

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 464

BY APPROPRIATIONS COMMITTEE

AN ACT

RELATING TO THE APPROPRIATION TO THE STATE DEPARTMENT OF EDUCATION; APPROPRIATING ADDITIONAL MONEYS TO THE STATE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2026; AUTHORIZING ADDITIONAL FULL-TIME EQUIVALENT POSITIONS FOR FISCAL YEAR 2026; REQUIRING DATA SHARING; PROVIDING FEDERAL FUNDING RESTRICTIONS; REQUIRING A REPORT ON UNDERPERFORMING CHARTER SCHOOLS; REQUIRING A REPORT FOR THE BUILDING CAPACITY PROJECT; AMENDING SECTION 30 OF HOUSE BILL NO. 251, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-EIGHTH IDAHO LEGISLATURE, TO REQUIRE PARTICIPATION IN THE STATE PROCUREMENT PROCESS; AMENDING SECTION 15 OF HOUSE BILL NO. 341, AS ENACTED BY THE FIRST REGULAR SESSION OF THE SIXTY-EIGHTH IDAHO LEGISLATURE, TO REQUIRE PARTICIPATION IN THE STATE PROCUREMENT PROCESS; PROVIDING FOR CONDITIONS, LIMITATIONS, AND RESTRICTIONS; PROVIDING REAPPROPRIATION AUTHORITY; APPROPRIATING ADDITIONAL MONEYS TO THE STATE DEPARTMENT OF EDUCATION FOR THE STUDENT SERVICES PROGRAM FOR FISCAL YEAR 2025; AND DECLARING AN EMERGENCY AND PROVIDING EFFECTIVE DATES.

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

SECTION 1. In addition to any other appropriation provided by law, there is hereby appropriated to the State Department of Education for the Student Services Program the following amounts to be expended according to the designated expense classes from the listed funds for the period July 1, 2025, through June 30, 2026:

	FOR	FOR	FOR	FOR	
	PERSONNEL	OPERATING	CAPITAL	TRUSTEE AND	
	COSTS	EXPENDITURES	OUTLAY	BENEFIT	TOTAL
				PAYMENTS	
FROM:					
General					
Fund	\$39,100	\$267,300	\$1,500		\$307,900
Public Charter School Authorizers					
Fund				\$300,000	300,000
School Bus Camera					
Fund				6,800	6,800
American Rescue Plan					
Fund	89,900	174,100			264,000
Federal Grant					
Fund	<u>136,700</u>	<u>1,429,500</u>	<u>4,500</u>	<u>0</u>	<u>1,570,700</u>
TOTAL	\$265,700	\$1,870,900	\$6,000	\$306,800	\$2,449,400

1 SECTION 2. FTP AUTHORIZATION. In addition to any other authorization
2 provided by law, the full-time equivalent position authorization provided
3 to the State Department of Education is hereby increased by one (1.00) for
4 the period July 1, 2025, through June 30, 2026.

5 SECTION 3. DATA SHARING. The State Department of Education and the Of-
6 fice of the State Board of Education shall partner to provide a monthly data
7 file to the Budget and Policy Analysis Division of the Legislative Services
8 Office using data stored in the Idaho System for Educational Excellence.
9 Each data file shall be provided no later than the 10th day of each month in
10 an electronic spreadsheet format that allows for analysis, formulas, and
11 report building. The final format and content of the data file shall be de-
12 termined by Budget and Policy Analysis Division of the Legislative Services
13 Office. Data that could identify a student's special status and that is pro-
14 tected for privacy concerns should be omitted, and an alternative data point
15 should be provided when possible.

16 SECTION 4. FEDERAL FUNDING RESTRICTIONS. Pursuant to Section
17 67-3511(2), Idaho Code, legislative appropriations shall not be transferred
18 from one fund to another fund unless expressly approved by the Legislature.
19 Appropriations made pursuant to this act contingent on anticipated federal
20 funding, grants, or programs shall not be supplanted by state funds in the
21 event of any reduction or elimination of such federal support without leg-
22 islative approval. The agency receiving the appropriation shall take all
23 necessary actions to ensure that the state is not obligated to replace lost
24 federal funds. Pursuant to Section 67-1917, Idaho Code, the agency will
25 submit an inventory of federal funds utilized by the agency. State funds ap-
26 propriated to satisfy match requirements for federal funds shall be reverted
27 to the maximum extent possible if federal funds requiring match are reduced
28 or eliminated. The agency shall promptly notify the Budget and Policy Anal-
29 ysis Division of the Legislative Services Office of any significant changes
30 related to federal funding, grants, or programs. This does not apply to
31 standard federal funding adjustments that take place within an agency's cost
32 allocation plan or indirect expenditure plan for indirect costs and agency
33 support staff, FMAP adjustments, or entitlement programs.

