

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 717

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO SCHOOLS; AMENDING SECTION 33-201, IDAHO CODE, TO REVISE PRO-
2 VISIONS REGARDING SCHOOL AGE AND TO MAKE A TECHNICAL CORRECTION; AND
3 DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.
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5 Be It Enacted by the Legislature of the State of Idaho:

6 SECTION 1. That Section 33-201, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 33-201. SCHOOL AGE. The services of the public schools of this state
9 are extended to any acceptable person of school age. "School age" is de-
10 fined as including all persons resident of the state, between the ages of
11 five (5) and twenty-one (21) years. For the purposes of this section, the
12 age of five (5) years shall be attained when the fifth anniversary of birth
13 occurs on or before the first day of September of the school year in which
14 the child is to enroll in kindergarten or the thirty-first day of December
15 for a child the parent or guardian and the local education agency have de-
16 termined is school-ready. For a child enrolling in the first grade, the age
17 of six (6) years must be reached on or before the first day of September of
18 the school year in which the child is to enroll or the thirty-first day of
19 December for a child who has previously been determined to be school-ready.
20 Any child of the age of five (5) years who has completed a private or public
21 out-of-state kindergarten for the required four hundred fifty (450) hours
22 but has not reached the "school age" requirement in Idaho shall be allowed to
23 enter the first grade.

24 For resident children with disabilities who qualify for special educa-
25 tion and related services under the federal individuals with disabilities
26 education act (IDEA) and subsequent amendments thereto, and applicable
27 state and federal regulations, "school age" shall begin at the attainment
28 of age three (3) years and shall continue through the semester of school in
29 which the student attains the age of twenty-one (21) years.

30 SECTION 2. An emergency existing therefor, which emergency is hereby
31 declared to exist, this act shall be in full force and effect on and after
32 July 1, 2022.