

IN THE SENATE

SENATE BILL NO. 1161

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO THE EMPOWERING PARENTS GRANT PROGRAM; AMENDING SECTION 33-1030,
2 IDAHO CODE, TO DEFINE TERMS AND TO REVISE DEFINITIONS; AMENDING SEC-
3 TION 33-1031, IDAHO CODE, TO PROVIDE FOR TUITION GRANTS AND TO REVISE
4 PROVISIONS REGARDING CERTAIN GRANTS; AMENDING SECTION 33-1032, IDAHO
5 CODE, TO REVISE PROVISIONS REGARDING A CERTAIN PANEL; AMENDING SECTION
6 33-1033, IDAHO CODE, TO REQUIRE CERTAIN REPORTS AND EVALUATIONS; AMEND-
7 ING SECTION 33-1034, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EM-
8 POWERING PARENTS GRANT PROGRAM FUND; REPEALING SECTION 33-1030, IDAHO
9 CODE, RELATING TO DEFINITIONS; REPEALING SECTION 33-1031, IDAHO CODE,
10 RELATING TO THE EMPOWERING PARENTS GRANT PROGRAM; REPEALING SECTION
11 33-1032, IDAHO CODE, RELATING TO THE PARENT ADVISORY PANEL; REPEALING
12 SECTION 33-1033, IDAHO CODE, RELATING TO REPORTS AND EVALUATIONS; RE-
13 PEALING SECTION 33-1034, IDAHO CODE, RELATING TO THE EMPOWERING PARENTS
14 GRANT PROGRAM FUND; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE
15 ADDITION OF A NEW SECTION 33-1030, IDAHO CODE, TO DEFINE TERMS; AMEND-
16 ING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
17 33-1031, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING AN EMPOWERING
18 PARENTS GRANT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE
19 ADDITION OF A NEW SECTION 33-1032, IDAHO CODE, TO PROVIDE FOR A PARENT
20 ADVISORY PANEL; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE AD-
21 DITION OF A NEW SECTION 33-1033, IDAHO CODE, TO PROVIDE FOR A CERTAIN
22 REPORT AND EVALUATION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY
23 THE ADDITION OF A NEW SECTION 33-1034, IDAHO CODE, TO ESTABLISH AN EM-
24 POWERING PARENTS GRANT PROGRAM FUND; AND DECLARING AN EMERGENCY AND
25 PROVIDING EFFECTIVE DATES.
26

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

28 SECTION 1. That Section 33-1030, Idaho Code, be, and the same is hereby
29 amended to read as follows:

30 33-1030. DEFINITIONS. As used in this section through section
31 33-1034, Idaho Code:

32 (1) "Academic instruction" means instruction in English language arts,
33 mathematics, science, and social studies sufficient to satisfy Idaho's con-
34 stitutional and statutory compulsory instruction requirements.

35 ~~(1)~~ (2) "Assessment" means an examination or another objective evalua-
36 tion of a student's academic performance, academic engagement, or college or
37 career readiness.

38 ~~(2)~~ (3) "Board Department" means the state board department of educa-
39 tion.

40 ~~(3)~~ (4) "Eligible education expenses" means:

1 (a) Computer hardware, internet access, or other technological devices
2 or services that are primarily used to meet a participant's educational
3 needs;

4 (b) Textbooks, curriculum, or other instructional materials, includ-
5 ing educational software and applications;

6 (c) Fees for national standardized assessments, advanced placement ex-
7 aminations, examinations related to college or university admissions,
8 or industry-recognized certification examinations;

9 (d) Therapies, including but not limited to occupational, behavioral,
10 physical, speech-language, and audiology therapies, or other services
11 or therapies specifically approved by the ~~board~~ department;

12 (e) Educational programs offered for a fee or pursuant to contract by a
13 school district, public charter school, or career technical education
14 program to nonpublic students, provided that such students may not be
15 counted for purposes of calculating public school enrollment; ~~or~~

16 (f) Transportation of an eligible student to and from a facility where
17 an eligible educational program is offered, including the use of pri-
18 vatly owned vehicles, which reimbursement shall use the annual United
19 States general services administration private vehicle mileage rate,
20 public transportation services, carpools, and ridesharing fees and ex-
21 penditures; or

22 (g) Other education expenses and services as approved by the ~~board~~
23 department, upon recommendation of the ~~parent advisory~~ empowering par-
24 ents panel established pursuant to section 33-1032, Idaho Code.

