

IN THE SENATE

SENATE BILL NO. 1069

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-125, IDAHO CODE, TO PROVIDE FOR  
2 A FISCAL REPORT CARD; REPEALING SECTION 33-129, IDAHO CODE, RELATING  
3 TO MATCHING GRANTS FOR SCIENCE EDUCATION PROGRAMS; AMENDING SECTION  
4 33-357, IDAHO CODE, TO REVISE A DEFINITION, TO PROVIDE THAT A CERTAIN  
5 INTERNET BASED WEBSITE SHALL INCLUDE AN ANNUAL BUDGET AND MASTER LABOR  
6 AGREEMENTS; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVISIONS  
7 RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION 33-1002,  
8 IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EDUCATIONAL SUPPORT  
9 PROGRAM; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVISIONS  
10 RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION 33-1002,  
11 IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EDUCATIONAL SUPPORT  
12 PROGRAM; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVISIONS  
13 RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10, TITLE  
14 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002A, IDAHO CODE, TO  
15 PROVIDE PROVISIONS RELATING TO FRACTIONAL AVERAGE DAILY ATTENDANCE AND  
16 TO PROVIDE FOR EXCEPTIONS; AMENDING SECTION 33-1002C, IDAHO CODE, TO  
17 REVISE PROVISIONS RELATING TO CERTAIN PROGRAM SUPPORT UNITS; AMENDING  
18 SECTION 33-1002C, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN  
19 PROGRAM SUPPORT UNITS; AMENDING SECTION 33-1002C, IDAHO CODE, TO RE-  
20 VISE PROVISIONS RELATING TO CERTAIN PROGRAM SUPPORT UNITS; AMENDING  
21 SECTION 33-1002C, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CER-  
22 TAIN PROGRAM SUPPORT UNITS; AMENDING SECTION 33-1004, IDAHO CODE, TO  
23 REVISE A PROVISION RELATING TO STAFF ALLOWANCE AND COSTS OF PROVIDING  
24 VIRTUAL EDUCATION COURSEWORK; AMENDING SECTION 33-1004A, IDAHO CODE,  
25 TO REVISE PROVISIONS RELATING TO THE EXPERIENCE AND EDUCATION MULTI-  
26 PLIER; AMENDING SECTION 33-1004A, IDAHO CODE, TO REVISE PROVISIONS  
27 RELATING TO THE EXPERIENCE AND EDUCATION MULTIPLIER; AMENDING SECTION  
28 33-1004A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EXPERIENCE  
29 AND EDUCATION MULTIPLIER; AMENDING SECTION 33-1004E, IDAHO CODE, TO  
30 REVISE PROVISIONS RELATING TO A DISTRICT'S SALARY-BASED APPORTIONMENT;  
31 AMENDING SECTION 33-1004F, IDAHO CODE, TO REVISE PROVISIONS RELATING TO  
32 AMOUNTS REQUIRED TO MEET OBLIGATIONS TO THE PUBLIC EMPLOYEE RETIREMENT  
33 SYSTEM AND TO SOCIAL SECURITY; AMENDING CHAPTER 10, TITLE 33, IDAHO  
34 CODE, BY THE ADDITION OF A NEW SECTION 33-1004I, IDAHO CODE, TO PROVIDE  
35 PROVISIONS RELATING TO PAY FOR PERFORMANCE, HARD TO FILL POSITIONS,  
36 LEADERSHIP AWARDS AND TO PROVIDE FOR DISTRIBUTION OF MONEYS; AMENDING  
37 SECTION 33-1020, IDAHO CODE, TO DELETE A PROVISION RELATING TO MONEYS  
38 DISTRIBUTED TO THE IDAHO DIGITAL LEARNING ACADEMY; AMENDING CHAPTER 10,  
39 TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1021, IDAHO  
40 CODE, TO PROVIDE PROVISIONS RELATING TO MATH AND SCIENCE REQUIREMENTS  
41 AND THE DISTRIBUTION OF MONEYS FOR CERTAIN MATH AND SCIENCE COURSES;  
42 AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW  
43 SECTION 33-1022, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO PUB-  
44 LIC SCHOOL TECHNOLOGY AND EXPENDITURES OR DISTRIBUTIONS OF MONEYS FOR  
45

