

2021 Proposed ISBA Resolutions

Resolutions representing the aims and purposes of the Idaho School Boards Association (ISBA) legislative and otherwise, shall be considered one of the most important functions of the Annual Convention. Resolutions adopted at the Annual Convention automatically remain valid policy of the ISBA for a period of two years unless otherwise acted upon.
(ISBA Bylaws, Article X)

No.*	Resolution	Submitted by <small>*Resolutions will list all districts or schools that have sponsored the resolution.</small>
1	Allowing for Decisions Regarding Student Hearings in Executive Session	Blaine Co. School District #72
2	Amend Idaho Code to Require That Candidates on an Interim Certificate Cannot be Placed on a Renewable Contract Until Respective Program Requirements Are Met	Butte Co. School District #111
3	Resolution to Amend Idaho Code 33-205: Denial of School Attendance	Bonneville Jt. School District #93
4	Amending Idaho School Age Statute to Allow Flexibility for School Preparedness Programs**	Boise School District #1
5	In Opposition to Diverting Public Dollars to Private or Parochial Schools Including Vouchers, the Granting of Tax Credits for Scholarship Donors, or Amending Article IX §, Idaho Code, Also Known as the Blaine Amendment**	Boise School District #1
6	Reduce Supermajority on Facility Bonds**	Moscow School District #281, St. Maries Jt. School District #41
7	Idaho Social Studies Content Standards	Idaho Virtual Academy #452
8	Administrative Leave with Pay	Pocatello/Chubbuck School District #25, Idaho Virtual Academy #452
9	Personnel Funding – Use it or Lose it	Pocatello/Chubbuck School District #25
10	Full Funding of All-Day Kindergarten**	Nampa School District #131
11	Reclamation of Career Ladder Placement for Instructional and Pupil Service Staff	Nampa School District #131
12	Salary-Based Apportionment for Classified Employees**	Nampa School District #131, Twin Falls School District #411
13	Restoration of FY21 Funding Holdbacks	Nampa School District #131
14	Establishing Expectations for the Idaho Public Charter School Commission and Non-Elected Charter School Authorizers	Caldwell School District #132
15	Modification of Definition to Recognize Public Schools as Public Facilities to Collect Impact Fees	Kuna Jt. School District #3

*Resolutions were numbered pursuant to the order in which they were received.

**Indicates the resolution was previously an approved ISBA Resolution that expired.

In addition to the following guiding principles for ISBA's advocacy, they also added this overarching statement to ISBA's advocacy work in 2021:

"In FY20 and FY21, school districts' and charter schools' fiscal appropriations from the State were reduced by over \$100 million dollars. Until the State fully restores funds subject to such holdbacks, including adjustments for inflation, the ISBA Executive Board will use caution in endorsing resolutions or legislation that create additional strain on the State K-12 Schools Budget or the General Fund."

The ISBA Executive Board adopted the following as guiding principles for ISBA's advocacy work in 2021:

1. ISBA supports legislation that provides for local governance and decision making.
2. ISBA is committed to supporting legislation that creates safe and inclusive environments for all students and staff, without regard to race, ethnicity, socioeconomic status, gender, ability, sexual orientation, national origin, immigration status, or native tongue.
3. ISBA believes the state should provide school districts and charter schools with full funding of current and future funding formulas.
4. ISBA opposes any legislation that violates federal laws or the state constitution.
5. ISBA opposes unfunded mandates and will continue to advocate for funding for currently existing mandates.
6. ISBA supports legislation that allows school districts and charter schools to provide competitive compensation for all school employees in order to attract and retain quality staff.
7. ISBA supports legislation, policies, and initiatives that prepare young children for success in the K-12 education system and in life.

2021 ISBA RESOLUTION NO. 1

ALLOWING FOR DECISIONS REGARDING STUDENT HEARINGS IN EXECUTIVE SESSION

WHEREAS, Section 74-206 (b), Idaho Code, allows a governing body of a public agency to go into Executive Session to "hear complaints or charges brought against, a...public school student;" and

WHEREAS, school boards have the duty to protect the health and morals of students; and

WHEREAS, school boards also have the duty to prescribe rules for the disciplining of unruly or insubordinate pupils; and

WHEREAS, school boards may deny enrollment or attendance to any of its schools by expulsion; and

WHEREAS, Idaho statute does not allow for decisions regarding students to be made in closed executive session, and

WHEREAS, a decision made and findings discussed in open session can be considered a violation of a student's rights under the Family Education Rights and Privacy Act (FERPA).

NOW, THEREFORE BE IT RESOLVED, the Idaho School Boards Association work to add language to Idaho Code 33-205 to allow for decisions regarding student enrollment or attendance to be made in executive session.