25 ~~(4)~~ (5) "Eligible student" means a person in kindergarten through grade
26 12, whether a public school or nonpublic school student.

27 ~~(5)~~ (6) "Grant" means ~~an award of one thousand dollars (\$1,000), which~~
28 ~~must be used for eligible education expenses~~ a micro grant or a tuition grant
29 as defined in this section.

30 ~~(6)~~ (7) "Grant distribution platform" means a digital platform through
31 which grant funds are transferred from the ~~board~~ department to participant
32 accounts.

33 (8) "Micro grant" means an award of one thousand dollars (\$1,000),
34 which must be used for eligible education expenses.

35 (9) "Nonpublic school" means a school or an entity, other than a public
36 school or public charter school, providing academic instruction to eligible
37 students. Such instruction may be provided in person, online, or through a
38 combination of both. The term "nonpublic school" may include a micro school
39 or learning pod as long as the academic instruction in such micro school or
40 learning pod is provided by a teacher or teachers certificated pursuant to
41 chapter 12, title 33, Idaho Code.

42 ~~(7)~~ (10) "Parent" means the parent or legal guardian of an eligible stu-
43 dent or a participant.

44 ~~(8)~~ (11) "Participant" means an eligible student for whom a grant is
45 awarded under section 33-1031, Idaho Code.

46 ~~(9)~~ (12) "Program" means the empowering parents grant program estab-
47 lished by section 33-1031, Idaho Code.

48 (13) "Tuition grant" means an award of six thousand dollars (\$6,000),
49 which must be used for academic instruction provided by a nonpublic school.

1 SECTION 2. That Section 33-1031, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 33-1031. EMPOWERING PARENTS GRANT PROGRAM. (1) There is hereby estab-
4 lished the empowering parents grant program, to be administered by the ~~board~~
5 department according to the provisions of this section. The purpose of the
6 program is to provide education grants for eligible students.

7 (2) In order to administer the program, the ~~board~~ department:

8 (a) Shall create and administer, or designate a third party to create
9 and administer, a grant distribution platform;

10 (b) Shall establish a grant application process for parents;

11 (c) Shall, subject to appropriation, award grants. ~~Grant~~ Micro grant
12 awards shall be made in the following order of preference:

13 (i) First to eligible students whose household has an adjusted
14 gross income under sixty thousand dollars (\$60,000), as verified
15 by the Idaho state tax commission using the prior year's tax re-
16 turns. Notification of grant awards for students in this category
17 shall be made within thirty (30) days of application, and grant
18 funds shall be made available for participants' use as soon as
19 practicable, but no later than thirty (30) days after the notifi-
20 cation of a grant award;

21 (ii) Starting sixty (60) days after grant awards in a fiscal year
22 are made under subparagraph (i) of this paragraph, to eligible
23 students whose household has an adjusted gross income under sev-
24 enty-five thousand dollars (\$75,000), as verified by the Idaho
25 state tax commission using the prior year's tax returns; and

26 (iii) Starting sixty (60) days after grant awards in a fiscal year
27 are made under subparagraph (ii) of this paragraph, to all other
28 eligible students on a first-come, first-served basis until all
29 available funds are distributed; and

30 (d) May take such other actions as are necessary to implement and en-
31 force the provisions of this section.

32 (3) Providers of products and services that qualify as eligible educa-
33 tion expenses shall provide such products and services at competitive market
34 rates.