1 SUCH; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A  
 2 NEW SECTION 33-1626, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO DUAL  
 3 CREDIT; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF  
 4 A NEW SECTION 33-1627, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO  
 5 ONLINE COURSES AND MOBILE COMPUTING DEVICES AND TO PROVIDE FOR CERTAIN  
 6 EXPENDITURES OR DISTRIBUTIONS OF MONEYS; AMENDING CHAPTER 16, TITLE 33,  
 7 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1627A, IDAHO CODE, TO  
 8 PROVIDE THAT THE LEGISLATURE DECLARES CERTAIN DEVICES TO BE OF NOMINAL  
 9 VALUE AND THAT A TRANSFER OF SUCH DEVICES IS A BENEFIT TO THE STATE OF  
 10 IDAHO AND ITS CITIZENS; AMENDING SECTION 33-5208, IDAHO CODE, TO RE-  
 11 VISE PROVISIONS RELATING TO PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT;  
 12 AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS RELATING  
 13 TO PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5208,  
 14 IDAHO CODE, TO REVISE PROVISIONS RELATING TO PUBLIC CHARTER SCHOOL  
 15 FINANCIAL SUPPORT; AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PRO-  
 16 VISIONS RELATING TO PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING  
 17 SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PUBLIC  
 18 CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING CHAPTER 52, TITLE 33, IDAHO  
 19 CODE, BY THE ADDITION OF A NEW SECTION 33-5216, IDAHO CODE, TO PROVIDE  
 20 PROVISIONS RELATING TO PUBLIC POSTSECONDARY INSTITUTIONS AUTHORIZED  
 21 TO OPERATE PUBLIC CHARTER HIGH SCHOOLS; PROVIDING LEGISLATIVE INTENT;  
 22 PROVIDING SEVERABILITY; AND PROVIDING EFFECTIVE DATES.

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

24 SECTION 1. That Section 33-125, Idaho Code, be, and the same is hereby  
 25 amended to read as follows:

26 33-125. STATE DEPARTMENT OF EDUCATION -- CREATION -- DUTIES. There is  
 27 hereby established as an executive agency of the state board of education a  
 28 department known as the state department of education. The state superin-  
 29 tendent shall serve as the executive officer of such department and shall  
 30 have the responsibility for carrying out policies, procedures and duties au-  
 31 thorized by law or established by the state board of education for all ele-  
 32 mentary and secondary school matters, and to ~~administer grants for the pro-~~  
 33 ~~motion of science education as provided in sections 33-128 and 33-129, Idaho~~  
 34 ~~Code~~ post a fiscal report card on each school district and charter school on  
 35 the department's internet site. The department shall perform the duties as-  
 36 signed to it as specified in section 67-5745D, Idaho Code, relating to the  
 37 Idaho education network.

38 SECTION 2. That Section 33-129, Idaho Code, be, and the same is hereby  
 39 repealed.

40 SECTION 3. That Section 33-357, Idaho Code, be, and the same is hereby  
 41 amended to read as follows:

42 33-357. CREATION OF INTERNET BASED EXPENDITURE WEBSITE. (1) As used  
 43 in this section, unless otherwise required:

44 (a) "Education provider" means:

- 1 (i) A school district, including a specially chartered district  
2 organized and existing pursuant to law;
- 3 (ii) A cooperative services agency ~~or intermediate school dis-~~  
4 ~~trict~~;
- 5 (iii) A public charter school authorized pursuant to state law;
- 6 (iv) A publicly funded governmental entity established by the  
7 state for the express purpose of providing online courses.
- 8 (b) "Entity" means a corporation, association, union, limited liabil-  
9 ity company, limited liability partnership, grantee, contractor, local  
10 government or other legal entity, including a nonprofit corporation or  
11 an employee of the education provider.
- 12 (c) "Public record" shall have the same meaning as set forth in chapter  
13 3, title 9, Idaho Code.
- 14 (2) (a) No later than December 1, 2011, each education provider shall  
15 develop and maintain a publicly available website where the education  
16 provider's expenditures are posted in a nonsearchable PDF format, a  
17 searchable PDF format, a spreadsheet or in a database format.
- 18 (b) The internet based website shall include the following data con-  
19 cerning all expenditures made by the education provider:
- 20 (i) The name and location or address of the entity receiving mon-  
21 eys;
- 22 (ii) The amount of expended moneys;
- 23 (iii) The date of the expenditure;
- 24 (iv) A description of the purpose of the expenditure, unless the  
25 expenditure is self-describing;
- 26 (v) Supporting contracts and performance reports upon which the  
27 expenditure is related when these documents already exist; and
- 28 (vi) To the extent possible, a unique identifier for each expen-  
29 diture;
- 30 (vii) The annual budget approved by the education provider's gov-  
31 erning board, to be posted within thirty (30) days after its ap-  
32 proval; and
- 33 (viii) Any current master labor agreements approved by the educa-  
34 tion provider's governing board.
- 35 (c) The expenditure data shall be provided in an open structured data  
36 format that may be downloaded by the user.
- 37 (d) The internet based website shall contain only information that is a  
38 public record or that is not confidential or otherwise exempt from pub-  
39 lic disclosure pursuant to state or federal law.
- 40 (3) The education provider shall:
- 41 (a) Update the expenditures contained on the internet based website at  
42 least monthly;
- 43 (b) Archive all expenditures, which shall remain accessible and on the  
44 internet based website for a number of years, consistent with state law  
45 regarding keeping and retention of records;
- 46 (c) Make the internet based website easily accessible from the main  
47 page of the education provider's website; and
- 48 (d) The website shall include those records beginning on the effective  
49 date of this act on July 1, 2011, and all data prior to that date shall be  
50 available by way of a public records request.