STATEMENT OF PURPOSE

School Boards often have to make decisions to deny enrollment to students by expulsion. They are required by law to make the decision regarding students in open session. Frequently the student and any guardians present leave the open session to avoid the shame of the decision, leaving no opportunity for the board to explain findings or provisions of the expulsion. Students' privacy and FERPA rights are at risk when opening the meeting to the public for the decision or explanation to be made, as members of the public are allowed to be present for such decisions and discussion. This change to statute would allow school boards to make and discuss their decision regarding enrollment with students and their guardians in executive session to ensure understanding, give greater privacy, and avoid public demoralization.

Submitted by Blaine County School District No. 61

Submitted by the COSSA Board of Directors

Submitted by the Notus School District No. 135

Recommendation of the ISBA Executive Board: Do Pass

Jason Knopp will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 2

AMEND IDAHO CODE TO REQUIRE THAT CANDIDATES ON AN INTERIM CERTIFICATE CANNOT BE PLACED ON A RENEWABLE CONTRACT UNTIL RESPECTIVE PROGRAM REQUIREMENTS ARE MET

WHEREAS, Idaho IDAPA Rule as established by the State Board of Education allows the school board of a local district or charter school to employ personnel on a three-year interim certificate while earning full state certification; and

WHEREAS, personnel who wish to earn full state certification may utilize the interim certificate while earning such certification through "alternative authorization" programs that include Non-Traditional routes; and

WHEREAS, many districts and schools rely on employees who are on "alternative authorizations" to fill a position or program need, including rural districts where finding qualified candidates is particularly challenging; and

WHEREAS, alternative authorization programs are designed to be completed within three consecutive years, and all non-traditional programs require a mentor during the three-year interim certificate; and

WHEREAS, such completion is followed with an "institutional recommendation" from a university or a "district recommendation" from a school district, each confirming successful preparation that qualifies the candidate for full state certification; and

WHEREAS, individual school districts and charter schools differ in their ability to provide required mentoring and other needed support in a three-year period of time; and some candidates need additional time to complete the requirements; and

WHEREAS, Idaho Code 33-515 requires that a teacher who has completed three consecutive years with the same school district is to be placed on a renewable contract with the school district in accordance with such code; and

WHEREAS, these teachers include those on an interim certificate; and

WHEREAS, movement to a renewable contract is inherent to the professional preparation, responsibility, and expectation required of program completion; and

WHEREAS, a candidate who has not completed the respective program requirements within the three-year timeframe of the interim certificate has not met expectations for movement to a renewable contract.

NOW, THEREFORE BE IT RESOLVED, that the Idaho School Boards Association seek legislation that would allow a school board to retain on a Category III contract any employee who has not completed alternative authorization program requirements while on a three-year interim certificate. Movement to a renewable contract would occur upon

the completion of the school year in which the candidate successfully completes his or her respective program and is granted a full state certificate.

STATEMENT OF PURPOSE

In accordance with Idaho Code 33-515, an employee on a three-year interim certificate who has not met program requirements for a full Idaho certificate or endorsement is placed on a renewable contract in the same manner as any other teacher who has completed 3 consecutive years with the same school district. Given the nature of interim programs, it is possible more than three years may be needed for an employee to complete the interim program even with due diligence from both parties. "Holding" an employee who has not met the requirements during the three years on a Category I, II, or III contract allows additional time to "grow" the teacher as program requirements intend. As interim-certificated employees progress to a renewable contract, this provides parity with those employees who possess full certificates and are also on a Category I, II, or III contract progressing toward a renewable contract.

Submitted by Butte County Joint School District No. 111

Recommendation of the ISBA Executive Board: Do Pass

Ken Hart will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 3

RESOLUTION TO AMEND IDAHO CODE 33-205: DENIAL OF SCHOOL ATTENDANCE

WHEREAS, the requirements of Section 33-205, Idaho Code currently exceed the requirements of the Gun-Free Schools Act and unduly restrict the autonomy of local school boards to determine individual circumstances warrant a student's expulsion from school,

WHEREAS, Section 33-205, Idaho Code, requires school boards to expel any student who has been found to have carried not only firearms, but also other items that meet the federal definition of a weapon regardless of the student's age, level of understanding, or intent, exceeding the requirements of the federal Gun-Free Schools Act; and

WHEREAS, an expulsion becomes part of a child's permanent academic record; and

WHEREAS, there is a wide range of diversity in the age, maturity, and understanding among Idaho public school students who range from three to 21 years of age; and

WHEREAS, local school boards and administrators should have the local autonomy to determine whether each child's individual circumstances warrant their expulsion from school within the bounds of the requirements of the Gun-Free Schools Act.

NOW, THEREFORE, BE IT RESOLVED that the Idaho School Boards Association work collaboratively with the Idaho legislature to propose and adopt a legislative bill to amend Section 33-205, Idaho Code in order to align with the minimum requirements of the Federal Gun-Free Schools Act and to provide Boards and administrators greater latitude to address students who are facing disciplinary/expulsion associated with the possession of a firearm or other deadly or dangerous weapon on school property to confirm that a student does not automatically have to face expulsion but that there be latitude by administrators and/or board members to not expel on a case-by-case basis.