35 (4) Prior to the award of a grant, the parent of a participant shall
36 agree to verify program compliance. The parent of a participant shall use
37 grant funds only for ~~eligible education expenses~~ the purposes provided in
38 this section. If a parent is found to misuse grant funds, then neither the
39 parent nor another parent of the student living in the same household may ap-
40 ply for a grant in the future for any student, provided that the parent may
41 appeal the finding to the ~~board~~ department.

42 ~~(4) Grant~~ (5) Micro grant funds shall be expended within two (2) years
43 after they are awarded. Any unused funds at the end of the two (2) year pe-
44 riod shall revert to the empowering parents grant program fund established
45 in section 33-1034, Idaho Code.

46 ~~(5) Grant~~ (6) Micro grant awards per family shall be capped at three
47 thousand dollars (\$3,000), regardless of the number of eligible students in
48 the family.

1 (7) The parent of an eligible student may apply for a tuition grant on an
 2 annual basis. The tuition grant process shall be governed by the following
 3 provisions:

4 (a) The department shall approve no more than two thousand (2,000) tu-
 5 ition grant applications each year;

6 (b) Tuition grant awards shall be prioritized according to the eligible
 7 student's household adjusted gross income level, with the lowest house-
 8 hold adjusted gross income levels receiving priority;

9 (c) An eligible student awarded a tuition grant may not:

10 (i) Receive a micro grant for the same academic year; or

11 (ii) Be enrolled full-time in a public school or public charter
 12 school during the academic year for which the tuition grant is
 13 awarded;

14 (d) The tuition grant application period shall be open from January 1 to
 15 April 1 each year. Notification of tuition grant awards for the upcom-
 16 ing academic year shall be made on or before May 1;

17 (e) Tuition grant funds shall be dispersed on a quarterly basis. The
 18 parent of an eligible student receiving a tuition grant award must in-
 19 form the department when the tuition grant is no longer needed for the
 20 purpose of tuition;

21 (f) Tuition grant funds may be paid only to nonpublic schools approved
 22 to participate in the program pursuant to section 33-1032, Idaho Code;

23 (g) The department shall ensure that parents of eligible students with
 24 disabilities receive notice that participation in the tuition grant
 25 program is a parental placement under the federal individuals with dis-
 26 abilities education act (IDEA), 20 U.S.C. 1412, and an explanation of
 27 the rights that parentally placed students possess under IDEA and any
 28 applicable federal or state laws, rules, and regulations; and

29 (h) Prior to the 2028 regular legislative session, the department
 30 shall:

31 (i) Review the tuition grant process;

32 (ii) Provide a report to the legislature assessing:

33 1. The sustainability of tuition grants;

34 2. Accountability of parents of participants awarded tu-
 35 ition grants, participants awarded tuition grants, and
 36 nonpublic schools paid tuition grant funds; and

37 3. Participant outcomes; and

38 (iii) Recommend improvements to the tuition grant process.

39 (8) Grant funds shall not constitute taxable income of a parent or a
 40 participant.

41 (9) The independence of nonpublic schools receiving tuition grant pay-
 42 ments is affirmed as follows:

43 (a) Nothing in the empowering parents grant program shall be deemed to:

44 (i) Limit the independence or autonomy of a nonpublic school; or

45 (ii) Make the actions of a nonpublic school the actions of the
 46 state government;

47 (b) Nonpublic schools shall have maximum freedom to provide for the ed-
 48 ucational needs of tuition grant participants consistent with this sec-
 49 tion;

1 (c) Nothing in the empowering parents grant program shall be con-
 2 strued to expand the regulatory authority of the state, its officers,
 3 or any school district to impose any additional regulation of nonpublic
 4 schools beyond those necessary to administer the requirements of the
 5 program; and

6 (d) A nonpublic school that accepts a tuition grant payment pursuant to
 7 the empowering parents grant program is not an agent of the state or fed-
 8 eral government.

