

IN THE SENATE

SENATE BILL NO. 1358

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO STUDENT FUNDING; AMENDING SECTION 33-1030, IDAHO CODE, TO REVISE
2 DEFINITIONS; AMENDING SECTION 33-1031, IDAHO CODE, TO REVISE PROVI-
3 SIONS REGARDING THE EMPOWERING PARENTS GRANT PROGRAM; AMENDING SECTION
4 33-1032, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND DECLARING
5 AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
6

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

8 SECTION 1. That Section 33-1030, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 33-1030. DEFINITIONS. As used in this section through section
11 33-1034, Idaho Code:

12 (1) "Assessment" means an examination or another objective evaluation
13 of a student's academic performance, academic engagement, or college or ca-
14 reer readiness.

15 (2) "Board" means the state board of education.

16 (3) "Eligible education expenses" means:

17 (a) Computer hardware, internet access, or other technological devices
18 or services that are primarily used to meet a participant's educational
19 needs; however, expenses related to internet access shall be subject
20 to reimbursement pursuant to the provisions of section 33-1031(2)(c),
21 Idaho Code, and shall not be eligible for direct payment through the
22 grant distribution platform;

23 (b) Textbooks, curriculum, or other instructional materials, includ-
24 ing educational software and applications;

25 (c) Fees for national standardized assessments, advanced placement ex-
26 aminations, examinations related to college or university admissions,
27 or industry-recognized certification examinations;

28 (d) Therapies, including but not limited to occupational, behavioral,
29 physical, speech-language, and audiology therapies, or other services
30 or therapies specifically approved by the board;

31 (e) Educational programs offered for a fee or pursuant to contract by a
32 school district, public charter school, or career technical education
33 program to nonpublic students, provided that such students may not be
34 counted for purposes of calculating public school enrollment any eli-
35 gible student; however, the payment of such fees on behalf of a student
36 through the grant distribution platform shall not cause such student to
37 be counted for purposes of calculating public school enrollment; ~~or~~

38 (f) Home school co-op fees; or

39 ~~(f)~~ (g) Other education expenses and services as approved by the board,
40 upon recommendation of the parent advisory panel established pursuant
41 to section 33-1032, Idaho Code.

1 (4) "Eligible student" means a ~~person in kindergarten through grade 12,~~
 2 ~~whether a public school or nonpublic school student~~ full-time resident of
 3 Idaho who is five (5) to eighteen (18) years of age.

4 (5) "Grant" means an award of one thousand dollars (\$1,000), which must
 5 be used for eligible education expenses.

6 (6) "Grant distribution platform" means a digital platform through
 7 which grant funds are transferred from the board to participant accounts.

8 (7) "Parent" means the parent or legal guardian of an eligible student
 9 or a participant.

10 (8) "Participant" means an eligible student for whom a grant is awarded
 11 under section 33-1031, Idaho Code.

12 (9) "Program" means the empowering parents grant program established
 13 by section 33-1031, Idaho Code.

14 SECTION 2. That Section 33-1031, Idaho Code, be, and the same is hereby
 15 amended to read as follows:

16 33-1031. EMPOWERING PARENTS GRANT PROGRAM. (1) There is hereby estab-
 17 lished the empowering parents grant program, to be administered by the board
 18 according to the provisions of this section. The purpose of the program is to
 19 provide education grants for eligible students.

