

IN THE SENATE

SENATE BILL NO. 1328

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-4602, IDAHO CODE, TO PROVIDE CER-
2 TAIN FUNDING, SUBJECT TO APPROPRIATION, FOR STUDENTS ATTENDING NONPUB-
3 LIC SCHOOLS.
4

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

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

8 33-4602. ADVANCED OPPORTUNITIES -- RULEMAKING. (1) Students attend-
9 ing public schools in Idaho will be eligible for four thousand one hundred
10 twenty-five dollars (\$4,125) to use toward overload courses, dual credits,
11 postsecondary credit-bearing examinations, career technical certificate
12 examinations, and career technical education workforce training courses.
13 Students may access these funds in grades 7 through 12 for:

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

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

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

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

30 (c) Eligible postsecondary credit-bearing or career technical cer-
31 tificate examinations. The state department of education shall main-
32 tain a list of eligible exams and costs. Eligible examinations include:

33 (i) Advanced placement (AP);

34 (ii) International baccalaureate (IB);

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

36 (iv) Career technical education examinations that lead to an in-
37 dustry-recognized certificate, license, or degree.

38 (d) CTE workforce training courses, such as federally registered ap-
39 prenticeships, the distribution of which may not exceed five hundred
40 dollars (\$500) per course and one thousand dollars (\$1,000) per year.
41 The state department of education shall collaborate with the division

1 of career technical education to maintain a list of eligible training
2 courses and costs. Eligible training courses must:

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

11 (2) A student who has earned fifteen (15) postsecondary credits using
12 the advanced opportunities program and who wishes to earn additional cred-
13 its must first identify his postsecondary goals. Advisors shall counsel any
14 student who wishes to take dual credit courses that the student should ascer-
15 tain for himself whether the particular postsecondary institution that he
16 desires to attend will accept the transfer of coursework credits under this
17 section.

18 (3) These moneys may be used to pay an amount not to exceed the price
19 to the student of such courses and examinations pursuant to the limitations
20 stated in this section. These moneys shall not supplant existing program
21 funds. Payments made under this section shall be made from the moneys ap-
22 propriated for the educational support program. No later than January 15,
23 the state department of education shall annually report to the education
24 committees of the senate and the house of representatives details regarding
25 the number of students benefiting from assistance with the cost of overload
26 courses, dual credit courses and examinations, the number of credits awarded
27 and amounts paid pursuant to this section during the previous school year.

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

36 (5) Any student who successfully completes public school grades 1
37 through 12 curriculum at least one (1) year early shall be eligible for an
38 advanced opportunities scholarship. The scholarship may be used for tu-
39 ition and fees at any Idaho public postsecondary educational institution.
40 The amount of the scholarship shall equal thirty-five percent (35%) of the
41 statewide average daily attendance-driven funding per enrolled pupil for
42 each year of grades 1 through 12 curriculum avoided by the student's early
43 graduation. Each public school shall receive an amount equal to each such
44 awarded scholarship for each student that graduates early from that public
45 school. Students must apply for the scholarship within two (2) years of
46 graduating from a public school.

47 (6) The state department of education shall reimburse public schools
48 or public postsecondary educational institutions, as applicable, for such
49 costs, up to the stated limits, within one hundred twenty-five (125) days of
50 receiving the necessary data upon which reimbursements may be paid. The sub-

1 mission method and timelines of reimbursement data shall be determined by
2 the state department of education. Payments will be made only for activity
3 occurring and reported within each fiscal year.

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

7 (8) If a student fails to earn credit or successfully complete a course
8 for which the department has paid a reimbursement, the student must pay for
9 and successfully earn credit or complete one (1) like course before the state
10 department of education may pay any further reimbursements for the student.
11 If a student performs inadequately on an examination for which the state de-
12 partment of education has paid a reimbursement, the public school shall de-
13 termine whether the student must pay for and successfully pass such examina-
14 tion to continue receiving state funding. Repeated and remedial courses or
15 examinations are not eligible for funding through these programs.

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

21 (10) Public schools shall establish timelines and requirements for par-
22 ticipation in the program, including implementing procedures for the appro-
23 priate transcription of credits, reporting of program participation and fi-
24 nancial transaction requirements. Public schools shall make reasonable ef-
25 forts to ensure that any student who considers participating in the program
26 also considers the challenges and time necessary to succeed in the program,
27 and schools shall make reasonable efforts to include guidance on how the stu-
28 dent's participation in the program contributes to prospective college and
29 career pathways. Such efforts by the district shall be performed prior to a
30 student participating in the program and throughout the student's involve-
31 ment in the program.

32 (11) Policies and procedures for participating in the program estab-
33 lished by the public school must be such that students have an opportunity
34 to participate in the program and meet district-established timelines and
35 requirements for financial transactions, transcribing credits and state
36 department of education reporting. Participation in this program requires
37 parent and student agreement to program requirements and completion of the
38 state department of education's participation form documenting the program
39 requirements.

40 (12) Parents of participating students may enroll their child in any
41 eligible course, with or without the permission of the public school in which
42 the student is enrolled. Tribal school students must follow their schools'
43 enrollment policies and procedures. Public school personnel shall assist
44 parents in the process of enrolling students in such courses. Each partic-
45 ipating student's high school transcript at the public school at which the
46 student is enrolled shall include the credits earned and grades received by
47 the student for any overload or dual credit courses taken pursuant to this
48 section. For an eligible course to be transcribed as meeting the require-
49 ments of a core subject as identified in administrative rule, the course must

1 meet the approved content standards for the applicable subject and grade
2 level.

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

11 (14) A student attending a nonpublic school may access funding for up
12 to four (4) advanced placement exams, up to two (2) exams per year, and dual
13 credits under this section, not to exceed nine (9) credits per academic year
14 and eighteen (18) total credits per student. Credits must be eligible pur-
15 suant to subsection (1) (b) of this section. Funds up to one percent (1%) of
16 the advanced opportunities funds appropriated for a fiscal year must be ap-
17 propriated by the legislature specifically for this subsection and used on a
18 first-come, first-served basis until the funds are exhausted.

19 (15) The state board of education may promulgate rules to implement the
20 provisions of this chapter.