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

3 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-  
4 gram is calculated as follows:

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

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

10 (a) Pupil tuition-equivalency allowances as provided in section  
11 33-1002B, Idaho Code;

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

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

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

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

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

24 (g) Salary-based apportionment calculated as provided in sections  
25 33-1004 through 33-1004F, Idaho Code;

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

28 (i) ~~For expenditure as provided by the public school technology program~~  
29 as provided in section 33-1022, Idaho Code;

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

32 (k) ~~For distributions to the Idaho digital learning academy as provided~~  
33 in section 33-1020, Idaho Code;

34 (l) For dual credit courses as provided in section 33-1626, Idaho Code;

35 (m) For additional math and science courses for high school students as  
36 provided in section 33-1021, Idaho Code;

37 (n) For certificated employee severance payment reimbursement as pro-  
38 vided in section 33-515B, Idaho Code;

39 (o) For the support of provisions that provide a safe environment con-  
40 ductive to student learning and maintain classroom discipline, an allo-  
41 cation of \$300 per support unit; and

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

45 to secure the total educational support distribution funds.

46 (3) Average Daily Attendance. The total state average daily attendance  
47 shall be the sum of the average daily attendance of all of the school dis-  
48 tricts of the state. The state board of education shall establish rules set-  
49 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 primary support units, computation of elemen-  
 8 tary support units, computation of secondary support units, computation of  
 9 exceptional education support units, and computation of alternative school  
 10 secondary support units. The sum of all of the total support units of all  
 11 school districts of the state shall be the total 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	<u>.01 - 7.99 ADA....</u>	-.....	count as elementary
22			<u>primary</u>

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

24	<u>Average Daily</u>		<u>Minimum Units</u>
25	<u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
26	<u>80 or more ADA.....</u>	<u>20.....</u>	<u>4.2</u>
27	<u>55 - 79.99 ADA...</u>	<u>19.....</u>	<u>3.4</u>
28	<u>35.5 - 54.99 ADA...</u>	<u>16.....</u>	<u>2.4</u>
29	<u>25.8 - 35.49 ADA...</u>	<u>15.....</u>	<u>2.0</u>
30	<u>16.8 - 25.79 ADA...</u>	<u>13.....</u>	<u>1.4</u>
31	<u>8.3 - 16.79 ADA...</u>	<u>12.....</u>	<u>0.7</u>
32	<u>.01 - 8.29 ADA...</u>	<u>n/a.....</u>	<u>0.5</u>

COMPUTATION OF ELEMENTARY SUPPORT UNITS		
Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
300 or more ADA.....	.....	15
	<del>..23...grades 4, 5 &amp; 6....</del>	
	<del>..22...grades 1, 2 &amp; 3....1994-95</del>	
	<del>..21...grades 1, 2 &amp; 3....1995-96</del>	
	<del>..20...grades 1, 2 &amp; 3....1996-97</del>	
	— and each year thereafter.	
<del>160 to 299.99 ADA...</del>	<del>20.....</del>	<del>8.4</del>
<del>110 to 159.99 ADA...</del>	<del>19.....</del>	<del>6.8</del>
<del>71.1 to 109.99 ADA...</del>	<del>16.....</del>	<del>4.7</del>
<del>51.7 to 71.0 ADA...</del>	<del>15.....</del>	<del>4.0</del>
<del>33.6 to 51.6 ADA...</del>	<del>13.....</del>	<del>2.8</del>
<del>16.6 to 33.5 ADA...</del>	<del>12.....</del>	<del>1.4</del>
<del>1.0 to 16.5 ADA...</del>	<del>n/a.....</del>	<del>1.0</del>

COMPUTATION OF ELEMENTARY SUPPORT UNITS (GRADES 4-6)		
Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
150 or more ADA.....	24.25.....	7.1
80 - 149.99 ADA...	21.25.....	4.0
55 - 79.99 ADA...	20.25.....	3.2
35.5 - 54.99 ADA...	17.25.....	2.2
25.8 - 35.49 ADA...	16.25.....	1.8
16.8 - 25.79 ADA...	14.25.....	1.3
8.3 - 16.79 ADA	13.25.....	0.6
.01 - 8.29 ADA...	n/a.....	0.5

COMPUTATION OF SECONDARY SUPPORT UNITS		
Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
750 or more ....	<del>18.5</del> 19.75.....	<del>473.5</del>
400 - 749.99 ADA....	167.25.....	285.4
300 - 399.99 ADA....	14.55.75.....	220.3
200 - 299.99 ADA....	13.54.75.....	175.1
100 - 199.99 ADA....	123.25.....	98
99.99 or fewer	Units allowed as follows:	
Grades 7-12	.....	8

