

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 198

BY WAYS AND MEANS COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-4602, IDAHO CODE, TO PROVIDE THAT ADVANCED OPPORTUNITIES FUNDS MAY BE USED AT STATE-DESIGNATED TRADE SCHOOLS UNDER CERTAIN CIRCUMSTANCES; AND AMENDING CHAPTER 46, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4603, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING STATE-DESIGNATED TRADE SCHOOLS.

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 hundred twenty-five dollars (\$4,125) to use toward overload courses, dual credits, postsecondary credit-bearing examinations and career technical certificate 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 examinations include:

(i) Advanced placement (AP);

(ii) International baccalaureate (IB);

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

(iv) Career technical examinations.

(d) Career technical education (CTE) including assessments that lead to a badge recognized by the division of career technical education. The division of career technical education shall maintain a list of eligible CTE examinations and costs.

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

8 (3) These moneys may be used to pay an amount not to exceed the price
9 to the student of such courses and examinations pursuant to the limitations
10 stated in this section. Payments made under this section shall be made from
11 the moneys appropriated for the educational support program. No later than
12 January 15, the state department of education shall annually report to the
13 education committees of the senate and the house of representatives details
14 regarding the number of students benefiting from assistance with the cost of
15 overload courses, dual credit courses and examinations, the number of cred-
16 its awarded and amounts paid pursuant to this section during the previous
17 school year.

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

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

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

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

47 (8) If a student fails to earn credit for any course for which the de-
48 partment has paid a reimbursement, the student must pay for and successfully
49 earn credit for one (1) like course before the state department of education
50 may pay any further reimbursements for the student. If a student performs

1 inadequately on an examination for which the state department of education
2 has paid a reimbursement, the public school shall determine whether the stu-
3 dent must pay for and successfully pass such examination to continue receiv-
4 ing state funding. Repeated and remedial courses or examinations are not el-
5 igible for funding through these programs.

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

11 (10) Public schools shall establish timelines and requirements for
12 participation in the program, including implementing procedures for the
13 appropriate transcription of credits, reporting of program participation
14 and financial transaction requirements. Public schools shall make reason-
15 able efforts to ensure that any student who considers participating in the
16 program also considers the challenges and time necessary to succeed in the
17 program, and schools shall make reasonable efforts to include guidance on
18 how the student's participation in the program contributes to prospective
19 college and career pathways. Such efforts by the district shall be performed
20 prior to a student participating in the program and throughout the student's
21 involvement in the program.

22 (11) Policies and procedures for participating in the program estab-
23 lished by the public school must be such that students have an opportunity
24 to participate in the program and meet district-established timelines and
25 requirements for financial transactions, transcribing credits and state
26 department of education reporting. Participation in this program requires
27 parent and student agreement to program requirements and completion of the
28 state department of education's participation form documenting the program
29 requirements.

30 (12) Parents of participating students may enroll their child in any
31 eligible course, with or without the permission of the public school in which
32 the student is enrolled. Tribal school students must follow their schools'
33 enrollment policies and procedures. Public school personnel shall assist
34 parents in the process of enrolling students in such courses. Each partic-
35 ipating student's high school transcript at the public school at which the
36 student is enrolled shall include the credits earned and grades received by
37 the student for any overload or dual credit courses taken pursuant to this
38 section. For an eligible course to be transcribed as meeting the require-
39 ments of a core subject as identified in administrative rule, the course must
40 meet the approved content standards for the applicable subject and grade
41 level.

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

1 (14) A person who has graduated from a high school in Idaho and who would
2 have been eligible, prior to graduation, to use the funds described in sub-
3 section (1) of this section, but did not, will be eligible to use such funds
4 to attend a state-designated trade school as provided in section 33-4603,
5 Idaho Code. The funds must be used within three (3) years of the eligible
6 person's graduation from high school.

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

9 SECTION 2. That Chapter 46, Title 33, Idaho Code, be, and the same is
10 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
11 ignated as Section 33-4603, Idaho Code, and to read as follows:

12 33-4603. STATE-DESIGNATED TRADE SCHOOLS. (1) As used in this section,
13 "trade school" means an institution offering postsecondary education or
14 training for a career or an occupation requiring a license or certification
15 but not an associate's, a baccalaureate, a master's, or a doctoral degree.

16 (2) The state board of education shall designate trade schools within
17 Idaho, whether public or private, at which may be used the advanced opportu-
18 nities funds described in section 33-4602(14), Idaho Code. The state board
19 shall establish and publish criteria for such designation.