

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 251

BY APPROPRIATIONS COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT  
2 PROGRAM; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUP-  
3 PORT PROGRAM'S DIVISION OF TEACHERS FOR FISCAL YEAR 2026; APPROPRIATING  
4 MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF  
5 STUDENT SUPPORT FOR FISCAL YEAR 2026; APPROPRIATING MONEYS TO THE PUB-  
6 LIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S IDAHO DIGITAL LEARNING ACAD-  
7 EMY FOR FISCAL YEAR 2026; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS  
8 EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF FACILITIES FOR FISCAL YEAR  
9 2026; APPROPRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT  
10 PROGRAM'S DIVISION OF CENTRAL SERVICES FOR FISCAL YEAR 2026; APPRO-  
11 PRIATING MONEYS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S  
12 DIVISION OF EDUCATIONAL SERVICES FOR THE DEAF AND THE BLIND FOR FISCAL  
13 YEAR 2026; CLARIFYING THE ORIGINAL FUND SOURCE FOR EXPENDITURES IN THE  
14 PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM FOR FISCAL YEAR 2026; DI-  
15 RECTING THE USE OF MONEYS FOR PROFESSIONAL DEVELOPMENT FOR THE DIVISION  
16 OF TEACHERS; PROVIDING FOR A DISTRIBUTION OF ADDITIONAL COMPENSATION  
17 FOR INSTRUCTIONAL AND PUPIL SERVICE STAFF; PROVIDING AN ESTIMATE OF  
18 DISCRETIONARY FUNDS PER SUPPORT UNIT; PROVIDING AN ESTIMATE OF HEALTH  
19 BENEFIT AND INSURANCE FUNDS PER SUPPORT UNIT; DIRECTING THE USE OF AN  
20 APPROPRIATION FOR CLASSROOM TECHNOLOGY, WIRELESS INFRASTRUCTURE, AND  
21 LEARNING MANAGEMENT SYSTEMS; EXEMPTING THE APPROPRIATION FROM PRO-  
22 GRAM TRANSFER LIMITATIONS; DIRECTING THE USE OF CIGARETTE, TOBACCO,  
23 AND LOTTERY INCOME TAX MONEYS; DIRECTING THE USE OF APPROPRIATION FOR  
24 COURSEWORK; DIRECTING COMPLIANCE WITH OPEN ENROLLMENT; DIRECTING THE  
25 USE OF AN APPROPRIATION FOR ENGLISH PROFICIENCY PROGRAMS; DIRECTING  
26 THE STATE DEPARTMENT OF EDUCATION TO COMPILE INFORMATION ON ADVANCED  
27 OPPORTUNITIES; PROVIDING A TRANSFER TO THE COMMISSION ON HISPANIC AF-  
28 FAIRS; PROVIDING A TRANSFER TO THE IDAHO STATE POLICE; DIRECTING A  
29 DISTRIBUTION TO PURCHASE DIGITAL CONTENT AND CURRICULA; PROVIDING RE-  
30 QUIREMENTS REGARDING THE IDAHO DIGITAL LEARNING ACADEMY; DIRECTING THE  
31 USE OF MONEYS FOR LITERACY PROGRAMS, INTERVENTION SERVICES, MATH INI-  
32 TIATIVE PROGRAMS, AND LIMITED-ENGLISH PROFICIENCY PROGRAMS; DIRECTING  
33 THE USE OF MONEYS FOR STUDENT ASSESSMENTS; DIRECTING THE USE OF MONEYS  
34 FOR PROFESSIONAL DEVELOPMENT FOR THE CENTRAL SERVICES DIVISION; PRO-  
35 VIDING REQUIREMENTS FOR CONTENT AND CURRICULUM; PROVIDING REQUIREMENTS  
36 FOR TECHNOLOGY CONTENT AND CURRICULUM; PROVIDING GUIDANCE ON YEAR-END  
37 RECONCILIATION; DEFINING "DISTRIBUTED" AND "EXPENDED"; REQUIRING AN  
38 ACQUISITIONS REPORT; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO  
39 THE PUBLIC SCHOOL INCOME FUND FOR FISCAL YEAR 2026; PROVIDING FOR CON-  
40 DITIONS, LIMITATIONS, AND RESTRICTIONS; AND DECLARING AN EMERGENCY AND  
41 PROVIDING AN EFFECTIVE DATE.  
42

