

IN THE SENATE

SENATE BILL NO. 1097

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-5203, IDAHO CODE, TO REVISE PROVISIONS REGARDING APPROVAL OF PUBLIC CHARTER SCHOOLS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 33-5203, Idaho Code, be, and the same is hereby amended to read as follows:

33-5203. APPROVAL OF PUBLIC CHARTER SCHOOLS. (1) ~~No whole~~ Any school district may be converted to a charter district or any configuration that includes all schools as public charter schools.

(2) (a) The authorizer must receive an application no later than September 1 for a new public charter school to be eligible to begin instruction the first complete school year following receipt of the application, unless the authorizer agrees to a later date; and

(b) To begin operations, a newly chartered public school must be authorized by no later than January 1 of the previous school year, unless the authorizer agrees to a later date.

(3) Any authorizer may approve a public charter school formed by creating a new public charter school or by replicating an existing public charter school. Converting an existing traditional public school or public school district to a public charter school or charter district may ~~only~~ be approved only by the board of trustees of the school district in which the existing public school ~~is~~ or schools are located.

(4) No charter shall be approved under this chapter:

(a) That provides for the conversion of any existing private or parochial school to a public charter school;

(b) For a for-profit entity; provided, however, nothing in this section shall prevent the board of directors of a public charter school from legally contracting with an educational service provider that provides comprehensive educational administrative and management services or with for-profit entities for the provision of products or services that aid in the operation of the school; or

(c) By the board of trustees of a school district if the public charter school's physical location is outside the boundaries of the authorizing school district.

(5) A charter holder may not operate enterprises unrelated to the educational purposes for which the public charter school has been authorized. In cases of related enterprises, including but not limited to daycare and after school programs, no state education funding authorized pursuant to this chapter may be used to subsidize such related enterprises.

1 (6) (a) Each authorized public charter school is hereby designated as a
2 local education agency (LEA) as such term is defined in 34 CFR 300.28,
3 unless the charter holder and authorizer agree that:

4 (i) Public charter schools authorized by the board of trustees of
5 a school district may be included in that district's LEA; or

6 (ii) Entities with multiple charters may operate as a single LEA.

7 (b) Notice of an agreement pursuant to paragraph (a) of this subsection
8 must be provided to the state department of education by no later than
9 February 1 of the proceeding school year.

10 SECTION 2. An emergency existing therefor, which emergency is hereby
11 declared to exist, this act shall be in full force and effect on and after
12 July 1, 2025.