

IN THE SENATE

SENATE BILL NO. 1292

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE ADVANCED OPPORTUNITIES SCHOLARSHIP; AMENDING SECTION  
2 33-4601, IDAHO CODE, TO REVISE DEFINITIONS; AND AMENDING SECTION  
3 33-4602, IDAHO CODE, TO PROVIDE ELIGIBILITY REQUIREMENTS FOR COURSES  
4 AND CREDITS THAT QUALIFY FOR THE ADVANCED OPPORTUNITIES SCHOLARSHIP, TO  
5 PROVIDE THAT A STUDENT MUST APPLY FOR THE SCHOLARSHIP WITHIN TWO YEARS  
6 OF GRADUATION FROM A PUBLIC SCHOOL, TO CLARIFY THE REIMBURSEMENT TO BE  
7 PAID BY THE STATE DEPARTMENT OF EDUCATION AND TO MAKE TECHNICAL CORREC-  
8 TIONS.  
9

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

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

13 33-4601. DEFINITIONS. For purposes of this chapter, the following  
14 definitions shall apply:

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

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

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

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

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

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

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

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

31 33-4602. ADVANCED OPPORTUNITIES -- RULEMAKING. (1) Students attend-  
32 ing public schools in Idaho will be eligible for four thousand one hundred  
33 twenty-five dollars (\$4,125) to use toward overload courses, dual credits,  
34 ~~college~~ postsecondary credit-bearing examinations and ~~professional career~~  
35 technical certificate examinations. Students may access these funds in  
36 grades 7 through 12 for:

37 (a) Overload courses, the distribution of which may not exceed two  
38 hundred twenty-five dollars (\$225) per overload course. A student  
39 must take and successfully be completing a full credit load within a  
40 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 insti-  
11       tution. 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 eli-  
24       gible CTE courses 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  
17 of graduating from a public school.

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

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

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

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

43 (10) Public schools 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. Public schools shall make reason-  
47 able efforts to ensure that any student who considers participating in the  
48 program also considers the challenges and time necessary to succeed in the  
49 program, and schools shall make reasonable efforts to include guidance on  
50 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.