

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 321

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO COMMUNITY COLLEGES; AMENDING CHAPTER 21, TITLE 33, IDAHO CODE,
2 BY THE ADDITION OF A NEW SECTION 33-2146, IDAHO CODE, TO ESTABLISH PRO-
3 VISIONS REGARDING EMERGENCY GOVERNING AUTHORITY OF THE STATE BOARD OF
4 EDUCATION; AND DECLARING AN EMERGENCY.
5

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

7 SECTION 1. That Chapter 21, Title 33, Idaho Code, be, and the same is
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
9 ignated as Section 33-2146, Idaho Code, and to read as follows:

10 33-2146. EMERGENCY AUTHORITY OF STATE BOARD OF EDUCATION. (1) Subject
11 to the provisions of subsection (2) of this section, the state board of edu-
12 cation may assume emergency governing authority over a community college and
13 temporarily hold the powers and duties of the community college's locally
14 elected board of trustees in lieu of such board of trustees if the community
15 college's accrediting organization:

16 (a) Issues a sanction of show cause pertaining to the college's accred-
17 itation;

18 (b) Suspends the college's accreditation; or

19 (c) Revokes the college's accreditation.

20 (2) Prior to the state board's consideration of assuming emergency
21 governing authority pursuant to subsection (1) of this section, a petition
22 signed by at least one thousand (1,000) qualified electors of the community
23 college district must be filed with the state board requesting that the state
24 board become the governing body of the community college. Signatures on the
25 petition shall be verified by the county clerk or county clerks in the com-
26 munity college district in a manner consistent with section 34-1807, Idaho
27 Code. The state board may, by majority vote, grant the petition but may only
28 do so upon a finding by the state board that without such an assumption of
29 authority, the community college would likely lose its accreditation and the
30 college and its students would be irreparably harmed.

31 (3) If the state board assumes emergency authority pursuant to this
32 section, then the state board must relinquish its authority to the community
33 college's locally elected board of trustees:

34 (a) Within two (2) years of the community college's accreditation hav-
35 ing been restored, if such accreditation was suspended or revoked; or

36 (b) Once the community college has been in good standing with the ac-
37 crediting organization for two (2) years.

38 SECTION 2. An emergency existing therefor, which emergency is hereby
39 declared to exist, this act shall be in full force and effect on and after its
40 passage and approval.