LEGISLATURE OF THE STATE OF IDAHO
Sixty-sixth Legislature Second Regular Session - 2022

IN THE SENATE

SENATE BILL NO. 1238

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 5, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-512D, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING SELF-DIRECTED LEARNERS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Chapter 5, 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 33-512D, Idaho Code, and to read as follows:

33-512D. SELF-DIRECTED LEARNER DESIGNATION. (1) A student attending public school in Idaho shall be eligible to be designated as a self-directed learner. For the purposes of this section, a "self-directed learner" means a student:

(a) Who demonstrates mastery of content knowledge through grades, assessments, or mastery-based learning rubrics;
(b) Whose teacher or teachers designate the student as such. The teacher may consider the student's mastery of the content, academic growth, timeliness for assignments, self-motivation, ability to establish goals, and reaching age-appropriate learning outcomes;
(c) Who, starting in grade 5, demonstrates mastery of addition and multiplication for numbers 0-10, as well as related subtraction and division problems, known collectively as "math facts"; and
(d) Who, starting in grade 8, demonstrates an informed choice of post-secondary career and education goals by:

(i) Completing and updating his student learning plan as defined in section 33-1001(30), Idaho Code;
(ii) Supplementing his student learning plan, as applicable, with the following that further his postsecondary goals:
   1. Extended learning opportunities as defined in section 33-6401, Idaho Code;
   2. Courses and examinations funded in chapter 46, title 33, Idaho Code; or
   3. Any other credits or programs permitted under Idaho Code or district policy as applicable to the student's learning plan; and
(iii) Identifying and writing down self-determined personal life goals, including an explanation of how attending specific classes will lead to the fulfillment of personal life goals.

(2) Each school district or public charter school may adopt a self-directed learner policy to provide processes:

(a) Through which students may seek a self-directed learner designation;
(b) By which teachers may designate a student as a self-directed learner;
(c) To monitor and support self-directed learners;
(d) By which a student's teacher or teachers rescind the self-directed learner designation; and
(e) As otherwise necessary for implementation.
(3) Once a student is designated a self-directed learner, the student has the right to flexible learning. Flexible learning may be different for each student and may include flexible attendance, attending school virtually, extended learning opportunities, and any other agreed-upon learning inside or outside the classroom. Starting in grade 8, flexible learning should further the student's progress toward postsecondary goals. Any flexible learning permitted under this section must be agreed upon by the student, his teacher or teachers, and the student's parents or legal guardian.
(4) In order to remain a self-directed learner, the student must meet criteria agreed upon by him, his teacher or teachers, and his parents or legal guardian. Criteria may include continued mastery of content knowledge and skills, academic growth, progress toward postsecondary goals, or other measures of student learning. If a student fails to meet the agreed-upon criteria or fails to stay current on classroom assignments, and does not cure the failure within an agreed-upon time frame, the building administrator shall rescind the self-directed learner designation upon recommendation by the teacher or teachers.
(5) A self-directed learner will be reported as enrolled as one (1.0) FTE or in attendance for a full day in school for the purpose of calculating support units and public school funding. The district or charter school will receive full funding for its self-directed learners, regardless of attendance or actual hours of instruction up to one (1) full day of attendance or one (1.0) FTE, or the remaining day or FTE if the student is shared between two (2) or more school districts or public charter schools.
(6) Each school district or public charter school must report the number of self-directed learners to the state department of education annually.

SECTION 2. An emergency existing therefore, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2022.