

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 75

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; REPEALING SECTION 33-2006, IDAHO CODE, RELATING TO
2 THE EDUCATION OF CERTAIN EXPECTANT MOTHERS; AMENDING SECTION 33-1002,
3 IDAHO CODE, TO REMOVE A PROVISION REGARDING THE FUNDING OF A CERTAIN AL-
4 LOWANCE; AMENDING SECTION 33-1002, IDAHO CODE, AS AMENDED BY SECTION 5,
5 CHAPTER 374, LAWS OF 2016, TO REMOVE A PROVISION REGARDING THE FUNDING
6 OF A CERTAIN ALLOWANCE; AND PROVIDING AN EFFECTIVE DATE.
7

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

9 SECTION 1. That Section [33-2006](#), Idaho Code, be, and the same is hereby
10 repealed.

11 SECTION 2. That Section 33-1002, Idaho Code, be, and the same is hereby
12 amended to read as follows:

13 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-
14 gram is calculated as follows:

15 (1) State Educational Support Funds. Add the state appropriation, in-
16 cluding the moneys available in the public school income fund, together with
17 all miscellaneous revenues to determine the total state funds.

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

20 (a) Pupil tuition-equivalency allowances as provided in section
21 33-1002B, Idaho Code;

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

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

26 (d) The approved costs for border district allowance, provided in sec-
27 tion 33-1403, Idaho Code, as determined by the state superintendent of
28 public instruction;

29 (e) The approved costs for exceptional child approved contract al-
30 lowance, provided in subsection 2. of section 33-2004, Idaho Code, as
31 determined by the state superintendent of public instruction;

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

34 ~~(g) Salary-based apportionment calculated as provided in sections~~
35 ~~33-1004 through 33-1004F, Idaho Code;~~

36 ~~(h) Unemployment insurance benefit payments according to the provi-~~
37 ~~sions of section 72-1349A, Idaho Code;~~

38 ~~(i) For expenditure as provided by the public school technology pro-~~
39 ~~gram;~~

40 ~~(j) For employee severance payments as provided in section 33-521,~~
41 ~~Idaho Code;~~

1 (~~k~~j) For distributions to the Idaho digital learning academy as pro-
 2 vided in section 33-1020, Idaho Code;

3 (~~l~~k) For charter school facilities funds and reimbursements paid pur-
 4 suant to section 33-5208(5), Idaho Code;

5 (~~m~~l) For an online course portal as provided for in section 33-1024,
 6 Idaho Code;

7 (~~n~~m) For advanced opportunities as provided for in chapter 46, title
 8 33, Idaho Code;

9 (~~o~~n) For additional math and science courses for high school students
 10 as provided in section 33-1021, Idaho Code;

11 (~~p~~o) For leadership premiums as provided in section 33-1004J, Idaho
 12 Code;

13 (~~q~~p) For the support of provisions that provide a safe environment con-
 14 ducive to student learning and maintain classroom discipline, an allo-
 15 cation of three hundred dollars (\$300) per support unit;

16 (~~r~~q) An amount specified in the appropriation bill for the public
 17 schools educational support program for counseling support as provided
 18 for in section 33-1212A, Idaho Code, shall be distributed for grades 8
 19 through 12 as follows:

20 (i) For school districts and public charter schools with one hun-
 21 dred (100) or more students enrolled in grades 8 through 12, a pro
 22 rata distribution based on students enrolled in grades 8 through
 23 12 or ten thousand dollars (\$10,000), whichever is greater;

24 (ii) For school districts and public charter schools with fewer
 25 than one hundred (100) students enrolled in grades 8 through
 26 12, one hundred dollars (\$100) per student enrolled in grades
 27 8 through 12 or five thousand dollars (\$5,000), whichever is
 28 greater;

29 (~~s~~r) An amount specified in the public schools educational support pro-
 30 gram appropriation bill for literacy intervention pursuant to section
 31 33-1616, Idaho Code, the disbursements made to the school districts
 32 and public charter schools in the aggregate shall not exceed the total
 33 amount appropriated for this purpose and shall be based on the actual
 34 costs of such intervention programs. School districts and public char-
 35 ter schools shall be reimbursed in full or in pro rata based on the
 36 average number of students in kindergarten through grade 3 who score ba-
 37 sic or below basic on the fall statewide reading assessment in the prior
 38 three (3) years;

39 (~~t~~s) For mastery-based education as provided for in section 33-1630,
 40 Idaho Code; and

41 (~~u~~t) Any additional amounts as required by statute to effect adminis-
 42 trative adjustments or as specifically required by the provisions of
 43 any bill of appropriation;

44 to secure the total educational support distribution funds.

