

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 181

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-4602, IDAHO CODE, TO REVISE PROVISIONS REGARDING ADVANCED OPPORTUNITIES; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 33-4602, Idaho Code, be, and the same is hereby amended to read as follows:

33-4602. ADVANCED OPPORTUNITIES -- RULEMAKING. (1) Students attending public schools in Idaho will be eligible for four thousand ~~one~~ six hundred twenty-five dollars ~~(\$4,125)~~ (\$4,625) to use toward overload courses, dual credits, postsecondary credit-bearing examinations, career technical certificate examinations, career technical education workforce training courses, college entrance examinations, and preliminary college entrance examinations. Students may access these funds in grades 7 through 12 for:

(a) Overload courses, the distribution of which may not exceed two hundred twenty-five dollars (\$225) per overload course. A student must take and successfully be completing a full credit load within a given school year to be eligible for funding of an overload course. An overload course must be taken for high school credit to be eligible for funding. To qualify as an eligible overload course for the program, the course must:

(i) Be offered by a provider accredited by the organization that accredits Idaho public schools; and

(ii) Be taught by an individual certified to teach the grade and subject area of the course in Idaho.

(b) Eligible dual credits, the distribution of which may not exceed seventy-five dollars (\$75.00) per one (1) dual credit hour. Dual credit courses must be offered by a regionally accredited postsecondary institution. To qualify as an eligible dual credit course, the course must be a credit-bearing 100 level course or higher.

(c) Eligible postsecondary credit-bearing or career technical certificate examinations. The state department of education shall maintain a list of eligible exams and costs. Eligible costs include the cost of the examination, proctor fees, and administrative fees. Eligible examinations include:

(i) Advanced placement (AP);

(ii) International baccalaureate (IB);

(iii) College-level examination program (CLEP); and

(iv) Career technical education examinations that lead to an industry-recognized certificate, license, or degree.

(d) CTE workforce training courses, such as federally registered apprenticeships, ~~the distribution of which may not exceed five hundred~~

1 ~~dollars (\$500) per course and one thousand dollars (\$1,000) per year.~~
 2 The state department of education shall collaborate with the division
 3 of career technical education to maintain a list of eligible training
 4 courses and costs. Eligible training courses must:

- 5 (i) Be provided by an Idaho public technical college;
 6 (ii) Lead to an industry-recognized certificate, license, or de-
 7 gree;
 8 (iii) Be required training for occupations deemed regionally in
 9 demand;
 10 (iv) Be courses that are not otherwise available at the student's
 11 high school; and
 12 (v) Allow high school-aged students to participate.

13 (e) College entrance examinations and preliminary college entrance
 14 examinations. The state department of education shall maintain a list
 15 of eligible examinations and costs, provided that a student may not use
 16 funds provided under this section to take the same examination more than
 17 once. Eligible costs include the cost of the examination, proctor fees,
 18 and administrative fees. Eligible examinations include the SAT, the
 19 PSAT, the ACT, and other similar examinations identified by the depart-
 20 ment.

21 (2) A student who has earned ~~fifteen (15)~~ nine (9) postsecondary cred-
 22 its using the advanced opportunities program and who wishes to earn addi-
 23 tional credits must first identify his postsecondary goals. Advisors shall
 24 counsel any student who wishes to take dual credit courses that the student
 25 should ascertain for himself whether the particular postsecondary institu-
 26 tion that he desires to attend will accept the transfer of coursework credits
 27 under this section.

28 (3) These moneys may be used to pay an amount not to exceed the price
 29 to the student of such courses and examinations pursuant to the limitations
 30 stated in this section. These moneys shall not supplant existing program
 31 funds. Payments made under this section shall be made from the moneys ap-
 32 propriated for the educational support program. No later than January 15,
 33 the state department of education shall annually report to the education
 34 committees of the senate and the house of representatives details regarding
 35 the number of students benefiting from assistance with the cost of overload
 36 courses, dual credit courses and examinations, the number of credits awarded
 37 and amounts paid pursuant to this section during the previous school year.

38 (4) The board of each public school may set forth criteria by which a
 39 student may challenge a course. If a student successfully meets the crite-
 40 ria set forth by the board of the public school, then the student shall be
 41 counted as having completed all required coursework for that course. The
 42 public school, with the exception of Idaho tribal schools, shall be funded
 43 for such students based upon either actual hours of attendance or the course
 44 that the student has successfully passed, whichever is more advantageous to
 45 the public school, up to the maximum of one (1) full-time student.