1	Average Daily		Minimum Units
2	Attendance	Attendance Divisor	Allowed
3	Grades 9-12	.....	6
4	<del>Grades 7-9</del>	.....	1 per 14 ADA
5	Grades 7- 8	.....	1 per <u>167.25</u> ADA

6 COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

7	Average Daily		Minimum Units
8	Attendance	Attendance Divisor	Allowed
9	<u>145.75</u> or more ....	<u>145.75</u> .....	1 or more as
10			computed
11	<u>12.6</u> - <del>13.99</del> <u>5.74</u> .....	- .....	1
12	<u>8.4</u> - <del>11.99</del> <u>12.59</u> .....	- .....	.75
13	<u>4.2</u> - <del>7.99</del> <u>8.39</u> .....	- .....	.5
14	<u>.01</u> - <del>3.99</del> <u>4.19</u> .....	- .....	.25

15 COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

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

20 In applying these tables to any given separate attendance unit, no  
 21 school district shall receive less total money than it would receive if it  
 22 had a lesser average daily attendance in such separate attendance unit. In  
 23 applying the kindergarten table to a kindergarten program of less days than a  
 24 full school year, the support unit allowance shall be in ratio to the number  
 25 of days of a full school year. No school district reporting any number of  
 26 students in average daily attendance for kindergarten through sixth grade  
 27 shall receive less than one (1.0) support unit for such. The tables for  
 28 exceptional education and alternative school secondary support units shall  
 29 be applicable only for programs approved by the state department of educa-  
 30 tion following rules established by the state board of education. Moneys  
 31 generated from computation of support units for alternative schools shall be  
 32 utilized for alternative school programs. School district administrative  
 33 and facility costs may be included as part of the alternative school expen-  
 34 ditures.

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

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

1 (a) (i) Divide the actual average daily attendance, excluding stu-  
 2 dents approved for inclusion in the exceptional child educational  
 3 program, for the administrative schools and each of the separate  
 4 schools and attendance units by the appropriate divisor from the  
 5 tables of support units in this section, then add the quotients  
 6 to obtain the district's support units allowance for regular stu-  
 7 dents, kindergarten through grade 12 including alternative school  
 8 secondary students. Calculations in application of this subsec-  
 9 tion shall be carried out to the nearest tenth.

10 (ii) Divide the combined totals of the average daily attendance  
 11 of all preschool, kindergarten, primary, elementary, secondary,  
 12 juvenile detention center students and students with disabilities  
 13 approved for inclusion in the exceptional child program of the  
 14 district by the appropriate divisor from the table for computa-  
 15 tion of exceptional education support units to obtain the number  
 16 of support units allowed for the district's approved exceptional  
 17 child program. Calculations for this subsection shall be carried  
 18 out to the nearest tenth when more than one (1) unit is allowed.

19 (iii) The total number of support units of the district shall be  
 20 the sum of the total support units for regular students, subsec-  
 21 tion (6) (a) (i) of this section, and the support units allowance  
 22 for the approved exceptional child program, subsection (6) (a) (ii)  
 23 of this section.

24 (b) Total District Allowance Educational Program. Multiply the dis-  
 25 trict's total number of support units, carried out to the nearest tenth,  
 26 by the state distribution factor per support unit and to this product  
 27 add the approved amount of programs of the district provided in subsec-  
 28 tion (2) of this section to secure the district's total allowance for  
 29 the educational support program.

30 (c) District Share. The district's share of state apportionment is the  
 31 amount of the total district allowance, subsection (6) (b) of this sec-  
 32 tion.

33 (d) Adjustment of District Share. The contract salary of every noncer-  
 34 tificated teacher shall be subtracted from the district's share as cal-  
 35 culated from the provisions of subsection (6) (c) of this section.

36 (7) Property Tax Computation Ratio. In order to receive state funds  
 37 pursuant to this section a charter district shall utilize a school mainte-  
 38 nance and operation property tax computation ratio for the purpose of cal-  
 39 culating its maintenance and operation levy, that is no greater than that  
 40 which it utilized in tax year 1994, less four-tenths of one percent (.4%). As  
 41 used herein, the term "property tax computation ratio" shall mean a ratio de-  
 42 termined by dividing the district's certified property tax maintenance and  
 43 operation budget by the actual or adjusted market value for assessment pur-  
 44 poses as such values existed on December 31, 1993. Such maintenance and op-  
 45 eration levy shall be based on the property tax computation ratio multiplied  
 46 by the actual or adjusted market value for assessment purposes as such values  
 47 existed on December 31 of the prior calendar year.

