

BOISE, MONDAY, MAY 12, 2025 AT 11:10 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

WIL HANSEN and DEBORAH HANSEN,)	
individually, and as Guardians Ad Litem and)	Docket No. 51605
Grandparents, in behalf of their Grandchild,)	
J.L., and as Patrons of Boise School District)	
#1, and on behalf of all other similarly)	
situated Parents, Patrons of, and children)	
enrolled (past, and present) in Kindergarten)	
in Boise School District #1,)	
)	
Plaintiffs-Appellants,)	
)	
v.)	
)	
BOISE SCHOOL DISTRICT #1,)	
)	
Defendant-Respondent.)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County.
Nancy A. Baskin, District Judge.

Wood Law Group, PC, Idaho Falls and The Huntley Law Firm, PLLC, Boise, for
Appellants.

Anderson, Julian & Hull LLP, Boise, for Respondent.

Wil and Deborah Hansen appeal the district court's judgment dismissing their complaint against Boise School District #1 ("the District"). The Hansens filed their complaint in their individual capacities, as guardians ad litem for their minor grandchild, and as class representatives. Their grandchild attended kindergarten during the 2017–18 school year, where the first half-day was free, but the District charged \$250 per month for the second half-day, totaling \$2,250 for the school year. They claimed this charge violated the "free common school" provision of Article IX, Section 1 of the Idaho Constitution. The district court dismissed the complaint because it was filed beyond the two-year statute of limitations.

On appeal, the Hansens argue that their grandchild has the right to recover the tuition fees and is entitled to the statutory tolling for minors under Idaho Code section 5-230, which pauses the deadline for filing a complaint for up to six years. They assert that the district court erred by not applying this extended tolling statute, as it would have made their complaint timely. The District responds, arguing that the Hansens' grandchild does not have standing to bring an independent constitutional claim based on his guardians' payment of the tuition fee because the grandchild did not suffer any particularized or concrete injury.