STATEMENT OF PURPOSE

This resolution directs the Idaho School Boards Association (ISBA) to work with legislators to change Idaho Code §33-205 to align more closely to the minimum requirements of the federal Gun-Free Schools Act and to provide local school boards with the local authority to make judgments as to when expulsion from school may not be the most appropriate discipline for a student based on a professional assessment of the threat of harm to others or self.

Recommendation of the ISBA Executive Board: No Recommendation

Alan Erickson will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 4

AMENDING IDAHO SCHOOL AGE STATUTE TO ALLOW FLEXIBILITY FOR SCHOOL PREPAREDNESS PROGRAMS

WHEREAS, Idaho is one of six states that does not invest in early childhood education options for families with children 3 to 5 years old; and

WHEREAS, 49% of Idaho's children enter kindergarten with below grade level reading skills; and

WHEREAS, school districts and charter schools currently do not have the flexibility to use state funding to support and ensure that all children entering kindergarten are academically, socially, and emotionally ready to learn; and

WHEREAS, 69% of three and four year olds in Idaho are currently not enrolled in an early childhood education program, according to United States Census Bureau.

NOW, THEREFORE BE IT RESOLVED, that the Idaho School Boards Association work with the State Board of Education, State Department of Education and the Idaho Legislature to revise Section 33-201 and Section 33-208, Idaho Code, thereby providing school districts and charter schools with the flexibility to use state dollars to support school readiness with the understanding that such programs, like kindergarten, will not be compulsory or mandated, allowing school districts and charter schools to address the needs of their local students.

STATEMENT OF PURPOSE

Currently Section 33-201, Idaho Code, prevents school districts and charter schools from using state dollars to support kindergarten preparedness programs for 4 year olds. By amending the current age, it will allow flexibility for local districts and charter schools to use state dollars as they see appropriate in supporting children entering kindergarten. There are no dollars attached to changing the code. It simply allows school districts and charter schools more choice in using the funding they receive in a manner that best fits their local community. This resolution would not amend the age threshold for a child enrolling in kindergarten or first grade. Nor would it be compulsory for local districts or charters to establish such programs.

Submitted by Boise School District No. 1

Recommendation of the ISBA Executive Board: Do Pass

Louis Pifher will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 5

IN OPPOSITION TO DIVERTING PUBLIC DOLLARS TO PRIVATE OR PAROCHIAL SCHOOLS INCLUDING VOUCHERS, THE GRANTING OF TAX CREDITS FOR SCHOLARSHIP DONORS, OR AMENDING ARTICLE IX, §5, IDAHO CODE, ALSO KNOWN AS THE BLAINE AMENDMENT

WHEREAS, the Idaho State Constitution provides for “the free and thorough public education for children”; and

WHEREAS, the Idaho State Constitution as amended by the Blaine Amendment ensures the separation of church and state in Idaho by prohibiting the flow of public money to private or religious institutions for education; and

WHEREAS, school districts and charter schools receiving public funds from the legislature are required to meet accounting and student achievement standards to receive those funds; and

WHEREAS, an additional layer of state oversight would have to be created to account for the use of public money distributed to either individual families or to private or religious institutions; and

WHEREAS, language found in House Bill 590 heard in the 2018 legislative session allowed for funding of a myriad of things for which public school students do not receive funding. Expenses such as uniforms, tutoring, summer program fees, special after-school programs, and anything approved by the State Board of Education could be deductible; and

WHEREAS, Idaho’s students have increasing access to a wide variety of school choice options in the state of Idaho, and parents are free to choose educational services through Idaho’s public education system or educational options in the private sector; and

WHEREAS, in other areas of the country that have adopted voucher programs, student achievement has suffered, especially among those children receiving vouchers; and

WHEREAS, no statement of fiscal impact has been generated.

NOW THEREFORE BE IT RESOLVED, that the Idaho School Boards Association oppose any effort to divert public dollars to private or parochial schools, grant tax credits for scholarship donations, or amend the Constitution of the State of Idaho, Article IX, §5, Idaho Code, also known as the Blaine Amendment, to allow public dollars to finance private or parochial education in the K-12 education system of the State of Idaho.

STATEMENT OF PURPOSE

School choice is an integral part of public education in the state of Idaho. Public school choice includes charter, magnet, alternative, and virtual schools in addition to traditional public schools where dual language, classical, harbor, international, Montessori, Career Technical, STEM, and STEAM programs are offered. These programs are an integral part of what public education already offers across Idaho, funded by state tax dollars. Idaho's current investment in our children's public schools ranks 51st in the country. Reducing the general fund by offering a tax credit for donations to scholarship programs or diverting already scarce resources to provide vouchers to private schools will further erode funding to current public schools all across Idaho. If our state constitution is changed, Idaho's investment in public education will become even smaller as our taxes will be siphoned off to unaccountable private and parochial schools. We oppose amending The Idaho State Constitution, Article IX, §5, Idaho Code, also known as the Blaine Amendment, for the reasons outlined above. Idaho already has substantial choice in its public school system. A voucher, tax-credit, or scholarship program will cause irreparable harm to the existing system of public schools, and will likely harm overall student achievement.

