

Students Come First
Public School Modernization & Reform

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1 Section 1 - 33-125 (effective 7/1/11). This section adds a new
2 requirement that the State Department of Education post a fiscal report
3 card on its website for each school district. This will give
4 policymakers, parents, patrons and the public access to easily
5 understand, easily comparable information on a district by district and
6 charter by charter basis.

7
8 This section also deletes a reference to a science grant program that
9 was eliminated in earlier rounds of budget cuts.

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11 Section 2 - 33-129 (effective 7/1/11). This deletes the section of
12 Idaho Code that established the aforementioned science grant program,
13 which was eliminated in earlier rounds of budget cuts.

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15 Section 3 - 33-357 (effective 7/1/11). This section adds the school
16 district budget and any master labor agreement to the list of items
17 that the school district must post on its website.

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1 SECTION 1. That Section 33-125, Idaho Code, be, and the same is
2 hereby amended to read as follows:
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4 33-125.STATE DEPARTMENT OF EDUCATION -- CREATION -- DUTIES. There is
5 hereby established as an executive agency of the state board of
6 education a department known as the state department of education. The
7 state superintendent shall serve as the executive officer of such
8 department and shall have the responsibility for carrying out policies,
9 procedures and duties authorized by law or established by the state
10 board of education for all elementary and secondary school matters, and
11 to post a fiscal report card on each school district and charter school
12 on the department's internet site ~~administer grants for the promotion~~
13 ~~of science education as provided in sections 33-128 and 33-129, Idaho~~
14 ~~Code.~~ The department shall perform the duties assigned to it as
15 specified in section 67-5745D, Idaho Code, relating to the Idaho
16 education network.
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18 SECTION 2. That Section 33-129, Idaho Code, be, and the same is
19 hereby repealed.
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21 SECTION 3. That Section 33-357, Idaho Code, be, and the same is
22 hereby amended to read as follows:
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24 33-357. CREATION OF INTERNET BASED EXPENDITURE WEBSITE. [EFFECTIVE
25 JULY 1, 2011.] (1) As used in this section, unless otherwise required:

26 (a) "Education provider" means:

27 (i) A school district, including a specially chartered district
28 organized and existing pursuant to law;

29 (ii) A cooperative services agency ~~or intermediate school district;~~

30 (iii) A public charter school authorized pursuant to state law;

31 (iv) A publicly funded governmental entity established by the state
32 for the express purpose of providing online courses.

33 (b) "Entity" means a corporation, association, union, limited
34 liability company, limited liability partnership, grantee, contractor,
35 local government or other legal entity, including a nonprofit
36 corporation or an employee of the education provider.

37 (c) "Public record" shall have the same meaning as set forth in chapter
38 3, title 9, Idaho Code.

39 (2) (a) No later than December 1, 2011, each education provider shall
40 develop and maintain a publicly available website where the education
41 provider's expenditures are posted in a nonsearchable PDF format, a
42 searchable PDF format, a spreadsheet or in a database format.

43 (b) The internet based website shall include the following data
44 concerning all expenditures made by the education provider:

45 (i) The name and location or address of the entity receiving moneys;

46 (ii) The amount of expended moneys;

47 (iii) The date of the expenditure;

48 (iv) A description of the purpose of the expenditure, unless the
49 expenditure is self-describing;

50 (v) Supporting contracts and performance reports upon which the
51 expenditure is related when these documents already exist; ~~and~~

52 (vi) To the extent possible, a unique identifier for each

1 Section 4 - 33-1002 (effective 7/1/11). This section saves money by
2 increasing the funding divisor for grades 4-12 by 1.25. There are also
3 amendments made to the list of statutory programs in the public schools
4 budget. This reflects the new statutory items that will be required in
5 public schools, including technology, dual credit courses for
6 qualifying students, increased math/science courses for high school
7 students and severance payments for certificated employees let go in a
8 September reduction in force, due to declining enrollment. These
9 programs are more than paid for by the adjustment in the divisor.

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1 expenditure-;

2 (vii) The annual budget approved by the education provider's governing
3 board, to be posted within thirty (30) days after its approval; and

4 (viii) Any current master labor agreements approved by the education
5 provider's governing board.

6 (c) The expenditure data shall be provided in an open structured data
7 format that may be downloaded by the user.

8 (d) The internet based website shall contain only information that is
9 a public record or that is not confidential or otherwise exempt from
10 public disclosure pursuant to state or federal law.

11 (3) The education provider shall:

12 (a) Update the expenditures contained on the internet based website at
13 least monthly;

14 (b) Archive all expenditures, which shall remain accessible and on the
15 internet based website for a number of years, consistent with state law
16 regarding keeping and retention of records;

17 (c) Make the internet based website easily accessible from the main
18 page of the education provider's website; and

19 (d) The website shall include those records beginning on the effective
20 date of this act on July 1, 2011, and all data prior to that date shall
21 be available by way of a public records request.

22
23 SECTION 4. That Section 33-1002, Idaho Code, be, and the same is
24 hereby amended to read as follows:

25
26 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support program
27 is calculated as follows:

28 (1) State Educational Support Funds. Add the state appropriation,
29 including the moneys available in the public school income fund,
30 together with all miscellaneous revenues to determine the total state
31 funds.

32 (2) From the total state funds subtract the following amounts
33 needed for state support of special programs provided by a school
34 district:

35 (a) Pupil tuition-equivalency allowances as provided in section 33-
36 1002B, Idaho Code;

37 (b) Transportation support program as provided in section 33-1006,
38 Idaho Code;

39 (c) Feasibility studies allowance as provided in section 33-1007A,
40 Idaho Code;

41 (d) The approved costs for border district allowance, provided in
42 section 33-1403, Idaho Code, as determined by the state superintendent
43 of public instruction;

44 (e) The approved costs for exceptional child approved contract
45 allowance, provided in subsection 2. of section 33-2004, Idaho Code, as
46 determined by the state superintendent of public instruction;

47 (f) Certain expectant and delivered mothers allowance as provided in
48 section 33-2006, Idaho Code;

49 (g) Salary-based apportionment calculated as provided in sections 33-
50 1004 through 33-1004F, Idaho Code;

51 (h) Unemployment insurance benefit payments according to the
52 provisions of section 72-1349A, Idaho Code;

- 1 (i) For ~~expenditure as provided by the public school technology~~
 2 ~~program, as provided in Section 33-1022, Idaho Code;~~
 3 (j) For employee severance payments as provided in section [33-521](#),
 4 Idaho Code;
 5 (k) For distributions to the Idaho digital learning academy as
 6 provided in section [33-1020](#), Idaho Code;
 7 (l) For dual credit courses as provided in Section 33-1626, Idaho
 8 Code;
 9 (m) For additional math and science courses for high school students,
 10 as provided in Section 33-1021, Idaho Code;
 11 (n) For certificated employee severance payment reimbursement, as
 12 provided pursuant to Section 33-515B, Idaho Code;
 13 (~~o~~) For the support of provisions that provide a safe environment
 14 conducive to student learning and maintain classroom discipline, an
 15 allocation of \$300 per support unit; and
 16 (~~p~~) Any additional amounts as required by statute to effect
 17 administrative adjustments or as specifically required by the
 18 provisions of any bill of appropriation;
 19 to secure the total educational support distribution funds.

20 (3) Average Daily Attendance. The total state average daily
 21 attendance shall be the sum of the average daily attendance of all of
 22 the school districts of the state. The state board of education shall
 23 establish rules setting forth the procedure to determine average daily
 24 attendance and the time for, and method of, submission of such report.
 25 Average daily attendance calculation shall be carried out to the
 26 nearest hundredth. Computation of average daily attendance shall also
 27 be governed by the provisions of section [33-1003A](#), Idaho Code.

28 (4) Support Units. The total state support units shall be
 29 determined by using the tables set out hereafter called computation of
 30 kindergarten support units, computation of primary support units,
 31 computation of elementary support units, computation of secondary
 32 support units, computation of exceptional education support units, and
 33 computation of alternative school secondary support units. The sum of
 34 all of the total support units of all school districts of the state
 35 shall be the total state support units.

36
 37 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Units Allowed
41 or more	40.....	1 or more as computed
31 - 40.99 ADA.....	-.....	1
26 - 30.99 ADA.....	-.....	.85
21 - 25.99 ADA.....	-.....	.75
16 - 20.99 ADA....	-.....	.6
8 - 15.99 ADA....	-.....	.5
<u>.01 - 7.99 ADA....</u>	-.....	count as elementary <u>primary</u>

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 39 COMPUTATION OF PRIMARY SUPPORT UNITS (GRADES 1-3)

<u>Average Daily Attendance</u>	<u>Attendance Divisor</u>	<u>Minimum Units Allowed</u>
80 or more ADA.....	20.....	4.2

<u>55 to 79.99 ADA...</u>	<u>19</u>	<u>3.4</u>
<u>35.5 to 54.99 ADA...</u>	<u>16</u>	<u>2.4</u>
<u>25.8 to 35.49 ADA...</u>	<u>15</u>	<u>2.0</u>
<u>16.8 to 25.79 ADA...</u>	<u>13</u>	<u>1.4</u>
<u>8.3 to 16.79 ADA...</u>	<u>12</u>	<u>0.7</u>
<u>.01 to 8.29 ADA...</u>	<u>n/a</u>	<u>0.5</u>

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COMPUTATION OF ELEMENTARY SUPPORT UNITS (GRADES 4-6)

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
300 <u>150</u> or more ADA.....	<u>24.25</u>	<u>7.15</u>
	..23...grades 4,5 & 6....	
	..22...grades 1,2 & 3....1994-95	
	..21...grades 1,2 & 3....1995-96	
	..20...grades 1,2 & 3....1996-97	
	and each year thereafter.	
1680 <u>to 29149.99</u> ADA..	201.25	8.4.0
11055 <u>to 1579.99</u> ADA...	1920.25	6.83.2
71.135.5 <u>to 10954.99</u> ADA...	167.25	4.72.2
51.725.8 <u>to 71.035.49</u> ADA...	156.25	4.01.8
33.616.8 <u>to 51.625.79</u> ADA...	134.25	2.81.3
16.68.3 <u>to 33.516.79</u> ADA...	123.25	1.40.6
1.01 <u>to 16.58.29</u> ADA...	n/a	1.0.5

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COMPUTATION OF SECONDARY SUPPORT UNITS

Average Daily Minimum Units

Attendance	Attendance Divisor	Allowed
750 or more	18.5 <u>19.75</u>	<u>43.57</u>
400 - 749.99 ADA....	16 <u>7.25</u>	<u>25.48</u>
300 - 399.99 ADA....	14 <u>5.75</u>	<u>20.32</u>
200 - 299.99 ADA....	13 <u>4.75</u>	<u>15.17</u>
100 - 199.99 ADA....	12 <u>3.25</u>	<u>98</u>
99.99 or fewer	Units allowed as follows:	
Grades 7-12	8
Grades 9-12	6
Grades 7-9	1 per 14 ADA
Grades 7- 8	1 per <u>167.25</u> ADA

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COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
<u>145.75</u> or more	14 <u>5.75</u>	1 or more as computed
12.6 - 13.99 <u>5.74</u>	1
8.4 - 11 <u>2.95</u> <u>9</u>75
4.2 - 7 <u>8.93</u> <u>9</u>5
.01 - 3.94 <u>1.19</u>25

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COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
<u>123.25</u> or more.....	<u>123.25</u>	1 or more as computed

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1 In applying these tables to any given separate attendance unit, no
2 school district shall receive less total money than it would receive if
3 it had a lesser average daily attendance in such separate attendance
4 unit. In applying the kindergarten table to a kindergarten program of
5 less days than a full school year, the support unit allowance shall be
6 in ratio to the number of days of a full school year. No school
7 district reporting any number of students in average daily attendance
8 for kindergarten through sixth grade shall receive less than one (1.0)
9 support unit for such. The tables for exceptional education and
10 alternative school secondary support units shall be applicable only for
11 programs approved by the state department of education following rules
12 established by the state board of education. Moneys generated from
13 computation of support units for alternative schools shall be utilized
14 for alternative school programs. School district administrative and
15 facility costs may be included as part of the alternative school
16 expenditures.

17 (5) State Distribution Factor per Support Unit. Divide
18 educational support program distribution funds, after subtracting the
19 amounts necessary to pay the obligations specified in subsection (2) of
20 this section, by the total state support units to secure the state
21 distribution factor per support unit.

22 (6) District Support Units. The number of support units for each
23 school district in the state shall be determined as follows:

24 (a) (i) Divide the actual average daily attendance, excluding
25 students approved for inclusion in the exceptional child educational
26 program, for the administrative schools and each of the separate
27 schools and attendance units by the appropriate divisor from the tables
28 of support units in this section, then add the quotients to obtain the
29 district's support units allowance for regular students, kindergarten
30 through grade 12 including alternative school secondary students.
31 Calculations in application of this subsection shall be carried out to
32 the nearest tenth.

33 (ii) Divide the combined totals of the average daily attendance of all
34 preschool, kindergarten, primary, elementary, secondary, juvenile
35 detention center students and students with disabilities approved for
36 inclusion in the exceptional child program of the district by the
37 appropriate divisor from the table for computation of exceptional
38 education support units to obtain the number of support units allowed
39 for the district's approved exceptional child program. Calculations for
40 this subsection shall be carried out to the nearest tenth when more
41 than one (1) unit is allowed.

42 (iii) The total number of support units of the district shall be the
43 sum of the total support units for regular students, subsection
44 (6)(a)(i) of this section, and the support units allowance for the
45 approved exceptional child program, subsection (6)(a)(ii) of this
46 section.

47 (b) Total District Allowance Educational Program. Multiply the
48 district's total number of support units, carried out to the nearest
49 tenth, by the state distribution factor per support unit and to this
50 product add the approved amount of programs of the district provided in
51 subsection (2) of this section to secure the district's total allowance
52 for the educational support program.

1 Section 5 - 33-1002 (effective 7/1/12). This section saves money by
2 increasing the funding divisor by a further 0.75 (for a total of 2.0)
3 for grades 4-6 and by a further 0.95 (for a total of 2.2) for grades 7-
4 12.

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6 There are also amendments made to the list of statutory programs in the
7 public schools budget. This reflects the new statutory items that will
8 be required in public schools, including technology, dual credit
9 courses for qualifying students, increased math/science courses for
10 high school students, the provision and support of mobile computing
11 devices for the class entering 9th grade in Fall 2012, and severance
12 payments for certificated employees let go in a September reduction in
13 force, due to declining enrollment. These programs are more than paid
14 for by the adjustment in the divisor.

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1 (c) District Share. The district's share of state apportionment is the
2 amount of the total district allowance, subsection (6)(b) of this
3 section.

4 (d) Adjustment of District Share. The contract salary of every
5 noncertificated teacher shall be subtracted from the district's share
6 as calculated from the provisions of subsection (6)(c) of this section.

7 (7) Property Tax Computation Ratio. In order to receive state
8 funds pursuant to this section a charter district shall utilize a
9 school maintenance and operation property tax computation ratio for the
10 purpose of calculating its maintenance and operation levy, that is no
11 greater than that which it utilized in tax year 1994, less four-tenths
12 of one percent (.4%). As used herein, the term "property tax
13 computation ratio" shall mean a ratio determined by dividing the
14 district's certified property tax maintenance and operation budget by
15 the actual or adjusted market value for assessment purposes as such
16 values existed on December 31, 1993. Such maintenance and operation
17 levy shall be based on the property tax computation ratio multiplied by
18 the actual or adjusted market value for assessment purposes as such
19 values existed on December 31 of the prior calendar year.

20
21 SECTION 5. That Section 33-1002, Idaho Code, be, and the same is
22 hereby amended to read as follows:

23
24 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support program
25 is calculated as follows:

26 (1) State Educational Support Funds. Add the state appropriation,
27 including the moneys available in the public school income fund,
28 together with all miscellaneous revenues to determine the total state
29 funds.

30 (2) From the total state funds subtract the following amounts
31 needed for state support of special programs provided by a school
32 district:

33 (a) Pupil tuition-equivalency allowances as provided in section 33-
34 1002B, Idaho Code;

35 (b) Transportation support program as provided in section 33-1006,
36 Idaho Code;

37 (c) Feasibility studies allowance as provided in section 33-1007A,
38 Idaho Code;

39 (d) The approved costs for border district allowance, provided in
40 section 33-1403, Idaho Code, as determined by the state superintendent
41 of public instruction;

42 (e) The approved costs for exceptional child approved contract
43 allowance, provided in subsection 2. of section 33-2004, Idaho Code, as
44 determined by the state superintendent of public instruction;

45 (f) Certain expectant and delivered mothers allowance as provided in
46 section 33-2006, Idaho Code;

47 (g) Salary-based apportionment calculated as provided in sections 33-
48 1004 through 33-1004F, Idaho Code;

49 (h) Unemployment insurance benefit payments according to the
50 provisions of section 72-1349A, Idaho Code;

51 (i) For ~~expenditure as provided by the public school technology~~
52 program, as provided in Section 33-1022, Idaho Code;

- 1 (j) For employee severance payments as provided in section [33-521](#),
- 2 Idaho Code;
- 3 (k) For distributions to the Idaho digital learning academy as
- 4 provided in section [33-1020](#), Idaho Code;
- 5 (l) For dual credit courses as provided in Section 33-1626, Idaho
- 6 Code.
- 7 (m) For additional math and science courses for high school students,
- 8 as provided in Section 33-1021, Idaho Code.
- 9 (n) For costs associated with the online course requirement, as
- 10 provided in Section 33-1627, Idaho Code;
- 11 (o) For certificated employee severance payment reimbursement, as
- 12 provided pursuant to Section 33-515B, Idaho Code;
- 13 (p) For pay for performance, as provided in Section 33-1004I, Idaho
- 14 Code;
- 15 (~~lq~~) For the support of provisions that provide a safe environment
- 16 conducive to student learning and maintain classroom discipline, an
- 17 allocation of \$300 per support unit; and
- 18 (~~mr~~) Any additional amounts as required by statute to effect
- 19 administrative adjustments or as specifically required by the
- 20 provisions of any bill of appropriation;
- 21 to secure the total educational support distribution funds.

22 (3) Average Daily Attendance. The total state average daily
 23 attendance shall be the sum of the average daily attendance of all of
 24 the school districts of the state. The state board of education shall
 25 establish rules setting forth the procedure to determine average daily
 26 attendance and the time for, and method of, submission of such report.
 27 Average daily attendance calculation shall be carried out to the
 28 nearest hundredth. Computation of average daily attendance shall also
 29 be governed by the provisions of section [33-1003A](#), Idaho Code.

30 (4) Support Units. The total state support units shall be
 31 determined by using the tables set out hereafter called computation of
 32 kindergarten support units, computation of primary support units,
 33 computation of elementary support units, computation of secondary
 34 support units, computation of exceptional education support units, and
 35 computation of alternative school secondary support units. The sum of
 36 all of the total support units of all school districts of the state
 37 shall be the total state support units.

