

IN THE SENATE

SENATE BILL NO. 1264

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE PUBLIC CHARTER SCHOOL COMMISSION; AMENDING SECTION 33-5213,
2 IDAHO CODE, TO PROVIDE THAT IT SHALL BE THE RESPONSIBILITY AND DUTY OF
3 THE DIRECTOR OF THE STATE BOARD OF EDUCATION, OR HIS DESIGNEE, TO AD-
4 MINISTER AND ENFORCE CERTAIN PROVISIONS AND TO PROVIDE FOR POLICIES AND
5 RECOMMENDATIONS.
6

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

8 SECTION 1. That Section 33-5213, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 33-5213. PUBLIC CHARTER SCHOOL COMMISSION. (1) There is hereby
11 created an independent public charter school commission, referred to here-
12 inafter as the commission, to be located in the office of the state board of
13 education, pursuant to section 33-105, Idaho Code. It shall be the responsi-
14 bility and duty of the executive director of the state board of education, or
15 his designee, acting at the direction of the commission to administer and en-
16 force the provisions of this chapter, and the director or his designee shall
17 serve as secretary to the commission.

18 (2) The public charter school commission shall adopt ~~rules~~ policies,
19 subject to law, regarding the governance and administration of the commis-
20 sion and make recommendations to the state board of education regarding the
21 oversight of public charter schools.

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

23 (a) Three (3) members shall be appointed by the governor, subject to the
24 advice and consent of the senate;

25 (b) Two (2) members shall be appointed by the speaker of the house of
26 representatives; and

27 (c) Two (2) members shall be appointed by the president pro tempore of
28 the senate.

29 Commissioner appointments made pursuant to this section prior to July 1,
30 2013, shall remain valid through the duration of the term to which each
31 commissioner was appointed. To establish a transition to the appointing au-
32 thority structure contained in this subsection, the first four (4) appoint-
33 ments available on or after July 1, 2013, shall be made in an alternating
34 sequence for each appointment by the speaker of the house of representatives
35 and the president pro tempore of the senate, followed by three (3) appoint-
36 ments by the governor. Subsequent appointments shall be made by the same
37 appointing authority that originally appointed the commissioner whose term
38 expired.

39 (4) The term of office for commission members shall be four (4) years.
40 In making such appointments, the appointing authorities shall consider
41 regional balance. Members appointed to the commission shall collectively
42 possess strong experience and expertise in public and nonprofit governance,

1 management and finance, public school leadership, assessment, curriculum
2 and instruction and public education law. All members of the commission
3 shall have demonstrated understanding of and commitment to charter schools
4 as a strategy for strengthening public education. No commissioner shall
5 serve more than two (2) consecutive four (4) year terms. Members of the
6 commission shall hold office until the expiration of the term to which the
7 member was appointed and until a successor has been duly appointed, unless
8 sooner removed for cause by the appointing authority. Whenever a vacancy
9 occurs, the appointing authority shall appoint a qualified person to fill
10 the vacancy for the unexpired portion of the term.

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

13 (56) The members of the commission shall, at their first regular meet-
14 ing following the effective date of this act, and every two (2) years there-
15 after, elect, by a majority vote of the members of the commission, a chairman
16 and a vice-chairman. The chairman shall preside at meetings of the commis-
17 sion, and the vice-chairman shall preside at such meetings in the absence of
18 the chairman. A majority of the members of the commission shall constitute a
19 quorum. The commission shall meet at such times and places as determined to
20 be necessary and convenient, or at the call of the chair.

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