Submitted by Boise School District No. 1

Recommendation of the ISBA Executive Board: Do Pass

Michelle Lippert will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 6

REDUCE SUPER MAJORITY ON FACILITY BONDS

WHEREAS, many school districts in Idaho are in need of improved or new school facilities; and

WHEREAS, Idaho Code currently provides voter-approved property tax measures as the only mechanism to construct schools; and

WHEREAS, Idaho requires at least a 66.67% super majority approval vote for school facilities bonds; and

WHEREAS, many Idaho school districts have found it very difficult or impossible to pass a school facilities bond; and

WHEREAS, the Idaho Legislature has considered legislation in the past that would limit the number of facility bond elections for school districts per year and create an additional obstacle; and

WHEREAS, many school districts struggle to maintain existing buildings so that they are appropriate and safe educational settings; and

WHEREAS, the quality of school facilities has an impact on school achievement.

NOW, THEREFORE BE IT RESOLVED that the Idaho School Boards Association research, draft, and submit legislation that proposes supplemental mechanisms to fund school construction and maintenance and support the reduction of the super majority approval required to pass school facilities bonds.

STATEMENT OF PURPOSE

School districts facing rapidly increasing enrollment only have one option for the construction of new facilities: passage of a bond that places a burden on property owners. Meanwhile, the State of Idaho is trying to raise student achievement, and the quality of school facilities has an impact on that achievement. Many districts are trying to address their facilities needs but are having great difficulty achieving, or have not been able to achieve, the 66.67% approval vote required to pass a facilities bond. Any reduction of this extremely high approval threshold would help provide better school facilities in Idaho.

Submitted by Moscow School District No. 281

Submitted by St. Maries School District No. 41

Recommendation of the ISBA Executive Board: Do Pass

Jody Hendrickx will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 7

IDAHO SOCIAL STUDIES CONTENT STANDARDS

WHEREAS, the White Paper on Social Studies for the Idaho Content Standards asserts that "A strong emphasis should be placed on the important and enduring ideas, events and people that played a key role in our past and will serve as a foundation for our future."; and

WHEREAS, our shared American culture has been shaped by and is a part of the broader cultural heritage that is Western Civilization; and

WHEREAS, communicating this distinct heritage to our students is the only way to pass on intact our culture from one generation to the next; and

WHEREAS, many key ideas, events, and people that define Western Civilization, are not mentioned anywhere in the Social Studies Content Standards;

NOW, THEREFORE, BE IT RESOLVED that the Idaho School Boards Association works to ensure that the social studies standards propose an improved Idaho Social Studies Content Standard that will gift our students with an understanding and appreciation for our shared Western Civilization.

STATEMENT OF PURPOSE

An understanding of Western Civilization is an important element of an American student's education. There is currently an oversight in the Social Studies content standards that the ISBA must work to help address.

Submitted by Idaho Virtual Academy

Recommendation of the ISBA Executive Board: Do Not Pass

Brett Plummer will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 8

ADMINISTRATIVE LEAVE WITH PAY

WHEREAS, subsection (4) of Idaho Code 33-512 provides that a board has the power and duty “[t]o protect the morals and health of pupils; and

WHEREAS, subsection (11) of Idaho Code 33-512 provides that a board has the power and duty “[t]o prohibit entrance to each schoolhouse or school grounds, to prohibit loitering in schoolhouses or on school grounds and to provide for the removal from each schoolhouse or school grounds of any individual or individuals who disrupt the educational process or whose presence is detrimental to the morals, health, safety, academic learning or discipline of the pupils. . . .”;

WHEREAS, subsection (7) of Idaho Code 33-513 provides for the authority of the board to delegate to the superintendent or other designee the ongoing authority to place any employee on a period of involuntary leave of absence should the superintendent or designee believe that such action is in the best interest of the district, with a requirement of the board to nullify or ratify such action during the next regularly scheduled meeting or a specially set meeting within a period of twenty-one (21) days of such act by the superintendent or designee; and

WHEREAS, pursuant to the aforementioned code section, such leave of absence shall be with pay unless certain very limited circumstances exist relating to court orders preventing the employee from being in the presence of minors or students or another adult present on school property or if the employee is in jail and unable to perform the essential functions of their position; and

WHEREAS, the period of paid involuntary leave of absence may extend beyond a sixty (60) day time period if criminal charges or a criminal investigation is pending; and

WHEREAS, management of the period of paid involuntary leave of absence for an employee is entirely out of the control of Idaho Public Schools as they do not control the criminal investigation and/or criminal courts process and have no control over an employee’s waiver of speedy trial rights; and