45 (3) Average Daily Attendance. The total state average daily attendance
 46 shall be the sum of the average daily attendance of all of the school dis-
 47 tricts of the state. The state board of education shall establish rules set-
 48 ting forth the procedure to determine average daily attendance and the time
 49 for, and method of, submission of such report. Average daily attendance cal-
 50 culation shall be carried out to the nearest hundredth. Computation of av-

1 erage daily attendance shall also be governed by the provisions of section
 2 33-1003A, Idaho Code.

3 (4) Support Units. The total state support units shall be determined
 4 by using the tables set out hereafter called computation of kindergarten
 5 support units, computation of elementary support units, computation of sec-
 6 ondary support units, computation of exceptional education support units,
 7 and computation of alternative school support units. The sum of all of the
 8 total support units of all school districts of the state shall be the total
 9 state support units.

10 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

11	Average Daily		
12	Attendance	Attendance Divisor	Units Allowed
13	41 or more....	40.....	1 or more as computed
14	31 - 40.99 ADA....	-.....	1
15	26 - 30.99 ADA....	-.....	.85
16	21 - 25.99 ADA....	-.....	.75
17	16 - 20.99 ADA....	-.....	.6
18	8 - 15.99 ADA....	-.....	.5
19	1 - 7.99 ADA....	-.....	count as elementary

20 COMPUTATION OF ELEMENTARY SUPPORT UNITS

21	Average Daily		Minimum Units
22	Attendance	Attendance Divisor	Allowed
23	300 or more ADA.....	.....	.. 15
24		..23...grades 4,5 & 6....	
25		..22...grades 1,2 & 3....1994-95	
26		..21...grades 1,2 & 3....1995-96	
27		..20...grades 1,2 & 3....1996-97	
28		and each year thereafter.	
29	160 to 299.99 ADA...	20.....	8.4
30	110 to 159.99 ADA...	19.....	6.8
31	71.1 to 109.99 ADA...	16.....	4.7
32	51.7 to 71.0 ADA...	15.....	4.0
33	33.6 to 51.6 ADA...	13.....	2.8
34	16.6 to 33.5 ADA...	12.....	1.4
35	1.0 to 16.5 ADA...	n/a.....	1.0

1 COMPUTATION OF SECONDARY SUPPORT UNITS

2	Average Daily		Minimum Units
3	Attendance	Attendance Divisor	Allowed
4	750 or more....	18.5	47
5	400 - 749.99 ADA....	16	28
6	300 - 399.99 ADA....	14.5	22
7	200 - 299.99 ADA....	13.5	17
8	100 - 199.99 ADA....	12	9
9	99.99 or fewer	Units allowed as follows:	
10	Grades 7-12	.....	8
11	Grades 9-12	.....	6
12	Grades 7- 9	.....	1 per 14 ADA
13	Grades 7- 8	.....	1 per 16 ADA

14 COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

15	Average Daily		Minimum Units
16	Attendance	Attendance Divisor	Allowed
17	14 or more....	14.5	1 or more as computed
18			
19	12 - 13.99....	-	1
20	8 - 11.99....	- .....	.75
21	4 - 7.99....	- .....	.5
22	1 - 3.99....	- .....	.25

23 COMPUTATION OF ALTERNATIVE SCHOOL SUPPORT UNITS

24 (Computation of alternative school support units shall include
25 grades 6 through 12)

26	Pupils in Attendance	Attendance Divisor	Minimum Units
27			Allowed
28	12 or more.....	12	1 or more as computed
29			

30 In applying these tables to any given separate attendance unit, no
31 school district shall receive less total money than it would receive if it
32 had a lesser average daily attendance in such separate attendance unit. In
33 applying the kindergarten table to a kindergarten program of fewer days
34 than a full school year, the support unit allowance shall be in ratio to the
35 number of days of a full school year. The attendance of students attending
36 an alternative school in a school district reporting fewer than one hundred
37 (100) secondary students in average daily attendance shall not be assigned
38 to the alternative table if the student is from a school district reporting
39 fewer than one hundred (100) secondary students in average daily attendance,
40 but shall instead be assigned to the secondary table of the school district

1 in which they are attending the alternative school, unless the alternative
2 school in question serves students from multiple districts reporting fewer
3 than one hundred (100) secondary students in average daily attendance. The
4 tables for exceptional education and alternative school support units shall
5 be applicable only for programs approved by the state department of educa-
6 tion following rules established by the state board of education. Moneys
7 generated from computation of support units for alternative schools shall be
8 utilized for alternative school programs. School district administrative
9 and facility costs may be included as part of the alternative school expen-
10 ditures.

