

IN THE SENATE

SENATE BILL NO. 1098

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1272, IDAHO CODE, TO REVISE A
2 DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING CHAPTER 12,
3 TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1273A, IDAHO
4 CODE, TO ESTABLISH PROVISIONS RELATING TO NEGOTIATIONS IN OPEN SESSION,
5 TO ESTABLISH THAT CERTAIN DOCUMENTATION SHALL BE SUBJECT TO CERTAIN
6 DISCLOSURE LAWS AND TO PROVIDE FOR NOTICE; AND DECLARING AN EMERGENCY.
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 33-1272, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 33-1272. DEFINITIONS. Definition of terms as used in this act:

12 ~~(1-)~~ "Professional employee" means any certificated employee of a
13 school district, including charter districts; provided, however, that
14 superintendents, supervisors or principals may be excluded from the profes-
15 sional employee group if a negotiation agreement between the board and local
16 education organization so specifies.

17 ~~(2-)~~ "Local education organization" means any local district organiza-
18 tion duly chosen and selected by a majority of the professional employees as
19 their representative organization for negotiations under this act.

20 ~~(3-)~~ "Negotiations" means publicly meeting and conferring in good
21 faith by a local board of trustees and the authorized local education organ-
22 ization, or the respective designated representatives of both parties for
23 the purpose of reaching an agreement, upon matters and conditions subject to
24 negotiations as specified in a negotiation agreement between said parties.

25 SECTION 2. That Chapter 12, Title 33, Idaho Code, be, and the same is
26 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
27 ignated as Section 33-1273A, Idaho Code, and to read as follows:

28 33-1273A. NEGOTIATIONS IN OPEN SESSION. (1) Any other provision of
29 law notwithstanding, including any provisions to the contrary in section
30 67-2345, Idaho Code, all negotiations pursuant to this act shall be in open
31 session and shall be open and available for the public to attend.

32 (2) All documentation exchanged between the parties during negoti-
33 ations, including all offers, counteroffers and meeting minutes shall be
34 subject to public writings disclosure laws.

35 (3) Any other provision of law notwithstanding, including any other
36 provisions to the contrary in sections 33-402 and 67-2343, Idaho Code,
37 the district shall post notice of all negotiation sessions at the earliest
38 possible time practicable. This shall be done by the district immediately
39 posting notice of the negotiation session on the front page of its dis-

1 trict website. If time permits, the district shall also post notice within
2 twenty-four (24) hours at its regular meeting physical posting locations.

3 SECTION 3. An emergency existing therefor, which emergency is hereby
4 declared to exist, this act shall be in full force and effect on and after its
5 passage and approval.