WHEREAS, individuals, including public school employees, pursuant to the 6th Amendment to the U.S. Constitution, applicable to the states, including the State of Idaho through the 14th Amendment to the U.S. Constitution, and via Article I, Section 13 of the Idaho Constitution, have a right to a speedy trial in the context of a criminal charge pending, such right which can only be waived by the criminal case defendant; and

WHEREAS, numerous Idaho public school districts and charter schools have had certificated professional employees on periods of paid administrative leave, pending the

outcome of criminal investigations and/or criminal trials, where such individuals have waived their respective rights to a speedy criminal trial, resulting in individuals on paid administrative leave for well over one (1) year and in some instances nearing a two (2) year period, causing an economic hardship to Idaho public schools;

NOW, THEREFORE BE IT RESOLVED that the Idaho School Boards Association educate the Idaho Legislature regarding this burdensome mandate on Idaho public schools and research, draft, and submit legislation that proposes an amendment to Idaho Code 33-513(7) and any other related statutes to limit the financial exposure to school districts associated with administrative leave with pay when an employee is on administrative leave due to pending criminal charges. This may be addressed by either considering such to be covered under subsection (7)(a) not obligating compensation or, at minimum, defining a period of time for the employee to be entitled to compensation.

STATEMENT OF PURPOSE

Idaho public schools have found themselves in situations where multiple employees throughout the state have criminal charges pending against them which negatively impact and/or prevent the individual's ability to work as an educator for the school. However, such individuals do not necessarily fall under the no-pay provision of Idaho Code 33-513(7). This results in school districts and charter schools having to pay employees who are not working and cannot be in the school setting for significant periods. It does not appear that 33-513(7) envisioned situations where such employees would waive their rights to speedy trial. Such employees literally cannot work in the school setting and collect compensation from already financially strapped school districts for significant periods of time, including periods up to two (2) calendar years.

Submitted by Pocatello Chubbuck School District No. 25
Submitted by Idaho Virtual Academy

Recommendation of the ISBA Executive Board: Do Pass
Jody Hendrickx will address the ISBA Executive Board's Recommendation

ISBA RESOLUTION NO. 9

PERSONNEL FUNDING – USE IT OR LOSE IT

WHEREAS, subsection (2) of Idaho Code 33-512 provides that a board has the power and duty “[t]o adopt and carry on, and provide for the financing of, a total educational program for the district. . . .”; and

WHEREAS, school districts and charter schools are suffering from economic hardships associated with the economic impacts of COVID-19, the reductions/holdbacks to state funding of Idaho public schools, as well as potential increased costs to provide educational services in a safe and efficient manner during the COVID-19 emergency; and

WHEREAS, subsection (2)(g) of Idaho Code 33-1004 provides as follows: ‘A district may employ nine and one-half percent (9.5%) fewer positions than funded pursuant to subsections (2) and (3) of this section, without reduction in the number of funded positions being imposed. Beginning in fiscal year 2016, this figure shall be reduced by one percent (1%) each year for each school district in which the average class size, as determined from prior fiscal year data reported to the state department of education, was at least one (1) student greater than the statewide average class size. The State Department of Education shall report to the legislature every February, beginning in 2015, on the reductions scheduled to take place in this figure, by school district, in the ensuing fiscal year. (i) in the determination of the statewide average class size, the state department of education shall not use a single figure developed through the averaging of all districts of varying size, geographical location and pupil populations throughout the state. The statewide average class size shall be comprised of multiple figures determined through analysis of like and similarly situated districts and use of the divisor breakdown established in section 33-1002, Idaho Code. (ii) The state board of education may promulgate rules outlining the method of calculation of the state-wide average class size figures. (iii) The one percent (1%) reduction required in paragraph (g) of this subsection shall not be applied for any school year subsequent to a year when the school district’s boundaries have changed because of division, consolidation, excision or annexation of territory... ; and

WHEREAS, the Idaho State Board of Education has promulgated rules addressing statewide average class size as located in IDAPA 08.02.01.803, creating four (4) Groups of schools for consideration of class size, based upon elementary and secondary divisors; and

WHEREAS, approximately fifty-one (51) of Idaho’s Public School Districts are below the 9.5% statutory figure due to class size considerations, which are beyond the control of the District, including a number of districts which have lost 1% each year as described in this statute and are currently at 3.5% allowance of fewer positions; and

WHEREAS, Idaho Public School Districts are in need of flexibility in addressing budgetary issues of the school; and

WHEREAS, in a COVID-19 and post-pandemic world, Idaho public school districts and charter schools do not know what a “classroom” will look like or what flexibility will need to be considered in the provision of an education to its students;

NOW, THEREFORE BE IT RESOLVED that the Idaho School Boards Association educate the Idaho Legislature regarding the economic concerns of the Districts, including the inequities created by this legislation and the need for flexibility for schools. Be it further resolved, the Idaho School Boards Association shall research, draft, and submit legislation that proposes an amendment to Idaho Code 33-1004(2)(g) and any other related statutes and pursue amendment to any related Idaho State Board of Education rules to amend this section and provide greater latitude for school districts and charter schools in class sizes under this statute.

