

IN THE SENATE

SENATE BILL NO. 1359

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-4602, IDAHO CODE, TO PROVIDE  
2 FOR INCREASED ADVANCED OPPORTUNITIES FUNDING FOR CERTAIN PUBLIC SCHOOL  
3 STUDENTS, TO REMOVE A PROVISION REGARDING A LIMITATION ON APPRENTICE-  
4 SHIP COURSES, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION  
5 33-4603, IDAHO CODE, TO REVISE PROVISIONS REGARDING ADVANCED OPPORTU-  
6 NITIES FUNDING FOR CERTAIN NONPUBLIC SCHOOL STUDENTS; AND DECLARING AN  
7 EMERGENCY AND PROVIDING AN EFFECTIVE DATE.  
8

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

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

12 33-4602. ADVANCED OPPORTUNITIES -- RULEMAKING. (1) Students attend-  
13 ing public schools in Idaho will be eligible for four thousand ~~one~~ six hun-  
14 dred twenty-five dollars (~~\$4,125~~) (\$4,625) to use toward overload courses,  
15 dual credits, postsecondary credit-bearing examinations, career technical  
16 certificate examinations, career technical education workforce training  
17 courses, college entrance examinations, and preliminary college entrance  
18 examinations. Students may access these funds in grades 7 through 12 for:

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

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

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

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

35 (c) Eligible postsecondary credit-bearing or career technical cer-  
36 tificate examinations. The state department of education shall main-  
37 tain a list of eligible exams and costs. Eligible costs include the cost  
38 of the examination, proctor fees, and administrative fees. Eligible  
39 examinations include:

40 (i) Advanced placement (AP);

41 (ii) International baccalaureate (IB);

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

1 (iv) Career technical education examinations that lead to an in-  
2 industry-recognized certificate, license, or degree.

3 (d) CTE workforce training courses, such as federally registered ap-  
4 prenticeships, ~~the distribution of which may not exceed five hundred~~  
5 ~~dollars (\$500) per course and one thousand dollars (\$1,000) per year.~~  
6 The state department of education shall collaborate with the division  
7 of career technical education to maintain a list of eligible training  
8 courses and costs. Eligible training courses must:

9 (i) Be provided by an Idaho public technical college;

10 (ii) Lead to an industry-recognized certificate, license, or de-  
11 gree;

12 (iii) Be required training for occupations deemed regionally in  
13 demand;

14 (iv) Be courses that are not otherwise available at the student's  
15 high school; and

16 (v) Allow high school-aged students to participate.

17 (e) College entrance examinations and preliminary college entrance  
18 examinations. The state department of education shall maintain a list  
19 of eligible examinations and costs, ~~provided that a.~~ A student may not  
20 use funds provided under this section to take the same examination more  
21 than once. Eligible costs include the cost of the examination, proctor  
22 fees, and administrative fees. Eligible examinations include the SAT,  
23 the PSAT, the ACT, and other similar examinations identified by the de-  
24 partment.

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

32 (3) These moneys may be used to pay to the student an amount not to ex-  
33 ceed the price ~~to the student~~ of such courses and examinations pursuant to  
34 the limitations stated in this section. These moneys shall not supplant ex-  
35 isting program funds. Payments made under this section shall be made from  
36 the moneys appropriated for the educational support program. No later than  
37 January 15, the state department of education shall annually report to the  
38 education committees of the senate and the house of representatives details  
39 regarding the number of students benefiting from assistance with the cost of  
40 overload courses, dual credit courses and examinations, the number of cred-  
41 its awarded, and amounts paid pursuant to this section during the previous  
42 school year.

43 (4) The board of each public school may set forth criteria by which a  
44 student may challenge a course. If a student successfully meets the criteria  
45 set forth by the board of the public school, then the student shall be counted  
46 as having completed all required coursework for that course. The public  
47 school, with the exception of Idaho tribal schools, shall be funded for such  
48 students based ~~upon~~ on either actual hours of attendance or the course that  
49 the student has successfully passed, whichever is more advantageous to the  
50 public school, up to the maximum of one (1) full-time student.

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

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

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

22 (8) If a student fails to earn credit or successfully complete a course  
23 for which the department has paid a reimbursement, the student must pay for  
24 and successfully earn credit or complete one (1) like course before the state  
25 department of education may pay any further reimbursements for the student.  
26 If a student performs inadequately on an examination for which the state de-  
27 partment of education has paid a reimbursement, the public school shall de-  
28 termine whether the student must pay for and successfully pass such examina-  
29 tion to continue receiving state funding. Repeated and remedial courses or  
30 examinations are not eligible for funding through these programs.

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

36 (10) Public schools shall establish timelines and requirements for par-  
37 ticipation in the program, including implementing procedures for the appro-  
38 priate transcription of credits, reporting of program participation and fi-  
39 nancial transaction requirements. Public schools shall make reasonable ef-  
40 forts to ensure that any student who considers participating in the program  
41 also considers the challenges and time necessary to succeed in the program,  
42 and schools shall make reasonable efforts to include guidance on how the stu-  
43 dent's participation in the program contributes to prospective college and  
44 career pathways. Such efforts by the district shall be performed prior to a  
45 student participating in the program and throughout the student's involve-  
46 ment in the program.

47 (11) Policies and procedures for participating in the program estab-  
48 lished by the public school must be such that students have an opportunity  
49 to participate in the program and meet district-established timelines and  
50 requirements for financial transactions, transcribing credits and state

1 department of education reporting. Participation in this program requires  
 2 parent and student agreement to program requirements and completion of the  
 3 state department of education's participation form documenting the program  
 4 requirements.