11 (5) State Distribution Factor per Support Unit. Divide educational
12 support program distribution funds, after subtracting the amounts necessary
13 to pay the obligations specified in subsection (2) of this section, by the
14 total state support units to secure the state distribution factor per sup-
15 port unit.

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

18 (a) (i) Divide the actual average daily attendance, excluding stu-
19 dents approved for inclusion in the exceptional child educational
20 program, for the administrative schools and each of the separate
21 schools and attendance units by the appropriate divisor from the
22 tables of support units in this section, then add the quotients
23 to obtain the district's support units allowance for regular stu-
24 dents, kindergarten through grade 12 including alternative school
25 students. Calculations in application of this subsection shall be
26 carried out to the nearest hundredth.

27 (ii) Divide the combined totals of the average daily attendance
28 of all preschool, kindergarten, elementary, secondary, juvenile
29 detention center students and students with disabilities approved
30 for inclusion in the exceptional child program of the district by
31 the appropriate divisor from the table for computation of excep-
32 tional education support units to obtain the number of support
33 units allowed for the district's approved exceptional child pro-
34 gram. Calculations for this subsection shall be carried out to the
35 nearest hundredth when more than one (1) unit is allowed.

36 (iii) The total number of support units of the district shall be
37 the sum of the total support units for regular students, subpara-
38 graph (i) of this paragraph, and the support units allowance for
39 the approved exceptional child program, subparagraph (ii) of this
40 paragraph.

41 (b) Total District Allowance Educational Program. Multiply the dis-
42 trict's total number of support units, carried out to the nearest hun-
43 dredth, by the state distribution factor per support unit and to this
44 product add the approved amount of programs of the district provided in
45 subsection (2) of this section to secure the district's total allowance
46 for the educational support program.

47 (c) District Share. The district's share of state apportionment is the
48 amount of the total district allowance, paragraph (b) of this subsec-
49 tion.

1 (d) Adjustment of District Share. The contract salary of every noncer-
 2 tificated teacher shall be subtracted from the district's share as cal-
 3 culated from the provisions of paragraph (c) of this subsection.

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

16 SECTION 3. That Section 33-1002, Idaho Code, as amended by Section 5,
 17 Chapter 374, Laws of 2016, be, and the same is hereby amended to read as fol-
 18 lows:

19 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-
 20 gram is calculated as follows:

21 (1) State Educational Support Funds. Add the state appropriation, in-
 22 cluding the moneys available in the public school income fund, together with
 23 all miscellaneous revenues to determine the total state funds.

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

26 (a) Pupil tuition-equivalency allowances as provided in section
 27 33-1002B, Idaho Code;

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

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

32 (d) The approved costs for border district allowance, provided in sec-
 33 tion 33-1403, Idaho Code, as determined by the state superintendent of
 34 public instruction;

35 (e) The approved costs for exceptional child approved contract al-
 36 lowance, provided in subsection 2. of section 33-2004, Idaho Code, as
 37 determined by the state superintendent of public instruction;

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

40 ~~(g) Salary-based apportionment calculated as provided in sections~~
 41 ~~33-1004 through 33-1004F, Idaho Code;~~

42 ~~(h) Unemployment insurance benefit payments according to the provi-~~
 43 ~~sions of section 72-1349A, Idaho Code;~~

44 ~~(i) For expenditure as provided by the public school technology pro-~~
 45 ~~gram;~~

46 ~~(j) For employee severance payments as provided in section 33-521,~~
 47 ~~Idaho Code;~~

1 (~~k~~j) For distributions to the Idaho digital learning academy as pro-
 2 vided in section 33-1020, Idaho Code;

3 (~~l~~k) For charter school facilities funds and reimbursements paid pur-
 4 suant to section 33-5208(5), Idaho Code;

