

IN THE SENATE

SENATE BILL NO. 1372

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING CHAPTER 1, TITLE 33, IDAHO CODE, BY THE ADDI-  
2 TION OF A NEW SECTION 33-144, IDAHO CODE, TO ESTABLISH THE IDAHO EDUCA-  
3 TION WHISTLEBLOWER PROTECTION ACT; AND DECLARING AN EMERGENCY AND PRO-  
4 VIDING AN EFFECTIVE DATE.  
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6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 1, Title 33, Idaho Code, be, and the same is  
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
9 ignated as Section 33-144, Idaho Code, and to read as follows:

10 33-144. IDAHO EDUCATION WHISTLEBLOWER PROTECTION ACT. (1) The legis-  
11 lature recognizes that fear of retaliation discourages reporting of miscon-  
12 duct and that strong protections are necessary to safeguard students.

13 (2) For the purposes of this section:

14 (a) "Educational entity" means any public school district, public  
15 charter school, private school, the state department of education,  
16 or any other entity that provides K-12 education and receives public  
17 funds.

18 (b) "Protected activity" means any of the following actions taken in  
19 good faith:

20 (i) Reporting or attempting to report to law enforcement sexual  
21 misconduct or a violation of a law, rule, policy, or professional  
22 standard related to student safety;

23 (ii) Participating in, cooperating with, or providing informa-  
24 tion in an investigation, proceeding, or hearing pertaining to al-  
25 leged sexual misconduct or a violation of a law, rule, policy, or  
26 professional standard related to student safety; or

27 (iii) Refusing to participate in the concealment of such miscon-  
28 duct.

29 (c) "Retaliation" means any adverse employment or contractual action  
30 taken against a whistleblower because of protected activity, including  
31 termination, demotion, contract nonrenewal, reassignment, suspension,  
32 harassment, reduction in pay or hours, or any other action that would  
33 dissuade a reasonable person from reporting misconduct.

34 (d) "Whistleblower" means any employee, applicant, or school personnel  
35 who reports or assists in reporting, in good faith, sexual misconduct or  
36 a violation of a law, rule, policy, or professional standard related to  
37 student safety.

38 (3) An educational entity shall not retaliate against a whistleblower  
39 for reporting misconduct, participating in investigations, or refusing to  
40 conceal misconduct.

1           (4) Adverse employment action taken within six (6) weeks of protected  
2 activity is presumed to be retaliation unless proven otherwise by clear and  
3 convincing evidence.

4           (5) A whistleblower who experiences retaliation in violation of this  
5 section may bring a civil action in a court of competent jurisdiction against  
6 an educational entity and shall be entitled to monetary damages and attor-  
7 ney's fees.

8           (6) The provisions of this section shall apply to whistleblower pro-  
9 tected activity taken on and after July 1, 2026.

10           SECTION 2. An emergency existing therefor, which emergency is hereby  
11 declared to exist, this act shall be in full force and effect on and after  
12 July 1, 2026.