

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 732

BY FURNISS

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-201, IDAHO CODE, TO REVISE PRO-
2 VISIONS REGARDING SCHOOL AGE; AMENDING SECTION 33-208, IDAHO CODE,
3 TO PROVIDE THAT THE ESTABLISHMENT OF AND ENROLLMENT IN A KINDERGARTEN
4 PREPAREDNESS PROGRAM IS NOT COMPULSORY; AND DECLARING AN EMERGENCY AND
5 PROVIDING AN EFFECTIVE DATE.
6

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

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

10 33-201. SCHOOL AGE. (1) The services of the public schools of this
11 state are extended to any acceptable person of school age. "School age" is
12 defined as including all persons resident of the state, between the ages
13 of ~~five (5)~~ four (4) and twenty-one (21) years. For the purposes of this
14 section, a child shall attain the age of four (4) years when the fourth
15 anniversary of birth occurs on or before the first day of September of the
16 school year in which the child is to enroll in a kindergarten preparedness
17 program. For a child enrolling in kindergarten, the age of five (5) years
18 shall be attained when the fifth anniversary of birth occurs on or before the
19 first day of September of the school year in which the child is to enroll in
20 kindergarten. For a child enrolling in the first grade, the age of six (6)
21 years must be reached on or before the first day of September of the school
22 year in which the child is to enroll. Any child of the age of five (5) years
23 who has completed a private or public out-of-state kindergarten for the re-
24 quired four hundred fifty (450) hours but has not reached the "school age"
25 requirement in Idaho shall be allowed to enter the first grade.

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

32 SECTION 2. That Section 33-208, Idaho Code, be, and the same is hereby
33 amended to read as follows:

34 33-208. KINDERGARTENS, KINDERGARTEN PREPAREDNESS, AND CHILD ATTEN-
35 DANCE NOT COMPULSORY. It shall not be compulsory for individual school
36 districts to establish a kindergarten or a kindergarten preparedness pro-
37 gram; and it shall not be mandatory for a child who is eligible by age for
38 attendance to enroll in an established public kindergarten or public kinder-
39 garden preparedness program.

1 SECTION 3. An emergency existing therefor, which emergency is hereby
2 declared to exist, this act shall be in full force and effect on and after
3 July 1, 2024.