evidence-based supplementary materials, and if the student is not proficient ay enroll in a 3 to 5 in-person summer school. **We have some concerns with this legislation and will address them with the sponsor.**

Tracking: Monitoring - Impact | [S 1317](#) | **Adds to existing law to establish a kindergarten savings account.**

Introduced: 02/14/2022 | **Last Action:** Feb 15, 2022 - Reported Printed; referred to Education

Our Position: Oppose

Staff Analysis:

Sen. Thayne has two interesting ideas for Full-Day Kindergarten. 1317 creates a kindergarten savings account and is contingent if the legislature funds full-day Kindergarten. It would direct the State Board to create a program where a

parent or legal guardian can apply to the school district or charter to withdraw funds to be used for certain approved expenses – such as technology, curriculum, therapies, or other expenses approved by the state Board. The account essentially functions as a government-authorized accounts that allow families to spend government funds on a variety of education-related costs for kindergarten families. The student is only eligible be up to \$1,000 at first, but receive another \$500 if they pass the spring IRI with a ‘proficient’ or better score. The school or district also receives \$500 for administrative costs, including the IRI. **ISBA has concerns and will address them with the sponsor.**

Tracking: Urgent | [S 1315](#) | **Amends existing law to provide for full-day kindergarten and to revise provisions regarding certain support units and funding distributions.**

Introduced: 02/14/2022 | **Last Action:** Feb 15, 2022 - Reported Printed; referred to Education

Our Position: Support

Staff Analysis:

This proposal is based on a proposal passed by the State Board of Education and creates the calculated formula to allow for the funding of full-day kindergarten. It would cost between \$42 million and \$46 million annually, if an estimated 80% of school districts and charter schools take part in full-day kindergarten. Participation in full-day kindergarten by districts and schools would be still optional, and it does not change the fact that kindergarten in general is still optional for parents and legal guardians. Something important to note, this bill would prohibit school districts from paying for full-day kindergarten with maintenance and operations levies. This bill also requires that full-day kindergarten programs use evidence-based teaching methods and includes a parental engagement component. **ISBA is in support of this legislation and urges you contact your own local legislators and Senate Education**

Tracking: Monitoring - Impact | [S 1302](#) | **Amends and adds to existing law to provide sales tax revenues to school districts and to revise provisions regarding school levy authority.**

Introduced: 02/11/2022 | **Last Action:** Feb 14, 2022 - Reported Printed; referred to Local Government & Taxation

Our Position:

Staff Analysis:

Tracking: Monitoring - Impact | [S 1291](#) | **Charter Certificate Bill - Amends existing law to provide alternative methods of obtaining certain certifications.**

Introduced: 02/10/2022 | **Last Action:** Mar 21, 2022 - Reported signed by the Speaker & ordered delivered to Governor

Our Position: Neutral

Staff Analysis:

ISBA is neutral on this legislation. Like House Bill 221 from last year, this allows local charter school boards to create a charter-specific certificate. Requirements are that you hold a bachelor’s degree and/or CTE certificate, but you aren’t required to be doing an alternate route to certification. It is only allowed at charter schools, and only transferrable from charter to charter via MOU. It also allows the charter to create their on professional development in substitute of the State Board of Education.

Tracking: Monitoring - Impact | [S 1290](#) | **Adds to existing law to establish the Rural and Underserved Educator Incentive Program.**

Introduced: 02/10/2022 | **Last Action:** Mar 21, 2022 - Reported signed by the Speaker & ordered delivered to Governor

Our Position: Support

Staff Analysis:

This bill has bi-partisan support and establishes a rural educator incentive program for high-need or rural

districts/charters. It would provide a maximum amount of eligible funding that gradually increases for the number of years the educator stays in the high need or rural district/charter. Funds could be used for loan repayments, additional degrees, or other education costs. This passed the Senate and is awaiting a hearing in the House. **Please contact House Education and ask for their support of the bill.**

Tracking: Monitoring - Impact | [H 0571](#) | **Amends existing law to allow school buses to travel up to 70 miles per hour on the interstate.**

Introduced: 02/09/2022 | **Last Action:** Mar 21, 2022 - Returned from Senate Failed; Filed in the office of the Chief Clerk

Our Position: Neutral

Staff Analysis:

This legislation would supercede Idaho's Standards for School Bus Drivers and allow them to drive 70 miles per hour on the interstate, instead of the 65 mile per hour rule currently. **This legislation died on the Senate floor by a vote of 16-19.**

Tracking: Monitoring - Impact | [H 0566](#) | **Amends existing law to revise the definition of "property or resources."**

Introduced: 02/08/2022 | **Last Action:** Mar 24, 2022 - Reported Signed by Governor on March 23, 2022 Session Law Chapter Effective:

Our Position: Neutral

Staff Analysis:

This legislation amends the "Public Integrity in Elections Act" to clarify that public property that during certain times and manners that are available to the general public *may* be used by a political, provided that the space is provided to all political parties in a fair and equal manner.