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

1 SECTION 1. There is hereby appropriated to the Public Schools Educa-  
 2 tional Support Program's Division of Teachers the following amounts to be  
 3 expended from the listed funds for the period July 1, 2025, through June 30,  
 4 2026:

5 FROM:

6	Public School Income Fund	\$1,348,220,700
7	Federal Grant Fund	<u>11,000,000</u>
8	TOTAL	\$1,359,220,700

9 SECTION 2. There is hereby appropriated to the Public Schools Educa-  
 10 tional Support Program's Division of Student Support the following amounts  
 11 to be expended to the designated programs from the listed funds for the pe-  
 12 riod July 1, 2025, through June 30, 2026:

13 TOTAL

14 I. ADMINISTRATORS DIVISION:

15 FROM:

16	Public School Income	
17	Fund	\$129,336,900

18 II. OPERATIONS DIVISION:

19 FROM:

20	Public School Income	
21	Fund	\$1,175,112,500

22 III. CHILDREN'S PROGRAMS DIVISION:

23 FROM:

24	Public School Income	
25	Fund	\$124,182,700
26	Federal Grant	
27	Fund	<u>240,147,800</u>
28	TOTAL	\$364,330,500

29	DIVISION TOTAL	\$1,668,779,900
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30 SECTION 3. There is hereby appropriated to the Public Schools Educa-  
 31 tional Support Program's Idaho Digital Learning Academy \$22,232,400 to be  
 32 expended from the Public School Income Fund for the period July 1, 2025,  
 33 through June 30, 2026.

1 SECTION 4. There is hereby appropriated to the Public Schools Educa-  
 2 tional Support Program's Division of Facilities the following amounts to be  
 3 expended from the listed funds for the period July 1, 2025, through June 30,  
 4 2026:

5 FROM:

6	Public School Income Fund	\$12,003,400
7	School Districts Facilities Fund	<u>182,978,700</u>
8	TOTAL	\$194,982,100

9 SECTION 5. There is hereby appropriated to the Public Schools Educa-  
 10 tional Support Program's Division of Central Services \$14,237,600 to be ex-  
 11 pended for operating expenditures from the Public School Income Fund for the  
 12 period July 1, 2025, through June 30, 2026.

13 SECTION 6. There is hereby appropriated to the Public Schools Educa-  
 14 tional Support Program's Division of Educational Services for the Deaf and  
 15 the Blind the following amounts to be expended from the listed funds for the  
 16 period July 1, 2025, through June 30, 2026:

17 FROM:

18	Public School Income Fund	\$16,058,400
19	School for the Deaf and the Blind Endowment Fund	<u>237,200</u>
20	TOTAL	\$16,295,600

21 SECTION 7. Of the amounts appropriated in Sections 1 through 6 of  
 22 this act for the Public Schools Educational Support Program, the following  
 23 amounts shall be considered expended from the listed funds for the period  
 24 July 1, 2025, through June 30, 2026:

25 FROM:

26	General Fund	\$2,760,570,100
27	School Districts Facilities Fund	182,978,700
28	Public Schools Other Income Fund	13,450,000
29	School for the Deaf and the Blind Endowment Fund	237,200
30	Cigarette, Tobacco and Lottery Income Taxes Fund	4,324,900
31	Public School Endowment Income Fund	63,039,600
32	Federal Grant Fund	<u>251,147,800</u>
33	TOTAL	\$3,275,748,300

34 SECTION 8. PROFESSIONAL DEVELOPMENT - TEACHERS. Of the moneys appro-  
 35 priated in Section 1 of this act, \$13,750,000 from the Public School Income  
 36 Fund shall be distributed for professional development that supports in-  
 37 structors and pupil service staff to increase student learning, mentoring,

1 and collaboration. Professional development efforts should be measurable,  
2 provide the instructors and pupil service staff with a clear understanding  
3 of their progress, be incorporated into their performance evaluations, and,  
4 to the extent possible, be included in the school district or public charter  
5 school continuous improvement plans required by Section 33-320, Idaho Code.  
6 Funding shall be distributed by a formula prescribed by the State Department  
7 of Education, and the State Department of Education shall track usage and  
8 effectiveness of professional development efforts at the state and local  
9 levels.