9 (10) The department shall perform the functions necessary for the ad-
 10 ministration of the empowering parents grant program, including:

11 (a) Establishing or contracting for the establishment of an online
 12 anonymous fraud reporting service;

13 (b) Establishing an anonymous telephone hotline for fraud reporting;

14 (c) Requiring a surety bond for nonpublic schools receiving more than
 15 one hundred thousand dollars (\$100,000) in tuition grant funds; and

16 (d) Refunding payments from schools and programs back to the empowering
 17 parents grant program fund established in section 33-1034, Idaho Code.

18 (11) The department shall have the authority to refer suspected cases of
 19 intentional and substantial misuse of empowering parents grant funds to the
 20 attorney general for investigation.

21 SECTION 3. That Section 33-1032, Idaho Code, be, and the same is hereby
 22 amended to read as follows:

23 33-1032. ~~PARENT ADVISORY~~ EMPOWERING PARENTS PANEL. (1) For purposes
 24 of this section:

25 ~~(a) "Executive director" means the executive director of the office of~~
 26 ~~the state board of education.~~

27 ~~(b) "Program, "program funds" means funds distributed to parents pur-~~
 28 ~~suant to section 33-1031, Idaho Code.~~

29 (2) There is hereby established in the ~~office of the state board of edu-~~
 30 ~~cation a parent advisory~~ department an empowering parents panel, which shall
 31 make:

32 (a) Make recommendations to the board department:

33 ~~(a) (i) As described in section 33-1030(3) (f) 33-1030(4) (g),~~
 34 Idaho Code; and

35 ~~(b) (ii) On how to implement, administer, and improve the program~~
 36 described in section 33-1031, Idaho Code; and

37 (b) Approve applications by nonpublic schools to participate in the em-
 38 powering parents grant program. However, criteria for approval shall
 39 be limited to the criteria necessary to establish that an applicant is a
 40 nonpublic school as defined in section 33-1030, Idaho Code.

41 (3) ~~The parent advisory~~ empowering parents panel shall consist of seven
 42 (7) members. Three (3) members shall be appointed by the governor, two (2)
 43 members shall be appointed by the president pro tempore of the senate, and
 44 two (2) members shall be appointed by the speaker of the house of represen-
 45 tatives. The members must be parents of eligible students, with preference
 46 given to parents who have applied for program funds or who, for the initial
 47 appointment of the panel, have indicated their intent to apply for program
 48 funds. Members of the panel shall represent different regions of the state.
 49 Members shall serve one (1) year terms at the pleasure of their appointing

1 authority and may be reappointed if they meet the eligibility criteria de-
 2 scribed in this subsection. ~~The executive director or the executive direc-~~
 3 ~~tor's~~ superintendent of public instruction or the superintendent's designee
 4 shall serve as the nonvoting chair of the ~~parent advisory~~ empowering parents
 5 panel.

6 ~~(4) At the request of the board, the parent advisory~~ The empowering par-
 7 ents panel shall meet, in person or virtually, to discuss and make recommen-
 8 dations fulfill its duties as described in subsection (2) of this section.
 9 The department shall provide administrative support to assist the empower-
 10 ing parents panel in its duties.

11 (5) If a parent appeals a finding that program funds were used for a
 12 purpose other than ~~eligible education expenses~~ those purposes permitted by
 13 section 33-1031, Idaho Code, or if a parent appeals disapproval of a nonpub-
 14 lic school's application to participate in the empowering parents grant pro-
 15 gram, then the empowering parents panel shall meet to consider the appeal and
 16 recommend a decision on the appeal to the board department. The department
 17 shall have the authority to issue a final decision in all such appeals.

