

IN THE SENATE

SENATE BILL NO. 1317

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDI-
2 TION OF A NEW SECTION 33-321, IDAHO CODE, TO PROVIDE LEGISLATIVE FIND-
3 INGS, TO DEFINE TERMS, TO PROVIDE FOR THE FORMATION, APPROVAL, AND POW-
4 ERS OF REGIONAL SERVICE CENTERS, TO PROVIDE LIMITATIONS, AND TO PROVIDE
5 FOR FUNDING CERTAIN OPERATIONS; AMENDING CHAPTER 3, TITLE 33, IDAHO
6 CODE, BY THE ADDITION OF A NEW SECTION 33-322, IDAHO CODE, TO ESTABLISH
7 THE REGIONAL SERVICE CENTER CONTRACTS FUND; AND DECLARING AN EMERGENCY.
8

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

10 SECTION 1. That Chapter 3, Title 33, Idaho Code, be, and the same is
11 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
12 ignated as Section 33-321, Idaho Code, and to read as follows:

13 33-321. REGIONAL SERVICE CENTERS. (1) The legislature finds that:

14 (a) Idaho school districts and public charter schools face persistent
15 challenges in recruiting, retaining, and sustaining highly specialized
16 personnel required to educate an increasingly complex student body.
17 This is especially problematic for noninstructional staff required un-
18 der the individuals with disabilities education act (IDEA), including
19 psychologists, speech-language pathologists, behavior specialists,
20 occupational and physical therapists, and special education adminis-
21 trators.

22 (b) These challenges contribute to uneven service delivery, dupli-
23 cation of administrative structures, increased costs, and heightened
24 risk of federal noncompliance under IDEA general supervision require-
25 ments.

26 (c) Regional service centers can aid local education agencies in areas
27 of accounting, finance, human resources, recruitment, professional de-
28 velopment, and information technology services.

29 (d) Using shared, regional service delivery models, controlled by par-
30 ticipating local education agencies and supported by predictable state
31 funding, can reduce duplication, improve compliance, strengthen work-
32 force pipelines, and preserve local control.

33 (e) Idaho requires a cooperative, voluntary framework that en-
34 ables local education agencies to pool resources for high-cost and
35 hard-to-staff services while maintaining enrollment, instructional
36 authority, legal responsibilities, and governance at the local level.

37 (2) As used in this section:

38 (a) "Board" means a regional service center board.

39 (b) "Contracted services" means additional services offered by an RSC
40 on a fee-for-service basis, elected by participating LEAs and outlined
41 under a service-level agreement, memorandum of agreement, or an inter-
42 local agreement pursuant to section 67-2332, Idaho Code.

1 (c) "Core services" means services supported by appropriated baseline
2 state funding to provide for administrative support of RSCs.

3 (d) "Individualized education program" or "IEP" means a program devel-
4 oped collaboratively by a student's IEP team that outlines the special
5 education program for a student with a disability, including special-
6 ized instruction and related services.

7 (e) "Local education agency" or "LEA" means school districts and public
8 charter schools that are not part of a school district.

9 (f) "Participating LEA" means a school district or public charter
10 school that has entered into an interlocal agreement with an RSC.

11 (g) "Regional service center" or "RSC" means a voluntary, cooperative
12 public entity supporting two (2) or more LEAs through an interlocal
13 agreement for the purpose of providing shared educational and adminis-
14 trative services.

15 (3) (a) A prospective RSC shall provide a governing charter and appli-
16 cation to establish a new RSC to the state superintendent of public in-
17 struction.

18 (b) The charter and application shall specify the proposed:

19 (i) Geographic service region;

20 (ii) Governance structure, including board officers;

21 (iii) Services to be provided;

22 (iv) Procedures for LEA participation and withdrawal;

23 (v) Rules to modify or amend the charter governing such RSC; and

24 (vi) Fiscal management and accountability.

25 (4) Upon the state superintendent of public instruction's approval of
26 a prospective RSC's charter and application, a board for that RSC shall be
27 established, which shall be vested with the authority, control, and super-
28 vision of the RSC and its service programs and which shall have the powers
29 required to perform the duties set forth in this section. Each RSC charter
30 shall designate its board, which shall consist of at least two (2) superin-
31 tendents or charter administrators, or their designees, from LEAs receiving
32 contracted services from the RSC. The superintendent of public instruction
33 shall appoint one (1) additional member to the board who:

34 (a) Shall not vote on board matters, except in order to break a tied
35 vote;

36 (b) Shall ensure compliance with this section; and

37 (c) Shall report the decisions of the board to the superintendent of
38 public instruction.

