LEGISLATURE OF THE STATE OF IDAHO  
Sixty-seventh Legislature        Second Regular Session - 2024  

IN THE SENATE  

SENATE BILL NO. 1358  

BY EDUCATION COMMITTEE  

AN ACT  
RELATING TO STUDENT FUNDING; AMENDING SECTION 33-1030, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 33-1031, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE EMPOWERING PARENTS GRANT PROGRAM; AMENDING SECTION 33-1032, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 33-1030, Idaho Code, be, and the same is hereby amended to read as follows:

33-1030. DEFINITIONS. As used in this section through section 33-1034, Idaho Code:
(1) "Assessment" means an examination or another objective evaluation of a student's academic performance, academic engagement, or college or career readiness.
(2) "Board" means the state board of education.
(3) "Eligible education expenses" means:
   (a) Computer hardware, internet access, or other technological devices or services that are primarily used to meet a participant's educational needs; however, expenses related to internet access shall be subject to reimbursement pursuant to the provisions of section 33-1031(2)(c), Idaho Code, and shall not be eligible for direct payment through the grant distribution platform;
   (b) Textbooks, curriculum, or other instructional materials, including educational software and applications;
   (c) Fees for national standardized assessments, advanced placement examinations, examinations related to college or university admissions, or industry-recognized certification examinations;
   (d) Therapies, including but not limited to occupational, behavioral, physical, speech-language, and audiology therapies, or other services or therapies specifically approved by the board;
   (e) Educational programs offered for a fee or pursuant to contract by a school district, public charter school, or career technical education program to nonpublic students, provided that such students may not be counted for purposes of calculating public school enrollment and any eligible student; however, the payment of such fees on behalf of a student through the grant distribution platform shall not cause such student to be counted for purposes of calculating public school enrollment; or
   (f) Home school co-op fees; or
   (g) Other education expenses and services as approved by the board, upon recommendation of the parent advisory panel established pursuant to section 33-1032, Idaho Code.
(4) "Eligible student" means a person in kindergarten through grade 12, whether a public school or nonpublic school student full-time resident of Idaho who is five (5) to eighteen (18) years of age.

(5) "Grant" means an award of one thousand dollars ($1,000), which must be used for eligible education expenses.

(6) "Grant distribution platform" means a digital platform through which grant funds are transferred from the board to participant accounts.

(7) "Parent" means the parent or legal guardian of an eligible student or a participant.

(8) "Participant" means an eligible student for whom a grant is awarded under section 33-1031, Idaho Code.

(9) "Program" means the empowering parents grant program established by section 33-1031, Idaho Code.

SECTION 2. That Section 33-1031, Idaho Code, be, and the same is hereby amended to read as follows:

33-1031. EMPOWERING PARENTS GRANT PROGRAM. (1) There is hereby established the empowering parents grant program, to be administered by the board according to the provisions of this section. The purpose of the program is to provide education grants for eligible students.

(2) In order to administer the program, the board:

(a) Shall create and administer, or designate a third party to create and administer, a grant distribution platform;

(b) Shall establish a grant application process for parents;

(c) Shall establish provisions for the reimbursement of any eligible education expense for which reimbursement is required and direct payment from the platform is not permitted;

(d) Shall, subject to appropriation, award grants. Grant awards shall be made in the following order of preference:

(i) First to eligible students whose household has an adjusted gross income under sixty thousand dollars ($60,000), as verified by the Idaho state tax commission using the prior year's tax returns. Notification of grant awards for students in this category shall be made within thirty (30) days of application, and grant funds shall be made available for participants' use as soon as practicable, but no later than thirty (30) days after the notification of a grant award;

(ii) Starting sixty (60) days after grant awards in a fiscal year are made under subparagraph (i) of this paragraph, to eligible students whose household has an adjusted gross income under seventy-five thousand dollars ($75,000), as verified by the Idaho state tax commission using the prior year's tax returns; and

(iii) Starting sixty (60) days after grant awards in a fiscal year are made under subparagraph (ii) of this paragraph, to all other eligible students on a first-come, first-served basis until all available funds are distributed; and

(e) May take such other actions as are necessary to implement and enforce the provisions of this section.

(3) Prior to the award of a grant, the parent of a participant shall agree to verify program compliance. The parent of a participant shall use
grant funds only for eligible education expenses. If a parent is found to misuse grant funds, then neither the parent nor another parent of the student living in the same household may apply for a grant in the future for any student, provided that the parent may appeal the finding to the board.

(4) Grant funds shall be expended within two (2) three (3) years after they are awarded. Any unused funds at the end of the two (2) three (3) year period shall revert to the empowering parents grant program fund established in section 33-1034, Idaho Code. At any time before the three (3) year period ends, unused funds may be forfeited and transferred from the participant account to the program fund.

(5) Grant awards per family shall be capped at three thousand dollars ($3,000), regardless of the number of eligible students in the family.

SECTION 3. That Section 33-1032, Idaho Code, be, and the same is hereby amended to read as follows:

33-1032. PARENT ADVISORY PANEL. (1) For purposes of this section:
(a) "Executive director" means the executive director of the office of the state board of education.
(b) "Program funds" means funds distributed to parents pursuant to section 33-1031, Idaho Code.

(2) There is hereby established in the office of the state board of education a parent advisory panel, which shall make recommendations to the board:
(a) As described in section 33-1030(3)(g), Idaho Code; and
(b) On how to implement, administer, and improve the program described in section 33-1031, Idaho Code.

(3) The parent advisory panel shall consist of seven (7) members. Three members shall be appointed by the governor, two (2) members shall be appointed by the president pro tempore of the senate, and two (2) members shall be appointed by the speaker of the house of representatives. The members must be parents of eligible students, with preference given to parents who have applied for program funds or who, for the initial appointment of the panel, have indicated their intent to apply for program funds. Members of the panel shall represent different regions of the state. Members shall serve one (1) year terms at the pleasure of their appointing authority and may be reappointed if they meet the eligibility criteria described in this subsection. The executive director or the executive director's designee shall serve as the nonvoting chair of the parent advisory panel.

(4) At the request of the board, the parent advisory panel shall meet, in person or virtually, to discuss and make recommendations as described in subsection (2) of this section.

(5) If a parent appeals a finding that program funds were used for a purpose other than eligible education expenses, then the panel shall meet to consider the appeal and recommend a decision on the appeal to the board.

SECTION 4. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after July 1, 2024.