

IN THE SENATE

SENATE BILL NO. 1328

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1021, IDAHO CODE, TO REVISE PRO-
2 VISIONS RELATING TO CRITERIA FOR THE DISTRIBUTION OF CERTAIN MONEYS;
3 AMENDING SECTION 33-1626, IDAHO CODE, TO REVISE PROVISIONS RELATING
4 TO POSTSECONDARY CREDITS OF DUAL CREDIT COURSES AND TO REVISE A PROVI-
5 SION RELATING TO COUNTING AVERAGE DAILY ATTENDANCE; AMENDING SECTION
6 33-1627, IDAHO CODE, TO ESTABLISH PROVISIONS PROVIDING THAT PARENTS
7 OR GUARDIANS SHALL NOT HAVE THE RIGHT TO ENROLL A STUDENT IN AN ONLINE
8 COURSE WITHOUT CERTAIN PERMISSION AND TO ESTABLISH PROVISIONS RELATING
9 TO ONLINE COURSE PROVIDERS REPORTING AVERAGE DAILY ATTENDANCE; DECLAR-
10 ING AN EMERGENCY AND PROVIDING A CONTINGENT SUNSET DATE.
11

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

13 SECTION 1. That Section 33-1021, Idaho Code, be, and the same is hereby
14 amended to read as follows:

15 33-1021. MATH AND SCIENCE REQUIREMENT. In order to meet state gradua-
16 tion requirements regarding math and science courses, moneys shall be dis-
17 tributed to school districts to defray the cost of providing additional math
18 and science courses beginning in fiscal year 2012. Moneys so distributed
19 shall be used to hire additional high school math and science teachers or
20 to defray costs associated with providing math and science courses to high
21 school students. Moneys shall be distributed to school districts from the
22 moneys appropriated to the educational support program for each regular high
23 school, not including alternative schools, based on the following criteria:

24 (1) For each school with enrollment of 99 or less, distribute the equiv-
25 alent of one ~~ninth~~ and one-quarter (~~1/9~~1.25) of a classified staff position.

26 (2) For each school with enrollment of 100 to 159, distribute the equiv-
27 alent of one ~~ninth~~ and one-quarter (1.25/~~9~~) of a classified staff position.

28 (3) For each school with enrollment of 160 to 319, distribute the equiv-
29 alent of two sevenths (2/7) of a classified staff position.

30 (4) For each school with enrollment of 320 to 639, distribute the equiv-
31 alent of one (1.0) instructional staff position, based on the statewide av-
32 erage funding per position.

33 (5) For each school with enrollment of 640 or more, distribute the
34 equivalent of one (1.0) instructional staff position, based on the statewide
35 average funding per position, and three-quarters (0.75) of a classified
36 staff position.

37 For the purposes of these school size classifications for regular high
38 schools that serve only grades 10-12, ninth grade students who will attend
39 the regular high school upon matriculating to tenth grade shall be included
40 as enrolled in the regular high school.

1 SECTION 2. That Section 33-1626, Idaho Code, be, and the same is hereby
2 amended to read as follows:

3 33-1626. DUAL CREDIT FOR EARLY COMPLETERS. Students completing all
4 state high school graduation requirements at any time prior to the begin-
5 ning of their final twelfth grade semester or trimester term, except the
6 senior project, by no later than the start of the twelfth grade and any other
7 course that the state board of education requires to be completed during the
8 final year of high school, beginning with the 2011-2012 school year, shall
9 be eligible for up to ~~thirty-six~~ eighteen (36/18) credits per semester term
10 or twelve (12) credits per trimester term of postsecondary credits of dual
11 credit courses ~~during their twelfth grade year~~. Average daily attendance
12 shall be counted as normal for such ~~twelfth grade~~ students for public school
13 funding purposes. In addition, the state department of education shall
14 distribute funds from the moneys appropriated for the educational support
15 program to defray the per credit cost charged for such dual credit courses by
16 accredited postsecondary institutions. The amount so distributed shall not
17 exceed seventy-five dollars (\$75.00) per credit hour.

18 SECTION 3. That Section 33-1627, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 33-1627. ONLINE COURSES -- MOBILE COMPUTING DEVICES AND TEACHER
21 TRAINING. (1) The legislature finds that in order to better provide students
22 with the skills that they will need to be successful as students, employees,
23 entrepreneurs and parents in the future, more exposure is needed to online
24 learning and informational environments.

