

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 647

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO SCHOOL DISTRICTS; AMENDING SECTION 33-1271, IDAHO CODE, TO RE-
2 VISE PROVISIONS REGARDING EVIDENCE ESTABLISHING THAT A LOCAL EDUCATION
3 ORGANIZATION REPRESENTS A MAJORITY OF PROFESSIONAL EMPLOYEES FOR CER-
4 TAIN NEGOTIATIONS.
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 33-1271, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 33-1271. SCHOOL DISTRICTS -- PROFESSIONAL EMPLOYEES -- NEGOTIATION
10 AGREEMENTS. The board of trustees of each school district, including spe-
11 cially chartered districts, or the designated representative(s) of such
12 district, is hereby empowered to and shall, upon its own initiative or upon
13 the request of a local education organization representing a majority of the
14 professional employees, enter into a negotiation agreement with the local
15 education organization or the designated representative(s) of such organ-
16 ization.

17 (1) The parties to such negotiations shall negotiate in good faith on
18 those matters specified in any such negotiation agreement between the local
19 board of trustees and the local education organization.

20 (2) A request for negotiations may be initiated by either party to such
21 negotiation agreement.

22 (3) Upon either party making a request for negotiations, the local
23 education organization, upon board request, shall provide to the district
24 written evidence establishing that the local education organization rep-
25 represents fifty percent (50%) plus one (1) of the professional employees for
26 negotiations. If requested by the board, the local education organization
27 shall establish this representative status on an annual basis, prior to
28 the commencement of negotiations. In order to establish a local education
29 organization's representative status, a local education organization must
30 show that within the last two (2) years, fifty percent (50%) plus one (1)
31 of the professional employees, as defined in section 33-1272, Idaho Code,
32 indicated agreement to be represented by the local education organization
33 for negotiation purposes. Evidence of fifty percent (50%) plus one (1) in-
34 consistent with this provision shall not be counted in the establishment of
35 representative status.

36 (4) Accurate records or minutes of the proceedings shall be kept and
37 shall be available for public inspection at the office of the affected school
38 district during normal business hours.

39 (5) Joint ratification of all final offers of settlement shall be made
40 in open meetings. Each party must provide written evidence confirming to the
41 other that majority ratification has occurred.