39 (5) RSC boards shall have and may exercise the following powers and du-
40 ties:

41 (a) To hire staff as necessary to complete the board's mission as out-
42 lined in this section.

43 (i) Staff requiring certification shall be properly certified
44 and endorsed for the service being rendered pursuant to section
45 33-1201, Idaho Code.

46 (ii) All staff working for an RSC shall be eligible for the public
47 employee retirement system pursuant to chapter 13, title 59, Idaho
48 Code.

1 (iii) Staff working for an RSC shall maintain their career ladder
2 and experience growth as if they were employed directly by an LEA
3 pursuant to section 33-1004B, Idaho Code;

4 (b) To cooperate or enter into contracts or agreements to provide ser-
5 vices or do such other things as specified in the agreement, subject
6 to the limitations described in this subsection. An agreement entered
7 into pursuant to this paragraph may be between the superintendent of
8 public instruction, institutions of higher education, and one (1) LEA
9 or multiple LEAs. The board may enter into agreements to render ser-
10 vices to or for agencies in exchange for a charge reasonably calculated
11 to cover the cost of rendering such service. This authority is to be
12 limited to services voluntarily rendered and voluntarily received;

13 (c) To determine the location of its main office and to determine the
14 location of branch offices, if any. Services are encouraged to be pro-
15 vided in person to the maximum reasonable extent for student-oriented
16 or staff-oriented positions;

17 (d) To deposit all moneys or payment received or collected by gift,
18 grant, devise, or any other way to the respective division or subaccount
19 of the RSC;

20 (e) To establish a fiscal control policy;

21 (f) To purchase, exchange, or sell real property and construct, rent,
22 or lease such buildings as may be required for the accomplishment of
23 the duties imposed on the RSC and to further obtain such other personal
24 property as may be necessary to its functions;

25 (g) To accept, receive, and utilize any gifts, grants, or funds and per-
26 sonal and real property that may be donated to it for the fulfillment of
27 the purposes outlined in this section; and

28 (h) To establish a charge whereby the board agrees to render services to
29 or for education entities for an amount reasonably calculated to cover
30 the cost of rendering such services.

31 (6) For the purposes of this section, an RSC is not a subdivision of the
32 state and shall be considered an independent body corporate and politic pur-
33 suant to section 1, article VIII of the constitution of the state of Idaho and
34 is not authorized hereby to levy taxes or to obligate the state of Idaho con-
35 cerning such financing.

36 (7) Neither the board nor the staff of an RSC has any authority or powers
37 over curriculum, instruction, or student enrollment, which shall remain the
38 responsibility of each LEA.

39 (8) RSCs shall receive funding administered by the department of educa-
40 tion, subject to legislative appropriations, for the administration of the
41 RSCs. Nothing in this section shall be construed to create an entitlement to
42 funding or to obligate the state to provide ongoing financial support. Funds
43 appropriated pursuant to this section shall be separate from and shall not
44 modify, supplant, or replace distributions made pursuant to the Idaho public
45 school funding formula. Baseline funding shall cover core services and ad-
46 ministrative operations that include but are not limited to:

47 (a) Supporting workforce recruitment, training, and retention initia-
48 tives aligned with statewide needs;

49 (b) Supporting shared instructional and noninstructional services,
50 including special education technical assistance and related supports;

- 1 (c) Supporting IDEA compliance, monitoring, and technical assistance;
2 (d) Providing training and technical assistance to improve compliance
3 with federal and state requirements;
4 (e) Offsetting administrative and operational costs necessary to de-
5 liver regional services efficiently; and
6 (f) Reducing contracted service costs charged to participating LEAs.

7 SECTION 2. That Chapter 3, 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 33-322, Idaho Code, and to read as follows:

10 33-322. REGIONAL SERVICE CENTER CONTRACTS FUND. (1) There is hereby
11 established in the state treasury the regional service center contracts fund
12 to be administered by regional service centers.

13 (2) Moneys in the fund shall consist of:

14 (a) Legislative appropriations;

15 (b) Donations and contributions made to the fund;

16 (c) Interest earned on idle moneys in the fund; and

17 (d) Moneys received for contracts authorized pursuant to section
18 33-321(5)(b), Idaho Code.

19 (3) Moneys in the fund shall be used exclusively to finance fee-for-
20 services program costs outlined in memorandums of agreement or interlocal
21 agreements authorized pursuant to section 33-321, Idaho Code, and are hereby
22 continuously appropriated for such purposes.

23 SECTION 3. An emergency existing therefor, which emergency is hereby
24 declared to exist, this act shall be in full force and effect on and after its
25 passage and approval.