10 SECTION 9. INSTRUCTIONAL AND PUPIL SERVICE STAFF COMPENSATION. In ad-  
11 dition to the distribution criteria set forth in Section 33-1004B(9)(f),  
12 Idaho Code, an additional \$6,359 shall be allocated to each cell for resi-  
13 dential, professional, and advanced professional rungs. These funds must  
14 be used for instructional and pupil service compensation. Funding shall  
15 be distributed in combination with other career ladder allocations for the  
16 period July 1, 2025, through June 30, 2026. School districts and public  
17 charter schools shall report to the State Department of Education on the  
18 allocation of these funds for instructional and pupil service compensation.  
19 The State Department of Education shall provide a report to the Joint Fi-  
20 nance-Appropriations Committee by January 5, 2026, on the allocations made  
21 by school districts and public charter schools. The format of the report and  
22 the contents therein shall be determined by the Legislative Services Office  
23 Budget and Policy Analysis Division.

24 SECTION 10. DISCRETIONARY FUNDS. Notwithstanding any law to the con-  
25 trary, for the period July 1, 2025, through June 30, 2026, it is estimated  
26 that the appropriation of state funds to the Public Schools Educational  
27 Support Program's Division of Operations as part of the Student Support  
28 Division will result in total discretionary funds of \$23,472 per support  
29 unit that are to be used at the discretion of the school district or charter  
30 school.

31 SECTION 11. HEALTH BENEFIT AND INSURANCE FUNDS. Notwithstanding any  
32 law to the contrary, for the period July 1, 2025, through June 30, 2026, it  
33 is estimated that the appropriation of state funds to the Public Schools  
34 Educational Support Program's Division of Operations as part of the Stu-  
35 dent Support Division will result in total health benefits or insurance and  
36 health benefits-related funds of \$21,902 per support unit to be used to off-  
37 set the costs of health, vision, and dental benefits or insurance offered to  
38 school employees. If the distribution provided for health, vision, and den-  
39 tal benefits or insurance is in excess of the individual school district's  
40 or charter school's actual costs, the excess funds may then be used at the  
41 school district's or charter school's discretion. Further, the State De-  
42 partment of Education shall work with the Legislative Services Office Budget  
43 and Policy Analysis Division and the Division of Financial Management to  
44 determine the information that the State Department of Education shall col-  
45 lect on school districts' and charter schools' health, vision, and dental  
46 benefits or insurance plan information and costs, including but not limited

1 to actual insurance premium costs, premium percentage increases, and health  
2 insurance revenues and expenditures from all fund sources.

3 SECTION 12. CLASSROOM TECHNOLOGY. Of the moneys appropriated in Sec-  
4 tion 2 of this act, \$36,500,000 from the Public School Income Fund shall be  
5 distributed for classroom technology, classroom technology infrastruc-  
6 ture, wireless technology infrastructure, and learning management systems  
7 that assist teachers and students in effective and efficient instruction or  
8 learning. Funding shall be distributed based on a formula prescribed by the  
9 State Department of Education. Moneys so distributed shall be used to imple-  
10 ment and operate a learning management system of each school district's or  
11 public charter school's choice. A learning management system shall include  
12 integration with a school district's or public charter school's student  
13 information system and shall administer, monitor, and document student and  
14 classroom levels of learning. The State Department of Education shall ver-  
15 ify that school districts and public charter schools are using funds to pur-  
16 chase a learning management system that is compliant with these standards.