25 (2) Beginning with the 2012-2013 school year, parents and guardians of
26 secondary students shall have the right to enroll such students in any online
27 course, with or without the permission of the school district or public char-
28 ter school in which the student is enrolled, provided the following criteria
29 are met:

30 (a) The course is offered by a provider accredited by the organization
31 that accredits Idaho high schools, or an organization whose accredi-
32 tation of providers is recognized by the organization that accredits
33 Idaho high schools;

34 (b) The state department of education has verified that the teacher is
35 certificated by the state of Idaho and is qualified to teach the course;

36 (c) The state department of education or the Idaho digital learning
37 academy has verified that the course meets state content standards;

38 (d) The parent or guardian registers the student for the course through
39 the school district or public charter school's normal registration
40 process, which shall be made to accommodate enrollment in courses meet-
41 ing the requirements of paragraphs (a) through (c) of this subsection.
42 Provided however, that school districts and public charter schools
43 shall accommodate such enrollment requests if a student's parent or
44 guardian makes such request no later than thirty (30) days prior to the
45 end of the term immediately previous to the one for which the student is
46 enrolling, or no later than the end of the school year, in the case of a
47 term ending at the end of the school year.

1 (e) Parents or guardians shall not have the right to enroll a student in
2 an online course without school district or public charter school per-
3 mission if the enrollment causes the number of online courses in which
4 the student is enrolled without such permission to exceed fifty percent
5 (50%) of the total courses in which the student is enrolled for that
6 term.

7 (3) A student's transcript at the school district or public charter
8 school at which the student is enrolled shall include the credits earned and
9 grades received by each student for any online courses taken pursuant to this
10 section.

11 (4) Online course providers shall report average daily attendance
12 to each student's school district or public charter school based on the
13 provider's choice of one (1) of the methodologies described in section
14 33-5208(8) (b), Idaho Code.

15 (5) In order to assist in providing students with access to online
16 courses, the state department of education shall contract for the provi-
17 sion of mobile computing devices for the students and teachers of each high
18 school. Such devices shall be provided to all high school teachers beginning
19 in the 2012-2013 school year, unless the teacher already has a computing
20 device available and requests that one not be provided. Such devices for
21 teachers shall be replaced every four (4) years. Devices shall be provided
22 for high school students beginning in the 2013-2014 school year. The number
23 of devices provided to students each year shall be equal to one-third (1/3)
24 of the high school students through the 2015-2016 school year, after which
25 the number shall be equal to the number of ninth grade students. School dis-
26 tricts and public charter schools in which high school begins in tenth grade
27 may elect to have all of the provisions of this section that apply to ninth
28 grade students apply instead to tenth grade students. School districts and
29 public charter schools that already have one (1) modern functioning comput-
30 ing device for each student in each appropriate class in grades 9-12 who is
31 able to use such a device shall receive an allocation of funds equal to the
32 cost of purchasing mobile computing devices pursuant to this section, in
33 lieu of receiving such devices, to be used at the school district or public
34 charter school's discretion. The department shall use the same laws, rules
35 and policies in issuing and awarding such contract as would an executive
36 branch agency in which an appointed director reports directly to the gov-
37 ernor. Such devices shall include technology that provides for compliance
38 with the provisions of section 33-132, Idaho Code. Such contract shall also
39 provide for the maintenance, repair and technical support of such devices.
40 The cost of such contract and distributions made pursuant to this subsection
41 shall be paid from the moneys appropriated for the educational support pro-
42 gram. Each school district or public charter school shall develop a policy
43 on student use of the mobile computing devices outside of the school day.
44 Such policy shall be in compliance with the provisions of section 33-132,
45 Idaho Code. The state department of education shall develop a policy ad-
46 dressing the issue of damage, loss, repair and replacement of the mobile
47 computing devices.

48 (56) The state department of education shall expend or distribute an
49 amount equal to twelve (12) multiplied by the per statewide support unit
50 value of salary-based apportionment and discretionary funds for fiscal

1 year 2013 through fiscal year 2016, from the amount appropriated to the ed-
2 ucational support program, to train high school staff in the use of mobile
3 computing devices by students in the classroom, and the integration of such
4 use into the curriculum. For the purposes of this subsection, the support
5 units used to calculate this statewide figure shall be the statewide sup-
6 port units used to calculate the distribution of salary-based apportionment
7 funds in the current fiscal year.

8 (67) The state board of education shall promulgate rules to implement
9 the provisions of this section, including a requirement for online courses
10 needed for graduation beginning with the graduating class of 2016, and the
11 development of digital citizenship standards for students to which this
12 graduation requirement applies.

13 SECTION 4. An emergency existing therefor, which emergency is hereby
14 declared to exist, this act shall be in full force and effect on and after its
15 passage and approval.

16 SECTION 5. If Chapter 247, Laws of 2011, is rejected through voter ref-
17 erendum in November 2012, the provisions of this act shall be null, void and
18 of no further force or effect.