34 SECTION 5. UNDERPERFORMING CHARTER SCHOOLS. The State Department of
35 Education shall provide a report to the Budget and Policy Analysis Division
36 of the Legislative Services Office on the performance status of each charter
37 school that received financial support for being considered as underper-
38 forming. The report shall be submitted no later than January 5, 2026.

39 SECTION 6. BUILDING CAPACITY PROJECT. The State Department of Educa-
40 tion shall provide a report to the Budget and Policy Analysis Division of the
41 Legislative Services Office on the performance status of each school partic-
42 ipating in the building capacity project. The report shall be submitted no
43 later than January 5, 2026.

44 SECTION 7. That Section 30 of House Bill No. 251, as enacted by the
45 First Regular Session of the Sixty-eighth Idaho Legislature, be, and the

1 same is hereby amended to read as follows:

2 SECTION 30. ACQUISITIONS. Consistent with the provisions
3 of Chapter 92, Title 67, Idaho Code, and funding provided in
4 Section 5 of this act, the State Department of Education is
5 ~~encouraged~~ required to engage in open, competitive acquisition
6 processes. The State Department of Education shall provide a re-
7 port to the Joint Finance-Appropriations Committee by December 1,
8 2025, on all contracts signed during fiscal year 2025 for property
9 valued at more than \$25,000. The report shall include for each
10 contract: (a) the amount; (b) the duration; (c) the parties; (d)
11 the subject; (e) whether the contract was awarded as a result of an
12 open, competitive acquisition process or as a sole source or other
13 noncompetitive procurement pursuant to Section 67-9221, Idaho
14 Code; and (f) the rationale for signing any sole source or other
15 noncompetitive procurements.

16 SECTION 8. That Section 15 of House Bill No. 341, as enacted by the
17 First Regular Session of the Sixty-eighth Idaho Legislature, be, and the
18 same is hereby amended to read as follows:

19 SECTION 15. ACQUISITIONS. Consistent with the provisions of
20 Chapter 92, Title 67, Idaho Code, the State Department of Education
21 is ~~encouraged~~ required to engage in open, competitive acquisition
22 processes. The State Department of Education shall provide a re-
23 port to the Joint Finance-Appropriations Committee by December 1,
24 2025, on all contracts signed during fiscal year 2025 for property
25 valued at more than \$25,000. The report shall include for each
26 contract: (a) the amount; (b) the duration; (c) the parties; (d)
27 the subject; (e) whether the contract was awarded as a result of an
28 open, competitive acquisition process or as a sole source or other
29 noncompetitive procurement pursuant to Section 67-9221, Idaho
30 Code; and (f) the rationale for signing any sole source or other
31 noncompetitive procurements.

32 SECTION 9. CONDITIONS, LIMITATIONS, AND RESTRICTIONS. Appropriations
33 made pursuant to this act are subject to the conditions, limitations, and re-
34 strictions specified in this act.

35 SECTION 10. REAPPROPRIATION AUTHORITY. There is hereby reappropriated
36 to the State Department of Education any unexpended and unencumbered bal-
37 ances appropriated to the State Department of Education in the Administra-
38 tion Program from the General Fund for the purpose of an office remodel for
39 fiscal year 2025, in an amount not to exceed \$800,000 from the General Fund to
40 be used for nonrecurring expenditures related to the office remodel for the
41 period July 1, 2025 through June 30, 2026. The Office of the State Controller
42 shall confirm the reappropriation amount, by fund, expense classes, and pro-
43 gram, with the Legislative Service Office prior to processing the reappro-
44 priation authorized herein.

1 SECTION 11. In addition to the appropriation made in Section 1, Chap-
2 ter 291, Laws of 2024, and any other appropriation provided by law, there
3 is hereby appropriated to the State Department of Education for the Student
4 Services Program \$33,600 from the School Bus Camera Fund to be expended for
5 trustee and benefit payments for the period July 1, 2024, through June 30,
6 2025.

7 SECTION 12. An emergency existing therefor, which emergency is hereby
8 declared to exist, Section 11 of this act shall be in full force and effect on
9 and after passage and approval, and Sections 1 through 10 of this act shall be
10 in full force and effect on and after July 1, 2025.