18 SECTION 4. That Section 33-1033, Idaho Code, be, and the same is hereby
 19 amended to read as follows:

20 33-1033. REPORT AND EVALUATION. (1) By December 15 of each year, the
 21 ~~board department~~ shall report to the governor, the state controller, and the
 22 senate and house of representatives education committees:

23 (a) The total funds appropriated for the empowering parents grant pro-
 24 gram in the current fiscal year and the prior fiscal year;

25 (b) The number of applicants for the program in the current fiscal year
 26 and the prior fiscal year;

27 (c) The number and type of grants awarded in the current fiscal year and
 28 the prior fiscal year and how grant funds were used by participants; ~~and~~

29 (d) The adjusted gross income of participants' households; and

30 ~~(d)~~ (e) Other matters concerning the program that are:

31 (i) Considered relevant by the board department; or

32 (ii) Specifically requested for inclusion in the report by the
 33 governor or by any member of the senate or the house of represen-
 34 tatives.

35 (2) The report required pursuant to subsection (1) of this section
 36 shall not include any personally identifying information of participants,
 37 their parents, or their households, unless such participants and parents
 38 consent to the inclusion of personally identifying information.

39 (3) The state controller shall make information provided pursuant to
 40 subsection (1) of this section available to the public in a manner that is
 41 easy to access and comprehend.

42 ~~(2)~~ (4) By June 30, 2024, and every two (2) years thereafter, the board
 43 department shall designate a third party to evaluate the program. The eval-
 44 uation shall be conducted according to criteria set by the board department,
 45 the senate and house of representatives education committees, and the joint
 46 finance-appropriations committee.

47 SECTION 5. That Section 33-1034, Idaho Code, be, and the same is hereby
 48 amended to read as follows:

1 33-1034. EMPOWERING PARENTS GRANT PROGRAM FUND. There is hereby es-
2 tablished in the state treasury the empowering parents grant program fund,
3 to be administered by the ~~board~~ department. Moneys in the fund shall:

4 (1) Consist of the following:

5 (a) Legislative appropriations;

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

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

8 (2) Be continuously appropriated for the purpose described in subsec-
9 tion (3) of this section; and

10 (3) Be used to pay grants awarded under the empowering parents grant
11 program.

12 SECTION 6. That Section [33-1030](#), Idaho Code, be, and the same is hereby
13 repealed.

14 SECTION 7. That Section [33-1031](#), Idaho Code, be, and the same is hereby
15 repealed.

16 SECTION 8. That Section [33-1032](#), Idaho Code, be, and the same is hereby
17 repealed.

18 SECTION 9. That Section [33-1033](#), Idaho Code, be, and the same is hereby
19 repealed.

20 SECTION 10. That Section [33-1034](#), Idaho Code, be, and the same is hereby
21 repealed.

22 SECTION 11. That Chapter 10, Title 33, Idaho Code, be, and the same is
23 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
24 ignated as Section 33-1030, Idaho Code, and to read as follows:

25 33-1030. DEFINITIONS. As used in this section through section
26 33-1034, Idaho Code:

27 (1) "Assessment" means an examination or another objective evaluation
28 of a student's academic performance, academic engagement, or college or ca-
29 reer readiness.

30 (2) "Department" means the state department of education.

31 (3) "Eligible education expenses" means:

32 (a) Computer hardware, internet access, or other technological devices
33 or services that are primarily used to meet a participant's educational
34 needs;

35 (b) Textbooks, curriculum, or other instructional materials, includ-
36 ing educational software and applications;

37 (c) Fees for national standardized assessments, advanced placement ex-
38 aminations, examinations related to college or university admissions,
39 or industry-recognized certification examinations;

40 (d) Therapies, including but not limited to occupational, behavioral,
41 physical, speech-language, and audiology therapies, or other services
42 or therapies specifically approved by the department;

43 (e) Educational programs offered for a fee or pursuant to contract by a
44 school district, public charter school, or career technical education

1 program to nonpublic students, provided that such students may not be
2 counted for purposes of calculating public school enrollment;

3 (f) Transportation of an eligible student to and from a facility where
4 an eligible educational program is offered, including the use of pri-
5 vately owned vehicles, which reimbursement shall use the annual United
6 States general services administration private vehicle mileage rate,
7 public transportation services, carpools, and ridesharing fees and ex-
8 penses; or

9 (g) Other education expenses and services as approved by the depart-
10 ment, upon recommendation of the parent advisory panel established pur-
11 suant to section 33-1032, Idaho Code.

