

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 589

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; REPEALING SECTION 33-1002A, IDAHO CODE, RELATING TO  
2 FRACTIONAL AVERAGE DAILY ATTENDANCE; AND AMENDING CHAPTER 10, TITLE 33,  
3 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002A, IDAHO CODE, TO  
4 ESTABLISH PROVISIONS RELATING TO FRACTIONAL AVERAGE DAILY ATTENDANCE,  
5 TO ESTABLISH PROVISIONS RELATING TO COUNTING ATTENDANCE OF CERTAIN STU-  
6 DENTS, TO PROVIDE THAT NO STUDENT SHALL BE FUNDED AT A RATE EXCEEDING  
7 A SINGLE FULL-TIME STUDENT FUNDING RATE, TO PROVIDE THAT A PARENT OR  
8 GUARDIAN MAY ENROLL A STUDENT IN COURSES THAT WOULD CAUSE THE STUDENT'S  
9 COST TO EXCEED THE SINGLE STUDENT FUNDING RATE, TO ESTABLISH PROVISIONS  
10 RELATING TO SECONDARY ATTENDANCE, TO ESTABLISH PROVISIONS RELATING TO  
11 ELIGIBILITY FOR FUNDING, TO ESTABLISH PROVISIONS RELATING TO THE ADDING  
12 FRACTIONAL STUDENT ATTENDANCE HOURS TOGETHER, TO ESTABLISH PROVISIONS  
13 RELATING TO ATTENDANCE FOR ONLINE COURSES, TO DEFINE A TERM, TO PROHIBIT  
14 THE OFFERING OF CERTAIN COURSES AND TO PROVIDE THAT CERTAIN COURSES OF-  
15 FERED SHALL BE PRESUMED TO MEET CERTAIN STANDARDS.  
16

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

18 SECTION 1. That Section [33-1002A](#), Idaho Code, be, and the same is hereby  
19 repealed.

20 SECTION 2. That Chapter 10, Title 33, Idaho Code, be, and the same is  
21 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
22 ignated as Section 33-1002A, Idaho Code, and to read as follows:

23 33-1002A. FRACTIONAL AVERAGE DAILY ATTENDANCE. (1) Beginning in fis-  
24 cal year 2013, for students attending school in more than one (1) school dis-  
25 trict, public school or public charter school, or for students who are pri-  
26 marily home school students who choose to enroll in one (1) or more class pe-  
27 riods at a public school or public charter school, or for students who are en-  
28 rolled in a public school or public charter school and who enroll in one (1)  
29 or more online courses offered by entities other than a public high school or  
30 public charter school, attendance shall be counted and divided based on the  
31 portion of the student's daily attendance time that is spent in attendance at  
32 each school district, public school, public charter school or online course.

33 (a) In any event, and notwithstanding any language or intent specified  
34 in this act or otherwise, no student shall be funded at a rate exceed-  
35 ing a single full-time student funding rate as derived for the school  
36 district, public school or public charter school within the district in  
37 which the student resides.

38 (b) Nothing in this act shall prevent a school district, public school,  
39 public charter school, parent or guardian from choosing to enroll a stu-  
40 dent in courses that would cause the student's cost to exceed the single  
41 student funding rate as defined herein.

1 (c) For the purposes of secondary attendance, a "full-time student"  
2 is defined as a student who is enrolled in and attends no less than one  
3 fourth (1/4) of the coursework necessary to meet current high school  
4 graduation requirements per school year. Each public school or public  
5 charter school shall publish an annual calendar listing the number of  
6 periods that will be offered per enrollment period. The parents or  
7 guardians of students, or the emancipated student, shall be responsi-  
8 ble for paying the cost of any course that exceeds the published course  
9 listing as set forth in this section.

10 (d) In order to be eligible for funding, a student must attend at least  
11 one (1) course in a public high school or public charter school.

12 (2) For the purposes of reporting average daily attendance and calcu-  
13 lating the same pursuant to section 33-1002, Idaho Code, school districts,  
14 public high schools or public charter schools are authorized to add frac-  
15 tional student attendance hours together to reflect a single full-time  
16 equivalent student.

17 (3) Attendance for online courses offered by entities other than a  
18 public high school or public charter school shall be calculated by adding  
19 the number of courses in which a student enrolls and attends an entity other  
20 than a public high school or public charter school and dividing by the number  
21 of periods listed in the published school calendar. The rate of payment to  
22 online course providers by entities other than public high schools or public  
23 charter high schools for such attendance shall equal two thirds (2/3) of  
24 the single student funding rate per period for the cooperating public high  
25 school or public charter school.

26 (a) For the purposes of this section and section 33-1627, Idaho Code,  
27 the term "online course" means a course that delivers a sequential pro-  
28 gram of synchronous and/or asynchronous instruction primarily through  
29 the use of technology.

30 (b) Any online course provider shall be prohibited from offering  
31 courses that do not meet Idaho standards and that have not been approved  
32 in writing by the Idaho department of education.

33 (c) Any online course offered by a postsecondary institution autho-  
34 rized to provide courses in the state of Idaho shall be presumed to meet  
35 Idaho standards of education.