38
 39 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

Average Daily	Attendance Divisor	Units Allowed
Attendance		
41 or more	40.....	1 or more as computed
31 - 40.99 ADA....	-.....	1
26 - 30.99 ADA....	-.....	.85
21 - 25.99 ADA....	-.....	.75
16 - 20.99 ADA....	-.....	.6
8 - 15.99 ADA....	-.....	.5
<u>.01</u> - 7.99 ADA....	-.....	count as elementary <u>primary</u>

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 41 COMPUTATION OF PRIMARY SUPPORT UNITS (GRADES 1-3)

<u>Average Daily</u>	<u>Minimum Units</u>
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<u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
<u>80 or more</u>		
<u>ADA.....</u>	<u>20.....</u>	<u>4.2</u>

<u>55 to 79.99 ADA...</u>	<u>19</u>	<u>3.4</u>
<u>35.5 to 54.99 ADA...</u>	<u>16</u>	<u>2.4</u>
<u>25.8 to 35.49 ADA...</u>	<u>15</u>	<u>2.0</u>
<u>16.8 to 25.79 ADA...</u>	<u>13</u>	<u>1.4</u>
<u>8.3 to 16.79 ADA...</u>	<u>12</u>	<u>0.7</u>
<u>.01 to 8.29 ADA...</u>	<u>n/a</u>	<u>0.5</u>

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2 COMPUTATION OF ELEMENTARY SUPPORT UNITS (GRADES 4-6)

<u>Average Daily</u>	<u>Attendance Divisor</u>	<u>Minimum Units</u>
<u>Attendance</u>		<u>Allowed</u>
300 <u>150</u> or more		
<u>ADA.....</u>	<u>25.....</u>	<u>.. 156.8</u>
	..23...grades 4,5 & 6....	
	..22...grades 1,2 &	
	3....1994-95	
	..21...grades 1,2 &	
	3....1995-96	
	..20...grades 1,2 &	
	3....1996-97	
	and each year thereafter.	
1680 <u>to 29149.99</u>		
<u>ADA..</u>	<u>202</u>	<u>8.43.8</u>
11055 <u>to 1579.99 ADA...</u>	1921	6.83.1
71.135.5 <u>to 10954.99</u>		
<u>ADA...</u>	<u>168</u>	<u>4.72.1</u>
51.725.8 <u>to 71.035.49</u>		
<u>ADA...</u>	<u>157</u>	<u>4.01.7</u>
33.616.8 <u>to 51.625.79</u>		
<u>ADA...</u>	<u>135</u>	<u>2.81.2</u>
16.68.3 <u>to 33.516.79</u>		
<u>ADA...</u>	<u>124</u>	<u>1.40.6</u>
1.01 <u>to 16.58.29</u>		
<u>ADA...</u>	<u>n/a</u>	<u>1.0.5</u>

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COMPUTATION OF SECONDARY SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
750 or more	18.5 <u>20.7</u>	<u>41.27</u>
400 - 749.99 ADA....	<u>168.2</u>	<u>284</u>
300 - 399.99 ADA....	14.5 <u>6.7</u>	22 <u>19.1</u>
200 - 299.99 ADA....	13.5 <u>5.7</u>	<u>14.17</u>
100 - 199.99 ADA....	<u>124.2</u>	<u>98</u>
99.99 or fewer	Units allowed as follows:	
Grades 7-12	8
Grades 9-12	6
Grades 7-9	1 per 14 ADA
Grades 7- 8	1 per <u>168.2</u> ADA

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COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
<u>146.5</u> or more	<u>164.5</u>	1 or more as computed
123.7 - 13.99 <u>6.49</u>	1
89.4 - 113.96 <u>9</u>75
<u>4.6</u> - 79.93 <u>9</u>5
<u>.01</u> - 3.94 <u>59</u>25

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COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
<u>124</u> or more.....	<u>124</u>	1 or more as computed

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1 In applying these tables to any given separate attendance unit, no
2 school district shall receive less total money than it would receive if
3 it had a lesser average daily attendance in such separate attendance
4 unit. In applying the kindergarten table to a kindergarten program of
5 less days than a full school year, the support unit allowance shall be
6 in ratio to the number of days of a full school year. No school
7 district reporting any number of students in average daily attendance
8 for kindergarten through sixth grade shall receive less than one (1.0)
9 support unit for such. The tables for exceptional education and
10 alternative school secondary support units shall be applicable only for
11 programs approved by the state department of education following rules
12 established by the state board of education. Moneys generated from
13 computation of support units for alternative schools shall be utilized
14 for alternative school programs. School district administrative and
15 facility costs may be included as part of the alternative school
16 expenditures.

17 (5) State Distribution Factor per Support Unit. Divide
18 educational support program distribution funds, after subtracting the
19 amounts necessary to pay the obligations specified in subsection (2) of
20 this section, by the total state support units to secure the state
21 distribution factor per support unit.

22 (6) District Support Units. The number of support units for each
23 school district in the state shall be determined as follows:

24 (a) (i) Divide the actual average daily attendance, excluding
25 students approved for inclusion in the exceptional child educational
26 program, for the administrative schools and each of the separate
27 schools and attendance units by the appropriate divisor from the tables
28 of support units in this section, then add the quotients to obtain the
29 district's support units allowance for regular students, kindergarten
30 through grade 12 including alternative school secondary students.
31 Calculations in application of this subsection shall be carried out to
32 the nearest tenth.

33 (ii) Divide the combined totals of the average daily attendance of all
34 preschool, kindergarten, primary, elementary, secondary, juvenile
35 detention center students and students with disabilities approved for
36 inclusion in the exceptional child program of the district by the
37 appropriate divisor from the table for computation of exceptional
38 education support units to obtain the number of support units allowed
39 for the district's approved exceptional child program. Calculations for
40 this subsection shall be carried out to the nearest tenth when more
41 than one (1) unit is allowed.

42 (iii) The total number of support units of the district shall be the
43 sum of the total support units for regular students, subsection
44 (6)(a)(i) of this section, and the support units allowance for the
45 approved exceptional child program, subsection (6)(a)(ii) of this
46 section.

47 (b) Total District Allowance Educational Program. Multiply the
48 district's total number of support units, carried out to the nearest
49 tenth, by the state distribution factor per support unit and to this
50 product add the approved amount of programs of the district provided in
51 subsection (2) of this section to secure the district's total allowance
52 for the educational support program.

1 Section 6 - 33-1002 (effective 7/1/13). This section saves money by
2 keeping the funding divisor 2.0 higher for grades 4-6 and increasing
3 the funding divisor by a further 0.1 (for a total of 2.3) for grades 7-
4 12.

5
6 There are also amendments made to the list of statutory items in the
7 public schools budget. This reflects the new statutory programs that
8 will be required in public schools, including technology, dual credit
9 courses for qualifying students, increased math/science courses for
10 high school students, the provision of mobile computing devices for the
11 class entering 9th grade in Fall 2013, the support of these devices for
12 9th and 10th graders, and severance payments for certificated employees
13 let go in a September reduction in force, due to declining enrollment.
14 These programs are more than paid for by the adjustment in the divisor.
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1 (c) District Share. The district's share of state apportionment is the
2 amount of the total district allowance, subsection (6)(b) of this
3 section.

4 (d) Adjustment of District Share. The contract salary of every
5 noncertificated teacher shall be subtracted from the district's share
6 as calculated from the provisions of subsection (6)(c) of this section.

7 (7) Property Tax Computation Ratio. In order to receive state
8 funds pursuant to this section a charter district shall utilize a
9 school maintenance and operation property tax computation ratio for the
10 purpose of calculating its maintenance and operation levy, that is no
11 greater than that which it utilized in tax year 1994, less four-tenths
12 of one percent (.4%). As used herein, the term "property tax
13 computation ratio" shall mean a ratio determined by dividing the
14 district's certified property tax maintenance and operation budget by
15 the actual or adjusted market value for assessment purposes as such
16 values existed on December 31, 1993. Such maintenance and operation
17 levy shall be based on the property tax computation ratio multiplied by
18 the actual or adjusted market value for assessment purposes as such
19 values existed on December 31 of the prior calendar year.

20
21 SECTION 6. That Section 33-1002, Idaho Code, be, and the same is
22 hereby amended to read as follows:

23
24 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support program
25 is calculated as follows:

26 (1) State Educational Support Funds. Add the state appropriation,
27 including the moneys available in the public school income fund,
28 together with all miscellaneous revenues to determine the total state
29 funds.

30 (2) From the total state funds subtract the following amounts
31 needed for state support of special programs provided by a school
32 district:

33 (a) Pupil tuition-equivalency allowances as provided in section 33-
34 1002B, Idaho Code;

35 (b) Transportation support program as provided in section 33-1006,
36 Idaho Code;

37 (c) Feasibility studies allowance as provided in section 33-1007A,
38 Idaho Code;

39 (d) The approved costs for border district allowance, provided in
40 section 33-1403, Idaho Code, as determined by the state superintendent
41 of public instruction;

42 (e) The approved costs for exceptional child approved contract
43 allowance, provided in subsection 2. of section 33-2004, Idaho Code, as
44 determined by the state superintendent of public instruction;

45 (f) Certain expectant and delivered mothers allowance as provided in
46 section 33-2006, Idaho Code;

47 (g) Salary-based apportionment calculated as provided in sections 33-
48 1004 through 33-1004F, Idaho Code;

49 (h) Unemployment insurance benefit payments according to the
50 provisions of section 72-1349A, Idaho Code;

51 (i) For ~~expenditure as provided by the public school technology~~
52 program, as provided in Section 33-1022, Idaho Code;

- 1 (j) For employee severance payments as provided in section [33-521](#),
- 2 Idaho Code;
- 3 (k) For distributions to the Idaho digital learning academy as
- 4 provided in section [33-1020](#), Idaho Code;
- 5 (l) For dual credit courses as provided in Section 33-1626, Idaho
- 6 Code.
- 7 (m) For additional math and science courses for high school students,
- 8 as provided in Section 33-1021, Idaho Code.
- 9 (n) For costs associated with the online course requirement, as
- 10 provided in Section 33-1627, Idaho Code;
- 11 (o) For certificated employee severance payment reimbursement, as
- 12 provided pursuant to Section 33-515B, Idaho Code;
- 13 (p) For pay for performance, hard to fill positions and leadership
- 14 awards, as provided in Section 33-1004I, Idaho Code;
- 15 (~~q~~) For the support of provisions that provide a safe environment
- 16 conducive to student learning and maintain classroom discipline, an
- 17 allocation of \$300 per support unit; and
- 18 (~~r~~) Any additional amounts as required by statute to effect
- 19 administrative adjustments or as specifically required by the
- 20 provisions of any bill of appropriation;
- 21 to secure the total educational support distribution funds.

22 (3) Average Daily Attendance. The total state average daily
 23 attendance shall be the sum of the average daily attendance of all of
 24 the school districts of the state. The state board of education shall
 25 establish rules setting forth the procedure to determine average daily
 26 attendance and the time for, and method of, submission of such report.
 27 Average daily attendance calculation shall be carried out to the
 28 nearest hundredth. Computation of average daily attendance shall also
 29 be governed by the provisions of section [33-1003A](#), Idaho Code.

30 (4) Support Units. The total state support units shall be
 31 determined by using the tables set out hereafter called computation of
 32 kindergarten support units, computation of primary support units,
 33 computation of elementary support units, computation of secondary
 34 support units, computation of exceptional education support units, and
 35 computation of alternative school secondary support units. The sum of
 36 all of the total support units of all school districts of the state
 37 shall be the total state support units.

38
 39 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

Average Daily	Attendance Divisor	Units Allowed
Attendance		
41 or more	40.....	1 or more as computed
31 - 40.99 ADA....	-.....	1
26 - 30.99 ADA....	-.....	.85
21 - 25.99 ADA....	-.....	.75
16 - 20.99 ADA....	-.....	.6
8 - 15.99 ADA....	-.....	.5
<u>.01 - 7.99 ADA....</u>	-.....	count as elementary <u>primary</u>

40
 41 COMPUTATION OF PRIMARY SUPPORT UNITS (GRADES 1-3)

<u>Average Daily</u>	<u>Minimum Units</u>
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<u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
<u>80 or more</u>		
<u>ADA.....</u>	<u>20.....</u>	<u>4.2</u>

<u>55 to 79.99 ADA...</u>	<u>19</u>	<u>3.4</u>
<u>35.5 to 54.99 ADA...</u>	<u>16</u>	<u>2.4</u>
<u>25.8 to 35.49 ADA...</u>	<u>15</u>	<u>2.0</u>
<u>16.8 to 25.79 ADA...</u>	<u>13</u>	<u>1.4</u>
<u>8.3 to 16.79 ADA...</u>	<u>12</u>	<u>0.7</u>
<u>.01 to 8.29 ADA...</u>	<u>n/a</u>	<u>0.5</u>

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2 COMPUTATION OF ELEMENTARY SUPPORT UNITS (GRADES 4-6)

<u>Average Daily</u>	<u>Attendance Divisor</u>	<u>Minimum Units</u>
<u>Attendance</u>		<u>Allowed</u>
300 <u>150</u> or more		
<u>ADA.....</u>	<u>25.....</u>	<u>.. 156.8</u>
	..23...grades 4,5 & 6....	
	..22...grades 1,2 &	
	3....1994-95	
	..21...grades 1,2 &	
	3....1995-96	
	..20...grades 1,2 &	
	3....1996-97	
	and each year thereafter.	
1680 <u>to 29149.99</u>		
<u>ADA..</u>	<u>202</u>	<u>8.43.8</u>
11055 <u>to 1579.99 ADA...</u>	1921	6.83.1
71.135.5 <u>to 10954.99</u>		
<u>ADA...</u>	<u>168</u>	<u>4.72.1</u>
51.725.8 <u>to 71.035.49</u>		
<u>ADA...</u>	<u>157</u>	<u>4.01.7</u>
33.616.8 <u>to 51.625.79</u>		
<u>ADA...</u>	<u>135</u>	<u>2.81.2</u>
16.68.3 <u>to 33.516.79</u>		
<u>ADA...</u>	<u>124</u>	<u>1.40.6</u>
1.01 <u>to 16.58.29</u>		
<u>ADA...</u>	<u>n/a</u>	<u>1.0.5</u>

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COMPUTATION OF SECONDARY SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
750 or more	18.5 <u>20.8</u>	<u>471</u>
400 - 749.99 ADA....	16 <u>8.3</u>	28 <u>3.8</u>
300 - 399.99 ADA....	14.5 <u>6.8</u>	22 <u>19</u>
200 - 299.99 ADA....	13.5 <u>5.8</u>	<u>174</u>
100 - 199.99 ADA....	<u>124.3</u>	<u>98</u>
99.99 or fewer	Units allowed as follows:	
Grades 7-12	8
Grades 9-12	6
Grades 7-9	1 per 14 ADA
Grades 7- 8	1 per <u>168.2</u> ADA

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COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
<u>146.5</u> or more	<u>164.5</u>	1 or more as computed
123.7 - 13.99 <u>6.49</u>	1
89.4 - 113.96 <u>9</u>75
<u>4.6</u> - 79.93 <u>9</u>5
<u>.01</u> - 3.94 <u>.59</u>25

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5

COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
<u>124</u> or more.....	<u>124</u>	1 or more as computed

6

1 In applying these tables to any given separate attendance unit, no
2 school district shall receive less total money than it would receive if
3 it had a lesser average daily attendance in such separate attendance
4 unit. In applying the kindergarten table to a kindergarten program of
5 less days than a full school year, the support unit allowance shall be
6 in ratio to the number of days of a full school year. No school
7 district reporting any number of students in average daily attendance
8 for kindergarten through sixth grade shall receive less than one (1.0)
9 support unit for such. The tables for exceptional education and
10 alternative school secondary support units shall be applicable only for
11 programs approved by the state department of education following rules
12 established by the state board of education. Moneys generated from
13 computation of support units for alternative schools shall be utilized
14 for alternative school programs. School district administrative and
15 facility costs may be included as part of the alternative school
16 expenditures.

17 (5) State Distribution Factor per Support Unit. Divide
18 educational support program distribution funds, after subtracting the
19 amounts necessary to pay the obligations specified in subsection (2) of
20 this section, by the total state support units to secure the state
21 distribution factor per support unit.

22 (6) District Support Units. The number of support units for each
23 school district in the state shall be determined as follows:

24 (a) (i) Divide the actual average daily attendance, excluding
25 students approved for inclusion in the exceptional child educational
26 program, for the administrative schools and each of the separate
27 schools and attendance units by the appropriate divisor from the tables
28 of support units in this section, then add the quotients to obtain the
29 district's support units allowance for regular students, kindergarten
30 through grade 12 including alternative school secondary students.
31 Calculations in application of this subsection shall be carried out to
32 the nearest tenth.

33 (ii) Divide the combined totals of the average daily attendance of all
34 preschool, kindergarten, primary, elementary, secondary, juvenile
35 detention center students and students with disabilities approved for
36 inclusion in the exceptional child program of the district by the
37 appropriate divisor from the table for computation of exceptional
38 education support units to obtain the number of support units allowed
39 for the district's approved exceptional child program. Calculations for
40 this subsection shall be carried out to the nearest tenth when more
41 than one (1) unit is allowed.

42 (iii) The total number of support units of the district shall be the
43 sum of the total support units for regular students, subsection
44 (6)(a)(i) of this section, and the support units allowance for the
45 approved exceptional child program, subsection (6)(a)(ii) of this
46 section.

47 (b) Total District Allowance Educational Program. Multiply the
48 district's total number of support units, carried out to the nearest
49 tenth, by the state distribution factor per support unit and to this
50 product add the approved amount of programs of the district provided in
51 subsection (2) of this section to secure the district's total allowance
52 for the educational support program.

1 Section 7 - 33-1002 (effective 7/1/14). This section saves money by
2 keeping the funding divisor 2.0 higher for grades 4-6 and by increasing
3 the funding divisor by a further 0.1 (for a total of 2.4) for grades 7-
4 12.

5
6 There are also amendments made to the list of statutory items in the
7 public schools budget. This reflects the new statutory programs that
8 will be required in public schools, including technology, dual credit
9 courses for qualifying students, increased math/science courses for
10 high school students, the provision of mobile computing devices for the
11 class entering 9th grade in Fall 2014, the support of these devices for
12 9th, 10th and 11th graders, and severance payments for certificated
13 employees let go in a September reduction in force, due to declining
14 enrollment. These programs are more than paid for by the adjustment in
15 the divisor.

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1 (c) District Share. The district's share of state apportionment is the
2 amount of the total district allowance, subsection (6)(b) of this
3 section.

4 (d) Adjustment of District Share. The contract salary of every
5 noncertificated teacher shall be subtracted from the district's share
6 as calculated from the provisions of subsection (6)(c) of this section.

7 (7) Property Tax Computation Ratio. In order to receive state
8 funds pursuant to this section a charter district shall utilize a
9 school maintenance and operation property tax computation ratio for the
10 purpose of calculating its maintenance and operation levy, that is no
11 greater than that which it utilized in tax year 1994, less four-tenths
12 of one percent (.4%). As used herein, the term "property tax
13 computation ratio" shall mean a ratio determined by dividing the
14 district's certified property tax maintenance and operation budget by
15 the actual or adjusted market value for assessment purposes as such
16 values existed on December 31, 1993. Such maintenance and operation
17 levy shall be based on the property tax computation ratio multiplied by
18 the actual or adjusted market value for assessment purposes as such
19 values existed on December 31 of the prior calendar year.
20

21 SECTION 7. That Section 33-1002, Idaho Code, be, and the same is
22 hereby amended to read as follows:
23

24 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support program
25 is calculated as follows:

26 (1) State Educational Support Funds. Add the state appropriation,
27 including the moneys available in the public school income fund,
28 together with all miscellaneous revenues to determine the total state
29 funds.