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



1 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-  
2 gram is calculated as follows:

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

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

8 (a) Pupil tuition-equivalency allowances as provided in section  
9 33-1002B, Idaho Code;

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

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

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

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

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

22 (g) Salary-based apportionment calculated as provided in sections  
23 33-1004 through 33-1004F, Idaho Code;

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

26 (i) ~~For expenditure as provided by the public school technology program~~  
27 as provided for in section 33-1022, Idaho Code;

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

30 (k) ~~For distributions to the Idaho digital learning academy as provided~~  
31 in section 33-1020, Idaho Code;

32 (l) For dual credit courses as provided in section 33-1626, Idaho Code;

33 (m) For additional math and science courses for high school students as  
34 provided in section 33-1021, Idaho Code;

35 (n) For costs associated with the online course requirement as provided  
36 in section 33-1627, Idaho Code;

37 (o) For certificated employee severance payment reimbursement as pro-  
38 vided in section 33-515B, Idaho Code;

39 (p) For pay for performance as provided in section 33-1004I, Idaho  
40 Code;

41 (q) For the support of provisions that provide a safe environment con-  
42 ducive to student learning and maintain classroom discipline, an allo-  
43 cation of \$300 per support unit; and

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

47 to secure the total educational support distribution funds.

48 (3) Average Daily Attendance. The total state average daily attendance  
49 shall be the sum of the average daily attendance of all of the school dis-  
50 tricts of the state. The state board of education shall establish rules set-

1 ting forth the procedure to determine average daily attendance and the time  
 2 for, and method of, submission of such report. Average daily attendance cal-  
 3 culation shall be carried out to the nearest hundredth. Computation of av-  
 4 erage daily attendance shall also be governed by the provisions of section  
 5 33-1003A, Idaho Code.

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

13 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

14 Average Daily

15 Attendance	Attendance Divisor	Units Allowed
16 41 or more . . . .	40 . . . . .	1 or more as computed
17 31 - 40.99 ADA . . . .	- . . . . .	1
18 26 - 30.99 ADA . . . .	- . . . . .	.85
19 21 - 25.99 ADA . . . .	- . . . . .	.75
20 16 - 20.99 ADA . . . .	- . . . . .	.6
21 8 - 15.99 ADA . . . .	- . . . . .	.5
22 <u>.01 - 7.99 ADA . . . .</u>	- . . . . .	count as elementary 23 <u>primary</u>

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

25 <u>Average Daily</u>		<u>Minimum Units</u>
26 <u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
27 <u>80 or more ADA . . . . .</u>	<u>20 . . . . .</u>	<u>4.2</u>
28 <u>55 - 79.99 ADA . . . .</u>	<u>19 . . . . .</u>	<u>3.4</u>
29 <u>35.5 - 54.99 ADA . . . .</u>	<u>16 . . . . .</u>	<u>2.4</u>
30 <u>25.8 - 35.49 ADA . . . .</u>	<u>15 . . . . .</u>	<u>2.0</u>
31 <u>16.8 - 25.79 ADA . . . .</u>	<u>13 . . . . .</u>	<u>1.4</u>
32 <u>8.3 - 16.79 ADA . . . .</u>	<u>12 . . . . .</u>	<u>0.7</u>
33 <u>.01 - 8.29 ADA . . . .</u>	<u>n/a . . . . .</u>	<u>0.5</u>

34 ~~COMPUTATION OF ELEMENTARY SUPPORT UNITS~~

35 <del>Average Daily</del>		<del>Minimum Units</del>
36 <del>Attendance</del>	<del>Attendance Divisor</del>	<del>Allowed</del>
37 <del>300 or more ADA . . . . .</del>	<del>. . . . .</del>	<del>15</del>
38 <del>.23 . . . . grades 4, 5 &amp; 6 . . . .</del>	<del>. . . . .</del>	
39 <del>.22 . . . . grades 1, 2 &amp; 3 . . . . 1994-95</del>	<del>. . . . .</del>	

1	Average Daily		Minimum Units
2	Attendance	Attendance Divisor	Allowed
3		<del>..21...grades 1,2 &amp; 3....1995-96</del>	
4		<del>..20...grades 1,2 &amp; 3....1996-97</del>	
5		<del>— and each year thereafter.</del>	
6	<del>160 to 299.99 ADA...</del>	20 .....	8.4
7	<del>110 to 159.99 ADA...</del>	19 .....	6.8
8	<del>71.1 to 109.99 ADA...</del>	16 .....	4.7
9	<del>51.7 to 71.0 ADA...</del>	15 .....	4.0
10	<del>33.6 to 51.6 ADA...</del>	13 .....	2.8
11	<del>16.6 to 33.5 ADA...</del>	12 .....	1.4
12	<del>1.0 to 16.5 ADA...</del>	n/a .....	1.0