20 (2) In order to administer the program, the board:

21 (a) Shall create and administer, or designate a third party to create
 22 and administer, a grant distribution platform;

23 (b) Shall establish a grant application process for parents;

24 (c) Shall establish provisions for the reimbursement of any eligible
 25 education expense for which reimbursement is required and direct pay-
 26 ment from the platform is not permitted;

27 ~~(e)~~ (d) Shall, subject to appropriation, award grants. Grant awards
 28 shall be made in the following order of preference:

29 (i) First to eligible students whose household has an adjusted
 30 gross income under sixty thousand dollars (\$60,000), as verified
 31 by the Idaho state tax commission using the prior year's tax re-
 32 turns. Notification of grant awards for students in this category
 33 shall be made within thirty (30) days of application, and grant
 34 funds shall be made available for participants' use as soon as
 35 practicable, but no later than thirty (30) days after the notifi-
 36 cation of a grant award;

37 (ii) Starting sixty (60) days after grant awards in a fiscal year
 38 are made under subparagraph (i) of this paragraph, to eligible
 39 students whose household has an adjusted gross income under sev-
 40 enty-five thousand dollars (\$75,000), as verified by the Idaho
 41 state tax commission using the prior year's tax returns; and

42 (iii) Starting sixty (60) days after grant awards in a fiscal year
 43 are made under subparagraph (ii) of this paragraph, to all other
 44 eligible students on a first-come, first-served basis until all
 45 available funds are distributed; and

46 ~~(d)~~ (e) May take such other actions as are necessary to implement and
 47 enforce the provisions of this section.

48 (3) Prior to the award of a grant, the parent of a participant shall
 49 agree to verify program compliance. The parent of a participant shall use

1 grant funds only for eligible education expenses. If a parent is found to
 2 misuse grant funds, then neither the parent nor another parent of the student
 3 living in the same household may apply for a grant in the future for any stu-
 4 dent, provided that the parent may appeal the finding to the board.

5 (4) Grant funds shall be expended within ~~two (2)~~ three (3) years after
 6 they are awarded. Any unused funds at the end of the ~~two (2)~~ three (3) year
 7 period shall revert to the empowering parents grant program fund established
 8 in section 33-1034, Idaho Code. At any time before the three (3) year period
 9 ends, unused funds may be forfeited and transferred from the participant ac-
 10 count to the program fund.

11 (5) Grant awards per family shall be capped at three thousand dollars
 12 (\$3,000), regardless of the number of eligible students in the family.

13 SECTION 3. That Section 33-1032, Idaho Code, be, and the same is hereby
 14 amended to read as follows:

15 33-1032. PARENT ADVISORY PANEL. (1) For purposes of this section:

16 (a) "Executive director" means the executive director of the office of
 17 the state board of education.

18 (b) "Program funds" means funds distributed to parents pursuant to sec-
 19 tion 33-1031, Idaho Code.

20 (2) There is hereby established in the office of the state board of
 21 education a parent advisory panel, which shall make recommendations to the
 22 board:

23 (a) As described in section 33-1030 (3) ~~(f)~~ (g), Idaho Code; and

24 (b) On how to implement, administer, and improve the program described
 25 in section 33-1031, Idaho Code.

26 (3) The parent advisory panel shall consist of seven (7) members. Three
 27 (3) members shall be appointed by the governor, two (2) members shall be ap-
 28 pointed by the president pro tempore of the senate, and two (2) members shall
 29 be appointed by the speaker of the house of representatives. The members
 30 must be parents of eligible students, with preference given to parents who
 31 have applied for program funds or who, for the initial appointment of the
 32 panel, have indicated their intent to apply for program funds. Members of
 33 the panel shall represent different regions of the state. Members shall
 34 serve one (1) year terms at the pleasure of their appointing authority and
 35 may be reappointed if they meet the eligibility criteria described in this
 36 subsection. The executive director or the executive director's designee
 37 shall serve as the nonvoting chair of the parent advisory panel.

38 (4) At the request of the board, the parent advisory panel shall meet,
 39 in person or virtually, to discuss and make recommendations as described in
 40 subsection (2) of this section.

41 (5) If a parent appeals a finding that program funds were used for a pur-
 42 pose other than eligible education expenses, then the panel shall meet to
 43 consider the appeal and recommend a decision on the appeal to the board.

44 SECTION 4. An emergency existing therefor, which emergency is hereby
 45 declared to exist, this act shall be in full force and effect on and after
 46 July 1, 2024.