30 (2) From the total state funds subtract the following amounts
31 needed for state support of special programs provided by a school
32 district:

33 (a) Pupil tuition-equivalency allowances as provided in section 33-
34 1002B, Idaho Code;

35 (b) Transportation support program as provided in section 33-1006,
36 Idaho Code;

37 (c) Feasibility studies allowance as provided in section 33-1007A,
38 Idaho Code;

39 (d) The approved costs for border district allowance, provided in
40 section 33-1403, Idaho Code, as determined by the state superintendent
41 of public instruction;

42 (e) The approved costs for exceptional child approved contract
43 allowance, provided in subsection 2. of section 33-2004, Idaho Code, as
44 determined by the state superintendent of public instruction;

45 (f) Certain expectant and delivered mothers allowance as provided in
46 section 33-2006, Idaho Code;

47 (g) Salary-based apportionment calculated as provided in sections 33-
48 1004 through 33-1004F, Idaho Code;

49 (h) Unemployment insurance benefit payments according to the
50 provisions of section 72-1349A, Idaho Code;

51 (i) For ~~expenditure as provided by the public school technology~~
52 program, as provided in Section 33-1022, Idaho Code;

- 1 (j) For employee severance payments as provided in section [33-521](#),
- 2 Idaho Code;
- 3 (k) For distributions to the Idaho digital learning academy as
- 4 provided in section [33-1020](#), Idaho Code;
- 5 (l) For dual credit courses as provided in Section 33-1626, Idaho
- 6 Code.
- 7 (m) For additional math and science courses for high school students,
- 8 as provided in Section 33-1021, Idaho Code.
- 9 (n) For costs associated with the online course requirement, as
- 10 provided in Section 33-1627, Idaho Code;
- 11 (o) For certificated employee severance payment reimbursement, as
- 12 provided pursuant to Section 33-515B, Idaho Code;
- 13 (p) For pay for performance, hard to fill positions and leadership
- 14 awards, as provided in Section 33-1004I, Idaho Code;
- 15 (~~lq~~) For the support of provisions that provide a safe environment
- 16 conducive to student learning and maintain classroom discipline, an
- 17 allocation of \$300 per support unit; and
- 18 (~~mr~~) Any additional amounts as required by statute to effect
- 19 administrative adjustments or as specifically required by the
- 20 provisions of any bill of appropriation;
- 21 to secure the total educational support distribution funds.

22 (3) Average Daily Attendance. The total state average daily
 23 attendance shall be the sum of the average daily attendance of all of
 24 the school districts of the state. The state board of education shall
 25 establish rules setting forth the procedure to determine average daily
 26 attendance and the time for, and method of, submission of such report.
 27 Average daily attendance calculation shall be carried out to the
 28 nearest hundredth. Computation of average daily attendance shall also
 29 be governed by the provisions of section [33-1003A](#), Idaho Code.

30 (4) Support Units. The total state support units shall be
 31 determined by using the tables set out hereafter called computation of
 32 kindergarten support units, computation of primary support units,
 33 computation of elementary support units, computation of secondary
 34 support units, computation of exceptional education support units, and
 35 computation of alternative school secondary support units. The sum of
 36 all of the total support units of all school districts of the state
 37 shall be the total state support units.

38
 39 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

Average Daily	Attendance Divisor	Units Allowed
Attendance		
41 or more	40.....	1 or more as computed
31 - 40.99 ADA....	-.....	1
26 - 30.99 ADA....	-.....	.85
21 - 25.99 ADA....	-.....	.75
16 - 20.99 ADA....	-.....	.6
8 - 15.99 ADA....	-.....	.5
<u>.01</u> - 7.99 ADA....	-.....	count as elementary <u>primary</u>

40
 41 COMPUTATION OF PRIMARY SUPPORT UNITS (GRADES 1-3)

<u>Average Daily</u>	<u>Minimum Units</u>
-	

<u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
<u>80 or more</u>		
<u>ADA.....</u>	<u>20.....</u>	<u>4.2</u>

<u>55 to 79.99 ADA...</u>	<u>19</u>	<u>3.4</u>
<u>35.5 to 54.99 ADA...</u>	<u>16</u>	<u>2.4</u>
<u>25.8 to 35.49 ADA...</u>	<u>15</u>	<u>2.0</u>
<u>16.8 to 25.79 ADA...</u>	<u>13</u>	<u>1.4</u>
<u>8.3 to 16.79 ADA...</u>	<u>12</u>	<u>0.7</u>
<u>.01 to 8.29 ADA...</u>	<u>n/a</u>	<u>0.5</u>

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COMPUTATION OF ELEMENTARY SUPPORT UNITS (GRADES 4-6)

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
300 <u>150</u> or more		
<u>ADA.....</u>	<u>25.....</u>	<u>156.8</u>
	..23...grades 4,5 & 6....	
	..22...grades 1,2 & 3....1994-95	
	..21...grades 1,2 & 3....1995-96	
	..20...grades 1,2 & 3....1996-97	
	and each year thereafter.	
1680 <u>to 29149.99</u>		
<u>ADA..</u>	<u>202</u>	<u>843.8</u>
11055 <u>to 1579.99</u> ADA...	1921	683.1
71.135.5 <u>to 10954.99</u>		
<u>ADA...</u>	<u>168</u>	<u>472.1</u>
51.725.8 <u>to 71.035.49</u>		
<u>ADA...</u>	<u>157</u>	<u>401.7</u>
33.616.8 <u>to 51.625.79</u>		
<u>ADA...</u>	<u>135</u>	<u>281.2</u>
16.68.3 <u>to 33.516.79</u>		
<u>ADA...</u>	<u>124</u>	<u>140.6</u>
1.01 <u>to 16.58.29</u>		
<u>ADA...</u>	<u>n/a</u>	<u>10.5</u>

3

1

COMPUTATION OF SECONDARY SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
750 or more	18.5 <u>20.9</u>	<u>470.8</u>
400 - 749.99 ADA....	<u>168.4</u>	<u>283.7</u>
300 - 399.99 ADA....	14.5 <u>6.9</u>	22 <u>18.9</u>
200 - 299.99 ADA....	13.5 <u>5.9</u>	<u>173.9</u>
100 - 199.99 ADA....	<u>124.4</u>	<u>98</u>
99.99 or fewer	Units allowed as follows:	
Grades 7-12	8
Grades 9-12	6
Grades 7-9	1 per 14 ADA
Grades 7- 8	1 per <u>168.2</u> ADA

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COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
<u>146.5</u> or more	<u>164.5</u>	1 or more as computed
123.7 - 13.99 <u>6.49</u>	1
89.4 - 113.9 <u>69</u>75
<u>4.6</u> - 79.9 <u>39</u>5
<u>.01</u> - 3.94 <u>.59</u>25

4

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COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
<u>124</u> or more.....	<u>124</u>	1 or more as computed

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1 In applying these tables to any given separate attendance unit, no
2 school district shall receive less total money than it would receive if
3 it had a lesser average daily attendance in such separate attendance
4 unit. In applying the kindergarten table to a kindergarten program of
5 less days than a full school year, the support unit allowance shall be
6 in ratio to the number of days of a full school year. No school
7 district reporting any number of students in average daily attendance
8 for kindergarten through sixth grade shall receive less than one (1.0)
9 support unit for such. The tables for exceptional education and
10 alternative school secondary support units shall be applicable only for
11 programs approved by the state department of education following rules
12 established by the state board of education. Moneys generated from
13 computation of support units for alternative schools shall be utilized
14 for alternative school programs. School district administrative and
15 facility costs may be included as part of the alternative school
16 expenditures.

17 (5) State Distribution Factor per Support Unit. Divide
18 educational support program distribution funds, after subtracting the
19 amounts necessary to pay the obligations specified in subsection (2) of
20 this section, by the total state support units to secure the state
21 distribution factor per support unit.

22 (6) District Support Units. The number of support units for each
23 school district in the state shall be determined as follows:

24 (a) (i) Divide the actual average daily attendance, excluding
25 students approved for inclusion in the exceptional child educational
26 program, for the administrative schools and each of the separate
27 schools and attendance units by the appropriate divisor from the tables
28 of support units in this section, then add the quotients to obtain the
29 district's support units allowance for regular students, kindergarten
30 through grade 12 including alternative school secondary students.
31 Calculations in application of this subsection shall be carried out to
32 the nearest tenth.

33 (ii) Divide the combined totals of the average daily attendance of all
34 preschool, kindergarten, primary, elementary, secondary, juvenile
35 detention center students and students with disabilities approved for
36 inclusion in the exceptional child program of the district by the
37 appropriate divisor from the table for computation of exceptional
38 education support units to obtain the number of support units allowed
39 for the district's approved exceptional child program. Calculations for
40 this subsection shall be carried out to the nearest tenth when more
41 than one (1) unit is allowed.

42 (iii) The total number of support units of the district shall be the
43 sum of the total support units for regular students, subsection
44 (6)(a)(i) of this section, and the support units allowance for the
45 approved exceptional child program, subsection (6)(a)(ii) of this
46 section.

47 (b) Total District Allowance Educational Program. Multiply the
48 district's total number of support units, carried out to the nearest
49 tenth, by the state distribution factor per support unit and to this
50 product add the approved amount of programs of the district provided in
51 subsection (2) of this section to secure the district's total allowance
52 for the educational support program.

1 Section 8 - 33-1002 (effective 7/1/15). This section saves money by
2 keeping the funding divisor 2.0 higher for grades 4-6 and by increasing
3 the funding divisor by a further 0.1 (for a total of 2.5) for grades 7-
4 12.

5
6 There are also amendments made to the list of statutory items in the
7 public schools budget. This reflects the new statutory programs that
8 will be required in public schools, including technology, dual credit
9 courses for qualifying students, increased math/science courses for
10 high school students, the provision of mobile computing devices for the
11 class entering 9th grade in Fall 2015, the support of these devices for
12 9th through 12th graders, and severance payments for certificated
13 employees let go in a September reduction in force, due to declining
14 enrollment. These programs are more than paid for by the adjustment in
15 the divisor.

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1 (c) District Share. The district's share of state apportionment is the
2 amount of the total district allowance, subsection (6)(b) of this
3 section.

4 (d) Adjustment of District Share. The contract salary of every
5 noncertificated teacher shall be subtracted from the district's share
6 as calculated from the provisions of subsection (6)(c) of this section.

7 (7) Property Tax Computation Ratio. In order to receive state
8 funds pursuant to this section a charter district shall utilize a
9 school maintenance and operation property tax computation ratio for the
10 purpose of calculating its maintenance and operation levy, that is no
11 greater than that which it utilized in tax year 1994, less four-tenths
12 of one percent (.4%). As used herein, the term "property tax
13 computation ratio" shall mean a ratio determined by dividing the
14 district's certified property tax maintenance and operation budget by
15 the actual or adjusted market value for assessment purposes as such
16 values existed on December 31, 1993. Such maintenance and operation
17 levy shall be based on the property tax computation ratio multiplied by
18 the actual or adjusted market value for assessment purposes as such
19 values existed on December 31 of the prior calendar year.

20
21 SECTION 8. That Section 33-1002, Idaho Code, be, and the same is
22 hereby amended to read as follows:

23
24 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support program
25 is calculated as follows:

26 (1) State Educational Support Funds. Add the state appropriation,
27 including the moneys available in the public school income fund,
28 together with all miscellaneous revenues to determine the total state
29 funds.

30 (2) From the total state funds subtract the following amounts
31 needed for state support of special programs provided by a school
32 district:

33 (a) Pupil tuition-equivalency allowances as provided in section 33-
34 1002B, Idaho Code;

35 (b) Transportation support program as provided in section 33-1006,
36 Idaho Code;

37 (c) Feasibility studies allowance as provided in section 33-1007A,
38 Idaho Code;

39 (d) The approved costs for border district allowance, provided in
40 section 33-1403, Idaho Code, as determined by the state superintendent
41 of public instruction;

42 (e) The approved costs for exceptional child approved contract
43 allowance, provided in subsection 2. of section 33-2004, Idaho Code, as
44 determined by the state superintendent of public instruction;

45 (f) Certain expectant and delivered mothers allowance as provided in
46 section 33-2006, Idaho Code;

47 (g) Salary-based apportionment calculated as provided in sections 33-
48 1004 through 33-1004F, Idaho Code;

49 (h) Unemployment insurance benefit payments according to the
50 provisions of section 72-1349A, Idaho Code;

51 (i) For ~~expenditure as provided by the public school technology~~
52 program, as provided in Section 33-1022, Idaho Code;

- 1 (j) For employee severance payments as provided in section [33-521](#),
 2 Idaho Code;
 3 (k) For distributions to the Idaho digital learning academy as
 4 provided in section [33-1020](#), Idaho Code;
 5 (l) For dual credit courses as provided in Section 33-1626, Idaho
 6 Code.
 7 (m) For additional math and science courses for high school students,
 8 as provided in Section 33-1021, Idaho Code.
 9 (n) For costs associated with the online course requirement, as
 10 provided in Section 33-1627, Idaho Code;
 11 (o) For certificated employee severance payment reimbursement, as
 12 provided pursuant to Section 33-515B, Idaho Code;
 13 (p) For pay for performance, hard to fill positions and leadership
 14 awards, as provided in Section 33-1004I, Idaho Code;
 15 (~~q~~) For the support of provisions that provide a safe environment
 16 conducive to student learning and maintain classroom discipline, an
 17 allocation of \$300 per support unit; and
 18 (~~r~~) Any additional amounts as required by statute to effect
 19 administrative adjustments or as specifically required by the
 20 provisions of any bill of appropriation;
 21 to secure the total educational support distribution funds.

22 (3) Average Daily Attendance. The total state average daily
 23 attendance shall be the sum of the average daily attendance of all of
 24 the school districts of the state. The state board of education shall
 25 establish rules setting forth the procedure to determine average daily
 26 attendance and the time for, and method of, submission of such report.
 27 Average daily attendance calculation shall be carried out to the
 28 nearest hundredth. Computation of average daily attendance shall also
 29 be governed by the provisions of section [33-1003A](#), Idaho Code.

30 (4) Support Units. The total state support units shall be
 31 determined by using the tables set out hereafter called computation of
 32 kindergarten support units, computation of primary support units,
 33 computation of elementary support units, computation of secondary
 34 support units, computation of exceptional education support units, and
 35 computation of alternative school secondary support units. The sum of
 36 all of the total support units of all school districts of the state
 37 shall be the total state support units.
 38

39 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Units Allowed
41 or more	40.....	1 or more as computed
31 - 40.99 ADA....	-.....	1
26 - 30.99 ADA....	-.....	.85
21 - 25.99 ADA....	-.....	.75
16 - 20.99 ADA....	-.....	.6
8 - 15.99 ADA....	-.....	.5
<u>.01 - 7.99 ADA....</u>	-.....	count as elementary <u>primary</u>

40
 41 COMPUTATION OF PRIMARY SUPPORT UNITS (GRADES 1-3)

<u>Average Daily</u>	<u>Minimum Units</u>
-	

<u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
<u>80 or more</u>		
<u>ADA.....</u>	<u>20.....</u>	<u>4.2</u>

<u>55 to 79.99 ADA...</u>	<u>19</u>	<u>3.4</u>
<u>35.5 to 54.99 ADA...</u>	<u>16</u>	<u>2.4</u>
<u>25.8 to 35.49 ADA...</u>	<u>15</u>	<u>2.0</u>
<u>16.8 to 25.79 ADA...</u>	<u>13</u>	<u>1.4</u>
<u>8.3 to 16.79 ADA...</u>	<u>12</u>	<u>0.7</u>
<u>.01 to 8.29 ADA...</u>	<u>n/a</u>	<u>0.5</u>

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COMPUTATION OF ELEMENTARY SUPPORT UNITS (GRADES 4-6)

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
300 <u>150</u> or more		
ADA.....	25.....	.. 156.8
	..23...grades 4,5 & 6....	
	..22...grades 1,2 & 3....1994-95	
	..21...grades 1,2 & 3....1995-96	
	..20...grades 1,2 & 3....1996-97	
	and each year thereafter.	
1680 to 29149.99	202	8.43.8
ADA..		
11055 to 1579.99 ADA...	1921	6.83.1
71.135.5 to 10954.99		
ADA...	168	4.72.1
51.725.8 to 71.035.49		
ADA...	157	4.01.7
33.616.8 to 51.625.79		
ADA...	135	2.81.2
16.68.3 to 33.516.79		
ADA...	124	1.40.6
1.01 to 16.58.29		
ADA...	n/a	1.0.5

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COMPUTATION OF SECONDARY SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
750 or more	18.5 <u>21</u>	<u>470.5</u>
400 - 749.99 ADA....	<u>168.5</u>	<u>283.5</u>
300 - 399.99 ADA....	14.5 <u>7</u>	<u>2218.7</u>
200 - 299.99 ADA....	13.5 <u>6</u>	<u>173.8</u>
100 - 199.99 ADA....	<u>124.5</u>	<u>98</u>
99.99 or fewer	Units allowed as follows:	
Grades 7-12	8
Grades 9-12	6
Grades 7-9	1 per 14 ADA
Grades 7- 8	1 per <u>168.2</u> ADA

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COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
<u>146.5</u> or more	<u>164.5</u>	1 or more as computed
123.7 - 13.99 <u>6.49</u>	1
89.4 - 113.96 <u>9</u>75
<u>4.6</u> - 79.93 <u>9</u>5
<u>.01</u> - 3.94 <u>.59</u>25

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COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
<u>124</u> or more.....	<u>124</u>	1 or more as computed

6

1 In applying these tables to any given separate attendance unit, no
2 school district shall receive less total money than it would receive if
3 it had a lesser average daily attendance in such separate attendance
4 unit. In applying the kindergarten table to a kindergarten program of
5 less days than a full school year, the support unit allowance shall be
6 in ratio to the number of days of a full school year. No school
7 district reporting any number of students in average daily attendance
8 for kindergarten through sixth grade shall receive less than one (1.0)
9 support unit for such. The tables for exceptional education and
10 alternative school secondary support units shall be applicable only for
11 programs approved by the state department of education following rules
12 established by the state board of education. Moneys generated from
13 computation of support units for alternative schools shall be utilized
14 for alternative school programs. School district administrative and
15 facility costs may be included as part of the alternative school
16 expenditures.

17 (5) State Distribution Factor per Support Unit. Divide
18 educational support program distribution funds, after subtracting the
19 amounts necessary to pay the obligations specified in subsection (2) of
20 this section, by the total state support units to secure the state
21 distribution factor per support unit.

22 (6) District Support Units. The number of support units for each
23 school district in the state shall be determined as follows:

24 (a) (i) Divide the actual average daily attendance, excluding
25 students approved for inclusion in the exceptional child educational
26 program, for the administrative schools and each of the separate
27 schools and attendance units by the appropriate divisor from the tables
28 of support units in this section, then add the quotients to obtain the
29 district's support units allowance for regular students, kindergarten
30 through grade 12 including alternative school secondary students.
31 Calculations in application of this subsection shall be carried out to
32 the nearest tenth.

33 (ii) Divide the combined totals of the average daily attendance of all
34 preschool, kindergarten, primary, elementary, secondary, juvenile
35 detention center students and students with disabilities approved for
36 inclusion in the exceptional child program of the district by the
37 appropriate divisor from the table for computation of exceptional
38 education support units to obtain the number of support units allowed
39 for the district's approved exceptional child program. Calculations for
40 this subsection shall be carried out to the nearest tenth when more
41 than one (1) unit is allowed.

42 (iii) The total number of support units of the district shall be the
43 sum of the total support units for regular students, subsection
44 (6)(a)(i) of this section, and the support units allowance for the
45 approved exceptional child program, subsection (6)(a)(ii) of this
46 section.

47 (b) Total District Allowance Educational Program. Multiply the
48 district's total number of support units, carried out to the nearest
49 tenth, by the state distribution factor per support unit and to this
50 product add the approved amount of programs of the district provided in
51 subsection (2) of this section to secure the district's total allowance
52 for the educational support program.

1 Section 9 - 33-1002A (effective 7/1/12). This section provides for a
2 way to split the average daily attendance (ADA) driven funding for dual
3 enrolled students, as well as a default methodology for paying the
4 content providers of online course. Currently, all of the ADA funding
5 for a student goes to the student's "home" school district or charter
6 school. That home district or charter is under no obligation to share
7 any funding with the provider of a dual enrollment course or an online
8 course. As a result, relatively few students are able to take
9 advantage of these other opportunities, with the exception of Idaho
10 Digital Learning Academy (IDLA) courses, which are heavily subsidized
11 by the state.