17 SECTION 13. EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. For the pe-  
18 riod July 1, 2025, through June 30, 2026, the State Department of Education  
19 is hereby granted the authority to transfer appropriations among the Teach-  
20 ers, Student Support, Facilities, and Idaho Digital Learning Academy divi-  
21 sions of the Public Schools Educational Support Program, in any amount nec-  
22 essary, to comply with the public school funding provisions of appropria-  
23 tions and Idaho Code. Additionally, appropriations may be transferred from  
24 the Division of Central Services to the other divisions of the Public Schools  
25 Educational Support Program.

26 SECTION 14. CIGARETTE, TOBACCO, AND LOTTERY DISTRIBUTION. Notwith-  
27 standing any provision of law to the contrary, of the moneys appropriated in  
28 Section 2 of this act, up to \$4,324,900 from available cigarette, tobacco,  
29 and lottery income tax revenue funds accruing, appropriated, or distributed  
30 to the Public School Income Fund pursuant to Sections 63-2506, 63-2552A,  
31 and 63-3067, Idaho Code, for the period July 1, 2025, through June 30, 2026,  
32 shall be distributed to school districts and charter schools through a com-  
33 bination of a base amount of \$2,000 plus a prorated amount based on the prior  
34 year's average daily attendance. Such funds shall be used to develop and  
35 implement school safety improvements and/or to facilitate and provide sub-  
36 stance abuse prevention programs in the public school system.

37 SECTION 15. COURSEWORK. Of the moneys appropriated in Section 2 of this  
38 act, \$4,715,000 shall be distributed for coursework for students failing to  
39 achieve proficiency on Idaho's standards-based achievement tests in dollar  
40 amounts determined by the State Department of Education. The State Depart-  
41 ment of Education shall report to the Joint Finance-Appropriations Commit-  
42 tee and the Senate Education and House Education committees by no later than  
43 January 5, 2026, on the uses of funds and effectiveness of the programs and  
44 efforts.

1 SECTION 16. OPEN ENROLLMENT INFORMATION. The State Department of Edu-  
2 cation shall withhold the November payment for any school district that is  
3 not in compliance with the provisions of Section 33-1409, Idaho Code, until  
4 such time as the school district becomes compliant.

5 SECTION 17. ENGLISH PROFICIENCY. Pursuant to Section 33-1617, Idaho  
6 Code, of the moneys appropriated in Section 2 of this act, \$4,820,000 shall  
7 be distributed for support of students in English language learner programs  
8 as follows:

9 (1) The State Department of Education shall distribute \$4,370,000 to  
10 school districts and charter schools pro rata based on the population of Eng-  
11 lish language learners under criteria established by the department.

12 (2) The State Department of Education shall distribute \$450,000 for a  
13 competitive grant program to assist school districts and charter schools in  
14 which English language learners are not reaching statewide accountability  
15 interim targets or long-term goals, as defined by federal law. This amount  
16 shall be distributed annually in three-year grant cycles, contingent on ap-  
17 propriation and the ability of grantees to meet program objectives.

18 The State Department of Education shall develop the program elements  
19 and objectives governing the use of these funds and include a program evalua-  
20 tion component.

21 The purpose of these funds is to improve student English language skills  
22 to allow for better access to the educational opportunities offered in pub-  
23 lic schools. The State Department of Education shall report to the Joint Fi-  
24 nance-Appropriations Committee and the Senate Education and House Education  
25 committees by no later than January 5, 2026, on the program design, use of  
26 funds, and program effectiveness.

27 SECTION 18. ADVANCED OPPORTUNITIES COURSES AND PROGRAM EVALUATION. The  
28 State Department of Education shall compile information concerning the num-  
29 ber of students enrolling in advanced opportunities courses according to the  
30 provisions of Chapter 46, Title 33, Idaho Code, whether coursework is suc-  
31 cessfully completed, and total expenditures for fiscal year 2025. As nearly  
32 as practicable, the report shall contain information about enrollment of  
33 this student population in postsecondary education. A report containing  
34 such information shall be posted on the website of the State Department of  
35 Education no later than January 5, 2026.

