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Luna's tactics unconstitutional, hypocritical, IEA says

BOISE – The Idaho Education Association today condemned as unconstitutional the tactics used by State Superintendent Tom Luna to try and intimidate Idaho educators from practicing their civil rights.

“Superintendent Luna’s email to school districts on Friday clearly seeks to intimidate Idaho educators from exercising their rights to free speech and free assembly on their own time,” said IEA General Counsel John Rumel. “He’s trying to use unconstitutional tactics to uphold unconstitutional laws. Through these tactics, he is violating civil rights and the public’s right to know.”

In the email, Luna wrote that the State Department of Education is receiving inquiries “regarding the propriety of political activities currently taking place on school grounds” and that the Code of Ethics for Professional Educators disallows “the use of the school to further political agenda in conjunction with any school activity or event, including after-school events.”

“It’s ironic that Luna is urging people to report Code of Ethics violations since – as someone who doesn’t hold a teaching certificate – he is not himself bound by the Code of Ethics. But he has to follow the Constitution, last we checked,” said IEA President Sherri Wood.

The IEA today released a photo of a political event in support of the Luna campaign on the grounds of Lake City High School in Coeur d’Alene last fall. In the months since the passage of his “Students Come First” legislation, Luna and his staff have sent emails in an effort to generate controversy about supposed Code of Ethics violations, and they took a taxpayer-funded statewide trip to try and sell the unpopular new legislation.

The Idaho Education Association is working with a parent-led group, Idahoans for Responsible Education Reform, to collect signatures to put Luna’s education overhaul package to a vote of the people next year. The IEA cautions its members not to collect referenda signatures on school time and not to use students to promote the effort. However, the IEA stands behind educators’ Constitutional rights to free speech and assembly in the public right of way during non-school hours.

“Through his email, Luna is trying to shut down a process in which he has a clear political interest. This is a blatant attempt to intimidate educators and the majority of the public who oppose the new education laws and want to vote on them,” Wood said.

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