12
13 The default split for the fractional ADA associated with an online
14 course is $\frac{1}{3}^{\text{rd}}$ to the home district or charter, and $\frac{2}{3}^{\text{rd}}$ to the online
15 course provider. The $\frac{1}{3}^{\text{rd}}$ that is retained by the home district or
16 charter is meant to defray fixed costs and the cost of supervising any
17 students who are taking the online course while physically at their
18 home school. For example, if a student takes six classes - five from
19 their home school and one online course, then the state sends all ADA
20 funding to the home district or charter, but identifies the amount
21 associated with the $\frac{1}{6}^{\text{th}}$ fraction. The home district or charter then
22 remits $\frac{2}{3}^{\text{rd}}$ of the $\frac{1}{6}^{\text{th}}$ fraction to the content provider.

23
24 There are exceptions to this approach, which are outlined in this
25 section. The first exception (in subsection (1)(a)) is that when the
26 home district or charter has a contract in place with the online course
27 provider, then they simply pay whatever they have contracted to pay,
28 rather than $\frac{2}{3}^{\text{rd}}$ of the fraction.

29
30 The second exception (in subsection (1)(b)) states that if the home
31 district or charter has one or more contracts in place for the same
32 course (Algebra I, for example) that the student is taking from a non-
33 contracting online course provider, the home district only has to pay
34 the lesser of $\frac{2}{3}^{\text{rd}}$ of the fraction or the highest contracted price that
35 they have with a private provider for that course. Contracts that the
36 home district may have with school districts, public charter schools or
37 IDLA are excluded from establishing this benchmark price, since they
38 are all subsidized by the state.

39
40 The third exception (in subsection (1)(c)) provides that the home
41 district or charter does not have to share any fractional ADA with an
42 online course provider if that course represents an overload of courses
43 for that student. Essentially, the state will not slice the pie any
44 thinner than the maximum number of course periods that are available in
45 the student's school day. This will prevent a situation where a home
46 district or charter would be providing a full load of courses at the
47 school (and have the full costs that go with it), but would be forced
48 to peel off a portion of the funding for that student by providing
49 fractional ADA funding for the extra online classes that the student is
50 taking at home.

51
52 This section also provides a definition of an online course.

1 (c) District Share. The district's share of state apportionment is the
2 amount of the total district allowance, subsection (6)(b) of this
3 section.

4 (d) Adjustment of District Share. The contract salary of every
5 noncertificated teacher shall be subtracted from the district's share
6 as calculated from the provisions of subsection (6)(c) of this section.

7 (7) Property Tax Computation Ratio. In order to receive state
8 funds pursuant to this section a charter district shall utilize a
9 school maintenance and operation property tax computation ratio for the
10 purpose of calculating its maintenance and operation levy, that is no
11 greater than that which it utilized in tax year 1994, less four-tenths
12 of one percent (.4%). As used herein, the term "property tax
13 computation ratio" shall mean a ratio determined by dividing the
14 district's certified property tax maintenance and operation budget by
15 the actual or adjusted market value for assessment purposes as such
16 values existed on December 31, 1993. Such maintenance and operation
17 levy shall be based on the property tax computation ratio multiplied by
18 the actual or adjusted market value for assessment purposes as such
19 values existed on December 31 of the prior calendar year.
20

21 SECTION 9. That Chapter 5, Title 33, Idaho Code, be, and the same
22 is hereby amended by the addition thereto of a NEW SECTION, to be known
23 and designated as Section 33-1002A, Idaho Code, and to read as follows:
24

25 33-1002A. FRACTIONAL AVERAGE DAILY ATTENDANCE. (1) For students
26 attending school in more than one school district or public charter
27 school, or who are enrolled in one (1) or more online courses in which
28 the student's home school district or public charter school is not the
29 content provider, attendance shall be counted and divided based on the
30 portion of the student's daily attendance time that is spent in
31 attendance at each school district, public charter school, or online
32 course. This provision shall not apply to:

33 (a) An online courses in which the school district or public charter
34 school has a contract in place for the provision of online courses.

35 (b) An online course in which the school district or public charter
36 school has a contract in place for the same course with one or more
37 private providers, in which the highest such contracted course cost is
38 less than the amount that would be paid by the school district or
39 public charter school pursuant to subsection (2) of this section. In
40 such instances, the school district or public charter school shall pay
41 the private provider an amount equal to the highest contracted course
42 cost for such class. For the purposes of this subsection, the term
43 "private provider" shall be any provider of online course content and
44 instruction except a public school district, a public charter school, a
45 public institution of postsecondary education, or the Idaho Digital
46 Learning Academy.

47 (c) Any online course which causes the total number of courses in which
48 a student is enrolled to exceed the maximum number of periods of
49 instruction offered at the school in which the student is enrolled. If
50 a student is enrolled in multiple online courses and one or more online
51 course falls within this limitation and one or more fall beyond it,
52 then the most expensive courses shall be subject to fractional average

1 Section 10 - 33-1002C (effective 7/1/11). This section saves money by
2 increasing the funding divisor for alternative secondary summer schools
3 and students in juvenile detention facilities from 40.0 to 42.5.
4

5 Section 11 - 33-1002C (effective 7/1/12). This section saves money by
6 increasing the funding divisor for alternative secondary summer schools
7 and students in juvenile detention facilities to 45.0.
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1 daily attendance. School districts and public charter schools may
2 choose to pay for any online courses that fall beyond the limitation of
3 this subsection (1)(c), at their discretion. The parents or guardians
4 of students shall be responsible for paying the cost of any online
5 courses in which the student is enrolled beyond the limitation of this
6 subsection (1)(c), unless such cost has been paid by the student's
7 school district or public charter school.

8 (2) For online courses subject to fractional counting and division, the
9 average daily attendance shall be counted and funded as part of the
10 student's home school district or public charter school attendance.
11 However, the state department of education shall identify the fraction
12 attributable to such attendance for each student, and furnish the home
13 school district or public charter school with a dollar amount of
14 funding attributable to each such fraction. The home school district
15 or public charter school shall then remit two-thirds of such amount to
16 each online course content provider.

17 (3) For the purposes of this section, the term "online course" means a
18 course which delivers a sequential program of synchronous and/or
19 asynchronous instruction primarily through the use of technology, in
20 which the instructor is not physically located at the school or place
21 in which the student is receiving instruction.

22
23 SECTION 10. That Section 33-1002C, Idaho Code, be, and the same
24 is hereby amended to read as follows:
25

26 33-1002C.SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SECONDARY
27 SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary summer
28 school programs of not less than two hundred twenty-five (225) hours of
29 instruction, which shall be included in the educational support units
30 calculated as provided in section [33-1002](#), Idaho Code, may be
31 established as approved by the state board of education. The average
32 daily attendance divided by forty-two and a half (42.5) shall
33 determine the number of allowable support units which shall be included
34 in the alternative school secondary support units calculated for the
35 school district for the succeeding school term.

36 (2) Districts which educate pupils placed by court order in a
37 juvenile detention facility may establish a summer school program which
38 shall be included in the educational support units calculated as
39 provided in section [33-1002](#), Idaho Code. The average daily attendance
40 divided by forty-two and a half (42.5) shall determine the number of
41 allowable support units which shall be included in the exceptional
42 education school support units calculated for the school district for
43 the succeeding school term.

44 (3) Average daily attendance and the support units so generated
45 by this section shall not be included in or subject to the provisions
46 of section [33-1003](#), Idaho Code, and shall be included as an addition to
47 any other support units generated pursuant to Idaho Code.
48

49 SECTION 11. That Section 33-1002C, Idaho Code, be, and the same
50 is hereby amended to read as follows:
51
52

1 Section 12 - 33-1002C (effective 7/1/13). This section saves money by
2 increasing the funding divisor for alternative secondary summer schools
3 and students in juvenile detention facilities to 47.5.
4

5 Section 13 - 33-1002C (effective 7/1/14). This section saves money by
6 increasing the funding divisor for alternative secondary summer schools
7 and students in juvenile detention facilities to 50.0.
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1 33-1002C.SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SECONDARY
2 SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary summer
3 school programs of not less than two hundred twenty-five (225) hours of
4 instruction, which shall be included in the educational support units
5 calculated as provided in section [33-1002](#), Idaho Code, may be
6 established as approved by the state board of education. The average
7 daily attendance divided by forty-five (405) shall determine the number
8 of allowable support units which shall be included in the alternative
9 school secondary support units calculated for the school district for
10 the succeeding school term.

11 (2) Districts which educate pupils placed by court order in a
12 juvenile detention facility may establish a summer school program which
13 shall be included in the educational support units calculated as
14 provided in section [33-1002](#), Idaho Code. The average daily attendance
15 divided by forty-five (405) shall determine the number of allowable
16 support units which shall be included in the exceptional education
17 school support units calculated for the school district for the
18 succeeding school term.

19 (3) Average daily attendance and the support units so generated
20 by this section shall not be included in or subject to the provisions
21 of section [33-1003](#), Idaho Code, and shall be included as an addition to
22 any other support units generated pursuant to Idaho Code.

23
24 SECTION 12. That Section 33-1002C, Idaho Code, be, and the same
25 is hereby amended to read as follows:

26
27 33-1002C.SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SECONDARY
28 SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary summer
29 school programs of not less than two hundred twenty-five (225) hours of
30 instruction, which shall be included in the educational support units
31 calculated as provided in section [33-1002](#), Idaho Code, may be
32 established as approved by the state board of education. The average
33 daily attendance divided by forty-seven and a half (407.5) shall
34 determine the number of allowable support units which shall be included
35 in the alternative school secondary support units calculated for the
36 school district for the succeeding school term.

37 (2) Districts which educate pupils placed by court order in a
38 juvenile detention facility may establish a summer school program which
39 shall be included in the educational support units calculated as
40 provided in section [33-1002](#), Idaho Code. The average daily attendance
41 divided by forty-seven and a half (407.5) shall determine the number of
42 allowable support units which shall be included in the exceptional
43 education school support units calculated for the school district for
44 the succeeding school term.

45 (3) Average daily attendance and the support units so generated
46 by this section shall not be included in or subject to the provisions
47 of section [33-1003](#), Idaho Code, and shall be included as an addition to
48 any other support units generated pursuant to Idaho Code.

49
50 SECTION 13. That Section 33-1002C, Idaho Code, be, and the same
51 is hereby amended to read as follows:

1 Section 14 - 33-1004 (effective 7/1/11). This section increases each
2 school district's exemption from the state's "use it or lose it"
3 requirement for instructional staff positions, from 5% to 15%. The
4 funding still must go towards paying for instruction (in this case,
5 defraying the cost of online courses). However, it allows that
6 instruction to be provided by an online instructor who is not an actual
7 employee of the district.

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1 33-1002C.SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SECONDARY
2 SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary summer
3 school programs of not less than two hundred twenty-five (225) hours of
4 instruction, which shall be included in the educational support units
5 calculated as provided in section [33-1002](#), Idaho Code, may be
6 established as approved by the state board of education. The average
7 daily attendance divided by ~~forty~~ fifty (540) shall determine the
8 number of allowable support units which shall be included in the
9 alternative school secondary support units calculated for the school
10 district for the succeeding school term.

11 (2) Districts which educate pupils placed by court order in a
12 juvenile detention facility may establish a summer school program which
13 shall be included in the educational support units calculated as
14 provided in section [33-1002](#), Idaho Code. The average daily attendance
15 divided by ~~forty~~ fifty (540) shall determine the number of allowable
16 support units which shall be included in the exceptional education
17 school support units calculated for the school district for the
18 succeeding school term.

19 (3) Average daily attendance and the support units so generated
20 by this section shall not be included in or subject to the provisions
21 of section [33-1003](#), Idaho Code, and shall be included as an addition to
22 any other support units generated pursuant to Idaho Code.

23
24 SECTION 14. That Section 33-1004, Idaho Code, be, and the same is
25 hereby amended to read as follows:

26
27 33-1004. STAFF ALLOWANCE. For each school district, a staff allowance
28 shall be determined as follows:

29 (1) Using the daily attendance reports that have been submitted
30 for computing the February 15 apportionment of state funds as provided
31 in section [33-1009](#), Idaho Code, determine the total support units for
32 the district in the manner provided in section [33-1002](#)(6)(a), Idaho
33 Code;

34 (2) Determine the instructional staff allowance by multiplying
35 the support units by 1.1. A district must demonstrate that it actually
36 employs the number of certificated instructional staff allowed, except
37 as provided in subsection (5)(f) and (g) of this section. If the
38 district does not employ the number allowed, the staff allowance shall
39 be reduced to the actual number employed, except as provided in
40 subsection (5)(f) and (g) of this section;

41 (3) Determine the administrative staff allowance by multiplying
42 the support units by .075;

43 (4) Determine the classified staff allowance by multiplying the
44 support units by .375;

45 (5) Additional conditions governing staff allowance:

46 (a) In determining the number of staff in subsections (2), (3) and (4)
47 of this section, a district may contract separately for services to be
48 rendered by nondistrict employees and such employees may be counted in
49 the staff allowance. A "nondistrict employee" means a person for whom
50 the school district does not pay the employer's obligations for
51 employee benefits. When a district contracts for the services of a
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1 nondistrict employee, only the salary portion of the contract shall be
2 allowable for computations.

3 (b) If there are circumstances preventing eligible use of staff
4 allowance to which a district is entitled as provided in subsections
5 (2) and (3) of this section, an appeal may be filed with the state
6 department of education outlining the reasons and proposed alternative
7 use of these funds, and a waiver may be granted.

8 (c) For any district with less than forty (40) support units:

9 (i) The instructional staff allowance shall be calculated applying
10 the actual number of support units. If the actual instructional staff
11 employed in the school year is greater than the instructional staff
12 allowance, then the instructional staff allowance shall be increased by
13 one-half (1/2) staff allowance; and

14 (ii) The administrative staff allowance shall be calculated applying
15 the actual number of support units. If the actual administrative staff
16 employed in the school year is greater than the administrative staff
17 allowance, then the administrative staff allowance shall be increased
18 by one-half (1/2) staff allowance.

19 (iii) Additionally, for any district with less than twenty (20) support
20 units, the instructional staff allowance shall be calculated applying
21 the actual number of support units. If the number of instructional
22 staff employed in the school year is greater than the instructional
23 staff allowance, the staff allowance shall be increased as provided in
24 paragraphs (i) and (ii) of this subsection, and by an additional one-
25 half (1/2) instructional staff allowance.

26 (d) For any school district with one (1) or more separate secondary
27 schools serving grades nine (9) through twelve (12), the instructional
28 staff allowance shall be increased by two (2) additional instructional
29 staff allowances for each such separate secondary school.

30 (e) Only instructional, administrative and classified personnel
31 compensated by the school district from the general maintenance and
32 operation fund of the district shall be included in the calculation of
33 staff allowance or in any other calculations based upon staff,
34 including determination of the experience and education multiplier, the
35 reporting requirements, or the district's salary-based apportionment
36 calculation. No food service staff or transportation staff shall be
37 included in the staff allowance.

38 (f) A district may utilize up to ~~fifteen~~ fifteen percent (15%) of the
39 moneys associated with positions funded pursuant to subsection (2) of
40 this section to defray the cost of providing virtual education
41 coursework, including virtual dual credit coursework, without a
42 reduction in the number of funded positions being imposed.

43 (g) For the period July 1, 2009, through June 30, 2011, only, a
44 district may shift up to five percent (5%) of the positions funded
45 pursuant to subsection (2) of this section to federal funds, without a
46 reduction in the number of funded positions being imposed.

47 (6) In the event that the staff allowance in any category is
48 insufficient to meet accreditation standards, a district may appeal to
49 the state board of education, demonstrating the insufficiency, and the
50 state board may grant a waiver authorizing sufficient additional staff
51 to be included within the staff allowance to meet accreditation
52

1 Section 15 - 33-1004A (effective 7/1/11). This section begins the
2 process of unfreezing the public school certificated employee salary
3 grid. Over the last two years, two years of experience has been
4 frozen, and one year of education. This section removes one of the two
5 years of experience freeze in FY12. This essentially allows teachers
6 to begin catching up by moving two years forward on the grid in FY12
7 (the one year they would move normally for having taught another year,
8 and one year's worth of "unfreezing").
9

10 This section also allows teachers to receive the benefits of
11 transcribed credits for successfully completing the Mathematical
12 Thinking for Instruction course (which is part of the Math Initiative)
13 without the state having to continue paying for the credits.
14

15 This section also rolls the one year of education grid freeze forward
16 by one year. Essentially, teachers did not get to count education
17 credits earned in FY10 as part of their FY11 placement on the grid.
18 This change rolls that freeze forward a year. Teachers will now get
19 credit in FY12 for the credits that they earned in FY10 (and were
20 previously frozen). However, they will not get credit for their FY11
21 credits in FY12.
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standards. Such a waiver shall be limited to one (1) year, but may be renewed upon showing of continuing justification.

SECTION 15. That Section 33-1004A, Idaho Code, be, and the same is hereby amended to read as follows:

33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. Each instructional and administrative staff position shall be assigned an appropriate multiplier based upon the following table:

Years	EXPERIENCE AND EDUCATION						
	BA	BA + 12	BA + 24	MA	MA + 12	MA + 24	MA + 36
0	1.00000	1.03750	1.07640	BA + 36	BA + 48	BA + 60	ES/DR
1	1.03750	1.07640	1.11680	1.11680	1.15870	1.20220	1.24730
2	1.07640	1.11680	1.15870	1.15870	1.20220	1.24730	1.29410
3	1.11680	1.15870	1.20220	1.20220	1.24730	1.29410	1.34260
4	1.15870	1.20220	1.24730	1.24730	1.29410	1.34260	1.39290
5	1.20220	1.24730	1.29410	1.29410	1.34260	1.39290	1.44510
6	1.24730	1.29410	1.34260	1.34260	1.39290	1.44510	1.49930
7	1.29410	1.34260	1.39290	1.39290	1.44510	1.49930	1.55550
8	1.34260	1.39290	1.44510	1.44510	1.49930	1.55550	1.61380
9	1.39290	1.44510	1.49930	1.49930	1.55550	1.61380	1.67430
10	1.39290	1.49930	1.55550	1.55550	1.61380	1.67430	1.73710
11	1.39290	1.49930	1.55550	1.61380	1.67430	1.73710	1.80220
12	1.39290	1.49930	1.55550	1.61380	1.73710	1.80220	1.86980
13 or more	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	1.93990
							2.01260

In determining the experience factor, the actual years of teaching or administrative service in a public school, in an accredited private or parochial school, or beginning in the 2005-06 school year and thereafter in an accredited college or university shall be credited, minus ~~two~~ (2) one (1); provided however, that the experience factor cannot be less than zero (0).

In determining the education factor, only credits earned after initial certification, based upon a transcript on file with the teacher certification office of the state department of education, earned at an institution of higher education accredited by the state board of education or a regional accrediting association, shall be allowed. Provided, however, that successful completion of a state-approved mathematical thinking for instruction course shall be counted as transcribed credit. Instructional staff whose initial certificate is an occupational specialist certificate shall be treated as BA degree prepared instructional staff. Credits earned by such occupational specialist instructional staff after initial certification shall be credited toward the education factor. For the time period July 1, 2010~~1~~, through June 30, 2011~~2~~, instructional and administrative staff shall not advance on the education portion of the multiplier table.

In determining the statewide average multiplier for instructional staff, no multiplier in excess of 1.59092 shall be used. If the actual statewide average multiplier for instructional staff, as determined by

1 Section 16 - 33-1004A (effective 7/1/12). This section continues the
2 process of unfreezing the public school certificated employee salary
3 grid. Over the last two years, two years of experience has been
4 frozen, and one year of education. This section continues with the
5 removal of one year of experience freeze, as enacted in Section 15.
6

7 This section also continues with Section 15's provision allowing
8 teachers to receive the benefits of transcribed credits for
9 successfully completing the Mathematical Thinking for Instruction
10 course (which is part of the Math Initiative) without the state having
11 to continue paying for the credits.
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13 This section also eliminates the freeze in education credits, bringing
14 the grid to current for education.
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1 this section, exceeds 1.59092, then each school district's
 2 instructional staff multiplier shall be multiplied by the result of
 3 1.59092 divided by the actual statewide average multiplier for
 4 instructional staff.

