

IN THE SENATE

SENATE BILL NO. 1046, As Amended, As Amended

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1636, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING INNOVATION CLASSROOMS.

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

SECTION 1. That Chapter 16, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1636, Idaho Code, and to read as follows:

33-1636. INNOVATION CLASSROOMS. (1) For purposes of this section:

(a) "Alternative curriculum" means a curriculum in one (1) or more subject areas that is different than the curriculum in such area or areas offered by a school district. An alternative curriculum may encompass one (1) or more subject areas but must include, at a minimum, an alternative curriculum in mathematics, history, English language arts, or science.

(b) "Innovation classroom" means a classroom in which an alternative curriculum is offered.

(c) "Requesting party" means a person or group of persons that requests an innovation classroom agreement from a school district. Such person or group must include:

(i) A certified teacher or teachers in a school district; or

(ii) A parent or parents whose child or children attend school in a school district.

(2) A school district may enter into an innovation classroom agreement with a requesting party if the requesting party represents a group of students that is equal to or greater than the average class size in the school. The school district must indicate willingness or nonwillingness to enter into negotiation within sixty (60) days of the receipt of the request.

(3) An innovation classroom agreement must include:

(a) The name of any teacher or other certificated staff member who will be working in the innovation classroom. Any such teacher must be agreed upon by the school district and the parents of the students who will be receiving instruction in the innovation classroom;

(b) The names of the students participating in the innovation classroom;

(c) A description of how and where the innovation classroom's instruction will take place and whether instruction will include in-person, hybrid, or virtual components. If requested, the school district must provide a classroom for the innovation classroom;

(d) Growth criteria or other measures of student learning, such as those found in section 33-1001(18), Idaho Code;

1 (e) The alternative curriculum and instructional materials to be used  
2 in the innovation classroom. The parents of the participating students  
3 must agree to the alternative curriculum, and the school district will  
4 determine whether the alternative curriculum meets state standards and  
5 recommend ways to supplement the alternative curriculum, if applica-  
6 ble;

7 (f) A description of an innovation classroom student's access to or  
8 use of the school district's transportation, playground, cafeteria,  
9 after-school activities, special education, and other services or fa-  
10 cilities; and

11 (g) The date upon which the innovation classroom will start.

12 (4) Students in an innovation classroom may use transportation ser-  
13 vices offered by the school district if the schedule of the innovation class-  
14 room is consistent with the school district's schedule or if the parties  
15 provide for transportation services in the innovation classroom agreement.

16 (5) For purposes of compensation, any teacher or other certificated  
17 staff member working in an innovation classroom will be an employee of the  
18 school district and will be entitled to receive or participate in the public  
19 employee retirement system of Idaho, federal social security, unemployment  
20 insurance, worker's compensation, health insurance, and other benefits and  
21 compensation to the same extent as other employees in the school district.

22 (6) Students enrolled in an innovation classroom will be enrolled in  
23 the school district for the purpose of calculating educational support pro-  
24 gram funds apportioned to the school district. The school district must ap-  
25 portion funds for instructional use in an innovation classroom in an amount  
26 substantially similar to funds apportioned for instruction of students at  
27 the same grade level who do not participate in the innovation classroom.

28 (7) Students participating in an innovation classroom will not be in-  
29 cluded in the public school accountability results for the school district  
30 unless the school district so desires or such inclusion is required by appli-  
31 cable law or rule. The school district will not be responsible for services  
32 for participating students, except those services described in the innova-  
33 tion classroom agreement.

34 (8) Students in an innovation classroom must take any required state  
35 testing.

36 (9) Innovation classrooms must:

37 (a) Comply with the conditions or procedures established in the innova-  
38 tion classroom agreement; and

39 (b) Comply with applicable laws, including state, federal, and local  
40 laws prohibiting discrimination and laws governing safety, including  
41 but not limited to sections 33-122 and 33-130, Idaho Code.