

## **From Idaho Education News**

### **Lawsuits: Student fees represent a form of ‘coercion’**

By Kevin Richert – Posted: June 27, 2016

The student fee issue could be headed back to the courts.

In separate but nearly identical two class action lawsuits, plaintiffs demand that the West Ada School District return some \$2 million in unconstitutional student fees collected in 2014-15, and “hundreds of thousands of dollars” in refunds from the Pocatello-Chubbuck School District.

The fees “amount to a form of coercion to pay for essential and normal elements of a free public education,” former state Supreme Court justice and gubernatorial candidate Robert Huntley wrote in the lawsuits.

The West Ada district had no comment on the lawsuit, and the Pocatello-Chubbuck district did not immediately respond to a request for comment Monday.

The lawsuits revisit an ongoing legal dispute.

In November, District Judge Richard Greenwood said West Ada class fees were unconstitutional.

In response, the state’s largest district eliminated its student fees — leaving a \$600,000 hole in an already tight 2016-17 budget. The plaintiff in the 2012 lawsuit, Russell Joki, won a seat on the West Ada school board in 2015; he resigned earlier this year. Joki’s attorney, Huntley, has long criticized the state’s school funding formula.

In the latest lawsuits, Huntley says the Legislature has “grossly underfunded” the two school districts, by eroding the state’s sales tax with a matrix of exemptions. However, he says, student fees violate the state Constitution, which mandates a system of “free common schools.”

The lawsuit challenges both student fees and school supply lists. Districts sometimes say school supply lists are voluntary, Huntley said — but the requests place social pressure on teen-age students and cash-strapped parents, leaving them wrestling with “ a real conflict of conscience.”

The plaintiff in the West Ada lawsuit, Molly Hyde, is a parent in the district and a former employee in Huntley’s Boise law firm. In Pocatello, the plaintiffs are Mike Zeyen, the father of three children; and Rachael Booth, the mother of two children.

### **State Board: Idaho SAT scores top national averages**

By Kevin Richert for The EDge – Posted: June 27, 2016

The latest round of SAT scores places Idaho above the national averages across the board, and the State Board of Education is encouraged.

“Overall, this is a positive for Idaho and the work being done in our schools,” State Board executive director Matt Freeman said in a news release. “As we review the data, it shows that we have more work to do, particularly in math, but we are trending in the right direction.”

Here’s the breakdown:

	Idaho average	National average
Evidence-based reading and writing	509	498
Math	490	486

Total                      999                      984

Idaho also topped national averages on college- and career-readiness, as defined by the developers of the SAT. A 480 score on the verbal portion of the test, or a 530 on the math portion of the test, is considered a benchmark of college readiness — meaning a student is likely to get at least a C average in college.

The breakdown on benchmarks:

	Idaho	National
Evidence-based reading and writing	62 percent	56 percent
Math	35 percent	34 percent
Both benchmarks	33 percent	32 percent

The State Board compared scores on Idaho and national “SAT Days,” when students are encouraged to take the college-placement exam during the regular school day. Each April, the state covers expenses for Idaho 11<sup>th</sup> graders to take the SAT, and this year, more than 17,000 students took the state up on the offer.

The State Board’s average scores are slightly lower than the numbers released June 14 by the State Department of Education. That’s because the State Board numbers include scores for students who took a makeup test after April 12, State Board spokesman Blake Youde said Monday.

Click here to read more about the SAT Day scores, and click here to download charts that show how your school and district fared.

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