STATEMENT OF PURPOSE

While provisions have been put in place in Idaho Code 33-1004, to compare or group similarly situated districts and schools, the current model only grants one (1) student above the state average in a similarly sized district before being considered out of compliance. In a majority of instances, district and charters are penalized for being out of compliance by slightly more than one (1) student per teacher.

Because the student to teacher average is based on all funds available to a district rather than state reimbursed funds only, the districts with generous supplemental levies who hire additional certified staff impact the state average for their respective groups, creating an inequitable calculation process. Thus, districts without this supplemental funding are at a disadvantage and lose discretion of one (1) percent of personnel funding flexibility each year under the current model.

Submitted by Pocatello Chubbuck School District No. 25

Recommendation of the ISBA Executive Board: Do Pass

Debbi Burr will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 10

FULL FUNDING OF ALL DAY KINDERGARTEN

WHEREAS, research shows the increase in the number of full day kindergarten programs is due to various social, economic, and educational factors; and

WHEREAS, kindergarten students who participate in full day kindergarten make greater gains in their mathematics and reading achievement when compared to those attending half-day classes; and

WHEREAS, in a statewide survey presented by the Idaho Association for the Education of Young Children, 75 percent of respondents said they would be "very likely" or "somewhat likely" to send their children to public preschool if it were available in their community; and

WHEREAS, districts and charters that offer full day kindergarten programs must employ 1.0 FTE per kindergarten classroom, while currently only receiving .5 FTE funding for the kindergarten program compared to other elementary grades; and

NOW, THEREFORE BE IT RESOLVED, that the Idaho School Boards Association research, draft, and submit legislation - or, support legislation - that proposes the State of Idaho fund full day kindergarten the same way it does all other elementary students. Such legislation shall be sought regardless of whether the legislature amends the current funding formula. This change would allow districts or charters that offer full day kindergarten increased financial stability and decrease the amount of local support districts or charter schools utilize through supplemental levies or discretionary dollars.

STATEMENT OF PURPOSE

The lack of funding for full day kindergarten puts a hardship on local districts and charters schools. Funding kindergarten at the same rate as all other elementary students would allow districts and charters more flexibility in bridging the gaps seen in early childhood literacy.

Fiscal Note: \$62.8 Million Dollars (based on estimated calculations provided by the State Department of Education).

Submitted by Nampa School District No. 131

Recommendation of the ISBA Executive Board: Do Pass

Jennifer Parkins will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 11

RECLAMATION OF CAREER LADDER PLACEMENT FOR INSTRUCTIONAL AND PUPIL SERVICE STAFF

WHEREAS, the Governor of the State of Idaho issued an executive order to reduce General Fund spending authority based on updated revenue projections pursuant to Section 67-3512A, Idaho Code; and

WHEREAS, the executive order outlines targeted reductions to minimize the impact to student learning and ensure a degree of uniformity across the state; and

WHEREAS, the targeted General Fund reductions include freezing movement of instructional and pupil service staff on the career ladder (an estimated savings of \$26,617,500); and

WHEREAS, without change in current Section 33-1004(B), a certificated employee would only advance one step on the career ladder if all requirements were met, thus reducing the amount of funds coming to a district or charter school to pay the certified staff member if the staff member was placed on the correct step of career ladder.

NOW, THEREFORE BE IT RESOLVED that the Idaho School Boards Association create legislation to reinstate instructional and pupil service staff on their appropriate steps by advancing them two steps on the career ladder upon enactment. This one time advancement of two steps would be contingent on the staff member meeting the other requirements of movement for their rung.

STATEMENT OF PURPOSE

The 2020 Legislature of the State Idaho approved a budget, which included appropriate placement of certificated staff on a new three-tier career ladder. To comply with the Governor's executive order, teachers were not advanced in their placement on the career ladder. This resolution proposes that teachers, assuming they have met the other appropriate requirements of step advancement outlined in 33-1004(B), would move forward 2 steps to return them to the position on the career ladder they would have been placed at if the freeze had not been instituted.

Although short term solutions are necessary to meet revenue short falls, continuation of these holdbacks, (assuming the economy begins to rebound), is detrimental to the important work of school districts.