5 (~~m~~l) For an online course portal as provided for in section 33-1024,
 6 Idaho Code;

7 (~~n~~m) For advanced opportunities as provided for in chapter 46, title
 8 33, Idaho Code;

9 (~~o~~n) For additional math and science courses for high school students
 10 as provided in section 33-1021, Idaho Code;

11 (~~p~~o) For leadership premiums as provided in section 33-1004J, Idaho
 12 Code;

13 (~~q~~p) For master teacher premiums as provided in section 33-1004I, Idaho
 14 Code;

15 (~~r~~q) For the support of provisions that provide a safe environment con-
 16 ductive to student learning and maintain classroom discipline, an allo-
 17 cation of three hundred dollars (\$300) per support unit;

18 (~~r~~r) An amount specified in the appropriation bill for the public
 19 schools educational support program for counseling support as provided
 20 for in section 33-1212A, Idaho Code, shall be distributed for grades 8
 21 through 12 as follows:

22 (i) For school districts and public charter schools with one hun-
 23 dred (100) or more students enrolled in grades 8 through 12, a pro
 24 rata distribution based on students enrolled in grades 8 through
 25 12 or ten thousand dollars (\$10,000), whichever is greater;

26 (ii) For school districts and public charter schools with fewer
 27 than one hundred (100) students enrolled in grades 8 through
 28 12, one hundred dollars (\$100) per student enrolled in grades
 29 8 through 12 or five thousand dollars (\$5,000), whichever is
 30 greater;

31 (~~s~~s) An amount specified in the public schools educational support pro-
 32 gram appropriation bill for literacy intervention pursuant to section
 33 33-1616, Idaho Code, the disbursements made to the school districts
 34 and public charter schools in the aggregate shall not exceed the total
 35 amount appropriated for this purpose and shall be based on the actual
 36 costs of such intervention programs. School districts and public char-
 37 ter schools shall be reimbursed in full or in pro rata based on the
 38 average number of students in kindergarten through grade 3 who score ba-
 39 sic or below basic on the fall statewide reading assessment in the prior
 40 three (3) years;

41 (~~t~~t) For mastery-based education as provided for in section 33-1630,
 42 Idaho Code; and

43 (~~u~~u) Any additional amounts as required by statute to effect adminis-
 44 trative adjustments or as specifically required by the provisions of
 45 any bill of appropriation;

46 to secure the total educational support distribution funds.

47 (3) Average Daily Attendance. The total state average daily attendance
 48 shall be the sum of the average daily attendance of all of the school dis-
 49 tricts of the state. The state board of education shall establish rules set-
 50 ting forth the procedure to determine average daily attendance and the time

1 for, and method of, submission of such report. Average daily attendance cal-
 2 culation shall be carried out to the nearest hundredth. Computation of av-
 3 erage daily attendance shall also be governed by the provisions of section
 4 33-1003A, Idaho Code.

5 (4) Support Units. The total state support units shall be determined
 6 by using the tables set out hereafter called computation of kindergarten
 7 support units, computation of elementary support units, computation of sec-
 8 ondary support units, computation of exceptional education support units,
 9 and computation of alternative school support units. The sum of all of the
 10 total support units of all school districts of the state shall be the total
 11 state support units.

12 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

13 Average Daily			
14 Attendance	Attendance Divisor		Units Allowed
15 41 or more....	40.....		1 or more as computed
16 31 - 40.99 ADA....	-.....		1
17 26 - 30.99 ADA....	-.....		.85
18 21 - 25.99 ADA....	-.....		.75
19 16 - 20.99 ADA....	-.....		.6
20 8 - 15.99 ADA....	-.....		.5
21 1 - 7.99 ADA....	-.....		count as elementary

22 COMPUTATION OF ELEMENTARY SUPPORT UNITS

23 Average Daily			Minimum Units
24 Attendance	Attendance Divisor		Allowed
25 300 or more ADA.....	.....		.. 15
26	..23...grades 4, 5 & 6....		
27	..22...grades 1, 2 & 3....1994-95		
28	..21...grades 1, 2 & 3....1995-96		
29	..20...grades 1, 2 & 3....1996-97		
30	and each year thereafter.		
31 160 to 299.99 ADA...	20.....		8.4
32 110 to 159.99 ADA...	19.....		6.8
33 71.1 to 109.99 ADA...	16.....		4.7
34 51.7 to 71.0 ADA...	15.....		4.0
35 33.6 to 51.6 ADA...	13.....		2.8
36 16.6 to 33.5 ADA...	12.....		1.4
37 1.0 to 16.5 ADA...	n/a.....		1.0