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

14	Average Daily		Minimum Units
15	Attendance	Attendance Divisor	Allowed
16	<u>150 or more ADA.....</u>	25 .....	6.8
17	<u>80 - 149.99 ADA...</u>	22 .....	3.8
18	<u>55 - 79.99 ADA...</u>	21 .....	3.1
19	<u>35.5 - 54.99 ADA...</u>	18 .....	2.1
20	<u>25.8 - 35.49 ADA...</u>	17 .....	1.7
21	<u>16.8 - 25.79 ADA...</u>	15 .....	1.2
22	<u>8.3 - 16.79 ADA</u>	14 .....	0.6
23	<u>.01 - 8.29 ADA...</u>	n/a .....	0.5

24                    COMPUTATION OF SECONDARY SUPPORT UNITS

25	Average Daily		Minimum Units
26	Attendance	Attendance Divisor	Allowed
27	750 or more ....	<del>18.5</del> <u>20.7</u> .....	<del>47</del> <u>1.2</u>
28	400 - 749.99 ADA....	<del>16</del> <u>8.2</u> .....	<del>28</del> <u>4</u>
29	300 - 399.99 ADA....	<del>14.5</del> <u>6.7</u> .....	<del>22</del> <u>19.1</u>
30	200 - 299.99 ADA....	<del>13.5</del> <u>5.7</u> .....	<del>17</del> <u>4.1</u>
31	100 - 199.99 ADA....	<del>12</del> <u>4.2</u> .....	<del>9</del> <u>8</u>
32	99.99 or fewer	Units allowed as follows:	
33	Grades 7-12	.....	8
34	Grades 9-12	.....	6
35	<del>Grades 7-9</del>	.....	<del>1</del> per 14 ADA
36	Grades 7- 8	.....	1 per <del>16</del> <u>8.2</u> ADA

37                    COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
146.5 or more . . . .	146.5 . . . . .	1 or more as computed
<del>123.7 - 13.99</del> 6.49 . . . .	- . . . . .	1
<del>89.4 - 11.99</del> 3.69 . . . .	- . . . . .	.75
<del>4.6 - 7.99</del> 9.39 . . . .	- . . . . .	.5
<del>.01 - 3.99</del> 4.59 . . . .	- . . . . .	.25

COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
124 or more . . . . .	124 . . . . .	1 or more as computed

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

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

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

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

1 (ii) Divide the combined totals of the average daily attendance  
 2 of all preschool, kindergarten, primary, elementary, secondary,  
 3 juvenile detention center students and students with disabilities  
 4 approved for inclusion in the exceptional child program of the  
 5 district by the appropriate divisor from the table for computa-  
 6 tion of exceptional education support units to obtain the number  
 7 of support units allowed for the district's approved exceptional  
 8 child program. Calculations for this subsection shall be carried  
 9 out to the nearest tenth when more than one (1) unit is allowed.

10 (iii) The total number of support units of the district shall be  
 11 the sum of the total support units for regular students, subsec-  
 12 tion (6) (a) (i) of this section, and the support units allowance  
 13 for the approved exceptional child program, subsection (6) (a) (ii)  
 14 of this section.

15 (b) Total District Allowance Educational Program. Multiply the dis-  
 16 trict's total number of support units, carried out to the nearest tenth,  
 17 by the state distribution factor per support unit and to this product  
 18 add the approved amount of programs of the district provided in subsec-  
 19 tion (2) of this section to secure the district's total allowance for  
 20 the educational support program.

21 (c) District Share. The district's share of state apportionment is the  
 22 amount of the total district allowance, subsection (6) (b) of this sec-  
 23 tion.

24 (d) Adjustment of District Share. The contract salary of every noncer-  
 25 tificated teacher shall be subtracted from the district's share as cal-  
 26 culated from the provisions of subsection (6) (c) of this section.

27 (7) Property Tax Computation Ratio. In order to receive state funds  
 28 pursuant to this section a charter district shall utilize a school mainte-  
 29 nance and operation property tax computation ratio for the purpose of cal-  
 30 culating its maintenance and operation levy, that is no greater than that  
 31 which it utilized in tax year 1994, less four-tenths of one percent (.4%). As  
 32 used herein, the term "property tax computation ratio" shall mean a ratio de-  
 33 termined by dividing the district's certified property tax maintenance and  
 34 operation budget by the actual or adjusted market value for assessment pur-  
 35 poses as such values existed on December 31, 1993. Such maintenance and op-  
 36 eration levy shall be based on the property tax computation ratio multiplied  
 37 by the actual or adjusted market value for assessment purposes as such values  
 38 existed on December 31 of the prior calendar year.