5 In determining the statewide average multiplier for administrative
 6 staff, no multiplier in excess of 1.86643 shall be used. If the actual
 7 statewide average multiplier for administrative staff, as determined by
 8 this section, exceeds 1.86643, then each school district's
 9 administrative staff multiplier shall be multiplied by the result of
 10 1.86643 divided by the actual statewide average multiplier for
 11 administrative staff.

12
 13 SECTION 16. That Section 33-1004A, Idaho Code, be, and the same
 14 is hereby amended to read as follows:
 15

16 33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. Each instructional and
 17 administrative staff position shall be assigned an appropriate
 18 multiplier based upon the following table:
 19

EXPERIENCE AND EDUCATION							
	BA	BA + 12	BA + 24	MA	MA + 12	MA + 24	MA + 36
Years	BA	BA + 12	BA + 24	BA + 36	BA + 48	BA + 60	ES/DR
0	1.00000	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730
1	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410
2	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260
3	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290
4	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510
5	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930
6	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550
7	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380
8	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430
9	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430	1.73710
10	1.39290	1.49930	1.55550	1.61380	1.67430	1.73710	1.80220
11	1.39290	1.49930	1.55550	1.61380	1.73710	1.80220	1.86980
12	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	1.93990
13 or more	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	2.01260

20
 21 In determining the experience factor, the actual years of teaching
 22 or administrative service in a public school, in an accredited private
 23 or parochial school, or beginning in the 2005-06 school year and
 24 thereafter in an accredited college or university shall be credited,
 25 minus ~~two (2)~~ one (1); provided however, that the experience factor
 26 cannot be less than zero (0).

27 In determining the education factor, only credits earned after
 28 initial certification, based upon a transcript on file with the teacher
 29 certification office of the state department of education, earned at an
 30 institution of higher education accredited by the state board of
 31 education or a regional accrediting association, shall be allowed.
 32 Provided, however, that successful completion of a state-approved
 33 mathematical thinking for instruction course shall be counted as
 34 transcripted credit. Instructional staff whose initial certificate is

1 Section 17 - 33-1004A (effective 7/1/13). This section completes the
2 elimination of all past freezes to the salary grid. Over the last two
3 years, two years of experience has been frozen, and one year of
4 education. This section brings the grid fully current.

5
6 This section also continues with Section 15 and 16's provision allowing
7 teachers to receive the benefits of transcribed credits for
8 successfully completing the Mathematical Thinking for Instruction
9 course (which is part of the Math Initiative) without the state having
10 to continue paying for the credits.

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1 an occupational specialist certificate shall be treated as BA degree
 2 prepared instructional staff. Credits earned by such occupational
 3 specialist instructional staff after initial certification shall be
 4 credited toward the education factor. ~~For the time period July 1, 2010,~~
 5 ~~through June 30, 2011, instructional and administrative staff shall not~~
 6 ~~advance on the education portion of the multiplier table.~~

7 In determining the statewide average multiplier for instructional
 8 staff, no multiplier in excess of 1.59092 shall be used. If the actual
 9 statewide average multiplier for instructional staff, as determined by
 10 this section, exceeds 1.59092, then each school district's
 11 instructional staff multiplier shall be multiplied by the result of
 12 1.59092 divided by the actual statewide average multiplier for
 13 instructional staff.

14 In determining the statewide average multiplier for administrative
 15 staff, no multiplier in excess of 1.86643 shall be used. If the actual
 16 statewide average multiplier for administrative staff, as determined by
 17 this section, exceeds 1.86643, then each school district's
 18 administrative staff multiplier shall be multiplied by the result of
 19 1.86643 divided by the actual statewide average multiplier for
 20 administrative staff.

21
 22 SECTION 17. That Section 33-1004A, Idaho Code, be, and the same
 23 is hereby amended to read as follows:
 24

25 33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. Each instructional and
 26 administrative staff position shall be assigned an appropriate
 27 multiplier based upon the following table:
 28

EXPERIENCE AND EDUCATION							
Years	BA	BA + 12	BA + 24	MA	MA + 12	MA + 24	MA + 36
0	1.00000	1.03750	1.07640	1.11680	1.15870	1.20220	ES/DR
1	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410
2	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260
3	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290
4	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510
5	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930
6	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550
7	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380
8	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430
9	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430	1.73710
10	1.39290	1.49930	1.55550	1.61380	1.67430	1.73710	1.80220
11	1.39290	1.49930	1.55550	1.61380	1.73710	1.80220	1.86980
12	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	1.93990
13 or more	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	2.01260

29
 30 In determining the experience factor, the actual years of teaching
 31 or administrative service in a public school, in an accredited private
 32 or parochial school, or beginning in the 2005-06 school year and
 33 thereafter in an accredited college or university shall be credited,
 34

1 Section 18 - 33-1004E (effective 7/1/11). This section increases the
2 minimum teacher salary from \$29,655 to \$30,000, beginning in FY12.

3
4 This section also eliminates the requirement to provide \$2,000 annual
5 bonuses for five years for every teacher earning national board
6 certification. However, there is also a requirement in Section 20 (pay
7 for performance - leadership awards) that requires school districts to
8 use their Leadership Award money to finish paying out any teachers who
9 have already qualified for these awards. In addition, earning national
10 board certification is one of the items for which school boards can
11 make leadership awards, at their discretion.

12
13 In addition, this section eliminates several sentences of old language
14 that pertained only to FY95 and FY96.

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1 ~~minus two (2); provided however, that the experience factor cannot be~~
2 ~~less than zero (0).~~

3 In determining the education factor, only credits earned after
4 initial certification, based upon a transcript on file with the teacher
5 certification office of the state department of education, earned at an
6 institution of higher education accredited by the state board of
7 education or a regional accrediting association, shall be allowed.
8 Provided, however, that successful completion of a state-approved
9 mathematical thinking for instruction course shall be counted as
10 transcripted credit. Instructional staff whose initial certificate is
11 an occupational specialist certificate shall be treated as BA degree
12 prepared instructional staff. Credits earned by such occupational
13 specialist instructional staff after initial certification shall be
14 credited toward the education factor. ~~For the time period July 1, 2010,~~
15 ~~through June 30, 2011, instructional and administrative staff shall not~~
16 ~~advance on the education portion of the multiplier table.~~

17 In determining the statewide average multiplier for instructional
18 staff, no multiplier in excess of 1.59092 shall be used. If the actual
19 statewide average multiplier for instructional staff, as determined by
20 this section, exceeds 1.59092, then each school district's
21 instructional staff multiplier shall be multiplied by the result of
22 1.59092 divided by the actual statewide average multiplier for
23 instructional staff.

24 In determining the statewide average multiplier for administrative
25 staff, no multiplier in excess of 1.86643 shall be used. If the actual
26 statewide average multiplier for administrative staff, as determined by
27 this section, exceeds 1.86643, then each school district's
28 administrative staff multiplier shall be multiplied by the result of
29 1.86643 divided by the actual statewide average multiplier for
30 administrative staff.

31
32 SECTION 18. That Section 33-1004E, Idaho Code, be, and the same
33 is hereby amended to read as follows:

34
35 33-1004E. DISTRICT'S SALARY-BASED APPORTIONMENT. Each district shall
36 be entitled to a salary-based apportionment calculated as provided in
37 this section.

38 1. To determine the apportionment for instructional staff, first
39 determine the district average experience and education index by
40 placing all eligible district certificated instructional employees on
41 the statewide index provided in section [33-1004A](#), Idaho Code. The
42 resulting average is the district index. ~~Districts with an index above~~
43 ~~the state average index shall receive their actual index but not more~~
44 ~~than the state average plus .03 for the 1994-95 school year, and shall~~
45 ~~receive their actual index but not more than the state average plus .06~~
46 ~~for the 1995-96 school year, and thereafter shall receive their actual~~
47 ~~district index.~~ The district instructional staff index shall be
48 multiplied by the instructional base salary of \$23,565. The amount so
49 determined shall be multiplied by the district staff allowance for
50 instructional staff determined as provided in section [33-1004\(2\)](#), Idaho
51 Code. The instructional salary allocation shall be further increased by
52 the amount necessary for each full-time equivalent instructional staff

1 Section 19 - 33-1004F (effective 7/1/12). This section requires the
2 state to furnish the normal state-paid employee benefits associated
3 with salary payments for any pay for performance awards (employer PERSI
4 and FICA costs). This is consistent with how all other state-supplied
5 public school employee salary funds are treated.
6

7 In addition, this section eliminates a paragraph of old language that
8 pertained only to FY95 and FY96.
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1 member placed on the experience and education index to be allocated at
2 least the minimum salary mandated by this section. Full-time
3 instructional staff salaries shall be determined from a salary schedule
4 developed by each district and submitted to the state department of
5 education. No full-time instructional staff member shall be paid less
6 than ~~\$29,655~~ \$30,000. ~~If an instructional staff member has been~~
7 ~~certified by the national board for professional teaching standards,~~
8 ~~the staff member shall be designated as a master teacher and receive~~
9 ~~\$2,000 per year for five (5) years. The instructional salary shall be~~
10 ~~increased by \$2,000 for each master teacher provided however, that no~~
11 ~~such awards shall be paid for the period July 1, 2010, through June 30,~~
12 ~~2011, nor shall any liabilities accrue or payments be made pursuant to~~
13 ~~this section in the future to any individuals who would have otherwise~~
14 ~~qualified for a payment during this stated time period. The resulting~~
15 ~~amount is the district's salary-based apportionment for instructional~~
16 ~~staff. For purposes of this section, teachers qualifying for the salary~~
17 ~~increase as master teacher shall be those who have been recognized as~~
18 ~~national board certified teachers as of July 1 of each year.~~

19 2. To determine the apportionment for district administrative
20 staff, first determine the district average experience and education
21 index by placing all eligible certificated administrative employees on
22 the statewide index provided in section [33-1004A](#), Idaho Code. The
23 resulting average is the district index. ~~Districts with an index above~~
24 ~~the state average index shall receive their actual index but not more~~
25 ~~than the state average plus .03 for the school year 1994-95, and shall~~
26 ~~receive their actual index but not more than the state average index~~
27 ~~plus .06 for the 1995-96 school year, and thereafter shall receive~~
28 ~~their actual district index. The district administrative staff index~~
29 ~~shall be multiplied by the base salary of \$32,441. The amount so~~
30 ~~determined shall be multiplied by the district staff allowance for~~
31 ~~administrative staff determined as provided in section [33-1004](#)(3),~~
32 ~~Idaho Code. The resulting amount is the district's salary-based~~
33 ~~apportionment for administrative staff.~~

34 3. To determine the apportionment for classified staff, multiply
35 \$19,041 by the district classified staff allowance determined as
36 provided in section [33-1004](#)(4), Idaho Code. The amount so determined is
37 the district's apportionment for classified staff.

38 4. The district's salary-based apportionment shall be the sum of
39 the apportionments calculated in subsections 1., 2. and 3., of this
40 section, plus the benefit apportionment as provided in section [33-](#)
41 [1004F](#), Idaho Code.

42
43 SECTION 19. That Section [33-1004F](#), Idaho Code, be, and the same
44 is hereby amended to read as follows:
45

46 [33-1004F.OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS.](#) ~~1-~~
47 ~~Based upon the actual salary-based apportionment, as determined in~~
48 ~~section [33-1004E](#), Idaho Code, plus distributions made pursuant to~~
49 ~~Section [33-1004I](#), Idaho Code, there shall be allocated that amount~~
50 ~~required to meet the employer's obligations to the public employee~~
51 ~~retirement system and to social security.~~
52

1 Section 20 - 33-1004I (effective 7/1/12). This is the new pay for
2 performance program for Idaho public schools, which will begin awarding
3 bonuses in FY13. The first and largest component is awards based on
4 student achievement. This component includes a blend of state goals,
5 which are based on the Idaho Standards Achievement Test (ISAT), and
6 local goals, which are established by each local board of trustees.

7
8 Student achievement measurements are based on the performance of teams.
9 In the case of the state goals, it is based on the performance of the
10 whole school. In the case of the local goals, it is based on the
11 performance of teams of teachers and other certificated employees.
12 Teams could include whole schools, grade groupings within elementary
13 schools, subject/department groupings within secondary schools, all
14 school counselors, etc.

15
16 Each team must at least meet certain minimum benchmarks for both state
17 and local goals in order to receive a performance bonus. This ensures
18 that teachers will be evaluated on multiple measures.

19
20 Beginning in FY14, school districts will also have the ability to give
21 bonuses for those teaching in hard to fill positions and those taking
22 on additional leadership responsibilities.

23
24 School boards will be able to designate up to 10% of their staff as
25 teaching in hard to fill positions, and provide annual bonuses to their
26 staff who teach in those areas. Examples could include math teachers,
27 science teachers, music teachers, special education teachers,
28 speech/language pathologists, etc.

29
30 School boards would have the ability to vary these awards between
31 different areas. For example, they could award a \$1,000 bonus for math
32 teachers, and a \$2,000 award for speech/language pathologists.
33 However, they could not vary the award within the individuals receiving
34 awards for a particular area. For example, they could not give \$500 to
35 one math teacher and \$1,500 to another. Teachers have to be actually
36 providing service in the area of award in order to receive the bonus.
37 For example, the teacher with an endorsement in both math and English
38 could not receive a hard to fill position award for math if they were
39 only teaching English classes. Hard to fill position awards are not
40 just for new hires, but for anyone who is providing service within the
41 designated areas.

42
43 School boards can also provide leadership awards to up to 25% of their
44 teaching staff. These could include awards for any of the items listed
45 under subsection (4)(a) of Section 20. Those receiving awards would be
46 required to perform additional work above and beyond their normal,
47 contracted teaching duties.

48
49 School boards would also have full flexibility to move money between
50 the hard to fill positions and leadership awards categories, meaning
51 that up to 35% of staff could receive awards under one category or the
52 other.

1 ~~2. If a district's qualifying salaries total more than the~~
2 ~~district's salary-based apportionment, there shall be allocated an~~
3 ~~additional amount to meet the employer's obligation to the public~~
4 ~~employee retirement system and to social security equal to two thirds~~
5 ~~(2/3) of the additional obligation for the school year 1994-95. If a~~
6 ~~district's qualifying salaries total more than the district's salary-~~
7 ~~based apportionment, there shall be allocated an additional amount to~~
8 ~~meet the employer's obligation to the public employee retirement system~~
9 ~~and to social security equal to one third (1/3) of the additional~~
10 ~~obligation for the school year 1995-96. Thereafter, the benefit~~
11 ~~allocation shall be based solely upon the provisions of subsection 1.~~
12 ~~of this section.~~

13
14 SECTION 20. That Chapter 5, Title 33, Idaho Code, be, and the
15 same is hereby amended by the addition thereto of a NEW SECTION, to be
16 known and designated as Section 33-1004I, Idaho Code, and to read as
17 follows:
18

19 33-1004I. PAY FOR PERFORMANCE - HARD TO FILL POSITIONS - LEADERSHIP
20 AWARDS. (1) In addition to the moneys provided pursuant to the
21 calculations for salary-based apportionment, the following amounts
22 shall be distributed and paid, from the moneys appropriated to the
23 educational support program, subject to the criteria contained in this
24 section:

25 (a) For fiscal year 2013, an amount equal to twenty-three
26 hundred and sixty-four dollars (\$2,364) per statewide
27 support unit shall be distributed pursuant to subsection (2)
28 of this section.

29 (b) For fiscal year 2014, an amount equal to thirty-one
30 hundred and eighty dollars (\$3,180) per statewide support
31 unit shall be distributed pursuant to subsections (2), (3)
32 and (4) of this section, in the following proportions:

33 (i) Seventy-four and one-tenth percent (74.1%) pursuant
34 to subsection (2) of this section;

35 (ii) Seven and four-tenths percent (7.4%) pursuant to
36 subsection (3) of this section;

37 (iii) Eighteen and one-half percent (18.5%) pursuant to
38 subsection (4) of this section.

39 (c) For fiscal year 2015 and each fiscal year thereafter, an
40 amount equal to thirty-one hundred and eighty dollars
41 (\$3,180) per statewide support unit shall be distributed
42 pursuant to subsections (2), (3) and (4) of this section,
43 plus fifty percent (50%) of any moneys appropriated for
44 increased pay for certificated staff beyond the amount
45 needed to fund the base and minimum instructional salaries,
46 pursuant to Section 33-1004E, Idaho Code, that were in
47 effect during Fiscal Year 2009. Such distributions made
48 pursuant to subsections (2), (3) and (4) of this section
49 shall be made according to the allocations established in
50 subsection (1)(b) of this section.

51 (d) The provision in subsection (1)(c) of this section that
52 directs that fifty percent (50%) of certain moneys be

1 distributed pursuant to subsections (2), (3) and (4) of this
2 section shall be effective until such time as fifteen
3 percent (15%) of the total moneys appropriated for
4 certificated staff salaries are being distributed pursuant
5 to this section. After this allocation is attained, fifteen
6 percent (15%) of the total moneys appropriated for
7 certificated staff salaries shall be distributed pursuant to
8 subsections (2), (3) and (4) of this section. Such
9 distributions made pursuant to subsections (2), (3) and (4)
10 of this section shall be made according to the allocations
11 established in subsection (1)(b) of this section.

12 (e) For the purposes of this subsection (1), the term
13 "statewide support units" shall mean the total number of
14 support units calculated for the purposes of distributing
15 salary-based apportionment in the prior fiscal year.

16 (f) In the event of a reduction in the moneys appropriated for
17 certificated staff salaries, the calculations established
18 pursuant to subsections (1)(b) through (1)(d) of this
19 section shall be performed in reverse.

20 (2) Share-based pay for performance bonuses for student achievement
21 growth and excellence.

22 (a) Certificated employees shall be awarded state shares based on the
23 performance of whole schools.

24 (i) Growth -- Utilizing a state longitudinal data system for
25 students, the state department of education shall develop a system for
26 measuring individual student growth. Such system shall compare spring
27 student scores on the state-mandated summative achievement tests
28 ("spring test") from one year to the next, and establish percentile
29 rankings for individual student growth by comparing students with an
30 identical spring test score in the previous year with each other in the
31 current year. A separate growth percentile shall be established for
32 each student for each subject in which the spring test is given in
33 consecutive grades. The median student growth percentile, based on
34 measuring all eligible students, shall be the growth score for each
35 school. All certificated employees at a school with a median growth
36 score in the following ranked quartiles shall be awarded state shares
37 as follows:

38
39

	<u>Instructional</u>	<u>Administrative</u>
40 1 st Highest Quartile	1.00 shares	2.00 shares
41 2 nd Highest Quartile	0.50 shares	1.00 shares
42 3 rd Highest Quartile	0.25 shares	0.50 shares
43 4 th Highest Quartile	0.00 shares	0.00 shares

44

45 (ii) Excellence - The state department of education shall develop
46 a system for comparing and ranking school spring test scores based on
47 standardized scores, utilizing all grades and subjects tested. Based
48 on each school's median standardized score, all certificated employees
49 a school in the following ranked quartiles shall be awarded state
50 shares as follows:

51
52 Instructional Administrative

1	1 st Highest Quartile	0.50 shares	1.00 shares
2	2 nd Highest Quartile	0.25 shares	0.50 shares
3	3 rd Highest Quartile	0.00 shares	0.00 shares
4	4 th Highest Quartile	0.00 shares	0.00 shares

5
6 (iii) No certificated instructional employee shall receive more
7 than one (1.00) share, the results of the quartile award tables for
8 growth and excellence notwithstanding. No certificated administrative
9 employee shall receive more than two (2.00) shares, the results of the
10 quartile award tables for growth and excellence notwithstanding.

