

IN THE SENATE

SENATE BILL NO. 1088

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE AD-  
2 DITION OF A NEW SECTION 33-522A, IDAHO CODE, TO SPECIFY WHEN A REDUCTION  
3 IN FORCE MAY OCCUR AND TO DEFINE REDUCTION IN FORCE; REPEALING SECTION  
4 3, CHAPTER 353, LAWS OF 2013, RELATING TO THE REPEAL OF CERTAIN CODE SEC-  
5 TIONS; REPEALING SECTION 33-514, IDAHO CODE, AS ENACTED BY SECTION 4,  
6 CHAPTER 353, LAWS OF 2013, RELATING TO INSURANCE OF ANNUAL CONTRACTS,  
7 SUPPORT PROGRAMS, CATEGORIES OF CONTRACTS AND OPTIONAL PLACEMENT; RE-  
8 PEALING SECTION 33-515, IDAHO CODE, AS ENACTED BY SECTION 5, CHAPTER  
9 353, LAWS OF 2013, RELATING TO ISSUANCE OF RENEWABLE CONTRACTS; AMEND-  
10 ING SECTION 2, CHAPTER 144, LAWS OF 2014, TO REMOVE AN EFFECTIVE DATE;  
11 AND PROVIDING AN EFFECTIVE DATE.  
12

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

14 SECTION 1. That Chapter 5, Title 33, Idaho Code, be, and the same is  
15 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
16 ignated as Section 33-522A, Idaho Code, and to read as follows:

17 33-522A. REDUCTION IN FORCE DEFINED. (1) A reduction in force may oc-  
18 cur when there are:

- 19 (a) Curriculum or program changes;  
20 (b) Negative changes in the financial conditions of the school dis-  
21 trict;  
22 (c) Decreases in student enrollment, including overall, by program, by  
23 grade or by school; or  
24 (d) Staffing or highly qualified teacher limitations of the district.

25 (2) For purposes of title 33, "reduction in force" means the elimina-  
26 tion of a certificated staff position or positions or a portion or percentage  
27 of a position or positions, when there is one (1) or more of the following:

- 28 (a) The elimination of an entire program or portions of a program;  
29 (b) The elimination of positions in certain grade levels only;  
30 (c) The elimination of a position by category; or  
31 (d) The elimination of a position in an overall review of the district.

32 SECTION 2. That Section 3, Chapter 353, Laws of 2013, be, and the same is  
33 hereby repealed.

34 SECTION 3. That Section 33-514, Idaho Code, as enacted by Section 4,  
35 Chapter 353, Laws of 2013, be, and the same is hereby repealed.

36 SECTION 4. That Section 33-515, Idaho Code, as enacted by Section 5,  
37 Chapter 353, Laws of 2013, be, and the same is hereby repealed.

38 SECTION 5. That Section 2, Chapter 144, Laws of 2014, be, and the same is  
39 hereby amended to read as follows:

1           SECTION 7. An emergency existing therefor, which emergency is  
2 hereby declared to exist, Sections 1, 2 and 6 of this act shall be in  
3 full force and effect on and after passage and approval. ~~Sections~~  
4 ~~3, 4 and 5 of this act shall be in full force and effect on and after~~  
5 ~~July 1, 2015.~~

6           SECTION 6. This act shall be in full force and effect on and after July  
7 1, 2015.