

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 175, As Amended

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-4602, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING ADVANCED OPPORTUNITIES, TO ESTABLISH PROVISIONS
3 REGARDING ADVANCED OPPORTUNITIES, AND TO MAKE TECHNICAL CORRECTIONS;
4 AMENDING SECTION 33-4603, IDAHO CODE, TO REVISE PROVISIONS REGARDING
5 ADVANCED OPPORTUNITIES FOR NONPUBLIC SCHOOL STUDENTS, TO ESTABLISH
6 PROVISIONS REGARDING ADVANCED OPPORTUNITIES FOR NONPUBLIC SCHOOL STU-
7 DENTS, AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY
8 AND PROVIDING AN EFFECTIVE DATE.
9

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

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

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

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

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

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

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

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

41 (i) Advanced placement (AP);

42 (ii) International baccalaureate (IB);

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

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

4 (d) CTE workforce training courses, such as federally registered ap-
5 prenticeships. The state department of education shall collaborate
6 with the division of career technical education to maintain a list of
7 eligible training courses and costs. Eligible training courses ~~must~~
8 shall:

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 ex-
18 aminations. The state department of education shall maintain a list of
19 eligible examinations and costs. ~~A student may not use funds provided~~
20 ~~under this section to take the same examination more than once.~~ Eligi-
21 ble costs include the cost of the examination, proctor fees, and admin-
22 istrative fees. Eligible examinations include the SAT, the PSAT, the
23 ACT, and other similar examinations identified by the department.

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

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

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

1 (5) Any student who successfully completes public school grades ± 9
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 ~~tuition~~
4 ~~and fees~~ educational costs at any Idaho public postsecondary educational
5 institution. The amount of the scholarship shall equal thirty-five percent
6 (35%) of the statewide average daily attendance-driven funding per enrolled
7 pupil for each year of grades ± 9 through 12 curriculum avoided by the stu-
8 dent's early graduation. Each public school shall receive an amount equal
9 to each such awarded scholarship for each student that graduates early from
10 that public school. Students ~~must~~ shall apply for the scholarship within two
11 (2) years of 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 or exam for which the department has paid a reimbursement, the student ~~must~~
24 shall pay for and successfully earn credit or ~~complete one (1) like course~~
25 pay for an examination before the state department of education ~~may pay~~ pays
26 any further reimbursements for the student. ~~If a student performs inade-~~
27 ~~quately on an examination for which the state department of education has~~
28 ~~paid a reimbursement, the public school shall determine whether the student~~
29 ~~must pay for and successfully pass such examination to continue receiving~~
30 ~~state funding. Repeated~~ Except for exams allowed under subsection (1) (e) of
31 this section, repeated and remedial courses or examinations are not eligible
32 for funding through these programs under this section.

33 (9) The state department of education shall reimburse community col-
34 leges or counties, as applicable, for any out-of-district county tuition
35 pursuant to section 33-2110A, Idaho Code. Such reimbursements shall be in
36 an amount not to exceed fifty dollars (\$50.00) per credit hour and only for
37 dual credit courses taken pursuant to this section. Community colleges may
38 directly enroll a homeschool student for dual enrollment courses pursuant to
39 this section. Such direct enrollments shall be coordinated with the state
40 board of education.

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

1 student participating in the program and throughout the student's involve-
2 ment in the program.

3 (11) Policies and procedures for participating in the program estab-
4 lished by the public school ~~must~~ shall be such that students have an opportu-
5 nity to participate in the program and meet district-established timelines
6 and requirements for financial transactions, transcribing credits and state
7 department of education reporting. Participation in this program requires
8 parent and student agreement to program requirements and completion of the
9 state department of education's participation form documenting the program
10 requirements.

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

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

31 (14) The state board of education may promulgate rules to implement the
32 provisions of this chapter.

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

35 33-4603. ADVANCED OPPORTUNITIES -- NONPUBLIC SCHOOL STUDENTS.

36 (1) (a) Subject to appropriation, students will be eligible to receive
37 up to two thousand five hundred dollars (\$2,500) to use toward dual
38 credits, postsecondary credit-bearing examinations, and career tech-
39 nical education certificate examinations. To be eligible to receive
40 the funds pursuant to this subsection, a student ~~must~~ shall:

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

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

4 (c) The state department of education shall maintain a list of eligible
5 postsecondary credit-bearing or career technical education certifi-
6 cate examinations and costs. Eligible examinations include:

7 (i) Advanced placement (AP);

8 (ii) International baccalaureate (IB);

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

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

12 (d) For college entrance examinations and preliminary college entrance
13 examinations, the state department of education shall maintain a list
14 of eligible examinations and costs. Eligible costs include the cost of
15 the examination, proctor fees, and administrative fees. Eligible exam-
16 inations include the SAT, the PSAT, the ACT, and other similar examina-
17 tions identified by the department.

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

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

36 (4) If a student fails to earn credit or successfully complete a course
37 or exam for which the department has paid a reimbursement, the student ~~must~~
38 shall pay for and successfully earn credit or pay for an examination before
39 the state department of education pays any further reimbursements for the
40 student. ~~Repeated~~ Except for exams allowed under subsection (1) (d) of this
41 section, repeated and remedial courses and examinations are not eligible for
42 funding under this section.

43 (5) Schools ~~must~~ shall establish timelines and requirements for
44 participation in the program, including implementing procedures for the
45 appropriate transcription of credits, reporting of program participation,
46 and financial transaction requirements. Policies and procedures for par-
47 ticipating in the program established by the school ~~must~~ shall be such that
48 students have an opportunity to participate in the program and meet estab-
49 lished timelines and requirements for financial transactions, transcribing
50 credits, and state department of education reporting. Participation in this

1 program requires parent and student agreement to program requirements and
2 completion of the state department of education's participation form docu-
3 menting the program requirements.

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

9 (7) A student who has earned fifteen (15) postsecondary credits using
10 the advanced opportunities program and who wishes to earn additional credits
11 shall first identify postsecondary goals. Advisors shall counsel any stu-
12 dent who wishes to take dual credit courses that the student should ascertain
13 whether the particular postsecondary institution that the student desires
14 to attend will accept the transfer of coursework credits under this section.

15 ~~(6)~~ (8) The state board of education and state department of education
16 may take such actions as are necessary to implement the provisions of this
17 section, including:

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

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

22 SECTION 3. An emergency existing therefor, which emergency is hereby
23 declared to exist, this act shall be in full force and effect on and after
24 July 1, 2025.