

IN THE SENATE

SENATE BILL NO. 1239

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 46, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-4606, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING FLEXIBLE SCHEDULES FOR ELEMENTARY SCHOOL STUDENTS.

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

SECTION 1. That Chapter 46, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-4606, Idaho Code, and to read as follows:

33-4606. FLEXIBLE SCHEDULES FOR ELEMENTARY SCHOOL STUDENTS. (1) The legislature finds that elementary school students who are academically advanced and meet certain requirements set forth in this section have earned the right to have a flexible school schedule. The schedule shall be agreed upon by the student's parents or guardians, teacher, and building principal and shall permit the student to have partial-day or full-day absences for the purpose of family activities, recreation, travel, and home-based educational activities. A student with a flexible schedule must attend at least fifty-five percent (55%) of required school hours on an annual basis, and the state department of education shall fund the school as if the student were attending at the same rate as the average attendance of the other students in that school.

(2) A student in kindergarten through grade 3 must be advanced in reading, writing, and mathematics in order to qualify for a flexible schedule under this section.

(a) To qualify as advanced in reading and writing, the student must test as proficient on the most recent Idaho reading indicator test (IRI), Idaho standards achievement test (ISAT), or locally administered reading tool that tests proficiency for that grade level. The student must be rated as advanced by the student's teacher and must demonstrate writing competency based on the Idaho content standards for the grade level of the student. For reading and writing, the student must master the current year's standards and show progress toward mastering the next year's reading and writing standards.

(b) To qualify as advanced in mathematics:

(i) A kindergarten student must be able to add and subtract numbers to twenty (20), count and write numbers to one hundred twenty (120), count by tens to one hundred twenty (120), tell time, and understand the names of geometric shapes;

(ii) A grade 1 student must satisfy the kindergarten requirements in subparagraph (i) of this paragraph and must be able to count to one thousand (1,000) and understand base 10 concepts. By the end of grade 1, the student must know addition and subtraction facts 0

1 + 0 = 0 through 12 + 12 = 24 and 0 - 0 = 0 through 12 - 12 = 0, and  
2 understand units of linear measurement;

3 (iii) A grade 2 student must satisfy subparagraphs (i) and (ii) of  
4 this paragraph. By the end of grade 2, the student must know all  
5 multiplication facts  $0 \times 0 = 0$  through  $5 \times 9 = 45$ . The student must  
6 also be able to figure the area of a square and a rectangle; and

7 (iv) A grade 3 student must satisfy subparagraphs (i), (ii), and  
8 (iii) of this paragraph. By the end of grade 3, a student must be  
9 fluent in all multiplication facts  $0 \times 0 = 0$  through  $12 \times 12 = 144$   
10 and corresponding division facts or test proficient on the mathe-  
11 matics portion of the most recent ISAT.

12 (3) In order to qualify for a flexible schedule under this section, a  
13 student in grades 4 through 6 must:

14 (a) Satisfy mathematics requirements for earlier grades as provided in  
15 subsection (2) (b) of this section; and

16 (b) Be proficient in all subjects as determined by the most recent ISAT,  
17 district equivalent test, end-of-course assignment, or criteria set by  
18 the state board of education.

19 (4) In order to qualify for a flexible schedule under this section, a  
20 student with an individualized education program (IEP) must:

21 (a) Test proficient on the most recent IRI and ISAT or district assess-  
22 ment; and

23 (b) Be at least one (1) year ahead on the IEP.

24 (5) A school district or public charter school may use mastery-based  
25 criteria that show advancement to qualify students for a flexible attendance  
26 schedule.

27 (6) School districts and public charter schools may but are not re-  
28 quired to offer flexible schedules to their students. If flexible schedules  
29 are offered, the school district's or public charter school's policy on such  
30 schedules shall comply with the provisions of this section.

31 (7) The state department of education may audit implementation of this  
32 section by school districts and public charter schools and make recommenda-  
33 tions to the legislature regarding compliance.

34 (8) A student who is no longer advanced, based on the criteria in this  
35 section, will no longer qualify for a flexible schedule and shall be counted  
36 for funding based on regular attendance rules and policies.