

DRAFT INITIATIVE PETITION (2-28-2024)

***To the Honorable Phil McGrane, Secretary of State of the State of Idaho:
We, the undersigned citizens and qualified electors of the State of Idaho, respectfully
demand that the following proposed law...***

WARNING

It is a felony for anyone to sign any initiative petition with any name other than his own, or to knowingly sign his name more than once for the measure, or to sign such petition when he is not a qualified elector.

PREAMBLE AND STATEMENT OF PURPOSE:

WHEREAS;

The Idaho State Constitution *ARTICLE IX SECTION ONE* recites that “*The stability of a republican form of government (depends) mainly upon the intelligence of the people...*” and thereafter mandates that “*...it shall be the duty of the legislature of Idaho, to establish and maintain a general, uniform and thorough system of public, free common schools*”;

AND WHEREAS;

The Legislature has adopted and/or authorized the promulgation of numerous and complex laws and regulations of education and have specifically defined the Constitutional requirement of “*a thorough system of public schools in Idaho*” in *Idaho Code Section 33-1612* as one in which:

- (a) A safe environment conducive to learning is provided;*
- (b) Educators are empowered to maintain classroom discipline;*
- (c) The basic values of honesty, self-discipline, unselfishness, respect for authority, and the central importance of work are emphasized;*
- (d) The skills necessary to communicate effectively are taught;*
- (e) A basic curriculum necessary to enable students to enter academic or career technical postsecondary educational programs is provided;*
- (f) Students acquire the knowledge and skills necessary for meeting challenging academic achievement standards and succeeding in the workforce and in life;*
- (g) The students are introduced to current technology;*
- (h) The importance of students acquiring the skills to enable them to be responsible citizens of their homes, schools, and communities is emphasized;*
- (i) Students have the right to an uninterrupted education that covers all disciplines, including music, the arts, and physical education if such courses are offered by the local education agency;*
- (j) During a period of state or local emergency, if a school district or public charter school has to change from in-person instruction at a school facility to virtual instruction or blended or hybrid instruction, then, to the greatest extent possible and where safety requirements can be developed by the school district or*

public charter school, an in-person instruction option will be made available to students; and

(k) Student progress is monitored and measured in all required courses of instruction.

AND WHEREAS;

The Legislature has persistently and consistently failed or refused to fully or adequately fund public schools per the foregoing defined standards and resulting in decades of litigation;

AND WHEREAS;

The Legislature has authorized and funded a system of local school levies and bonds which it claims satisfied its obligation to fully fund public schools, which system has been approved and ratified by the State Supreme Court as adequate to do so;

AND WHEREAS;

The system of levies and school bonds was never intended to be a substitute for state funding of basic public education and using it as such creates terrible problems and conditions for the public and for every school district;

AND WHEREAS;

After the Idaho Supreme Court ruled that the Legislature had failed to “*maintain a general, uniform and thorough system of public, free common schools*” but the Court provided no remedy. The Legislature, rather than cure the failure found by the Court promulgated a wrongful law limiting the right of the people to seek redress in Court for such failures;

NOW THEREFORE the People of the State of Idaho propose the following measure to repeal the school levy, school bonds, the wrongful barriers to court, and to require the Legislature to address its duties under the Constitution, as follows:

“Be it enacted by the People of Idaho that effective immediately upon passage of this Initiative:

- 1) School levies and all related provisions contemplated by Idaho Code Title 33 or any other related code provision or state regulation is hereby repealed.*
- 2) School bonds and all related provision contemplated by Idaho Code Idaho Code Title 33 or any other related code provision or state regulation is hereby repealed.*
- 3) The State of Idaho, in order to properly fulfill its duty to establish and maintain a general, uniform and thorough system of public, free common schools, shall increase annual state school funding by an amount equal to the total supplemental maintenance and operations levies imposed by all school districts in the state in the year preceding this Initiative.”*
- 4) The “CONSTITUTIONALLY BASED EDUCATIONAL CLAIMS ACT” found at Idaho Code Title 6 Chapter 22 is hereby repealed.*

...shall be submitted to the qualified electors of the State of Idaho, for their approval or rejection at the regular general election, to be held on the first Tuesday, November, 3, 2026, and each for himself says: I have personally signed this petition; I am a qualified elector of the State of Idaho; my residence and legislative district are correctly written after my name.

Signature	Printed Name	Residence Street and Number	City	Date	Legislative District (Official Use Only)
1.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____
7.	_____	_____	_____	_____	_____
8.	_____	_____	_____	_____	_____
9.	_____	_____	_____	_____	_____
10.	_____	_____	_____	_____	_____
11.	_____	_____	_____	_____	_____

12. _____

13. _____

14. _____

15. _____

16. _____

17. _____

18. _____

19. _____

20. _____

END