

IN THE SENATE

SENATE BILL NO. 1115

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-5209A, IDAHO CODE, TO REMOVE  
2 PROVISIONS REGARDING A PERFORMANCE FRAMEWORK; AND AMENDING SECTION  
3 33-5213, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE PUBLIC CHARTER  
4 SCHOOL COMMISSION.  
5

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

7 SECTION 1. That Section 33-5209A, Idaho Code, be, and the same is hereby  
8 amended to read as follows:

9 33-5209A. ACCOUNTABILITY. (1) Performance framework. The perfor-  
10 mance provisions within the performance certificate shall be based upon a  
11 performance framework that clearly sets forth the academic and operational  
12 performance indicators, measures and metrics that will guide the authorized  
13 chartering entity's evaluations of each public charter school. The perfor-  
14 mance framework shall include indicators, measures and metrics for, at a  
15 minimum:

16 (a) Student academic proficiency;

17 (b) Student academic growth;

18 (c) College and career readiness (for high schools); and

19 (d) Board performance and stewardship, including compliance with all  
20 applicable laws, regulations and terms of the performance certificate.

21 (2) Measurable performance targets shall be set by each charter holder  
22 for each public charter school for which it holds a charter in conjunction  
23 with its authorized chartering entity and shall, at a minimum, require that  
24 each school meet applicable federal, state and authorized chartering entity  
25 goals for student achievement.

26 ~~(3) The performance framework shall allow the inclusion of additional~~  
27 ~~rigorous, valid and reliable indicators proposed by a charter holder to aug-~~  
28 ~~ment external evaluations of its performance, provided that the authorized~~  
29 ~~chartering entity approves the quality and rigor of such proposed indica-~~  
30 ~~tors, and that they are consistent with the purposes of this chapter.~~

31 ~~(4)~~ For each public charter school it oversees, the authorized char-  
32 tering entity shall be responsible for analyzing and reporting all data from  
33 state assessments in accordance with the performance framework.

34 SECTION 2. That Section 33-5213, Idaho Code, be, and the same is hereby  
35 amended to read as follows:

36 33-5213. PUBLIC CHARTER SCHOOL COMMISSION. (1) There is hereby  
37 created an independent public charter school commission, referred to here-  
38 inafter as the commission, ~~to be located in the office of~~ under the state  
39 board of education, pursuant to section 33-1051, Idaho Code. The commission  
40 is hereby authorized to appoint a director who shall serve at the pleasure

1 of the commission and shall receive such salary as fixed by the commission.  
 2 It shall be the responsibility and duty of the ~~executive director of the~~  
 3 ~~state board of education, or his designee,~~ acting at the direction of the  
 4 commission to administer and enforce the provisions of this chapter, ~~and the~~  
 5 ~~director or his designee shall serve as secretary to the commission. The~~  
 6 ~~director shall hire such staff as may be necessary to assist in carrying out~~  
 7 ~~the provisions of this chapter.~~

8 (2) The public charter school commission shall adopt policies, subject  
 9 to law, regarding the governance and administration of the commission and  
 10 make recommendations to the state board of education regarding the oversight  
 11 of public charter schools.

12 (3) The commission shall be composed of seven (7) members:

13 ~~(a) Three (3) members shall be appointed by the governor, subject to the~~  
 14 ~~advice and consent of the senate.~~

15 ~~(b) Two (2) members shall be appointed by the speaker of the house of~~  
 16 ~~representatives; and~~

17 ~~(c) Two (2) members shall be appointed by the president pro tempore of~~  
 18 ~~the senate.~~

19 Commissioner appointments made pursuant to this section prior to July 1,  
 20 20213, shall remain valid through the duration of the term to which each  
 21 commissioner was appointed. ~~To establish a transition to the appoint-~~  
 22 ~~ing authority structure contained in this subsection, the first four (4)~~  
 23 ~~appointments available on or after July 1, 2013, shall be made in an al-~~  
 24 ~~ternating sequence for each appointment by the speaker of the house of~~  
 25 ~~representatives, the president pro tempore of the senate, and the governor.~~  
 26 ~~Notwithstanding this sequence of appointments, at no time may any appointing~~  
 27 ~~authority appoint more members of the commission than permitted under this~~  
 28 ~~subsection. Subsequent appointments shall be made by the same appointing~~  
 29 ~~authority that originally appointed the commissioner whose term expired.~~

30 (4) The term of office for commission members shall be four (4) years.  
 31 In making such appointments, the ~~appointing authorities~~ governor shall  
 32 consider regional balance without reference to party affiliation. Members  
 33 appointed to the commission shall collectively possess strong experience  
 34 and expertise in public and nonprofit governance, management and finance,  
 35 public school leadership, assessment, curriculum and instruction, and  
 36 public education law. All members of the commission shall have demon-  
 37 strated understanding of and commitment to charter schools as a strategy for  
 38 strengthening public education. Members of the commission shall hold office  
 39 until the expiration of the term to which the member was appointed and until  
 40 a successor has been duly appointed, unless sooner removed for cause by the  
 41 ~~appointing authority~~ governor. Whenever a vacancy occurs, the ~~appointing~~  
 42 ~~authority~~ governor shall appoint a qualified person to fill the vacancy for  
 43 the unexpired portion of the term.

44 (5) All members of the commission shall be citizens of the United States  
 45 and residents of the state of Idaho for not less than two (2) years.

46 (6) The members of the commission shall, at their first regular meeting  
 47 following the effective date of this act, and every two (2) years thereafter,  
 48 elect, by a majority vote of the members of the commission, a ~~chairman~~ chair  
 49 and a ~~vice-chairman~~ vice chair. The ~~chairman~~ chair shall preside at meetings  
 50 of the commission, and the ~~vice-chairman~~ vice chair shall preside at such

1 meetings in the absence of the ~~chairman~~ chair. A majority of the members of  
2 the commission shall constitute a quorum. The commission shall meet at such  
3 times and places as determined to be necessary and convenient, or at the call  
4 of the chair.

5 (7) Each member of the commission not otherwise compensated by public  
6 moneys shall be compensated as provided in section 59-509 (h), Idaho Code.