

LEGISLATURE OF THE STATE OF IDAHO

Sixty-fourth Legislature

Second Regular Session - 2018

IN THE SENATE

SENATE BILL NO. 1292, As Amended

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE ADVANCED OPPORTUNITIES SCHOLARSHIP; AMENDING SECTION 33-4601, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION 33-4602, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR COURSES AND CREDITS THAT QUALIFY FOR THE ADVANCED OPPORTUNITIES SCHOLARSHIP, TO PROVIDE THAT A STUDENT MUST APPLY FOR THE SCHOLARSHIP WITHIN TWO YEARS OF GRADUATION FROM A PUBLIC SCHOOL, TO CLARIFY THE REIMBURSEMENT TO BE PAID BY THE STATE DEPARTMENT OF EDUCATION AND TO MAKE TECHNICAL CORRECTIONS.

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

SECTION 1. That Section 33-4601, Idaho Code, be, and the same is hereby amended to read as follows:

33-4601. DEFINITIONS. For purposes of this chapter, the following definitions shall apply:

(1) "Credit" means middle level or high school credit.

(2) "Dual credit" is as defined in section 33-5102, Idaho Code.

(3) "Full credit load" means at least twelve (12) credits per school year for grades 7-12 or the maximum number of credits offered by the student's school during the regular school day per school year, whichever is greater.

(4) "Overload course" means a course taken that is in excess of a full credit load and outside of the regular school day, including summer courses.

(5) "Parent" means parent or parents or guardian or guardians.

(6) "Public schools" means an Idaho school district, charter school or Idaho tribal school.

(7) "School year" means the normal school year that begins upon the conclusion of the spring semester leading up to the break between grades and ends upon the beginning of the same break of the following year.

SECTION 2. That Section 33-4602, Idaho Code, be, and the same is hereby amended to read as follows:

33-4602. ADVANCED OPPORTUNITIES -- RULEMAKING. (1) Students attending public schools in Idaho will be eligible for four thousand one hundred twenty-five dollars (\$4,125) to use toward overload courses, dual credits, college postsecondary credit-bearing examinations and professional career technical certificate examinations. Students may access these funds in grades 7 through 12 for:

(a) Overload courses, the distribution of which may not exceed two hundred twenty-five dollars (\$225) per overload course. A student must take and successfully be completing a full credit load within a given school year to be eligible for funding of an overload course. An

1 overload course must be taken for high school credit to be eligible for
2 funding. To qualify as an eligible overload course for the program, the
3 course must:

- 4 (i) Be offered by a provider accredited by the organization that
5 accredits Idaho public schools; and
- 6 (ii) Be taught by an individual certified to teach the grade and
7 subject area of the course in Idaho.

8 (b) Eligible dual credits, the distribution of which may not exceed
9 seventy-five dollars (\$75.00) per one (1) dual credit hour. Dual credit
10 courses must be offered by a regionally accredited postsecondary institu-
11 tion. To qualify as an eligible dual credit course, the course must be
12 a credit-bearing 100 level course or higher.

13 (c) Eligible college postsecondary credit-bearing or professional
14 career technical certificate examinations. The state department of
15 education shall maintain a list of eligible exams and costs. Eligible
16 examinations include:

- 17 (i) Advanced placement (AP);
- 18 (ii) International baccalaureate (IB);
- 19 (iii) College-level examination program (CLEP); and
- 20 (iv) Career technical examinations.

21 (d) Career technical education (CTE) including assessments that lead
22 to a badge recognized by the division of career technical education.
23 The division of career technical education shall maintain a list of el-
24 igible CTE examinations and costs.

25 (2) To qualify as an eligible overload course for the program, the
26 course must be offered by a provider accredited by the organization that
27 accredits Idaho high schools and be taught by an individual certified to
28 teach the grade and subject area of the course in Idaho. Eligible examina-
29 tions include advanced placement (AP), international baccalaureate (IB),
30 college-level examination program (CLEP) and professional technical exam-
31 inations. The state department of education shall maintain a list of such
32 examinations and costs. A student who has earned fifteen (15) postsecondary
33 credits using the advanced opportunities program and who wishes to earn
34 additional credits must first identify his postsecondary goals. Advisors
35 shall counsel any student who wishes to take dual credit courses that the
36 student should ascertain for himself whether the particular postsecondary
37 institution that he desires to attend will accept the transfer of coursework
38 credits under this section.

39 (3) These moneys may be used to pay an amount not to exceed the price
40 to the student of such courses and examinations pursuant to the limitations
41 stated in this subsection. Payments made under this subsection shall be made
42 from the moneys appropriated for the educational support program. No later
43 than January 15, the state department of education shall annually report to
44 the education committees of the senate and the house of representatives de-
45 tails regarding the number of students benefiting from assistance with the
46 cost of overload courses, dual credit courses and examinations, the number
47 of credits awarded and amounts paid pursuant to this subsection during the
48 previous school year.

49 (4) The board of each public school may set forth criteria by which a
50 student may challenge a course. If a student successfully meets the crite-

1 ria set forth by the board of the public school, then the student shall be
2 counted as having completed all required coursework for that course. The
3 public school, with the exception of Idaho tribal schools, shall be funded
4 for such students based upon either actual hours of attendance or the course
5 that the student has successfully passed, whichever is more advantageous to
6 the public school, up to the maximum of one (1) full-time student.

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

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

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

27 (8) If a student fails to earn credit for any course for which the de-
28 partment has paid a reimbursement, the student must pay for and successfully
29 earn credit for one (1) like course before the state department of education
30 may pay any further reimbursements for the student. If a student performs
31 inadequately on an examination for which the state department of education
32 has paid a reimbursement, the public school shall determine whether the stu-
33 dent must pay for and successfully pass such examination to continue receiv-
34 ing state funding. Repeated and remedial courses or examinations are not el-
35 igible for funding through these programs.

36 (9) The state department of education shall reimburse community col-
37 leges or counties, as applicable, for any out-of-district county tuition
38 payments that would otherwise be made by a county to a community college
39 pursuant to section 33-2110A, Idaho Code. Such reimbursements shall be in an
40 amount not to exceed fifty dollars (\$50.00) per credit hour and only for dual
41 credit courses taken pursuant to this section.

42 (10) Public schools shall establish timelines and requirements for
43 participation in the program, including implementing procedures for the
44 appropriate transcription of credits, reporting of program participation
45 and financial transaction requirements. Public schools shall make reason-
46 able efforts to ensure that any student who considers participating in the
47 program also considers the challenges and time necessary to succeed in the
48 program, and schools shall make reasonable efforts to include guidance on
49 how the student's participation in the program contributes to prospective

1 college and career pathways. Such efforts by the district shall be performed
2 prior to a student participating in the program and throughout ~~their the~~
3 student's involvement in the program.

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

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

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

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