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

41 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-  
 42 gram is calculated as follows:

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

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

48 (a) Pupil tuition-equivalency allowances as provided in section  
 49 33-1002B, Idaho Code;

- 1 (b) Transportation support program as provided in section 33-1006,  
2 Idaho Code;
- 3 (c) Feasibility studies allowance as provided in section 33-1007A,  
4 Idaho Code;
- 5 (d) The approved costs for border district allowance, provided in sec-  
6 tion 33-1403, Idaho Code, as determined by the state superintendent of  
7 public instruction;
- 8 (e) The approved costs for exceptional child approved contract al-  
9 lowance, provided in subsection 2. of section 33-2004, Idaho Code, as  
10 determined by the state superintendent of public instruction;
- 11 (f) Certain expectant and delivered mothers allowance as provided in  
12 section 33-2006, Idaho Code;
- 13 (g) Salary-based apportionment calculated as provided in sections  
14 33-1004 through 33-1004F, Idaho Code;
- 15 (h) Unemployment insurance benefit payments according to the provi-  
16 sions of section 72-1349A, Idaho Code;
- 17 (i) ~~For expenditure as provided by the public school technology program~~  
18 as provided for in section 33-1022, Idaho Code;
- 19 (j) For employee severance payments as provided in section 33-521,  
20 Idaho Code;
- 21 (k) For distributions to the Idaho digital learning academy as provided  
22 in section 33-1020, Idaho Code;
- 23 (l) For dual credit courses as provided in section 33-1626, Idaho Code;
- 24 (m) For additional math and science courses for high school students as  
25 provided in section 33-1021, Idaho Code;
- 26 (n) For costs associated with the online course requirement as provided  
27 in section 33-1627, Idaho Code;
- 28 (o) For certificated employee severance payment reimbursement as pro-  
29 vided in section 33-515B, Idaho Code;
- 30 (p) For pay for performance, hard to fill positions and leadership  
31 awards as provided in section 33-1004I, Idaho Code;
- 32 (q) For the support of provisions that provide a safe environment con-  
33 ductive to student learning and maintain classroom discipline, an allo-  
34 cation of \$300 per support unit; and
- 35 (r) Any additional amounts as required by statute to effect adminis-  
36 trative adjustments or as specifically required by the provisions of  
37 any bill of appropriation;
- 38 to secure the total educational support distribution funds.
- 39 (3) Average Daily Attendance. The total state average daily attendance  
40 shall be the sum of the average daily attendance of all of the school dis-  
41 tricts of the state. The state board of education shall establish rules set-  
42 ting forth the procedure to determine average daily attendance and the time  
43 for, and method of, submission of such report. Average daily attendance cal-  
44 culation shall be carried out to the nearest hundredth. Computation of av-  
45 erage daily attendance shall also be governed by the provisions of section  
46 33-1003A, Idaho Code.
- 47 (4) Support Units. The total state support units shall be determined  
48 by using the tables set out hereafter called computation of kindergarten  
49 support units, computation of primary support units, computation of elemen-  
50 tary support units, computation of secondary support units, computation of

1 exceptional education support units, and computation of alternative school  
 2 secondary support units. The sum of all of the total support units of all  
 3 school districts of the state shall be the total state support units.

4 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

5 Average Daily

6 Attendance	Attendance Divisor	Units Allowed
7 41 or more . . . .	40.....	1 or more as computed
8 31 - 40.99 ADA....	-.....	1
9 26 - 30.99 ADA....	-.....	.85
10 21 - 25.99 ADA....	-.....	.75
11 16 - 20.99 ADA....	-.....	.6
12 8 - 15.99 ADA....	-.....	.5
13 <u>.01 - 7.99 ADA....</u>	-.....	count as elementary primary

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

16 Average Daily

17 Attendance	Attendance Divisor	Minimum Units Allowed
18 <u>80 or more ADA.....</u>	<u>20.....</u>	<u>4.2</u>
19 <u>55 - 79.99 ADA....</u>	<u>19.....</u>	<u>3.4</u>
20 <u>35.5 - 54.99 ADA...</u>	<u>16.....</u>	<u>2.4</u>
21 <u>25.8 - 35.49 ADA...</u>	<u>15.....</u>	<u>2.0</u>
22 <u>16.8 - 25.79 ADA...</u>	<u>13.....</u>	<u>1.4</u>
23 <u>8.3 - 16.79 ADA...</u>	<u>12.....</u>	<u>0.7</u>
24 <u>.01 - 8.29 ADA...</u>	<u>n/a.....</u>	<u>0.5</u>