11 (iv) Students not present in the school district for one of the
12 two spring test results needed for making growth calculations shall be
13 excluded from school growth calculations. In addition, students whose
14 spring test results are excluded from the school's results for federal
15 accountability purposes shall be excluded from school growth and
16 excellence calculations.

17 (v) For schools that do not administer the spring test, or for
18 which no spring test growth calculation is possible, the school and its
19 certificated employees shall be included with the school to which the
20 students matriculate.

21 (vi) For certificated employees assigned more than one school,
22 state shares shall be earned pro rata, based on the percentage of the
23 employee's time assigned to each school at the time that students take
24 their spring tests. In addition, for part-time employees, state shares
25 shall be earned pro rata, based on employee's full-time equivalency
26 status.

27 (vii) The number of schools in each quartile shall be based on
28 the number of certificated employees employed at the schools, with as
29 close to twenty-five percent (25%) of such employees falling within
30 each quartile as possible.

31 (viii) For certificated employees not assigned to a specific
32 school, all new employment contracts signed on or after July 1, 2011
33 shall provide that at least five percent (5%) of the total available
34 compensation be based on growth in student achievement, as determined
35 by the board of trustees. Such percentage shall increase to ten
36 percent of the total available compensation for contracts signed on or
37 after July 1, 2015, and fifteen percent (15%) for contracts signed on
38 or after July 1, 2019.

39 (b) Local shares shall be awarded to certificated employees based
40 performance. Each board of trustees shall develop a plan for awarding
41 local pay for performance shares in consultation with certificated
42 employees. Local share awards to certificated instructional employees
43 shall be based on the performance of groups of such employees, unless
44 there is only one such employee in the school district. No employee
45 shall receive more than one local share. For part-time employees,
46 local shares shall be earned pro rata, based on employee's full-time
47 equivalency status. Local share awards shall be based on one or more
48 of the following measures:

- 49 (i) Student test scores
- 50 (ii) Student graduation rate
- 51 (iii) Student dropout rate

- 1 (iv) Percent of graduates attending postsecondary education or
- 2 entering military service
- 3 (v) Making federally-approved adequate yearly progress
- 4 (vi) Number of students successfully completing dual credit or
- 5 advanced placement classes
- 6 (vii) Percent of students involved in extracurricular activities
- 7 (viii) Class projects
- 8 (ix) Portfolios
- 9 (x) Successful completion of special student assignments
- 10 (xi) Parental involvement
- 11 (xii) Teacher-assigned grades
- 12 (xiii) Student attendance rate

13 For any school district in which the board of trustees fails to adopt a
14 plan for awarding local pay for performance shares by September 1,
15 local shares awarded for performance in that school year shall be
16 identical to the number of state shares awarded for each certificated
17 employee.

18 (c) Individual pay for performance bonuses shall be calculated as
19 follows:

- 20 (i) Divide the moneys available for pay for performance bonuses
- 21 by the total number of state shares earned by certificated
- 22 employees statewide.
- 23 (ii) To determine the amount of pay for performance bonus funds
- 24 to distribute to each school district, multiply the result
- 25 of (i) by the number of state shares earned by certificated
- 26 employees in the school district.
- 27 (iii) To establish the value of a share in each school district,
- 28 the school district shall divide the funds distributed by
- 29 the state department of education pursuant to (ii) by the
- 30 total number of state and local shares earned by all
- 31 certificated employees who earned at least a fraction of
- 32 both a state and local share.
- 33 (iv) Multiply the total number of state and local shares earned
- 34 by each certificated employee of the school district who
- 35 earned at least a fraction of a state and local share by
- 36 the result of (iii). Certificated employees who do not
- 37 earn at least a fraction of both a state and local share
- 38 shall not be eligible to receive a pay for performance
- 39 bonus. Pay for performance bonuses shall be paid by school
- 40 districts to qualifying certificated employees in a lump
- 41 sum by no later than December 15 following the spring ISAT.

42 (3) Hard to fill position bonuses.

43 (a) The state board of education shall designate certificates and
44 endorsements held by certificated instructional staff for hard to fill
45 position bonuses. The board shall rank the certificates or endorsements
46 to be so designated based on the relative difficulty of school
47 districts' ability to recruit and retain such personnel. No additional
48 certificates or endorsements may be added to the rankings beyond the
49 first such certificate or endorsement that causes the number of
50 certificates or endorsements to equal or exceed one-third (1/3) of the
51 total certificates and endorsements held by certificated instructional
52 public school employees in the state. The board shall review and alter

1 such rankings and designations at least once every two (2) years based
2 on market conditions. Any changes in rankings and designations shall be
3 made by the board by no later than March 31 of the previous school
4 year, and school districts shall be promptly notified of any changes.

5 (b) School district boards of trustees may choose to designate
6 certificates and endorsements held by certificated instructional
7 employees for hard to fill position bonuses, provided such certificates
8 and endorsements have been so designated by the state board of
9 education as provided in subsection (3)(a) of this section. School
10 boards of trustees choosing to make such designations shall rank the
11 certificates and endorsements based on the relative difficulty of
12 recruiting and retaining such personnel. No additional certificates or
13 endorsements may be added to the rankings beyond the first such
14 certificate or endorsement that causes the number of the district's
15 full-time equivalent employees utilizing such certificates and
16 endorsements to equal or exceed ten percent (10%) of the certificated
17 instructional positions employed by the district; provided however, the
18 number of such employees who may be designated shall not be less than
19 one (1). The amount distributed for utilization by each district shall
20 be based on each district's share of the total certificated
21 instructional employees statewide. Funds so distributed shall be paid
22 solely to certificated instructional personnel holding the
23 certifications and endorsements designated by the local school board,
24 in amounts that shall be determined at the discretion of the local
25 board, which may vary between, but not within, individual certificate
26 and endorsement areas; provided however, no award shall exceed twice
27 the statewide average bonus paid per certificated instructional
28 employee pursuant to subsection (2) of this section.

29 (c) School districts may apply to the state board of education to
30 waive the requirement that a certificate or endorsement designated by
31 the school district for hard to fill position bonuses first be
32 designated for such by the state board of education. The state board of
33 education may grant such a waiver for good and rational cause.

34 (d) In order to receive a hard to fill position bonus, an individual
35 must actually be providing instruction or service within the designated
36 certificate or endorsement area.

37 (e) If an individual qualifies for a hard to fill position bonus in
38 more than one (1) certificate or endorsement, the individual shall be
39 allocated and paid on a full-time equivalency basis, based on the
40 relative time spent in each of the qualifying areas.

41 (f) School district boards of trustees choosing to utilize hard to
42 fill position bonus funds shall designate a new list of certificates
43 and endorsements for such bonuses for each school year by no later than
44 June 11 of the previous school year. The new list may be identical to
45 the list from the previous school year, subject to the current ten
46 percent (10%) limitation requirements.

47 (g) If the board of trustees determines that it will be unable to
48 attract a qualified candidate to serve in a hard to fill position, even
49 with the addition of such bonus funds, the board may use such funds to
50 pay for the training and coursework needed by a currently unqualified
51 employee or other individual to gain such qualification. If such
52 payment is authorized, the amount paid for an individual in a fiscal

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1 year shall not exceed twice the statewide average bonus paid per
2 certificated instructional employee pursuant to subsection (2) of this
3 section. The individual for whom training and coursework is paid in
4 such manner must earn a passing grade for the training and coursework
5 that is paid by the school district, and must work for the school
6 district at least one (1) year in the designated certificate or
7 endorsement area for each fiscal year in which the school district made
8 payments for training and coursework, or re-pay the funds.

9 (h) Hard to fill position bonuses shall be paid by school districts to
10 qualifying certificated instructional employees by no later than
11 December 15, in a lump sum payment.

12 (4) Leadership awards.

13 (a) School district boards of trustees may designate up to twenty-five
14 percent (25%) of their certificated instructional employees for
15 leadership awards. Such awards shall recognize excellence, be valid
16 only for the fiscal year for which the awards are made, and require one

17 (1) or more of the following additional duties:

- 18 (i) Teacher or other instructional staff mentoring
- 19 (ii) Content leadership
- 20 (iii) Lead teacher
- 21 (iv) Peer teaching coach
- 22 (v) Content specialist
- 23 (vi) Remedial instructor
- 24 (vii) Curriculum development
- 25 (viii) Assessment development
- 26 (ix) Data analysis
- 27 (x) Grant writing
- 28 (xi) Special program coordinator
- 29 (xii) Research project
- 30 (xiii) Teaching professional development course
- 31 (xiv) Service on local/state/national education committee or
32 task force
- 33 (xv) Providing leadership to a professional learning community
- 34 (xvi) Earning national board certification

35 Duties related to student activities and athletics shall not be
36 eligible for leadership awards.

37 (b) Local school district boards of trustees shall require that the
38 employee work additional time as a condition of the receipt of a
39 leadership award.

40 (c) Local school district boards of trustees may grant multiple
41 leadership awards with multiple additional duties. No employee,
42 however, shall receive leadership awards in excess of twice the
43 statewide average bonus paid per certificated instructional employee
44 pursuant to subsection (2) of this section.

45 (d) Leadership awards shall be paid by school districts to qualifying
46 certificated instructional employees in a lump sum payment, upon
47 completion of the additional duty.

48 (e) Employees with fewer than three (3) years of experience shall not
49 be eligible for leadership awards. The term "experience" shall be as
50 used for certificated instructional staff in section 33-1004A, Idaho
51 Code.

52

1 Section 21 - 33-1020 (effective 7/1/12). Beginning in FY13, this
2 section eliminates the third component of the Idaho Digital Learning
3 Academy's (IDLA) three-part funding formula. For FY12, it is estimated
4 that \$7,271,600 of the \$8,337,600 that will flow to IDLA will flow
5 through this third component.
6

7 Beginning in FY13, the third component of this formula will be replaced
8 by fractional ADA funding, which can be found in Section 9 of the bill.
9 By doing this, the state will eliminate most of the double-funding of
10 students that currently takes place when the state provides full
11 funding to school districts for the education of students, and also
12 provides full funding to IDLA for any IDLA courses in which the student
13 is enrolled.
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1 (f) Notwithstanding the provisions of subsection (4)(a) through (4)(e)
2 of this section, employees who earned national board certification
3 prior to July 1, 2011, and who are no longer receiving payments for
4 earning such certification pursuant to Section 33-1004E, Idaho Code,
5 due to the repeal of the provision providing for such payments, shall
6 be paid two-thousand dollars (\$2,000) per year from the moneys
7 allocated pursuant to this subsection (4), until all moneys that would
8 have been paid under the previous provisions of Section 33-1004E, Idaho
9 Code, have been paid.

10 (5) School districts may shift moneys between the allocations for
11 subsections (3) and (4) of this section. The ten percent (10%)
12 limitation established by subsection (3) of this section and the
13 twenty-five percent (25%) limitation established by subsection (4) of
14 this section shall be adjusted accordingly.

15 (6) All distributions of moneys to school districts shall be made as
16 part of the third payment to school districts required by Section 33-
17 1009, Idaho Code.

18 (7) School districts shall not enter into any contract that
19 discriminates against those receiving a bonus award pursuant to this
20 section.

21 (8) the state department of education may require reports of
22 information as needed to implement the provisions of this section and
23 provide reports to the governor, the legislature and the public.

24 (9) For the purposes of this section, the term "school district" also
25 means "public charter school," and the term "board of trustees" also
26 means "board of directors."
27

28 SECTION 21. That Section 33-1020, Idaho Code, be, and the same is
29 hereby amended to read as follows:
30

31 33-1020.IDAHO DIGITAL LEARNING ACADEMY FUNDING. Of the moneys
32 appropriated for the educational support program, an amount shall be
33 distributed to support the Idaho digital learning academy, created
34 pursuant to [chapter 55, title 33](#), Idaho Code. For the purposes of this
35 section, an "enrollment" shall be counted each time an Idaho school age
36 child enrolls in an Idaho digital learning academy class. A single
37 child enrolled in multiple classes shall count as multiple enrollments.
38 Summer enrollments shall be included in the fiscal year that begins
39 that summer. The amount distributed shall be calculated as follows:

40 (1) A fixed base amount shall be distributed, equal to the
41 current fiscal year's statewide average salary-based apportionment
42 funding per midterm support unit, multiplied by seven (7).

43 (2) A variable base amount shall be distributed each time the
44 number of enrollments meets or exceeds an increment of five thousand
45 (5,000). The amount so distributed shall be equal to the number of such
46 increments, multiplied by the current fiscal year's statewide average
47 salary-based apportionment funding per midterm support unit, multiplied
48 by four and thirty-three hundredths (4.33).

49 ~~(3) A variable amount shall be distributed, equal to the number~~
50 ~~of enrollments multiplied by the current fiscal year's statewide~~
51 ~~average salary based apportionment funding per midterm support unit,~~
52 ~~divided by one hundred forty three (143).~~

1 Section 22 - 33-1021 (effective 7/1/11). This section provides the
2 additional resources needed by high schools to implement the increased
3 graduation requirements for math and science classes. The figures are
4 based on an analysis of the unmet need in charter high schools and in
5 high schools located in school districts which had no supplemental levy
6 in FY10.

7
8 Different levels of unmet need (meaning students not currently taking
9 three years of math and science) were found at different levels of high
10 school sizes. Not all students could be accommodated with the
11 resources of existing staff.

12
13 Districts will be able to use these funds to either help hire
14 additional instructional staff, or purchase additional online math and
15 science courses, at their discretion.

16
17 Section 23 - 33-1022 (effective 7/1/11). This section provides for the
18 allocation for public school technology. The section also delineates
19 the purposes for which the funds can be used, and requires the
20 Superintendent of Public Instruction to form a task force to develop
21 plans for the implementation of the online course requirement and
22 mobile computing devices for all students in grades 9-12. The
23 Superintendent is required to report the task force's findings, plans
24 and recommendations to the House and Senate Education Committees by
25 January 31, 2012.

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1 The state department of education shall make an estimated
2 distribution of funds to the Idaho digital learning academy by no later
3 than July 31 of each fiscal year, consisting of eighty percent (80%) of
4 the estimated funding for the fiscal year. The balance of all remaining
5 funds to be distributed, pursuant to the calculations in this section,
6 shall be distributed by no later than May 15 of the same fiscal year.

7
8 SECTION 22. That Chapter 5, Title 33, Idaho Code, be, and the
9 same is hereby amended by the addition thereto of a NEW SECTION, to be
10 known and designated as Section 33-1021, Idaho Code, and to read as
11 follows:

12
13 33-1021. MATH AND SCIENCE REQUIREMENT. In order to meet state
14 graduation requirements regarding math and science courses, funds shall
15 be distributed to school districts to defray the cost of providing
16 additional math and science courses. Moneys so distributed shall be
17 used to hire additional high school math and science teachers or to
18 defray costs associated with providing math and science courses to high
19 school students. Funds shall be distributed to school districts from
20 the moneys appropriated to the educational support program for each
21 regular high school, not including alternative schools, based on the
22 following criteria:

23 (1) For each school with enrollment of 99 or less, distribute the
24 equivalent of one-ninth ($1/9^{\text{th}}$) of a classified staff position.

25 (2) For each school with enrollment of 100 to 159, distribute the
26 equivalent of one and one-quarter (1.25) of a classified staff
27 position.

28 (3) For each school with enrollment of 160 to 319, distribute the
29 equivalent of two-sevenths ($2/7^{\text{th}}$) of a classified staff position.

30 (4) For each school with enrollment of 320 to 639, distribute the
31 equivalent of one (1.0) instructional staff position, based on the
32 statewide average 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
35 statewide average funding per position, and three-quarters (0.75) of a
36 classified staff position.

37 For the purposes of these school size classifications for regular high
38 schools that serve only grades 10-12, 9th grade students who will attend
39 the regular high school upon matriculating to 10th grade shall be
40 included as enrolled in the regular high school.

41
42 SECTION 23. That Chapter 10, Title 33, Idaho Code, be, and the
43 same is hereby amended by the addition thereto of a NEW SECTION, to be
44 known and designated as Section 33-1022, Idaho Code, and to read as
45 follows:

46
47 33-1022. PUBLIC SCHOOL TECHNOLOGY. (1) Moneys shall be expended or
48 distributed from the educational support program for public school
49 technology as follows:

50 (a) For Fiscal Year 2012, seventeen-hundred dollars per support
51 unit.

1 Section 24 - 33-1626 (effective 7/1/11). This section provides that
2 the state will fund 12th grade dual credit courses for any student
3 meeting all of the state's high school graduation requirements by the
4 beginning of their 12th grade year. This will allow students to earn up
5 to a year's worth of free college credits without having to leave home
6 at age 16 or 17.

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1 (b) For Fiscal Year 2013, seventeen-hundred dollars per support
2 unit.

3 (c) For Fiscal Year 2014, nine-hundred and forty-five dollars per
4 support unit.

5 (d) For Fiscal Year 2015, nine-hundred and thirty-five dollars per
6 support unit.

7 (e) For Fiscal Year 2016 and each fiscal year thereafter, seven-
8 hundred and forty-five dollars per support unit.

9 (2) For the purposes of subsection (1) of this section, the
10 support unit figure used shall be the statewide support units used to
11 calculate the distribution of discretionary funds in the prior fiscal
12 year.

13 (3) Moneys expended or distributed pursuant to this section shall
14 be utilized for one or more of the following:

15 (a) Installation, repair, replacement and support of wireless
16 technology in each public school serving grades 9-12, of sufficient
17 capacity to support utilization of mobile computing devices by all
18 students in such grades.

19 (b) High quality digital learning resources and software linked
20 to state and local curricula, including model lesson plans, content and
21 formative and summative assessments tied to rigorous college and
22 career-ready standards.

23 (c) Classroom technology that assists teachers in the effective
24 and efficient delivery of instruction.

25 (d) Safe and secure online knowledge sharing and collaboration
26 systems.

27 (e) Professional development and training that promotes the
28 effective use of technology by students, staff and parents, and the
29 integration of technology into public school curricula and
30 instructional methods.

31 (f) The development of plans at the school, district and
32 statewide level for the improved use and integration of technology in
33 learning. As part of this subsection, the superintendent of public
34 instruction shall convene a task force to study and develop plans for
35 the implementation of online course requirements and the provision and
36 support of one-to-one mobile computing devices for students, including
37 an examination of the experience of other states and school districts,
38 beginning in the 2012-2013 school year. The superintendent shall
39 report the findings, plans and recommendations of this task force,
40 including any recommendations for changes to statute or rule, to the
41 Senate and House Education Committees by no later than January 31,
42 2012.

43
44 SECTION 24. That Chapter 16, Title 33, Idaho Code, be, and the
45 same is hereby amended by the addition thereto of a NEW SECTION, to be
46 known and designated as Section 33-1626, Idaho Code, and to read as
47 follows:
48

49 33-1626. DUAL CREDIT FOR EARLY COMPLETERS. Students completing all
50 state high school graduation requirements by no later than the start of
51 the 12th grade shall be eligible for up to thirty-six post-secondary
52 credits of dual credit courses during their 12th grade year. Average

1 Section 25 - 33-1627 (effective 7/1/11). This section requires that
2 students successfully complete at least six credits of online courses
3 in order to graduate, beginning with the 9th grade class of 2012-2013.
4 The student's school district or charter school can prescribe the
5 courses to be taken to meet this requirement.
6

7 This section also provides that school districts and charter schools
8 cannot block parents from enrolling their children in online classes,
9 starting in the 2012-2013 school year. The course must be offered by
10 an accredited provider and include an Idaho certificated teacher who is
11 qualified to teach the course. In addition, the course must meet state
12 content standards, and the school district or charter school must be
13 given notice of the student's enrollment in the course.
14

15 The transcript at the student's home school district or charter school
16 must include the results of these online classes.
17

18 This section also directs the Department of Administration to let a
19 contract to provide mobile computing devices for high school students,
20 beginning with the 9th grade class of 2012-2013. The devices must be
21 compliant with laws that prevent children from accessing inappropriate
22 material. The contract will also include the maintenance, repair,
23 replacement and technical support associated with these devices.
24 School districts and charter schools are required to develop policies
25 governing the use of the devices outside of the school day. The
26 devices are declared to have zero value upon the student's high school
27 graduation, and become the property of that student at that point.
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29 The section also provides for training high school teachers in how to
30 integrate student use of these devices into their curricula and lesson
31 plans.
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1 daily attendance shall be counted as normal for such 12th grade students
2 for public school funding purposes. In addition, the state department
3 of education shall distribute funds from the moneys appropriated for
4 the educational support program to defray the per credit cost charged
5 for such dual credit courses by accredited post-secondary institutions.
6 The amount so distributed shall not exceed seventy-five dollars (\$75)
7 per credit hour.