36 SECTION 19. PUBLIC SCHOOL INCOME FUND TRANSFER TO COMMISSION ON HIS-  
37 PANIC AFFAIRS. There is hereby appropriated and the Office of the State Con-  
38 troller shall transfer in accordance with Section 63-2552A(2), Idaho Code,  
39 on July 1, 2025, or as soon thereafter as practicable, \$80,000 from the Pub-  
40 lic School Income Fund to the Commission on Hispanic Affairs Miscellaneous  
41 Revenue Fund to be used for substance abuse prevention efforts in collabora-  
42 tion with the State Department of Education.

43 SECTION 20. PUBLIC SCHOOL INCOME FUND TRANSFER TO THE IDAHO STATE PO-  
44 LICE. There is hereby appropriated and the Office of the State Controller  
45 shall transfer in accordance with Section 63-2552A(2), Idaho Code, on July  
46 1, 2025, or as soon thereafter as practicable, \$200,000 from the Public

1 School Income Fund to the Idaho State Police Miscellaneous Revenue Fund for  
2 the purpose of increasing toxicology lab capacity in Forensic Services.

3 SECTION 21. DIGITAL CONTENT AND CURRICULA. Of the funds appropriated in  
4 Section 2 of this act, \$1,600,000 shall be distributed by the State Depart-  
5 ment of Education to school districts and public charter schools to purchase  
6 digital content and curricula of their choice. Funding will be distributed  
7 subject to Section 33-4804(2), Idaho Code.

8 SECTION 22. IDAHO DIGITAL LEARNING ACADEMY. The Idaho Digital Learning  
9 Academy (IDLA), created pursuant to Chapter 55, Title 33, Idaho Code, shall  
10 utilize state-appropriated funds for the period July 1, 2025, through June  
11 30, 2026, to achieve the following:

12 (1) Tuition charged by IDLA to Idaho school districts and charter  
13 schools shall not exceed \$75.00 per enrollment.

14 (2) Provide remedial coursework for students failing to achieve profi-  
15 ciency in one or more areas of Idaho's standards-based tests.

16 (3) Pursuant to State Board of Education rule, IDAPA 08.02.03, provide  
17 advanced opportunities, including access to dual credit courses, for stu-  
18 dents.

19 The preceding list shall not be construed as excluding other instruc-  
20 tion and training that may be provided by the Idaho Digital Learning Academy.

21 SECTION 23. PROGRAM SUPPORT. Of the moneys appropriated in Section  
22 5 of this act, up to \$2,459,100 from the Public School Income Fund shall  
23 be expended for the support of literacy programs, intervention services  
24 for non-Title I schools that fail to achieve proficiency on Idaho's stan-  
25 dards-based achievement tests, math initiative programs and regional math  
26 labs, and evaluation of the programs for students with non-English or lim-  
27 ited-English proficiency. The State Department of Education shall report  
28 to the Joint Finance-Appropriations Committee, the Senate Education Com-  
29 mittee, and the House Education Committee by January 5, 2026, on the uses of  
30 funds and effectiveness of the programs and efforts.

31 SECTION 24. STUDENT ASSESSMENTS. Of the moneys appropriated in Section  
32 5 of this act, the State Department of Education may expend up to \$2,258,500  
33 for the development or administration of student assessments, including a  
34 college entrance exam for grade 11 students, an exam for grade 10 students  
35 that provides preparation for the college entrance exam, and end-of-course  
36 exams for high school science subjects.

37 SECTION 25. PROFESSIONAL DEVELOPMENT - CENTRAL SERVICES. Of the moneys  
38 appropriated in Section 5 of this act, the State Department of Education may  
39 expend up to \$4,500,000 for professional development and teacher training  
40 and to track usage and effectiveness of professional development efforts at  
41 the state and local levels.

42 SECTION 26. CONTENT AND CURRICULUM. Of the moneys appropriated in  
43 Section 5 of this act, \$1,200,000 shall be expended for the purchase of  
44 content and curriculum for adaptive math instruction, and \$2,250,000 shall

1 be expended for research-based programs to assist with the instruction of  
2 students with non-English or limited-English proficiency and for learning  
3 loss.