46 (5) Any student who successfully completes public school grades 1
 47 through 12 curriculum at least one (1) year early shall be eligible for an
 48 advanced opportunities scholarship. The scholarship may be used for tu-
 49 ition and fees at any Idaho public postsecondary educational institution.
 50 The amount of the scholarship shall equal thirty-five percent (35%) of the

1 statewide average daily attendance-driven funding per enrolled pupil for
2 each year of grades 1 through 12 curriculum avoided by the student's early
3 graduation. Each public school shall receive an amount equal to each such
4 awarded scholarship for each student that graduates early from that public
5 school. Students must apply for the scholarship within two (2) years of
6 graduating from a public school.

7 (6) The state department of education shall reimburse public schools
8 or public postsecondary educational institutions, as applicable, for such
9 costs, up to the stated limits, within one hundred twenty-five (125) days of
10 receiving the necessary data upon which reimbursements may be paid. The sub-
11 mission method and timelines of reimbursement data shall be determined by
12 the state department of education. Payments will be made only for activity
13 occurring and reported within each fiscal year.

14 (7) For public funding purposes, average daily attendance shall be
15 counted as normal for students participating in dual credit courses pursuant
16 to this section.

17 (8) If a student fails to earn credit or successfully complete a course
18 for which the department has paid a reimbursement, the student must pay for
19 and successfully earn credit or complete one (1) like course before the state
20 department of education may pay any further reimbursements for the student.
21 If a student performs inadequately on an examination for which the state de-
22 partment of education has paid a reimbursement, the public school shall de-
23 termine whether the student must pay for and successfully pass such examina-
24 tion to continue receiving state funding. Repeated and remedial courses or
25 examinations are not eligible for funding through these programs.

26 (9) The state department of education shall reimburse community col-
27 leges or counties, as applicable, for any out-of-district county tuition
28 pursuant to section 33-2110A, Idaho Code. Such reimbursements shall be in an
29 amount not to exceed fifty dollars (\$50.00) per credit hour and only for dual
30 credit courses taken pursuant to this section.

31 (10) Public schools shall establish timelines and requirements for par-
32 ticipation in the program, including implementing procedures for the appro-
33 priate transcription of credits, reporting of program participation and fi-
34 nancial transaction requirements. Public schools shall make reasonable ef-
35 forts to ensure that any student who considers participating in the program
36 also considers the challenges and time necessary to succeed in the program,
37 and schools shall make reasonable efforts to include guidance on how the stu-
38 dent's participation in the program contributes to prospective college and
39 career pathways. Such efforts by the district shall be performed prior to a
40 student participating in the program and throughout the student's involve-
41 ment in the program.

42 (11) Policies and procedures for participating in the program estab-
43 lished by the public school must be such that students have an opportunity
44 to participate in the program and meet district-established timelines and
45 requirements for financial transactions, transcribing credits and state
46 department of education reporting. Participation in this program requires
47 parent and student agreement to program requirements and completion of the
48 state department of education's participation form documenting the program
49 requirements.

1 (12) Parents of participating students may enroll their child in any
2 eligible course, with or without the permission of the public school in which
3 the student is enrolled. Tribal school students must follow their schools'
4 enrollment policies and procedures. Public school personnel shall assist
5 parents in the process of enrolling students in such courses. Each partic-
6 ipating student's high school transcript at the public school at which the
7 student is enrolled shall include the credits earned and grades received by
8 the student for any overload or dual credit courses taken pursuant to this
9 section. For an eligible course to be transcribed as meeting the require-
10 ments of a core subject as identified in administrative rule, the course must
11 meet the approved content standards for the applicable subject and grade
12 level.

13 (13) Participating public schools shall collaborate with Idaho public
14 postsecondary educational institutions to assist students who seek to par-
15 ticipate in dual credit courses or graduate from high school early by en-
16 rolling in postsecondary courses. Participating school districts, charter
17 schools and Idaho public postsecondary educational institutions shall re-
18 port to the state board of education and the education committees of the sen-
19 ate and the house of representatives any difficulties or obstacles they ex-
20 perience in providing assistance to participating students.

21 (14) The state board of education may promulgate rules to implement the
22 provisions of this chapter.

23 SECTION 2. An emergency existing therefor, which emergency is hereby
24 declared to exist, this act shall be in full force and effect on and after
25 July 1, 2023.