Submitted by Nampa School District No. 131

Recommendation of the ISBA Executive Board: Do Pass

Katie Taylor will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 12

SALARY BASED APPORTIONMENT FOR CLASSIFIED EMPLOYEES

WHEREAS, the State of Idaho distributes the major portion of public school funding through the "Salary-Based Apportionment" (SBA) formula; and

WHEREAS, the SBA formula includes separate calculations for instructional, administrative, and classified salary and benefit support; and

WHEREAS, the percentage of funds expended by local districts and charter schools above their SBA allocation for classified salaries is often significantly higher than the percentage expended over and above the SBA allocations for administrative and instructional salaries; and

WHEREAS, the number of classified full-time equivalents (FTE's) employed by school districts and charter schools often exceeds the number funded by the SBA formula; and

WHEREAS, school districts and charter schools employ far more professional and technical classified staff, (i.e. business and human resource professionals, technology staff, etc.) than they did when the SBA formula was first established; and

WHEREAS, school districts and charter schools expend large percentages of operational unit funding and supplemental levy revenues to pay for these classified staff; and

WHEREAS, the salaries paid for professional and technical classified staff far exceed the State's salary based apportionment for these employees, and school districts and charter schools need to pay these employees competitive wages to recruit and retain qualified individuals;

NOW, THEREFORE BE IT RESOLVED that the Idaho School Boards Association educate the Idaho State Legislature about the funding disparity between classified salaries and is the amount the Legislature allocates for them. Be it further resolved that the Idaho School Boards Association support a funding formula for classified staff designed to bring the percentage paid by the State in line with the percentage paid by districts and charters for instructional and administrative salaries. This should be addressed with changes both to the base salary and number of classified staff provided for by the unit factor.

STATEMENT OF PURPOSE

The competitive salary range for classified staff and technology specialists that manage a districts' and charter schools' human resources and technology operations has increased dramatically. The salary range for other skilled classified staff has increased

in order to remain competitive with the industry, to be aligned with additional assignments as districts and charter schools have reduced staffing numbers, and to offer reasonable salaries to provide for cost of living increases. The portion of the State formula that funds classified salaries and benefits was initially designed with custodians, school secretaries, and aides in mind.

The need for highly skilled human resource specialists as well as professional business managers and technology specialists to manage the complex and technical aspects of a school district or charter school has changed the role of these classified positions. Similarly, districts and charter schools rely on other classified personnel such as janitorial staff, bus drivers, and more to keep the operations of their buildings functional. Districts and charters now employ more professional business managers, human resource directors, network administrators, web masters, IT specialists, and other skilled classified staff than ever before. Additionally, many of these professional and technical employees are hired to meet State and Federal mandated requirements, including reporting in the Idaho System for Educational Excellence (ISEE), the State's Longitudinal Data System.

This resolution calls for changes in the SBA formula to better reflect the need to increase the salaries and the number of FTE's funded by the classified portion of the formula.

In 2017/18, school districts and charter schools spent, on average, \$1.66 for every \$1 of salary based apportionment for a difference of \$79.8 million.

In 2018/19, school districts and charter schools spent, on average, \$1.68 for every \$1 of salary based apportionment for a difference of \$85.2 million. Approximately \$69 million is attributable to Actual vs Base Salary, and the remaining \$16.2 million is attributable to hiring more staff than the allowance (6,470.8 hired vs 5,794.9 staff allowance, or 675.9 hired in excess of staff allowance). Source: *Idaho State Department of Education*

Submitted by Nampa School District No. 131
Submitted by Twin Falls School District No. 411

Recommendation of the ISBA Executive Board: Do Pass
Margy Hall will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 13

RESTORATION OF FY21 FUNDING HOLDBACKS

WHEREAS, the Governor of the State of Idaho has issued an executive order to reduce the General Fund spending authority based on updated revenue projections pursuant to Section 67-3512A, Idaho Code; and

WHEREAS, the executive order outlines targeted reductions to minimize the impact to student learning and ensure a degree of uniformity across the state; and

WHEREAS, the targeted General Fund reductions include suspending the 2-percent. Base salary increase for administrators and classified staff (\$5,128,900); and

WHEREAS, the targeted General Fund reductions include freezing movement of instructional and pupil service staff on the career ladder (estimated at \$26,617,500); and

WHEREAS, the targeted General Funds reductions include suspending leadership premium distribution for one year (\$19,310,000); and

WHEREAS, the targeted General Funds reductions include reducing professional development line items from \$22,550,000 to \$12,550,000; and

WHEREAS, the targeted General Funds reductions include reducing the IT staffing line item from \$8,000,000 to \$4,000,000; and

WHEREAS, the targeted General Funds reductions include reducing the classroom technology line item from \$36,500,00 to \$26,500,000; and

WHEREAS, the targeted General Funds reductions include content and curriculum line items from \$6,350,000 to \$4,750,000; and

WHEREAS, the targeted General Funds reductions include reducing the Central Services budget from \$12,667,600 to \$11,667,600; and

WHEREAS, the targeted General Funds reductions include reducing discretionary funds for districts by 3 percent, or approximately \$21,200,000, from the original FY2020 appropriation amount.

NOW, THEREFORE BE IT RESOLVED that the Idaho School Boards Association encourage or create legislation to reinstate all funds associated with the Governor's executive order regarding Public School 5% holdbacks for the 2020-21 school year.