12 (4) "Eligible student" means a person in kindergarten through grade 12,
13 whether a public school or nonpublic school student.

14 (5) "Grant" means an award of one thousand dollars (\$1,000), which must
15 be used for eligible education expenses.

16 (6) "Grant distribution platform" means a digital platform through
17 which grant funds are transferred from the department to participant ac-
18 counts.

19 (7) "Parent" means the parent or legal guardian of an eligible student
20 or a participant.

21 (8) "Participant" means an eligible student for whom a grant is awarded
22 under section 33-1031, Idaho Code.

23 (9) "Program" means the empowering parents grant program established
24 by section 33-1031, Idaho Code.

25 SECTION 12. That Chapter 10, Title 33, Idaho Code, be, and the same is
26 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
27 ignated as Section 33-1031, Idaho Code, and to read as follows:

28 33-1031. EMPOWERING PARENTS GRANT PROGRAM. (1) There is hereby estab-
29 lished the empowering parents grant program, to be administered by the de-
30 partment according to the provisions of this section. The purpose of the
31 program is to provide education grants for eligible students.

32 (2) In order to administer the program, the department:

33 (a) Shall create and administer, or designate a third party to create
34 and administer, a grant distribution platform;

35 (b) Shall establish a grant application process for parents;

36 (c) Shall, subject to appropriation, award grants. Grant awards shall
37 be made in the following order of preference:

38 (i) First to eligible students whose household has an adjusted
39 gross income under sixty thousand dollars (\$60,000), as verified
40 by the Idaho state tax commission using the prior year's tax re-
41 turns. Notification of grant awards for students in this category
42 shall be made within thirty (30) days of application, and grant
43 funds shall be made available for participants' use as soon as
44 practicable, but no later than thirty (30) days after the notifi-
45 cation of a grant award;

46 (ii) Starting sixty (60) days after grant awards in a fiscal year
47 are made under subparagraph (i) of this paragraph, to eligible
48 students whose household has an adjusted gross income under sev-

1 enty-five thousand dollars (\$75,000), as verified by the Idaho
2 state tax commission using the prior year's tax returns; and

3 (iii) Starting sixty (60) days after grant awards in a fiscal year
4 are made under subparagraph (ii) of this paragraph, to all other
5 eligible students on a first-come, first-served basis until all
6 available funds are distributed; and

7 (d) May take such other actions as are necessary to implement and en-
8 force the provisions of this section.

9 (3) Providers of products and services that qualify as eligible educa-
10 tion expenses shall provide such products and services at competitive market
11 rates.

12 (4) Prior to the award of a grant, the parent of a participant shall
13 agree to verify program compliance. The parent of a participant shall use
14 grant funds only for eligible education expenses. If a parent is found to
15 misuse grant funds, then neither the parent nor another parent of the student
16 living in the same household may apply for a grant in the future for any stu-
17 dent, provided that the parent may appeal the finding to the department.

18 (5) Grant funds shall be expended within two (2) years after they are
19 awarded. Any unused funds at the end of the two (2) year period shall revert
20 to the empowering parents grant program fund established in section 33-1034,
21 Idaho Code.

22 (6) Grant awards per family shall be capped at three thousand dollars
23 (\$3,000), regardless of the number of eligible students in the family.

24 (7) Grant funds shall not constitute taxable income of a parent or a
25 participant.

26 (8) The department shall have the authority to refer suspected cases of
27 intentional and substantial misuse of empowering parents grant funds to the
28 attorney general for investigation.

29 SECTION 13. That Chapter 10, Title 33, Idaho Code, be, and the same is
30 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
31 ignated as Section 33-1032, Idaho Code, and to read as follows:

32 33-1032. PARENT ADVISORY PANEL. (1) For purposes of this section,
33 "program funds" means funds distributed to parents pursuant to section
34 33-1031, Idaho Code.