4 SECTION 27. CONTENT AND CURRICULUM - TECHNOLOGY. Of the moneys appro-  
5 priated in Section 5 of this act, an amount not to exceed \$1,570,000 from  
6 the Public School Income Fund may be expended by the State Department of Ed-  
7 ucation to contract for services that provide technology education opportu-  
8 nities and/or information technology certifications to students, including  
9 faculty that prepare students for college, career, or the workplace. Fund-  
10 ing shall be awarded for projects that include three or more of the following  
11 components:

- 12 (1) Certification of skills and competencies;
- 13 (2) Professional development for teachers;
- 14 (3) Integration with curriculum standards;
- 15 (4) Online access to research-based content and curriculum; or
- 16 (5) Instructional software for classroom use.

17 The State Department of Education shall provide a report to the Joint  
18 Finance-Appropriations Committee, the Senate Education Committee, and the  
19 House Education Committee by January 5, 2026, regarding the number and type  
20 of certificates earned by students and faculty.

21 SECTION 28. YEAR-END RECONCILIATION. If the moneys appropriated and  
22 transferred to the Public School Income Fund and the moneys appropriated  
23 from the General Fund in Section 5 of this act exceed the actual expenditures  
24 for the specified purposes, the difference shall be included in the year-end  
25 reconciliation used to calculate funding available to meet the requirements  
26 of Section 33-1018, Idaho Code, notwithstanding any other provision of law  
27 to the contrary. If the funding amounts specified in Section 24 of this act  
28 are insufficient to meet the actual expenditures, the difference shall be  
29 included in the year-end reconciliation used to calculate funding available  
30 to meet the requirements of Section 33-1018, Idaho Code, notwithstanding any  
31 other provision of law to the contrary.

32 SECTION 29. DEFINITIONS. (1) As used in Sections 8, 9, 12, and 21 of this  
33 act, "distributed" means moneys that are transferred to school districts and  
34 public charter schools, with no funds withheld for any other contract or ad-  
35 ministrative costs;

36 (2) As used in Sections 14, 15, and 17 of this act, "distributed" means  
37 moneys that are transferred to school districts, public charter schools, and  
38 the Idaho Digital Learning Academy, with no funds withheld for any other con-  
39 tract or administrative costs; and

40 (3) As used in Sections 23, 26, and 27 of this act, "expended" means mon-  
41 eys that pay for the cost of contracts that provide services to school dis-  
42 tricts, public charter schools, or students or that pay for the State Depart-  
43 ment of Education's cost of administering the programs for which the moneys  
44 are allocated.

45 SECTION 30. ACQUISITIONS. Consistent with the provisions of Chapter  
46 92, Title 67, Idaho Code, and funding provided in Section 5 of this act, the

1 State Department of Education is encouraged to engage in open, competitive  
2 acquisition processes. The State Department of Education shall provide a  
3 report to the Joint Finance-Appropriations Committee by December 1, 2025, on  
4 all contracts signed during fiscal year 2025 for property valued at more than  
5 \$25,000. The report shall include for each contract: (a) the amount; (b)  
6 the duration; (c) the parties; (d) the subject; (e) whether the contract was  
7 awarded as a result of an open, competitive acquisition process or as a sole  
8 source or other noncompetitive procurement pursuant to Section 67-9221,  
9 Idaho Code; and (f) the rationale for signing any sole source or other non-  
10 competitive procurements.

11 SECTION 31. There is hereby appropriated and the Office of the State  
12 Controller shall transfer \$2,430,570,100 from the General Fund to the Public  
13 School Income Fund on July 1, 2025, or as soon thereafter as practicable for  
14 the period July 1, 2025, through June 30, 2026.

15 SECTION 32. CONDITIONS, LIMITATIONS, AND RESTRICTIONS. Appropriations  
16 made pursuant to this act are subject to the conditions, limitations, and re-  
17 strictions specified in this act.

18 SECTION 33. An emergency existing therefor, which emergency is hereby  
19 declared to exist, this act shall be in full force and effect on and after  
20 July 1, 2025.