STATEMENT OF PURPOSE

The 2020 Legislature of the State Idaho approved an overall K-12 education budget which included all the General Fund allocations listed above. In supporting the Governor's executive order, we would like it to be clear that reinstatement of these holdbacks and support for the legislation that implemented the original education allocation is crucial for school districts and charters in Idaho.

Although short term solutions are necessary to meet revenue short falls, continuation of these holdbacks (assuming the economy begins to rebound) is detrimental to the important work of school districts.

Submitted by Nampa School District No. 131

Recommendation of the ISBA Executive Board: Do Pass

Starr Olsen will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 14

ESTABLISHING EXPECTATIONS FOR THE IDAHO PUBLIC CHARTER SCHOOL COMMISSION AND NON-ELECTED CHARTER SCHOOL AUTHORIZERS

WHEREAS, the Idaho Public Charter School Commission authorizes new charter schools without consulting, informing, or securing approval of patrons in communities; and

WHEREAS, the authorization of charter schools by the Idaho Public Charter School Commission is decided without a comprehensive impact study of the educational services currently provided by the local school district(s) and existing charter schools already established; and

WHEREAS, the authorizations of charter schools by the Idaho Public Charter School Commission is decided without consideration of the effect multiple charter schools in a community creates by deconsolidating education services, which exacerbates inefficiencies in the use of public resources.

NOW, THEREFORE BE IT RESOLVED that the Idaho School Boards Association shall work to amend Idaho Code to provide greater oversight of the Idaho Charter School Commission and other potential non-school district authorizers with the expectations that: (1) prior to considering a new charter school in a community, patrons of that community must be consulted and informed and must approve of any request before it moves forward; (2) a comprehensive community impact study must be completed; (3) charter school governing board members must be residents of the community or communities representing the geographical location of the charter school (see Idaho Code 33-501); and (4) existing and new charter schools student demographic profiles will reflect the demographics of the communities where charter schools are authorized. In addition, the Idaho School Boards Association shall work to amend the Idaho Code to limit charter school authorization such that only (1) one charter school may be authorized per each 25,000 of people residing within the legal boundaries of any Idaho school district.

STATEMENT OF PURPOSE

Idaho's charter schools have flourished and multiplied since a process was provided for creating them more than 20 years ago. Charter schools have proliferated in Idaho's population centers, providing choice. However, areas may be reaching a saturation point, creating inefficiencies in the use of public resources. This resolution would

require the Idaho Charter School Commission, prior to approving new charter schools, to complete a comprehensive impact study of the proposed charter school's impact on existing public schools and on existing charter schools in the area and limit the number of charter schools such authorizers could approve to one (1) school per 25,000 residents of the school district in which the charter school would be situated.

Sources:

<https://chartercommission.idaho.gov/resources/p-csc-2019-annual-report/>

<https://www.idahoednews.org/news/idaho-charter-schools-underserve-minority-poor-populations/>

Submitted by Caldwell School District No. 132

Recommendation of the ISBA Executive Board: Do Not Pass

Karen Pyron will address the ISBA Executive Board's Recommendation

2021 ISBA RESOLUTION NO. 15

MODIFICATION TO DEFINITION TO RECOGNIZE PUBLIC SCHOOLS AS PUBLIC FACILITIES TO COLLECT IMPACT FEES

WHEREAS, section 67-8203(24), Idaho Code, excludes public school facilities from the list of "Public facilities"; and

WHEREAS, public school facilities are an integral part of all Idaho communities; and

WHEREAS, public school facilities include or fund many aspects of public facilities recognized by the current definition, including; water storage, roads, streets, traffic signals, landscaping, parks, open space and recreation areas, and related capital improvements and public safety facilities; and

WHEREAS, current capital construction funding models put an overabundance of burden on current residents; and

WHEREAS, state funding of new construction and improvements is inadequate; and

WHEREAS, growing districts have no mechanism to respond to growth without placing a heavy burden on current tax payers.

NOW THEREFORE BE IT RESOLVED, that the Idaho School Boards Association work with the Idaho State Department of Education, Idaho State Board of Education, and the Idaho Legislature to amend Idaho Code to add "Public School Facilities" to 67-8203(24), Idaho Code.

STATEMENT OF PURPOSE

Adding "Public School Facilities" to the definition of "Public Facilities" in Section 67-8203(24) would allow school districts to access funding under Title 67 Chapter 82 for the purpose stated in Idaho Code 67-8202, namely to create "an equitable program for planning and financing public facilities needed to serve new growth and development," which "is necessary in order to promote and accommodate orderly growth and development and to protect the public health, safety, and general welfare of the citizens of the state of Idaho".

Submitted by Kuna Joint School District No. 003

Recommendation of the ISBA Executive Board: Do Pass

Jason Sevy will address the ISBA Executive Board's Recommendation