

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 290

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-5202A, IDAHO CODE, TO REVISE PROVISIONS REGARDING COLLEGES AND UNIVERSITIES AND TO MAKE A TECHNICAL CORRECTION; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 33-5202A, Idaho Code, be, and the same is hereby amended to read as follows:

33-5202A. DEFINITIONS. As used in this chapter, unless the context requires otherwise:

(1) "Authorized chartering entity" means any of the following:

(a) A local board of trustees of a school district in this state;

(b) The public charter school commission created pursuant to the provisions of this chapter;

(c) An Idaho public college, university or community college;

(d) A private, nonprofit, Idaho-based ~~nonsectarian~~ college or university that is accredited by ~~the same organization that accredits Idaho public colleges and universities~~ a nationally recognized accrediting agency.

(2) "Charter" means the grant of authority approved by the authorized chartering entity to the board of directors of the public charter school.

(3) "Charter holder" means the public charter school's board of directors to which a charter is granted pursuant to chapter 52, title 33, Idaho Code.

(4) "Educational services provider" means a nonprofit or for-profit entity that contracts with a public charter school to provide educational services and resources including administrative support and educational design, implementation or management.

(5) "Founder" means a person, including employees or staff of a public charter school, who makes a material contribution toward the establishment of a public charter school in accordance with criteria determined by the board of directors of the public charter school, and who is designated as such at the time the board of directors acknowledges and accepts such contribution. The criteria for determining when a person is a founder shall not discriminate against any person on any basis prohibited by the federal or state constitution or any federal, state or local law. The designation of a person as a founder, and the admission preferences available to the children of a founder, shall not constitute pecuniary benefits.

(6) "Performance certificate" means a fixed-term, renewable certificate between a public charter school and an authorized chartering entity that outlines the roles, powers, responsibilities and performance expectations for each party to the certificate.

1 (7) "Petition" means the document submitted by a person or persons to
2 the authorized chartering entity to request the creation of a public charter
3 school.

4 (8) "Career technical regional public charter school" means a public
5 charter secondary school authorized under this chapter to provide programs
6 in career technical education that meet the standards and qualifications es-
7 tablished by the division of career technical education. A career techni-
8 cal regional public charter school may be approved by an authorized char-
9 tering entity and, by the terms of its charter, shall operate in associa-
10 tion with at least two (2) school districts. This provision does not exclude
11 a public charter school with a statewide boundary from applying for added
12 cost funds authorized for career technical education, irrespective of the
13 instructional delivery method. Participating school districts need not be
14 contiguous.

15 (9) "Public charter school" means a school that is authorized under
16 this chapter to deliver public education in Idaho with equal access and au-
17 thority to participate in all state and federal programs to the same extent
18 as a traditional public school, irrespective of the instructional delivery
19 method.

20 (10) "Traditional public school" means any school existing or to be
21 built that is operated and controlled by a school district in this state.

22 (11) "Virtual school" means either a public charter school or a tradi-
23 tional public school that delivers a full-time, sequential program of syn-
24 chronous and/or asynchronous instruction primarily through the use of tech-
25 nology via the internet in a distributed environment. Schools classified as
26 virtual must have an online component to their school with online lessons and
27 tools for student and data management.

28 SECTION 2. An emergency existing therefor, which emergency is hereby
29 declared to exist, this act shall be in full force and effect on and after
30 July 1, 2023.