8
9 SECTION 25. That Chapter 16, Title 33, Idaho Code, be, and the
10 same is hereby amended by the addition thereto of a NEW SECTION, to be
11 known and designated as Section 33-1627, Idaho Code, and to read as
12 follows:

13
14 33-1627. ONLINE COURSES - MOBILE COMPUTING DEVICES AND TEACHER
15 TRAINING. (1) The Legislature finds that in order to better provide
16 students with the skills that they will need to be successful as
17 students, employees, entrepreneurs and parents in the future, more
18 exposure is needed to online learning and informational environments.

19 (2) Beginning with the 9th grade class of the 2012-2013 school
20 year, students shall be required to successfully complete at least six
21 credits of online courses in order to graduate. The school district
22 may designate the required courses that students must successfully
23 complete each school year, but may not prescribe the provider. The
24 state board of education may provide for appropriate exemptions from
25 this requirement, by rule.

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

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

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

38 (c) The state department of education, a school district, a
39 public charter school, or the idaho digital learning academy has
40 verified that the course meets state content standards;

41 (d) The school district or public charter school in which the
42 student is enrolled has been provided with notification of the
43 student's enrollment in the online course no later than (30) days prior
44 to the end of the previous term, or no later than the end of the school
45 year, in the case of a term ending at the end of the school year.

46 (4) A student's transcript at the school district or public
47 charter school at which the student is enrolled shall include the
48 credits earned and grades received by each student for any online
49 courses taken pursuant to this section.

50 (5) In order to assist in providing students with access to online
51 courses, the department of administration, in consultation with the
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1 Section 26 - 33-5208 (effective 7/1/11). This section saves money by
2 increasing the funding divisor for small secondary charter schools from
3 12.0 to 13.25.
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1 state department of education, shall contract for the provision of
2 mobile computing devices for each student upon entering the 9th grade,
3 beginning with the 9th grade class of the 2012-2013 school year. Such
4 devices shall include technology that provides for compliance with the
5 provisions of Section 33-131 [33-132], Idaho Code. Such contract shall
6 also provide for the maintenance, repair and technical support of such
7 devices. The cost of such contract shall be paid from the moneys
8 appropriated for the educational support program. The legislature
9 hereby declares each mobile computing device to be of nominal value
10 upon each student's graduation, and therefore each student's mobile
11 computing device shall become their property upon their successful
12 graduation from high school, any other provision of law
13 notwithstanding. The school district or public charter school shall
14 develop a policy on student use of the mobile computing devices outside
15 of the school day. Such policy shall be in compliance with the
16 provisions of Section 33-131 [33-132], Idaho Code. The state
17 department of education shall develop a policy addressing the issue of
18 damage, loss, repair and replacement of the mobile computing devices.

19 (6) The state department of education shall expend or distribute
20 an amount equal to sixty dollars per support unit per fiscal year for
21 Fiscal Year 2013 through Fiscal Year 2016, from the amount appropriated
22 to the educational support program, to train high school staff in the
23 use mobile computing devices by students in the classroom, and the
24 integration of such use into the curriculum. For the purposes of this
25 subsection, the support units used to calculate this statewide figure
26 shall be the statewide support units used to calculate the distribution
27 of discretionary funds in the prior fiscal year.

28 (7) The State Board of Education shall promulgate rules effecting
29 the implementation of this section.
30

31 SECTION 26. That Section 33-5208, Idaho Code, be, and the same is
32 hereby amended to read as follows:
33

34 33-5208.PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided in
35 subsection (8) of this section, from the state educational support
36 program the state department of education shall make the following
37 apportionment to each public charter school for each fiscal year based
38 on attendance figures submitted in a manner and time as required by the
39 department of education:

40 (1) Per student support. Computation of support units for each
41 public charter school shall be calculated as if it were a separate
42 school according to the schedules in section [33-1002](#)(4), Idaho Code,
43 except that public charter schools with fewer than one hundred (100)
44 secondary ADA shall use a divisor of ~~twelve (12)~~ thirteen and a quarter
45 (13.25) and the minimum units shall not apply, and no public charter
46 school shall receive an increase in support units that exceeds the
47 support units it received in the prior year by more than thirty (30).
48 Funding from the state educational support program shall be equal to
49 the total distribution factor, plus the salary-based apportionment
50 provided in [chapter 10, title 33](#), Idaho Code. Provided however, any
51 public charter school that is formed by the conversion of an existing
52 traditional public school shall be assigned divisors, pursuant to

1 section [33-1002](#), Idaho Code, that are no lower than the divisors of the
2 school district in which the traditional public school is located, for
3 each category of pupils listed.

4 (2) Special education. For each student enrolled in the public
5 charter school who is entitled to special education services, the state
6 and federal funds from the exceptional child education program for that
7 student that would have been apportioned for that student to the school
8 district in which the public charter school is located.

9 (3) Alternative school support. Public charter schools may
10 qualify under the provisions of sections [33-1002](#) and [33-1002C](#), Idaho
11 Code, provided the public charter school meets the necessary statutory
12 requirements, and students qualify for attendance at an alternative
13 school as provided by rule of the state board of education.

14 (4) Transportation support. Support shall be paid to the public
15 charter school as provided in [chapter 15, title 33](#), Idaho Code, and
16 section [33-1006](#), Idaho Code. Each public charter school shall furnish
17 the department with an enrollment count as of the first Friday in
18 November, of public charter school students who are eligible for
19 reimbursement of transportation costs under the provisions of this
20 subsection and who reside more than one and one-half (1 1/2) miles from
21 the school. For charter schools in the initial year of operation, the
22 petition shall include a proposal for transportation services with an
23 estimated first year cost. The state department of education is
24 authorized to include in the annual appropriation to the charter school
25 sixty percent (60%) of the estimated transportation cost. The final
26 appropriation payment in July shall reflect reimbursements of actual
27 costs pursuant to section [33-1006](#), Idaho Code. To be eligible for state
28 reimbursement under the provisions of section [33-1006](#), Idaho Code, the
29 student to be transported must reside within the public charter
30 school's attendance zone, and must meet at least one (1) of the
31 following two (2) criteria:

32 (a) The student resides within the school district in which the public
33 charter school is physically located; or

34 (b) The student resides within fifteen (15) miles of the public
35 charter school, by road.

36 The limitations placed by this subsection on the reimbursement of
37 transportation costs for certain students shall not apply to public
38 virtual schools.

39 (5) Payment schedule. The state department of education is
40 authorized to make an advance payment of twenty-five percent (25%) of a
41 public charter school's estimated annual apportionment for its first
42 year of operation, and each year thereafter, provided the public
43 charter school has an increase of student population in any given year
44 of twenty (20) students or more, to assist the school with initial
45 start-up costs or payroll obligations.

46 (a) For a state public charter school to receive the advance payment,
47 the school shall submit its anticipated fall membership for each grade
48 level to the state department of education by June 1.

49 (b) Using the figures provided by the public charter school, the state
50 department of education shall determine an estimated annual
51 apportionment from which the amount of the advance payment shall be

1 calculated. Advance payment shall be made to the school on or after
2 July 1 but no later than July 31.

3 (c) All subsequent payments, taking into account the one-time advance
4 payment made for the first year of operation, shall be made to the
5 public charter school in the same manner as other traditional public
6 schools in accordance with the provisions of section [33-1009](#), Idaho
7 Code.

8 A public charter school shall comply with all applicable fiscal
9 requirements of law, except that the following provisions shall not be
10 applicable to public charter schools: section [33-1003B](#), Idaho Code,
11 relating to guaranteed minimum support; that portion of section [33-](#)
12 [1004](#), Idaho Code, relating to reduction of the administrative and
13 instructional staff allowance when there is a discrepancy between the
14 number allowed and the number actually employed; and section [33-1004E](#),
15 Idaho Code, for calculation of district staff indices.

16 (6) Nothing in this chapter shall be construed to prohibit any
17 private person or organization from providing funding or other
18 financial assistance to the establishment or operation of a public
19 charter school.

20 (7) Nothing in this chapter shall prevent a public charter school
21 from applying for federal grant moneys.

22 (8) (a) For the period July 1, 2003, through June 30, 2005, all public
23 virtual schools shall be assigned divisors, pursuant to section [33-](#)
24 [1002](#), Idaho Code, that are no higher than the median divisor shown for
25 each respective category of pupils, among the possible divisors listed,
26 for each respective category of pupils that contains more than one (1)
27 divisor. If there is an even number of possible divisors listed for a
28 particular category of pupils, then the lesser of the two (2) median
29 divisors shall be used. For the period July 1, 2005, through June 30,
30 2007, all public virtual schools shall be assigned divisors, pursuant
31 to section [33-1002](#), Idaho Code, that are no higher than the second
32 highest divisor shown, among the possible divisors listed, for each
33 respective category of pupils that contains more than one (1) divisor.
34 The divisor provisions contained herein shall only be applicable to the
35 number of pupils in average daily attendance in such public virtual
36 schools for the period July 1, 2003, through June 30, 2004. If the
37 number of pupils in average daily attendance in any particular category
38 of pupils increases, during the period July 1, 2004, through June 30,
39 2005, to a number above that which existed in the prior fiscal year,
40 then those additional pupils in average daily attendance shall be
41 assigned the divisor, pursuant to section [33-1002](#), Idaho Code, that
42 would have otherwise been assigned to the school district or public
43 charter school had this section not been in force.

44 (b) Each student in attendance at a public virtual school shall be
45 funded based upon either the actual hours of attendance in the public
46 virtual school on a flexible schedule, or the percentage of coursework
47 completed, whichever is more advantageous to the school, up to the
48 maximum of one (1) full-time equivalent student.

49 (c) All federal educational funds shall be administered and
50 distributed to public charter schools, including public virtual
51 schools, that have been designated by the state board of education as a
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1 Section 27 - 33-5208 (effective 7/1/12). This section saves money by
2 increasing the funding divisor for small secondary charter schools to
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3 local education agency (LEA), as provided in section [33-5203](#)(7), Idaho
4 Code.

5 (9) Nothing in this section prohibits separate face-to-face
6 learning activities or services.
7

8 SECTION 27. That Section 33-5208, Idaho Code, be, and the same is
9 hereby amended to read as follows:
10

11 33-5208.PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided in
12 subsection (8) of this section, from the state educational support
13 program the state department of education shall make the following
14 apportionment to each public charter school for each fiscal year based
15 on attendance figures submitted in a manner and time as required by the
16 department of education:

17 (1) Per student support. Computation of support units for each
18 public charter school shall be calculated as if it were a separate
19 school according to the schedules in section [33-1002](#)(4), Idaho Code,
20 except that public charter schools with fewer than one hundred (100)
21 secondary ADA shall use a divisor of ~~twelve~~ ~~(12)~~ fourteen and a fifth
22 (14.2) and the minimum units shall not apply, and no public charter
23 school shall receive an increase in support units that exceeds the
24 support units it received in the prior year by more than thirty (30).
25 Funding from the state educational support program shall be equal to
26 the total distribution factor, plus the salary-based apportionment
27 provided in [chapter 10, title 33](#), Idaho Code. Provided however, any
28 public charter school that is formed by the conversion of an existing
29 traditional public school shall be assigned divisors, pursuant to
30 section [33-1002](#), Idaho Code, that are no lower than the divisors of the
31 school district in which the traditional public school is located, for
32 each category of pupils listed.

33 (2) Special education. For each student enrolled in the public
34 charter school who is entitled to special education services, the state
35 and federal funds from the exceptional child education program for that
36 student that would have been apportioned for that student to the school
37 district in which the public charter school is located.

38 (3) Alternative school support. Public charter schools may
39 qualify under the provisions of sections [33-1002](#) and [33-1002C](#), Idaho
40 Code, provided the public charter school meets the necessary statutory
41 requirements, and students qualify for attendance at an alternative
42 school as provided by rule of the state board of education.

43 (4) Transportation support. Support shall be paid to the public
44 charter school as provided in [chapter 15, title 33](#), Idaho Code, and
45 section [33-1006](#), Idaho Code. Each public charter school shall furnish
46 the department with an enrollment count as of the first Friday in
47 November, of public charter school students who are eligible for
48 reimbursement of transportation costs under the provisions of this
49 subsection and who reside more than one and one-half (1 1/2) miles from
50 the school. For charter schools in the initial year of operation, the
51 petition shall include a proposal for transportation services with an
52 estimated first year cost. The state department of education is

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1 authorized to include in the annual appropriation to the charter school
2 sixty percent (60%) of the estimated transportation cost. The final
3 appropriation payment in July shall reflect reimbursements of actual
4 costs pursuant to section [33-1006](#), Idaho Code. To be eligible for state
5 reimbursement under the provisions of section [33-1006](#), Idaho Code, the
6 student to be transported must reside within the public charter
7 school's attendance zone, and must meet at least one (1) of the
8 following two (2) criteria:

9 (a) The student resides within the school district in which the public
10 charter school is physically located; or

11 (b) The student resides within fifteen (15) miles of the public
12 charter school, by road.

13 The limitations placed by this subsection on the reimbursement of
14 transportation costs for certain students shall not apply to public
15 virtual schools.

16 (5) Payment schedule. The state department of education is
17 authorized to make an advance payment of twenty-five percent (25%) of a
18 public charter school's estimated annual apportionment for its first
19 year of operation, and each year thereafter, provided the public
20 charter school has an increase of student population in any given year
21 of twenty (20) students or more, to assist the school with initial
22 start-up costs or payroll obligations.

23 (a) For a state public charter school to receive the advance payment,
24 the school shall submit its anticipated fall membership for each grade
25 level to the state department of education by June 1.

26 (b) Using the figures provided by the public charter school, the state
27 department of education shall determine an estimated annual
28 apportionment from which the amount of the advance payment shall be
29 calculated. Advance payment shall be made to the school on or after
30 July 1 but no later than July 31.

31 (c) All subsequent payments, taking into account the one-time advance
32 payment made for the first year of operation, shall be made to the
33 public charter school in the same manner as other traditional public
34 schools in accordance with the provisions of section [33-1009](#), Idaho
35 Code.

36 A public charter school shall comply with all applicable fiscal
37 requirements of law, except that the following provisions shall not be
38 applicable to public charter schools: section [33-1003B](#), Idaho Code,
39 relating to guaranteed minimum support; that portion of section [33-](#)
40 [1004](#), Idaho Code, relating to reduction of the administrative and
41 instructional staff allowance when there is a discrepancy between the
42 number allowed and the number actually employed; and section [33-1004E](#),
43 Idaho Code, for calculation of district staff indices.

44 (6) Nothing in this chapter shall be construed to prohibit any
45 private person or organization from providing funding or other
46 financial assistance to the establishment or operation of a public
47 charter school.

48 (7) Nothing in this chapter shall prevent a public charter school
49 from applying for federal grant moneys.

50 (8) (a) For the period July 1, 2003, through June 30, 2005, all public
51 virtual schools shall be assigned divisors, pursuant to section [33-](#)
52 [1002](#), Idaho Code, that are no higher than the median divisor shown for

1 Section 28 - 33-5208 (effective 7/1/13). This section saves money by
2 increasing the funding divisor for small secondary charter schools to
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3 each respective category of pupils, among the possible divisors listed,
4 for each respective category of pupils that contains more than one (1)
5 divisor. If there is an even number of possible divisors listed for a
6 particular category of pupils, then the lesser of the two (2) median
7 divisors shall be used. For the period July 1, 2005, through June 30,
8 2007, all public virtual schools shall be assigned divisors, pursuant
9 to section [33-1002](#), Idaho Code, that are no higher than the second
10 highest divisor shown, among the possible divisors listed, for each
11 respective category of pupils that contains more than one (1) divisor.
12 The divisor provisions contained herein shall only be applicable to the
13 number of pupils in average daily attendance in such public virtual
14 schools for the period July 1, 2003, through June 30, 2004. If the
15 number of pupils in average daily attendance in any particular category
16 of pupils increases, during the period July 1, 2004, through June 30,
17 2005, to a number above that which existed in the prior fiscal year,
18 then those additional pupils in average daily attendance shall be
19 assigned the divisor, pursuant to section [33-1002](#), Idaho Code, that
20 would have otherwise been assigned to the school district or public
21 charter school had this section not been in force.

22 (b) Each student in attendance at a public virtual school shall be
23 funded based upon either the actual hours of attendance in the public
24 virtual school on a flexible schedule, or the percentage of coursework
25 completed, whichever is more advantageous to the school, up to the
26 maximum of one (1) full-time equivalent student.

27 (c) All federal educational funds shall be administered and
28 distributed to public charter schools, including public virtual
29 schools, that have been designated by the state board of education as a
30 local education agency (LEA), as provided in section [33-5203](#)(7), Idaho
31 Code.

32 (9) Nothing in this section prohibits separate face-to-face
33 learning activities or services.
34

35 SECTION 28. That Section 33-5208, Idaho Code, be, and the same is
36 hereby amended to read as follows:
37

38 33-5208.PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided in
39 subsection (8) of this section, from the state educational support
40 program the state department of education shall make the following
41 apportionment to each public charter school for each fiscal year based
42 on attendance figures submitted in a manner and time as required by the
43 department of education:

44 (1) Per student support. Computation of support units for each
45 public charter school shall be calculated as if it were a separate
46 school according to the schedules in section [33-1002](#)(4), Idaho Code,
47 except that public charter schools with fewer than one hundred (100)
48 secondary ADA shall use a divisor of ~~twelve (12)~~ fourteen and three
49 tenths (14.3) and the minimum units shall not apply, and no public
50 charter school shall receive an increase in support units that exceeds
51 the support units it received in the prior year by more than thirty
52 (30). Funding from the state educational support program shall be equal

1 to the total distribution factor, plus the salary-based apportionment
2 provided in [chapter 10, title 33](#), Idaho Code. Provided however, any
3 public charter school that is formed by the conversion of an existing
4 traditional public school shall be assigned divisors, pursuant to
5 section [33-1002](#), Idaho Code, that are no lower than the divisors of the
6 school district in which the traditional public school is located, for
7 each category of pupils listed.

8 (2) Special education. For each student enrolled in the public
9 charter school who is entitled to special education services, the state
10 and federal funds from the exceptional child education program for that
11 student that would have been apportioned for that student to the school
12 district in which the public charter school is located.

13 (3) Alternative school support. Public charter schools may
14 qualify under the provisions of sections [33-1002](#) and [33-1002C](#), Idaho
15 Code, provided the public charter school meets the necessary statutory
16 requirements, and students qualify for attendance at an alternative
17 school as provided by rule of the state board of education.