1 COMPUTATION OF SECONDARY SUPPORT UNITS

2	Average Daily		Minimum Units
3	Attendance	Attendance Divisor	Allowed
4	750 or more....	18.5	47
5	400 - 749.99 ADA....	16	28
6	300 - 399.99 ADA....	14.5	22
7	200 - 299.99 ADA....	13.5	17
8	100 - 199.99 ADA....	12	9
9	99.99 or fewer	Units allowed as follows:	
10	Grades 7-12	.....	8
11	Grades 9-12	.....	6
12	Grades 7- 9	.....	1 per 14 ADA
13	Grades 7- 8	.....	1 per 16 ADA

14 COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

15	Average Daily		Minimum Units
16	Attendance	Attendance Divisor	Allowed
17	14 or more....	14.5	1 or more as computed
18			
19	12 - 13.99....	-	1
20	8 - 11.99....	- .....	.75
21	4 - 7.99....	- .....	.5
22	1 - 3.99....	- .....	.25

23 COMPUTATION OF ALTERNATIVE SCHOOL SUPPORT UNITS

24 (Computation of alternative school support units shall include
25 grades 6 through 12)

26	Pupils in Attendance	Attendance Divisor	Minimum Units
27			Allowed
28	12 or more.....	12	1 or more as computed
29			

30 In applying these tables to any given separate attendance unit, no
31 school district shall receive less total money than it would receive if it
32 had a lesser average daily attendance in such separate attendance unit. In
33 applying the kindergarten table to a kindergarten program of fewer days
34 than a full school year, the support unit allowance shall be in ratio to the
35 number of days of a full school year. The attendance of students attending
36 an alternative school in a school district reporting fewer than one hundred
37 (100) secondary students in average daily attendance shall not be assigned
38 to the alternative table if the student is from a school district reporting
39 fewer than one hundred (100) secondary students in average daily attendance,

1 but shall instead be assigned to the secondary table of the school district
2 in which they are attending the alternative school, unless the alternative
3 school in question serves students from multiple districts reporting fewer
4 than one hundred (100) secondary students in average daily attendance. The
5 tables for exceptional education and alternative school support units shall
6 be applicable only for programs approved by the state department of educa-
7 tion following rules established by the state board of education. Moneys
8 generated from computation of support units for alternative schools shall be
9 utilized for alternative school programs. School district administrative
10 and facility costs may be included as part of the alternative school expen-
11 ditures.

12 (5) State Distribution Factor per Support Unit. Divide educational
13 support program distribution funds, after subtracting the amounts necessary
14 to pay the obligations specified in subsection (2) of this section, by the
15 total state support units to secure the state distribution factor per sup-
16 port unit.

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

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

28 (ii) Divide the combined totals of the average daily attendance
29 of all preschool, kindergarten, elementary, secondary, juvenile
30 detention center students and students with disabilities approved
31 for inclusion in the exceptional child program of the district by
32 the appropriate divisor from the table for computation of excep-
33 tional education support units to obtain the number of support
34 units allowed for the district's approved exceptional child pro-
35 gram. Calculations for this subsection shall be carried out to the
36 nearest hundredth when more than one (1) unit is allowed.

37 (iii) The total number of support units of the district shall be
38 the sum of the total support units for regular students, subpara-
39 graph (i) of this paragraph, and the support units allowance for
40 the approved exceptional child program, subparagraph (ii) of this
41 paragraph.

42 (b) Total District Allowance Educational Program. Multiply the dis-
43 trict's total number of support units, carried out to the nearest hun-
44 dredth, by the state distribution factor per support unit and to this
45 product add the approved amount of programs of the district provided in
46 subsection (2) of this section to secure the district's total allowance
47 for the educational support program.

48 (c) District Share. The district's share of state apportionment is the
49 amount of the total district allowance, paragraph (b) of this subsec-
50 tion.

1 (d) Adjustment of District Share. The contract salary of every noncer-
2 tificated teacher shall be subtracted from the district's share as cal-
3 culated from the provisions of paragraph (c) of this subsection.

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

16 SECTION 4. Section 3 of this act shall be in full force and effect on and
17 after July 1, 2019.