

IN THE SENATE

SENATE BILL NO. 1052

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE AD-  
2 DITION OF A NEW SECTION 33-6106, IDAHO CODE, TO PROVIDE FLEXIBLE SCHOOL  
3 SCHEDULES FOR CERTAIN ELEMENTARY SCHOOL STUDENTS; AMENDING CHAPTER 61,  
4 TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-6107, IDAHO  
5 CODE, TO PROVIDE FLEXIBLE SCHEDULE ELIGIBILITY CRITERIA FOR KINDER-  
6 GARTEN THROUGH GRADE 3 STUDENTS; AMENDING CHAPTER 61, TITLE 33, IDAHO  
7 CODE, BY THE ADDITION OF A NEW SECTION 33-6108, IDAHO CODE, TO PROVIDE  
8 FLEXIBLE SCHEDULE ELIGIBILITY CRITERIA FOR GRADE 4 THROUGH 6 STUDENTS;  
9 AMENDING CHAPTER 61, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW  
10 SECTION 33-6109, IDAHO CODE, TO ESTABLISH MISCELLANEOUS PROVISIONS RE-  
11 GARDING FLEXIBLE SCHOOL SCHEDULES FOR ELEMENTARY SCHOOL STUDENTS; AND  
12 AMENDING THE HEADING FOR CHAPTER 61, TITLE 33, IDAHO CODE.  
13

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

15 SECTION 1. That Chapter 61, Title 33, Idaho Code, be, and the same is  
16 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
17 ignated as Section 33-6106, Idaho Code, and to read as follows:

18 33-6106. FLEXIBLE SCHEDULES FOR ELEMENTARY SCHOOL STUDENTS. (1) The  
19 legislature finds that elementary school students who are academically ad-  
20 vanced and meet certain requirements set forth in this section and in sec-  
21 tion 33-6107 or 33-6108, Idaho Code, have earned the right to have a flexible  
22 school schedule.

23 (2) A flexible schedule permits a student to have partial-day or  
24 full-day absences for the purpose of family activities, enrichment opportu-  
25 nities, and home-based educational activities.

26 (3) A flexible schedule must be agreed upon by the student's parents or  
27 guardians, teacher, and principal. A written agreement that details the re-  
28 sponsibilities of parents or guardians, the student, and the school, such as  
29 expectations, attendance requirements, student performance, and testing,  
30 is encouraged.

31 (4) A student with a flexible schedule can be claimed by only one (1)  
32 school district as a home school district. For purposes of this chapter, a  
33 "home school district" means the school district in which a student attends  
34 more instructional hours than any other school district. The state depart-  
35 ment of education must fund the home school district as if the student were in  
36 attendance at the same average attendance rate as the other students in the  
37 school district, but not less than a rate of ninety-five percent (95%).

38 (5) A student who is no longer advanced based on the criteria provided  
39 in section 33-6107 or 33-6108, Idaho Code, will no longer qualify for a flex-  
40 ible schedule and will be counted for funding based on regular attendance  
41 rules and policies.

1 SECTION 2. That Chapter 61, Title 33, Idaho Code, be, and the same is  
2 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
3 ignated as Section 33-6107, Idaho Code, and to read as follows:

4 33-6107. FLEXIBLE SCHEDULE ELIGIBILITY CRITERIA -- KINDERGARTEN  
5 THROUGH GRADE 3. (1) A student in kindergarten through grade 3 must be  
6 advanced in reading, writing, and mathematics in order to qualify for a flex-  
7 ible schedule.

8 (2) To qualify as advanced in reading and writing, the student must  
9 test as proficient on the most recent Idaho reading indicator test, Idaho  
10 standards achievement test, or locally administered reading tool that tests  
11 proficiency for that student's grade level. The student must be rated as  
12 advanced by the student's teacher and must demonstrate writing competency  
13 based on the Idaho content standards for the grade level of the student. For  
14 reading and writing, the student must master the previous year's standards  
15 and show progress toward mastering the current year's reading and writing  
16 standards.

17 (3) To qualify as advanced in mathematics, the student must, in the de-  
18 termination of the student's teacher, make significant progress toward mas-  
19 tering the skills in the Idaho content standards for mathematics for the stu-  
20 dent's grade level. The student must also make progress in math facts  $0+0 =$   
21  $0$  through  $12 \times 12 = 144$  and the corresponding subtraction and division math  
22 facts to the extent that by the end of grade 3 fluency will be achieved.

23 (4) It is recommended that the school district provide to parents or  
24 guardians of elementary students with flexible schedules an electronic copy  
25 of the "core knowledge sequence," a publication issued by the core knowledge  
26 foundation, for guidance in mathematics and provide any other information  
27 on mathematical concepts that would be beneficial for students to learn in  
28 kindergarten through grade 3.

29 SECTION 3. That Chapter 61, Title 33, Idaho Code, be, and the same is  
30 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
31 ignated as Section 33-6108, Idaho Code, and to read as follows:

32 33-6108. FLEXIBLE SCHEDULE ELIGIBILITY CRITERIA -- GRADES 4 THROUGH  
33 6. In order to qualify for a flexible schedule, a student in grades 4 through  
34 6 must:

35 (1) Be rated as advanced by the student's teacher;

36 (2) Satisfy mathematics requirements for earlier grades as provided in  
37 section 33-6107, Idaho Code; and

38 (3) Be proficient in all subjects as determined by the most recent Idaho  
39 standards achievement test, district equivalent test, end-of-course as-  
40 signment, or criteria set by the state board of education.

41 SECTION 4. That Chapter 61, Title 33, Idaho Code, be, and the same is  
42 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
43 ignated as Section 33-6109, Idaho Code, and to read as follows:

44 33-6109. FLEXIBLE SCHEDULES FOR ELEMENTARY SCHOOL STUDENTS -- MIS-  
45 CELLANEOUS PROVISIONS. (1) A school district or public charter school may

1 use mastery-based criteria that show advancement to qualify kindergarten  
2 through grade 6 students for a flexible schedule.

3 (2) School districts and public charter schools may but are not re-  
4 quired to offer flexible schedules to their students. If flexible schedules  
5 are offered, the school district's or public charter school's policy on  
6 such schedules must comply with the provisions of this section and sections  
7 33-6106 through 33-6108, Idaho Code.

8 (3) The state department of education may review implementation of  
9 flexible schedules for elementary school students by school districts and  
10 public charter schools and make recommendations to the legislature regard-  
11 ing compliance.

12 SECTION 5. That the Heading for Chapter 61, Title 33, Idaho Code, be,  
13 and the same is hereby amended to read as follows:

14 CHAPTER 61  
15 ~~OPPORTUNITIES FOR COLLEGE AND CAREER READY STUDENTS~~ FLEXIBLE SCHOOL  
16 SCHEDULES AND EARLY GRADUATION