

IN THE SENATE

SENATE BILL NO. 1444

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-102A, IDAHO CODE, AS AMENDED
2 IN SECTION 5 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR
3 SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS
4 REGARDING THE APPOINTMENT OF THE EXECUTIVE OFFICER OF THE STATE BOARD
5 OF EDUCATION; AMENDING SECTION 33-916, IDAHO CODE, AS ADDED IN SECTION
6 18 OF HOUSE BILL NO. 521, IF ENACTED BY THE SECOND REGULAR SESSION OF THE
7 SIXTY-SEVENTH IDAHO LEGISLATURE, TO REVISE PROVISIONS REGARDING THE
8 ELIGIBILITY OF SCHOOL DISTRICTS FOR SCHOOL MODERNIZATION FACILITIES
9 FUND DISTRIBUTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFEC-
10 TIVE DATE.
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12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. That Section 33-102A, Idaho Code, as amended in Section 5 of
14 House Bill No. 521, if enacted by the Second Regular Session of the Sixty-
15 seventh Idaho Legislature, be, and the same is hereby amended to read as fol-
16 lows:

17 33-102A. OFFICE OF THE STATE BOARD -- EXECUTIVE OFFICER -- APPOINTMENT
18 -- COMPENSATION -- DUTIES AND POWERS. (1) There is hereby created as an exec-
19 utive agency of the state board of education the office of the state board of
20 education. The governor is hereby authorized to appoint an executive offi-
21 cer of the state board, with the advice and consent of the senate, who shall
22 serve at the pleasure of the governor and shall receive such salary as fixed
23 by the governor.

24 (2) The executive officer shall, under the direction of the state
25 board, have such duties and powers as prescribed by the said board of regents
26 and the state board of education, not otherwise assigned by law.

27 (3) The executive officer shall, together with the president of the
28 state board of education, submit an annual report to the legislature no later
29 than January 15 of each year, detailing the uses and impact of the school
30 modernization facilities fund.

31 SECTION 2. That Section 33-916, Idaho Code, as added in Section 18 of
32 House Bill No. 521, if enacted by the Second Regular Session of the Sixty-
33 seventh Idaho Legislature, be, and the same is hereby amended to read as fol-
34 lows:

35 33-916. ELIGIBILITY OF SCHOOL DISTRICTS FOR SCHOOL MODERNIZATION FA-
36 CILITIES FUND DISTRIBUTIONS. The state department of education shall not ap-
37 prove school district requests for annualized distributions or for distri-
38 bution from the applicable bond proceeds until the following conditions are
39 satisfied:

1 (1) The school district has submitted a ten (10) year facilities plan in
2 accordance with provisions of section 33-918, Idaho Code;

3 (2) The school district attests ~~that if it operated on a five (5) day~~
4 ~~school week during fiscal year 2024, it will not convert to a four (4) day~~
5 ~~school week during the period for which the school district has elected~~
6 ~~to receive funding from the school modernization facilities fund. If the~~
7 ~~school district does convert from a five (5) day school week to a four (4) day~~
8 ~~school week or if it operated on a four (4) day school week during fiscal year~~
9 ~~2024, it must attest that it meets the phased in minimum contract days and~~
10 ~~minimum student instructional day requirements of the state board of educa-~~
11 ~~tion, which requirements shall be implemented adopted no later than August~~
12 ~~1, 2024, and shall begin no sooner than July 1, 2025; and~~

13 (3) The school district attests compliance with the dignity and nondis-
14 crimination in public education requirements specified in section 33-138,
15 Idaho Code, and further attests that the school district does not require job
16 applicants to sign written diversity statements.

17 SECTION 3. An emergency existing therefor, which emergency is hereby
18 declared to exist, this act shall be in full force and effect on and after
19 July 1, 2024.