35 (2) There is hereby established in the state department of education a
36 parent advisory panel, which shall make recommendations to the department:

37 (a) As described in section 33-1030(3)(g), Idaho Code; and

38 (b) On how to implement, administer, and improve the program described
39 in section 33-1031, Idaho Code.

40 (3) The parent advisory panel shall consist of seven (7) members. Three
41 (3) members shall be appointed by the governor, two (2) members shall be ap-
42 pointed by the president pro tempore of the senate, and two (2) members shall
43 be appointed by the speaker of the house of representatives. The members
44 must be parents of eligible students, with preference given to parents who
45 have applied for program funds or who, for the initial appointment of the
46 panel, have indicated their intent to apply for program funds. Members of
47 the panel shall represent different regions of the state. Members shall
48 serve one (1) year terms at the pleasure of their appointing authority and
49 may be reappointed if they meet the eligibility criteria described in this

1 subsection. The superintendent of public instruction or the superinten-
2 dent's designee shall serve as the nonvoting chair of the parent advisory
3 panel.

4 (4) The parent advisory panel shall meet, in person or virtually, to
5 discuss and make recommendations as described in subsection (2) of this sec-
6 tion. The department shall provide administrative support for the parent
7 advisory panel.

8 (5) If a parent appeals a finding that program funds were used for a pur-
9 pose other than eligible education expenses, then the panel shall meet to
10 consider the appeal and recommend a decision on the appeal to the department.
11 The department shall have the authority to issue a final decision in all such
12 appeals.

13 SECTION 14. That Chapter 10, Title 33, Idaho Code, be, and the same is
14 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
15 ignated as Section 33-1033, Idaho Code, and to read as follows:

16 33-1033. REPORT AND EVALUATION. (1) By December 15 of each year, the
17 department shall report to the governor, the state controller, and the sen-
18 ate and house of representatives education committees:

19 (a) The total funds appropriated for the empowering parents grant pro-
20 gram in the current fiscal year and the prior fiscal year;

21 (b) The number of applicants for the program in the current fiscal year
22 and the prior fiscal year;

23 (c) The number of grants awarded in the current fiscal year and the
24 prior fiscal year and how grant funds were used by participants;

25 (d) The adjusted gross income of participants' households; and

26 (e) Other matters concerning the program that are:

27 (i) Considered relevant by the department; or

28 (ii) Specifically requested for inclusion in the report by the
29 governor or by any member of the senate or the house of represen-
30 tatives.

31 (2) The report required pursuant to subsection (1) of this section
32 shall not include any personally identifying information of participants,
33 their parents, or their households, unless such participants and parents
34 consent to the inclusion of personally identifying information.

35 (3) The state controller shall make information provided pursuant to
36 subsection (1) of this section available to the public in a manner that is
37 easy to access and comprehend.

38 (4) By June 30, 2030, and every two (2) years thereafter, the depart-
39 ment shall designate a third party to evaluate the program. The evaluation
40 shall be conducted according to criteria set by the department, the senate
41 and house of representatives education committees, and the joint finance-
42 appropriations committee.

43 SECTION 15. That Chapter 10, Title 33, Idaho Code, be, and the same is
44 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
45 ignated as Section 33-1034, Idaho Code, and to read as follows:

1 33-1034. EMPOWERING PARENTS GRANT PROGRAM FUND. There is hereby es-
2 tablished in the state treasury the empowering parents grant program fund,
3 to be administered by the department. Moneys in the fund shall:

4 (1) Consist of the following:

5 (a) Legislative appropriations;

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

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

8 (2) Be continuously appropriated for the purpose described in subsec-
9 tion (3) of this section; and

10 (3) Be used to pay grants awarded under the empowering parents grant
11 program.

12 SECTION 16. An emergency existing therefor, which emergency is hereby
13 declared to exist, Sections 1 through 5 of this act shall be in full force and
14 effect on and after July 1, 2023, and Sections 6 through 15 of this act shall
15 be in full force and effect on and after July 1, 2029.