

**IDAHO DEPARTMENT OF EDUCATION
APRIL 17-18, 2024**

TAB	DESCRIPTION	ACTION
1	SUPERINTENDENT'S UPDATE – K-12 OVERVIEW	Information Item
2	MINIMUM STUDENT INSTRUCTIONAL DAY REQUIREMENTS – BOARD DISCUSSION	Information item

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SUBJECT

K-12 Overview

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Bylaws (Operational Procedures) Section E.4.
Section 33-125, 125A, and 127, Idaho Code

BACKGROUND/DISCUSSION

Idaho State Board of Education Bylaws establish the superintendent of public instruction as responsible for carrying out policies, procedures, and duties prescribed by the Constitution of the State of Idaho, and Idaho Code or established by the Board for all elementary and secondary school matters.

Debbie Critchfield was sworn into office as the Idaho Superintendent of Public Instruction on January 2, 2023. She will update the State Board of Education (SBOE) on the Superintendent's priorities moving forward.

- SDE 2024 Legislative and Budget Update
- Assessment and Accountability Update
 - ISAT
 - IRI
 - K-12 Report Card

BOARD ACTION

This item is for informational purposes only.

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SUBJECT

Board Discussion, Minimum Student Instructional Day Requirements

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section IV.B.2.

Section 33-512, Idaho Code

Section 33-916, Idaho Code

BACKGROUND

H 521 was introduced on February 8, 2024, and amends, repeals, and adds to existing law to revise provisions regarding tax rates, school facilities funding, and school district bond and tax levy elections.

Section 18 of H 521 amends Chapter 9, Title 33, Idaho Code by the addition of a new section, designated as Section 33-916, Idaho Code, "Eligibility of School Districts for School Modernization Facilities Fund Distributions." This section in H 521 prohibited the State Department of Education from approving school district requests for annualized distributions or for distribution from the applicable bond proceeds until school districts attested that they meet the minimum contract days and minimum student instructional day requirements of the State Board of Education, which shall be implemented no later than August 1, 2024.

HB 521 passed both the Idaho House and Senate and was signed into law by Governor Little on March 29, 2024.

H 766 was introduced as a "trailer bill" to H 521 on April 2, 2024. Section 3 of H 766 amends section 33-916, Idaho Code, on what is required of the State Board of Education. The new requirement is that in order for a school district to receive the annualized distributions or the lump sum distribution, it must attest that it meets the minimum student instructional day or hour requirements of the State Board of Education, with these requirements being adopted no later than August 1, 2024, and implemented no sooner than July 1, 2025. Additionally, the new provision in law states that the Board may phase in such requirements over a multi-year period.

H 766 passed both the Idaho House and Senate, and as of 4/8/24 is awaiting Governor Little's final signature.

DISCUSSION

The State Superintendent of Public Instruction is responsible for carrying out the policies, procedures, and duties authorized by applicable state and federal statutes and the policies and procedures of the Board for the elementary and secondary schools in Idaho.

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Board discussion at the April 2024 regular board meeting is intended to update Board members on the requirements of the legislation and to seek input from all members on what is required of the Board due to these legislative updates. Action by the Board will take place at the regular June 2024 meeting. Additional data relevant to this discussion is provided below.

Additional data points around the 4-day and 5-day school week in Idaho:

There are 179 total Local Education Agencies (LEA) in Idaho (i.e., school district or public charter school)

- 94 LEAs are at a 4-day school week.
- 85 LEAs are at a 5-Day school week.

The LEAs participating in a 4-day school week are overwhelmingly rural and/or under 1,500 total student population (IIIA and smaller in size, based on IHSAA classifications)

Idaho Code 33-512 provides a statutory requirement for student hours while IDAPA 08.02.01 defines a school day or a “day in session” as 4 hours or more.

Idaho Code 33-512 (1)(a) outlines required minimum hours as follows:

Grades 9-12 990 hours	Grades 4-8 & Alternative Schools 900 hours	Grades 1-3 810 hours	Kinder * 450 hours *Kindergarten is not required in Idaho
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The average 4-day district’s students attend 1030 hours, while the average 5-day district’s students attend 1049.

Average 4-day: 146
Average 5-day: 172
Total statewide average: 159

LEAs below this 4-day average:

4	140
2	141
6	142
10	143
11	144
5	145

Additional historical perspective:

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- In 1963, the state mandated that schools could have no less than 9 months of school.
- In 1991, the state implemented hours to allow districts to meet required minimums, however they chose.

High Performing districts are both 4 and 5-day. Many 4-day districts offer a hybrid day, with students coming on some Fridays and teachers always working on Fridays.

Here is an example from each IASA region:

Region	LEA	DAYS	WEEK SCHEDULE	IRI 3 year Average	FRL
1	Kootenai	167	5	85%	30%
2	Nez Perce	168	5	81%	46%
3	Melba	144	4	86%	34%
4	Murtaugh	162	Hybrid	74%	62%
5	North Gem	147	4	81%	39%
6	Bonneville	171	Hybrid	69%	31%

IMPACT

Local school districts and public charter schools have set or are in the process of setting their academic calendars for the 2024/2025 school year in line with the provisions of section 33-512, Idaho Code.

This new requirement of the Board on setting minimum instructional days will be phased in and not have an immediate impact on these academic calendars.

The Board will consider taking action on establishing minimum instructional days at the June 2024 regular board meeting.

BOARD ACTION

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