



LEGISLATURE OF THE STATE OF IDAHO



Sixty-fifth Legislature

Second Regular Session - 2020

IN THE _____

BILL NO. _____

BY _____

AN ACT

RELATING TO ATTENDANCE AT SCHOOLS; AMENDING SECTION 33-202, IDAHO CODE, TO PROVIDE AN EXCEPTION TO COMPULSORY ATTENDANCE DURING A STATE OF EXTREME EMERGENCY OR A DISASTER EMERGENCY; REPEALING SECTION 33-202, IDAHO CODE, RELATING TO COMPULSORY SCHOOL ATTENDANCE; AMENDING CHAPTER 2, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-202, IDAHO CODE, TO PROVIDE FOR COMPULSORY SCHOOL ATTENDANCE; DECLARING AN EMERGENCY; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 33-202, Idaho Code, be, and the same is hereby amended to read as follows:

33-202. SCHOOL ATTENDANCE COMPULSORY. (1) The parent or guardian of any child resident in this state who has attained the age of seven (7) years at the time of the commencement of school in his district, but not the age of sixteen (16) years, shall cause the child to be instructed in subjects commonly and usually taught in the public schools of the state of Idaho. To accomplish this, a parent or guardian shall either cause the child to be privately instructed by, or at the direction of, his parent or guardian; or enrolled in a public school or public charter school, including an on-line or virtual charter school or private or parochial school during a period in each year equal to that in which the public schools are in session; there to conform to the attendance policies and regulations established by the board of trustees, or other governing body, operating the school attended.

(2) The provisions of subsection (1) of this section shall not apply during a state of extreme emergency or a disaster emergency as declared by the governor pursuant to section 46-601 or 46-1008, Idaho Code.

SECTION 2. That Section 33-202, Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Chapter 2, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-202, Idaho Code, and to read as follows:

33-202. SCHOOL ATTENDANCE COMPULSORY. The parent or guardian of any child resident in this state who has attained the age of seven (7) years at the time of the commencement of school in his district, but not the age of sixteen (16) years, shall cause the child to be instructed in subjects commonly and usually taught in the public schools of the state of Idaho. To accomplish this, a parent or guardian shall either cause the child to be privately instructed by, or at the direction of, his parent or guardian; or enrolled in a public school or public charter school, including an on-line or virtual charter school or private or parochial school during a period in each

1 year equal to that in which the public schools are in session; there to con-
2 form to the attendance policies and regulations established by the board of
3 trustees, or other governing body, operating the school attended.

4 SECTION 4. An emergency existing therefor, which emergency is hereby
5 declared to exist, Section 1 of this act shall be in full force and effect on
6 and after passage and approval.

7 SECTION 5. Sections 2 and 3 of this act shall be in full force and effect
8 on and after July 1, 2022.