

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 646

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 3, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-357A, IDAHO CODE, TO PROVIDE A SHORT TITLE, TO DEFINE A TERM, TO ESTABLISH PROVISIONS RELATING TO AN ANNUAL REPORT, TO ESTABLISH PROVISIONS RELATING TO THE PUBLICATION OF CERTAIN INFORMATION AND TO ESTABLISH PROVISIONS RELATING TO THE POSTING OF CERTAIN INFORMATION ON THE STATE DEPARTMENT OF EDUCATION WEBSITE.

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

SECTION 1. That Chapter 3, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-357A, Idaho Code, and to read as follows:

33-357A. TRANSPARENCY IN PUBLIC EDUCATION EXPENDITURES ACT -- EDUCATIONAL MANAGEMENT ORGANIZATIONS -- DEFINITION -- REPORT -- PUBLICATION. (1) This act shall be known as the "Transparency in Public Education Expenditures Act."

(2) Definition. The term "Education Management Organization (EMO)" means any for-profit company, corporation, limited liability corporation or other legal entity or any not-for-profit legal entity that engages in business with public elementary and/or secondary schools in Idaho for the purpose of providing:

(a) Face-to-face, web-based or other education sessions;

(b) Course curriculum; and/or

(c) Contracts with one (1) or more school districts to provide certificated teaching or management staff to oversee the education of one (1) or more students enrolled in that school, except any company contracting solely for the purpose of offering supplemental services pursuant to the provisions of title I, section 1116(e) of the elementary and secondary education act.

(3) Annual report. Each educational management organization shall submit a report no later than November 10 of each year to the chairmen of the education committees of the Idaho senate and Idaho house of representatives. The report shall reflect the following:

(a) The extent to which products and services provided to schools in Idaho by the EMO meet minimum state standards related to online courses and virtual or blended courses as provided for in Title 33, Idaho Code, and in administrative rule;

(b) The extent to which EMO employees engaged in teaching activities meet minimum state certification standards required of all Idaho teachers as provided for in title 33, Idaho Code, and in administrative rule;

(c) The extent to which EMO employees who are engaged in management activities meet minimum state certification standards required of all

1 Idaho administrators as provided for in title 33, Idaho Code, and in
2 administrative rule;

3 (d) How the EMO complies with personnel practices to the same extent
4 such requirements contained therein are required of any Idaho school
5 district, as provided for in title 33, Idaho Code, and in administrative
6 rule;

7 (e) The percent of administrative and teaching staff who reside in
8 Idaho at a verifiable street address; and

9 (f) A listing of the expenditure of Idaho state and local public tax
10 moneys including, but not limited to, the total amount of any contracts
11 with Idaho schools; and shall itemize no less than the five (5) largest
12 expenditures including, but not limited to, expenditures for person-
13 nel, marketing and recruitment.

14 (4) Publication. The state department of education will prepare and
15 publish on its website the following:

16 (a) A list of all EMOs operating in the state and including their head-
17 quarters; and

18 (b) A list of the school districts in which an EMO is operating or con-
19 tracting.

20 In addition to the requirements provided for in this subsection, the
21 state department of education shall provide on its website all EMO reports
22 required pursuant to subsection (3) of this section. Such reports shall be
23 posted on the department's website by December 1 of each year.