

SUMMARY STATEMENT

Ybarra v. Legislature of the State of Idaho & Idaho Board of Education, Dkt. No. 47991

During the 2020 legislative session, the Idaho Legislature passed Senate Bills 1409 and 1410, which collectively transferred supervision of eighteen full-time job positions within the Department of Education's Technology Group to the state Board of Education. The bills also transferred approximately \$2.7 million in funding for those positions. Under the Idaho Supreme Court's original jurisdiction, Petitioner Sherri Ybarra, the Idaho Superintendent of Public Instruction, asked the Court to issue a declaratory judgment, writ of mandamus, and writ of prohibition to remedy various alleged constitutional violations by the appropriation bills. The Idaho Supreme Court dismissed the Superintendent's petition for declaratory relief and denied her request for both writs. The Court concluded that Senate Bills 1409 and 1410 were constitutional appropriations. The Court explained that while the Superintendent retains some characteristic duties of her office from her territorial counterpart, the bills did not impermissibly restrict or delegate those powers. Ultimately, the Board of Education sets educational policy for the state and holds the authority of general supervision over the state educational institutions and public school systems, while the Superintendent carries out the day-to-day policies, procedures and duties authorized by law or the Board.