18 (4) Transportation support. Support shall be paid to the public
19 charter school as provided in [chapter 15, title 33](#), Idaho Code, and
20 section [33-1006](#), Idaho Code. Each public charter school shall furnish
21 the department with an enrollment count as of the first Friday in
22 November, of public charter school students who are eligible for
23 reimbursement of transportation costs under the provisions of this
24 subsection and who reside more than one and one-half (1 1/2) miles from
25 the school. For charter schools in the initial year of operation, the
26 petition shall include a proposal for transportation services with an
27 estimated first year cost. The state department of education is
28 authorized to include in the annual appropriation to the charter school
29 sixty percent (60%) of the estimated transportation cost. The final
30 appropriation payment in July shall reflect reimbursements of actual
31 costs pursuant to section [33-1006](#), Idaho Code. To be eligible for state
32 reimbursement under the provisions of section [33-1006](#), Idaho Code, the
33 student to be transported must reside within the public charter
34 school's attendance zone, and must meet at least one (1) of the
35 following two (2) criteria:

36 (a) The student resides within the school district in which the public
37 charter school is physically located; or

38 (b) The student resides within fifteen (15) miles of the public
39 charter school, by road.

40 The limitations placed by this subsection on the reimbursement of
41 transportation costs for certain students shall not apply to public
42 virtual schools.

43 (5) Payment schedule. The state department of education is
44 authorized to make an advance payment of twenty-five percent (25%) of a
45 public charter school's estimated annual apportionment for its first
46 year of operation, and each year thereafter, provided the public
47 charter school has an increase of student population in any given year
48 of twenty (20) students or more, to assist the school with initial
49 start-up costs or payroll obligations.

50 (a) For a state public charter school to receive the advance payment,
51 the school shall submit its anticipated fall membership for each grade
52 level to the state department of education by June 1.

1 (b) Using the figures provided by the public charter school, the state
2 department of education shall determine an estimated annual
3 apportionment from which the amount of the advance payment shall be
4 calculated. Advance payment shall be made to the school on or after
5 July 1 but no later than July 31.

6 (c) All subsequent payments, taking into account the one-time advance
7 payment made for the first year of operation, shall be made to the
8 public charter school in the same manner as other traditional public
9 schools in accordance with the provisions of section [33-1009](#), Idaho
10 Code.

11 A public charter school shall comply with all applicable fiscal
12 requirements of law, except that the following provisions shall not be
13 applicable to public charter schools: section [33-1003B](#), Idaho Code,
14 relating to guaranteed minimum support; that portion of section [33-](#)
15 [1004](#), Idaho Code, relating to reduction of the administrative and
16 instructional staff allowance when there is a discrepancy between the
17 number allowed and the number actually employed; and section [33-1004E](#),
18 Idaho Code, for calculation of district staff indices.

19 (6) Nothing in this chapter shall be construed to prohibit any
20 private person or organization from providing funding or other
21 financial assistance to the establishment or operation of a public
22 charter school.

23 (7) Nothing in this chapter shall prevent a public charter school
24 from applying for federal grant moneys.

25 (8) (a) For the period July 1, 2003, through June 30, 2005, all public
26 virtual schools shall be assigned divisors, pursuant to section [33-](#)
27 [1002](#), Idaho Code, that are no higher than the median divisor shown for
28 each respective category of pupils, among the possible divisors listed,
29 for each respective category of pupils that contains more than one (1)
30 divisor. If there is an even number of possible divisors listed for a
31 particular category of pupils, then the lesser of the two (2) median
32 divisors shall be used. For the period July 1, 2005, through June 30,
33 2007, all public virtual schools shall be assigned divisors, pursuant
34 to section [33-1002](#), Idaho Code, that are no higher than the second
35 highest divisor shown, among the possible divisors listed, for each
36 respective category of pupils that contains more than one (1) divisor.
37 The divisor provisions contained herein shall only be applicable to the
38 number of pupils in average daily attendance in such public virtual
39 schools for the period July 1, 2003, through June 30, 2004. If the
40 number of pupils in average daily attendance in any particular category
41 of pupils increases, during the period July 1, 2004, through June 30,
42 2005, to a number above that which existed in the prior fiscal year,
43 then those additional pupils in average daily attendance shall be
44 assigned the divisor, pursuant to section [33-1002](#), Idaho Code, that
45 would have otherwise been assigned to the school district or public
46 charter school had this section not been in force.

47 (b) Each student in attendance at a public virtual school shall be
48 funded based upon either the actual hours of attendance in the public
49 virtual school on a flexible schedule, or the percentage of coursework
50 completed, whichever is more advantageous to the school, up to the
51 maximum of one (1) full-time equivalent student.
52

1 Section 29 - 33-5208 (effective 7/1/14). This section saves money by
2 increasing the funding divisor for small secondary charter schools to
3 14.4.
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3 (c) All federal educational funds shall be administered and
4 distributed to public charter schools, including public virtual
5 schools, that have been designated by the state board of education as a
6 local education agency (LEA), as provided in section [33-5203](#)(7), Idaho
7 Code.

8 (9) Nothing in this section prohibits separate face-to-face
9 learning activities or services.

10
11 SECTION 29. That Section 33-5208, Idaho Code, be, and the same is
12 hereby amended to read as follows:
13

14 33-5208.PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided in
15 subsection (8) of this section, from the state educational support
16 program the state department of education shall make the following
17 apportionment to each public charter school for each fiscal year based
18 on attendance figures submitted in a manner and time as required by the
19 department of education:

20 (1) Per student support. Computation of support units for each
21 public charter school shall be calculated as if it were a separate
22 school according to the schedules in section [33-1002](#)(4), Idaho Code,
23 except that public charter schools with fewer than one hundred (100)
24 secondary ADA shall use a divisor of ~~twelve (12)~~ fourteen and two
25 fifths (14.4) and the minimum units shall not apply, and no public
26 charter school shall receive an increase in support units that exceeds
27 the support units it received in the prior year by more than thirty
28 (30). Funding from the state educational support program shall be equal
29 to the total distribution factor, plus the salary-based apportionment
30 provided in [chapter 10, title 33](#), Idaho Code. Provided however, any
31 public charter school that is formed by the conversion of an existing
32 traditional public school shall be assigned divisors, pursuant to
33 section [33-1002](#), Idaho Code, that are no lower than the divisors of the
34 school district in which the traditional public school is located, for
35 each category of pupils listed.

36 (2) Special education. For each student enrolled in the public
37 charter school who is entitled to special education services, the state
38 and federal funds from the exceptional child education program for that
39 student that would have been apportioned for that student to the school
40 district in which the public charter school is located.

41 (3) Alternative school support. Public charter schools may
42 qualify under the provisions of sections [33-1002](#) and [33-1002C](#), Idaho
43 Code, provided the public charter school meets the necessary statutory
44 requirements, and students qualify for attendance at an alternative
45 school as provided by rule of the state board of education.

46 (4) Transportation support. Support shall be paid to the public
47 charter school as provided in [chapter 15, title 33](#), Idaho Code, and
48 section [33-1006](#), Idaho Code. Each public charter school shall furnish
49 the department with an enrollment count as of the first Friday in
50 November, of public charter school students who are eligible for
51 reimbursement of transportation costs under the provisions of this
52 subsection and who reside more than one and one-half (1 1/2) miles from

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1 the school. For charter schools in the initial year of operation, the
2 petition shall include a proposal for transportation services with an
3 estimated first year cost. The state department of education is
4 authorized to include in the annual appropriation to the charter school
5 sixty percent (60%) of the estimated transportation cost. The final
6 appropriation payment in July shall reflect reimbursements of actual
7 costs pursuant to section [33-1006](#), Idaho Code. To be eligible for state
8 reimbursement under the provisions of section [33-1006](#), Idaho Code, the
9 student to be transported must reside within the public charter
10 school's attendance zone, and must meet at least one (1) of the
11 following two (2) criteria:

12 (a) The student resides within the school district in which the public
13 charter school is physically located; or

14 (b) The student resides within fifteen (15) miles of the public
15 charter school, by road.

16 The limitations placed by this subsection on the reimbursement of
17 transportation costs for certain students shall not apply to public
18 virtual schools.

19 (5) Payment schedule. The state department of education is
20 authorized to make an advance payment of twenty-five percent (25%) of a
21 public charter school's estimated annual apportionment for its first
22 year of operation, and each year thereafter, provided the public
23 charter school has an increase of student population in any given year
24 of twenty (20) students or more, to assist the school with initial
25 start-up costs or payroll obligations.

26 (a) For a state public charter school to receive the advance payment,
27 the school shall submit its anticipated fall membership for each grade
28 level to the state department of education by June 1.

29 (b) Using the figures provided by the public charter school, the state
30 department of education shall determine an estimated annual
31 apportionment from which the amount of the advance payment shall be
32 calculated. Advance payment shall be made to the school on or after
33 July 1 but no later than July 31.

34 (c) All subsequent payments, taking into account the one-time advance
35 payment made for the first year of operation, shall be made to the
36 public charter school in the same manner as other traditional public
37 schools in accordance with the provisions of section [33-1009](#), Idaho
38 Code.

39 A public charter school shall comply with all applicable fiscal
40 requirements of law, except that the following provisions shall not be
41 applicable to public charter schools: section [33-1003B](#), Idaho Code,
42 relating to guaranteed minimum support; that portion of section [33-](#)
43 [1004](#), Idaho Code, relating to reduction of the administrative and
44 instructional staff allowance when there is a discrepancy between the
45 number allowed and the number actually employed; and section [33-1004E](#),
46 Idaho Code, for calculation of district staff indices.

47 (6) Nothing in this chapter shall be construed to prohibit any
48 private person or organization from providing funding or other
49 financial assistance to the establishment or operation of a public
50 charter school.

51 (7) Nothing in this chapter shall prevent a public charter school
52 from applying for federal grant moneys.

1 Section 30 - 33-5208 (effective 7/1/15). This section saves money by
2 increasing the funding divisor for small secondary charter schools to
3 14.5.
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3 (8) (a) For the period July 1, 2003, through June 30, 2005, all public
4 virtual schools shall be assigned divisors, pursuant to section 33-
5 1002, Idaho Code, that are no higher than the median divisor shown for
6 each respective category of pupils, among the possible divisors listed,
7 for each respective category of pupils that contains more than one (1)
8 divisor. If there is an even number of possible divisors listed for a
9 particular category of pupils, then the lesser of the two (2) median
10 divisors shall be used. For the period July 1, 2005, through June 30,
11 2007, all public virtual schools shall be assigned divisors, pursuant
12 to section 33-1002, Idaho Code, that are no higher than the second
13 highest divisor shown, among the possible divisors listed, for each
14 respective category of pupils that contains more than one (1) divisor.
15 The divisor provisions contained herein shall only be applicable to the
16 number of pupils in average daily attendance in such public virtual
17 schools for the period July 1, 2003, through June 30, 2004. If the
18 number of pupils in average daily attendance in any particular category
19 of pupils increases, during the period July 1, 2004, through June 30,
20 2005, to a number above that which existed in the prior fiscal year,
21 then those additional pupils in average daily attendance shall be
22 assigned the divisor, pursuant to section 33-1002, Idaho Code, that
23 would have otherwise been assigned to the school district or public
24 charter school had this section not been in force.

25 (b) Each student in attendance at a public virtual school shall be
26 funded based upon either the actual hours of attendance in the public
27 virtual school on a flexible schedule, or the percentage of coursework
28 completed, whichever is more advantageous to the school, up to the
29 maximum of one (1) full-time equivalent student.

30 (c) All federal educational funds shall be administered and
31 distributed to public charter schools, including public virtual
32 schools, that have been designated by the state board of education as a
33 local education agency (LEA), as provided in section 33-5203(7), Idaho
34 Code.

35 (9) Nothing in this section prohibits separate face-to-face
36 learning activities or services.
37

38 SECTION 30. That Section 33-5208, Idaho Code, be, and the same is
39 hereby amended to read as follows:
40

41 33-5208.PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided in
42 subsection (8) of this section, from the state educational support
43 program the state department of education shall make the following
44 apportionment to each public charter school for each fiscal year based
45 on attendance figures submitted in a manner and time as required by the
46 department of education:

47 (1) Per student support. Computation of support units for each
48 public charter school shall be calculated as if it were a separate
49 school according to the schedules in section 33-1002(4), Idaho Code,
50 except that public charter schools with fewer than one hundred (100)
51 secondary ADA shall use a divisor of ~~twelve (12)~~ fourteen and a half
52 (14.5) and the minimum units shall not apply, and no public charter

1 school shall receive an increase in support units that exceeds the
2 support units it received in the prior year by more than thirty (30).
3 Funding from the state educational support program shall be equal to
4 the total distribution factor, plus the salary-based apportionment
5 provided in [chapter 10, title 33](#), Idaho Code. Provided however, any
6 public charter school that is formed by the conversion of an existing
7 traditional public school shall be assigned divisors, pursuant to
8 section [33-1002](#), Idaho Code, that are no lower than the divisors of the
9 school district in which the traditional public school is located, for
10 each category of pupils listed.

11 (2) Special education. For each student enrolled in the public
12 charter school who is entitled to special education services, the state
13 and federal funds from the exceptional child education program for that
14 student that would have been apportioned for that student to the school
15 district in which the public charter school is located.

16 (3) Alternative school support. Public charter schools may
17 qualify under the provisions of sections [33-1002](#) and [33-1002C](#), Idaho
18 Code, provided the public charter school meets the necessary statutory
19 requirements, and students qualify for attendance at an alternative
20 school as provided by rule of the state board of education.

21 (4) Transportation support. Support shall be paid to the public
22 charter school as provided in [chapter 15, title 33](#), Idaho Code, and
23 section [33-1006](#), Idaho Code. Each public charter school shall furnish
24 the department with an enrollment count as of the first Friday in
25 November, of public charter school students who are eligible for
26 reimbursement of transportation costs under the provisions of this
27 subsection and who reside more than one and one-half (1 1/2) miles from
28 the school. For charter schools in the initial year of operation, the
29 petition shall include a proposal for transportation services with an
30 estimated first year cost. The state department of education is
31 authorized to include in the annual appropriation to the charter school
32 sixty percent (60%) of the estimated transportation cost. The final
33 appropriation payment in July shall reflect reimbursements of actual
34 costs pursuant to section [33-1006](#), Idaho Code. To be eligible for state
35 reimbursement under the provisions of section [33-1006](#), Idaho Code, the
36 student to be transported must reside within the public charter
37 school's attendance zone, and must meet at least one (1) of the
38 following two (2) criteria:

39 (a) The student resides within the school district in which the public
40 charter school is physically located; or

41 (b) The student resides within fifteen (15) miles of the public
42 charter school, by road.

43 The limitations placed by this subsection on the reimbursement of
44 transportation costs for certain students shall not apply to public
45 virtual schools.

46 (5) Payment schedule. The state department of education is
47 authorized to make an advance payment of twenty-five percent (25%) of a
48 public charter school's estimated annual apportionment for its first
49 year of operation, and each year thereafter, provided the public
50 charter school has an increase of student population in any given year
51 of twenty (20) students or more, to assist the school with initial
52 start-up costs or payroll obligations.

1 (a) For a state public charter school to receive the advance payment,
2 the school shall submit its anticipated fall membership for each grade
3 level to the state department of education by June 1.

4 (b) Using the figures provided by the public charter school, the state
5 department of education shall determine an estimated annual
6 apportionment from which the amount of the advance payment shall be
7 calculated. Advance payment shall be made to the school on or after
8 July 1 but no later than July 31.

9 (c) All subsequent payments, taking into account the one-time advance
10 payment made for the first year of operation, shall be made to the
11 public charter school in the same manner as other traditional public
12 schools in accordance with the provisions of section [33-1009](#), Idaho
13 Code.

14 A public charter school shall comply with all applicable fiscal
15 requirements of law, except that the following provisions shall not be
16 applicable to public charter schools: section [33-1003B](#), Idaho Code,
17 relating to guaranteed minimum support; that portion of section [33-](#)
18 [1004](#), Idaho Code, relating to reduction of the administrative and
19 instructional staff allowance when there is a discrepancy between the
20 number allowed and the number actually employed; and section [33-1004E](#),
21 Idaho Code, for calculation of district staff indices.

22 (6) Nothing in this chapter shall be construed to prohibit any
23 private person or organization from providing funding or other
24 financial assistance to the establishment or operation of a public
25 charter school.

26 (7) Nothing in this chapter shall prevent a public charter school
27 from applying for federal grant moneys.

28 (8) (a) For the period July 1, 2003, through June 30, 2005, all public
29 virtual schools shall be assigned divisors, pursuant to section [33-](#)
30 [1002](#), Idaho Code, that are no higher than the median divisor shown for
31 each respective category of pupils, among the possible divisors listed,
32 for each respective category of pupils that contains more than one (1)
33 divisor. If there is an even number of possible divisors listed for a
34 particular category of pupils, then the lesser of the two (2) median
35 divisors shall be used. For the period July 1, 2005, through June 30,
36 2007, all public virtual schools shall be assigned divisors, pursuant
37 to section [33-1002](#), Idaho Code, that are no higher than the second
38 highest divisor shown, among the possible divisors listed, for each
39 respective category of pupils that contains more than one (1) divisor.
40 The divisor provisions contained herein shall only be applicable to the
41 number of pupils in average daily attendance in such public virtual
42 schools for the period July 1, 2003, through June 30, 2004. If the
43 number of pupils in average daily attendance in any particular category
44 of pupils increases, during the period July 1, 2004, through June 30,
45 2005, to a number above that which existed in the prior fiscal year,
46 then those additional pupils in average daily attendance shall be
47 assigned the divisor, pursuant to section [33-1002](#), Idaho Code, that
48 would have otherwise been assigned to the school district or public
49 charter school had this section not been in force.

50 (b) Each student in attendance at a public virtual school shall be
51 funded based upon either the actual hours of attendance in the public
52 virtual school on a flexible schedule, or the percentage of coursework

1 Section 31 - 33-5216 (effective 7/1/11). This section allows public
2 postsecondary institutions to operate charter high schools. The
3 schools can be chartered under the authority of the local school
4 district or the State Board of Education.
5

6 Section 32 (effective 7/1/11). This section inserts a severability
7 clause, which allows the other provisions of the bill to continue in
8 force if one or more sections are ultimately invalidated by a court
9 ruling.
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1 completed, whichever is more advantageous to the school, up to the
2 maximum of one (1) full-time equivalent student.

3 (c) All federal educational funds shall be administered and
4 distributed to public charter schools, including public virtual
5 schools, that have been designated by the state board of education as a
6 local education agency (LEA), as provided in section [33-5203](#)(7), Idaho
7 Code.

8 (9) Nothing in this section prohibits separate face-to-face
9 learning activities or services.

10
11 SECTION 31. That Chapter 52, Title 33, Idaho Code, be, and the
12 same is hereby amended by the addition thereto of a NEW SECTION, to be
13 known and designated as Section 33-5216, Idaho Code, and to read as
14 follows:

15
16 33-5216. PUBLIC POST-SECONDARY INSTITUTIONS - PUBLIC CHARTER HIGH
17 SCHOOLS.

18 (1) Any public post-secondary institution located in this state is
19 hereby authorized to operate a public charter high school in Idaho. The
20 provisions of chapter 52, title 33, Idaho Code, shall apply to each
21 such public charter high school in the same manner and to the same
22 extent as the provisions of charter school law apply to other public
23 charter schools, with the exception of certain conditions and
24 applications as specifically provided in this section.

25
26 (2) A public post-secondary institution may petition to establish a
27 public charter high school to the state board of education or to the
28 local board of trustees. Any provision or reference to the public
29 charter school commission found in chapter 52, title 33, Idaho Code,
30 shall mean, for the purposes of this section, the state board of
31 education.

32
33 (3) The president or chief executive officer of such post-secondary
34 institution, or his designee(s), shall serve as the board of trustees
35 of any public charter high school opened for educational instruction
36 pursuant to this section.

37
38 (4) For the purposes of this section, the term "high school" means a
39 school serving any grades from 9th grade or higher.

40
41 SECTION 32. The provisions of this act are hereby declared to be
42 severable and if any provision of this act or the application of such
43 provision to any person or circumstance is declared invalid for any
44 reason, such declaration shall not affect the validity of the remaining
45 portions of this act.