

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 174

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1271, IDAHO CODE, TO PROVIDE THAT  
2 A BOARD OF SCHOOL DISTRICT TRUSTEES MAY ENTER INTO A NEGOTIATION AGREE-  
3 MENT WITH A LOCAL EDUCATION ORGANIZATION OR ITS REPRESENTATIVES AND TO  
4 MAKE TECHNICAL CORRECTIONS.  
5

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. (1) The board of trustees of each school district, including  
11 specially chartered districts, or the designated representative(s) of such  
12 district, is hereby empowered to and ~~shall~~ may, upon its own initiative or  
13 upon the request of a local education organization representing a majority  
14 of the professional employees, enter into a negotiation agreement with the  
15 local education organization or the designated representative(s) of such  
16 organization.

17 (~~12~~) 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 (~~23~~) A request for negotiations may be initiated by either party to such  
21 negotiation agreement.

22 (~~34~~) 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 resents 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 (~~45~~) 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 (~~56~~) 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.