Tracking: Monitoring - Impact | [H 0555](#) | **Change to PERSI Contribution for School Employees - Amends, adds to, and repeals existing law to provide for the contribution rates and reemployment of school members.**

Introduced: 02/08/2022 | **Last Action:** Mar 24, 2022 - Delivered to Governor at 10:45 a.m. on March 24, 2022

Our Position: Neutral

Staff Analysis:

After hearing a concern on the cost of Return to Work for certain school employees, PERSI is bringing this which creates a new class for school employees. It doesn't change the contribution rate, but it could allow the PERSI Board to consider a contribution rate. If approved, the PERSI board is prepared to reduce the general member rate but keep the teacher rate the same as it is today. It also allows ALL retired public employees to be eligible for Return to Work – meaning, retired city officials could work for schools without creating an issue on the PERSI fund and vice versa. If passed, PERSI plans to provide a lot of information to you all via webinar and his roadshows.

Tracking: Monitoring - Impact | [S 1280](#) | **Amends and adds to existing law to establish programs for dyslexia.**

Introduced: 02/08/2022 | **Last Action:** Feb 17, 2022 - Read First Time, Referred to Education

Our Position: Neutral

Staff Analysis:

This legislation has the intended purposes of more readily identifying children who are living with dyslexia. It would first define dyslexia, and then align Idaho's Literacy Achievement and Accountability Act to be assessed for characteristics in dyslexia. It would also establish a list of evidence-based screening and intervention tools for schools to use, and assure educators are receiving professional development and technical assistance for better serving children with dyslexia.

Tracking: Monitoring - Impact | [H 0545](#) | **Repeals and adds to existing law to remove the Public Charter School Debt Reserve Fund and to provide for a revolving loan fund.**

Introduced: 02/07/2022 | **Last Action:** Feb 18, 2022 - Introduced, read first time; referred to: Education

Our Position: Neutral

Staff Analysis:

ISBA is neutral on this legislation. This would create a “revolving loan” fund at the state where charter schools could obtain lower interest rates on loans. There are limitations. For example, the school must pass certain financial provisions, bring at least \$1,000,000 in private or public grants, and demonstrate it has a commitment from al ender to provide a minimum of 20% project financing.

Tracking: Monitoring - Impact | [H 0544](#) | **Amends existing law to provide for placement on the career ladder of certain staff for those previously certified out of state.**

Introduced: 02/07/2022 | **Last Action:** Feb 08, 2022 - Reported Printed and Referred to Education

Our Position:

Staff Analysis:

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:** Mar 21, 2022 - U.C. previously held until March 21, 2022, be Held at the Desk

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. **This legislation was vetoed by the Governor.**

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 16, 2022 - Introduced, read first time; referred to: State Affairs

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:** this bill passed the House State Affairs committee and is on the House floor. Contact your House member!

Tracking: Monitoring - Impact | [S 1271](#) | **Paying Down Levies Bill - Amends and adds to existing law to provide for state support of discretionary spending by school districts.**

Introduced: 02/04/2022 | **Last Action:** Feb 07, 2022 - Reported Printed; referred to Education

Our Position: Support

Staff Analysis:

This bill would appropriate additional funds to schools on a per-student for discretionary purposes. However, if a school is collecting a levy, they would be required to use at least 75% of it to provide property tax relief. Everything else would be directed by the school board. ISBA has always advocated for more state support for school districts so there is less reliance on supplemental levies just to meet day-to-day operational needs. [Please contact the Senate Education committee to support this legislation.](#)

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 16, 2022 - U.C. to be returned to State Affairs Committee

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 18, 2022 - Introduced, read first time; referred to: State Affairs

Our Position: Oppose

Staff Analysis:

ISBA is opposed to this legislation and it requires a call to action! 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 Senate State Affairs!**

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](#) | **Adds to 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:** Mar 01, 2022 - Session Law Chapter 13 Effective: 03/01/2022

Our Position: Support

Staff Analysis:

This bill was signed into law. 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. It passed the Senate and now heads to House Education for a hearing.

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

Introduced: 01/26/2022 | **Last Action:** Mar 01, 2022 - Session Law Chapter 12 Effective: 07/01/2022

Our Position: Support

Staff Analysis:

ISBA supports this legislation, formerly known as SB 1226. 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, and passed out of House Education unanimously.

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

Introduced: 01/25/2022 | **Last Action:** Mar 09, 2022 - Reported Signed by Governor on March 8, 2022 Session Law Chapter 29 Effective: 07/01/2022

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. This bill is signed into law.

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 28, 2022 - Reported Signed by Governor on February 24, 2022 Session Law Chapter 9 Effective: 07/01/2022

Our Position: Support

Staff Analysis:

ISBA Supports this legislation. It passed the House and Senate Committee, and is awaiting a full vote in the Senate. 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 09, 2022 - Reported Signed by Governor on February 8, 2022 Session Law Chapter 3 Effective: 07/01/2022

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 was opposed by a few insurance companies and the Idaho Freedom Foundation. 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: 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 07, 2022 - Reported Signed by Governor on February 4, 2022 Session Law Chapter 1 Effective: Retroactive to 01/01/2022 SECTION 1 -3; 02/04/2022 SECTION 4

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