5 (12) Parents of participating students may enroll their child in any  
 6 eligible course, with or without the permission of the public school in which  
 7 the student is enrolled. Tribal school students must follow their schools'  
 8 enrollment policies and procedures. Public school personnel shall assist  
 9 parents in the process of enrolling students in such courses. Each partic-  
 10 ipating student's high school transcript at the public school at which the  
 11 student is enrolled shall include the credits earned and grades received by  
 12 the student for any overload or dual credit courses taken pursuant to this  
 13 section. For an eligible course to be transcribed as meeting the require-  
 14 ments of a core subject as identified in administrative rule, the course must  
 15 meet the approved content standards for the applicable subject and grade  
 16 level.

17 (13) Participating public schools shall collaborate with Idaho public  
 18 postsecondary educational institutions to assist students who seek to par-  
 19 ticipate in dual credit courses or graduate from high school early by en-  
 20 rolling in postsecondary courses. Participating school districts, charter  
 21 schools and Idaho public postsecondary educational institutions shall re-  
 22 port to the state board of education and the education committees of the sen-  
 23 ate and the house of representatives any difficulties or obstacles they ex-  
 24 perience in providing assistance to participating students.

25 (14) If actual expenditures for the program pursuant to this section are  
 26 less than the appropriation for the year, excess funds shall be transferred  
 27 to the in-demand careers fund established in section 72-1206, Idaho Code, to  
 28 further workforce training for in-demand careers.

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

31 SECTION 2. That Section 33-4603, Idaho Code, be, and the same is hereby  
 32 amended to read as follows:

33 33-4603. ADVANCED OPPORTUNITIES -- NONPUBLIC SCHOOL STUDENTS.

34 (1) (a) Subject to appropriation, students not enrolled in public  
 35 school will be eligible for seven hundred fifty dollars (\$750) to  
 36 receive up to two thousand five hundred dollars (\$2,500) to use toward  
 37 dual credits, postsecondary credit-bearing examinations, and career  
 38 technical education certificate examinations. Students may access  
 39 these funds in grades 7 through 12. To be eligible to receive the funds  
 40 pursuant to this subsection, a student must:

41 (i) Reside in Idaho;

42 (ii) Be enrolled in grades 7 through 12;

43 (iii) Not be the beneficiary of any funds pursuant to section  
 44 33-4602, Idaho Code; and

45 (iv) Attend a nonpublic school located in Idaho that meets the  
 46 accreditation standards of an accrediting body recognized by the  
 47 state board of education.

48 ~~(a)~~ (b) Up to seventy-five dollars (\$75.00) per credit hour may be used  
 49 for dual credits. Dual credit courses must be offered by a regionally

1 accredited postsecondary institution. To qualify as an eligible dual  
2 credit course, the course must be a credit-bearing 100-level course or  
3 higher.

4 ~~(b)~~ (c) The state department of education shall maintain a list of el-  
5 ible postsecondary credit-bearing or career technical education cer-  
6 tificate examinations and costs. Eligible examinations include:

7 (i) Advanced placement;

8 (ii) International baccalaureate;

9 (iii) College-level examination program; and

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

12 (2) Moneys provided pursuant to this section may be used to pay an  
13 amount not to exceed the price to the student of eligible courses and exami-  
14 nations pursuant to the limitations stated in this section. Payments made  
15 under this section shall be made from the moneys appropriated. No later than  
16 January 15, the state department of education shall annually report to the  
17 education committees of the senate and the house of representatives details  
18 regarding the number of students benefiting from assistance with the cost of  
19 dual credit courses and examinations, the number of credits awarded, and the  
20 amounts paid pursuant to this section during the previous school year.

21 (3) The state department of education shall reimburse postsecondary  
22 educational institutions directly, as applicable, for such costs, up to the  
23 stated limits. Those expenses not affiliated with an Idaho postsecondary  
24 institution shall be paid to the student's middle or secondary school. Pay-  
25 ments shall be made within one hundred twenty-five (125) days of receiving  
26 the necessary data upon which reimbursements may be paid. The submission  
27 method and timelines of reimbursement data shall be determined by the state  
28 department of education. Payments shall be made only for activity occurring  
29 and reported within each state fiscal year.

30 (4) If a student fails to earn credit or successfully complete a course  
31 or exam for which the department has paid a reimbursement, the student must  
32 pay for and successfully earn credit or complete one (1) like course or pay  
33 for an examination before the state department of education pays any further  
34 reimbursements for the student. Repeated and remedial courses and examina-  
35 tions are not eligible for funding under this section.

36 (5) Schools must establish timelines and requirements for participa-  
37 tion in the program, including implementing procedures for the appropriate  
38 transcription of credits, reporting of program participation, and finan-  
39 cial transaction requirements. Policies and procedures for participating  
40 in the program established by the school must be such that students have an  
41 opportunity to participate in the program and meet established timelines and  
42 requirements for financial transactions, transcribing credits, and state  
43 department of education reporting. Participation in this program requires  
44 parent and student agreement to program requirements and completion of the  
45 state department of education's participation form documenting the program  
46 requirements.

47 (6) The state board of education and state department of education may  
48 take such actions as are necessary to implement the provisions of this sec-  
49 tion, including:

50 (a) The promulgation of any necessary rules; and

1 (b) Delegation of duties under this section to a third party, provided  
2 that any contracts entered into with a third party shall be subject to  
3 the provisions of chapter 92, title 67, Idaho Code.

4 SECTION 3. An emergency existing therefor, which emergency is hereby  
5 declared to exist, this act shall be in full force and effect on and after  
6 July 1, 2024.