25 ~~COMPUTATION OF ELEMENTARY SUPPORT UNITS~~

26 Average Daily

27 Attendance	Attendance Divisor	Minimum Units Allowed
28 <del>300 or more ADA.....</del>	<del>.....</del>	<del>15</del>
29 <del>..23...grades 4, 5 &amp; 6....</del>	<del>.....</del>	
30 <del>..22...grades 1, 2 &amp; 3....1994-95</del>	<del>.....</del>	
31 <del>..21...grades 1, 2 &amp; 3....1995-96</del>	<del>.....</del>	
32 <del>..20...grades 1, 2 &amp; 3....1996-97</del>	<del>.....</del>	
33 <del>— and each year thereafter.</del>		
34 <del>160 to 299.99 ADA....</del>	<del>20.....</del>	<del>8.4</del>
35 <del>110 to 159.99 ADA....</del>	<del>19.....</del>	<del>6.8</del>
36 <del>71.1 to 109.99 ADA....</del>	<del>16.....</del>	<del>4.7</del>
37 <del>51.7 to 71.0 ADA....</del>	<del>15.....</del>	<del>4.0</del>

1	Average Daily		Minimum Units
2	Attendance	Attendance Divisor	Allowed
3	<del>33.6 to 51.6 ADA...</del>	<del>13.....</del>	<del>2.8</del>
4	<del>16.6 to 33.5 ADA...</del>	<del>12.....</del>	<del>1.4</del>
5	<del>1.0 to 16.5 ADA...</del>	<del>n/a.....</del>	<del>1.0</del>

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

7	Average Daily		Minimum Units
8	Attendance	Attendance Divisor	Allowed
9	<u>150 or more ADA.....</u>	<u>25.....</u>	<u>6.8</u>
10	<u>80 - 149.99 ADA...</u>	<u>22.....</u>	<u>3.8</u>
11	<u>55 - 79.99 ADA...</u>	<u>21.....</u>	<u>3.1</u>
12	<u>35.5 - 54.99 ADA...</u>	<u>18.....</u>	<u>2.1</u>
13	<u>25.8 - 35.49 ADA...</u>	<u>17.....</u>	<u>1.7</u>
14	<u>16.8 - 25.79 ADA...</u>	<u>15.....</u>	<u>1.2</u>
15	<u>8.3 - 16.79 ADA</u>	<u>14.....</u>	<u>0.6</u>
16	<u>.01 - 8.29 ADA...</u>	<u>n/a.....</u>	<u>0.5</u>

17                    COMPUTATION OF SECONDARY SUPPORT UNITS

18	Average Daily		Minimum Units
19	Attendance	Attendance Divisor	Allowed
20	<u>750 or more ....</u>	<u><del>18.5</del>20.8.....</u>	<u>471</u>
21	<u>400 - 749.99 ADA....</u>	<u><del>16</del>8.3.....</u>	<u><del>28</del>3.8</u>
22	<u>300 - 399.99 ADA....</u>	<u><del>14.5</del>6.8.....</u>	<u><del>22</del>19</u>
23	<u>200 - 299.99 ADA....</u>	<u><del>13.5</del>5.8.....</u>	<u><del>17</del>4</u>
24	<u>100 - 199.99 ADA....</u>	<u><del>12</del>4.3.....</u>	<u><del>9</del>8</u>
25	99.99 or fewer	Units allowed as follows:	
26	Grades 7-12	.....	8
27	Grades 9-12	.....	6
28	<del>Grades 7-9</del>	<del>.....</del>	<del>1 per 14 ADA</del>
29	Grades 7- 8	.....	1 per <del>16</del> 8.3 ADA

30                    COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

31	Average Daily		Minimum Units
32	Attendance	Attendance Divisor	Allowed
33	<u>146.5 or more ....</u>	<u>146.5.....</u>	<u>1 or more as</u> <u>computed</u>
35	<del>123.7 - 13.99</del> 6.49.....	<del>- .....</del>	<del>1</del>
36	<del>89.4 - 11.99</del> 3.69.....	<del>- .....</del>	<del>.75</del>



1	Average Daily		Minimum Units
2	Attendance	Attendance Divisor	Allowed
3	<u>4.6</u> - <del>7.99</del> <u>9.39</u> .....	- .....	.5
4	<u>.01</u> - <del>3.99</del> <u>4.59</u> .....	- .....	.25

5                    COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

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

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

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

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

32            (a) (i) Divide the actual average daily attendance, excluding stu-  
 33 dents approved for inclusion in the exceptional child educational  
 34 program, for the administrative schools and each of the separate  
 35 schools and attendance units by the appropriate divisor from the  
 36 tables of support units in this section, then add the quotients  
 37 to obtain the district's support units allowance for regular stu-  
 38 dents, kindergarten through grade 12 including alternative school  
 39 secondary students. Calculations in application of this subsec-  
 40 tion shall be carried out to the nearest tenth.

41            (ii) Divide the combined totals of the average daily attendance  
 42 of all preschool, kindergarten, primary, elementary, secondary,  
 43 juvenile detention center students and students with disabilities  
 44 approved for inclusion in the exceptional child program of the  
 45 district by the appropriate divisor from the table for computa-  
 46 tion of exceptional education support units to obtain the number

1 of support units allowed for the district's approved exceptional  
 2 child program. Calculations for this subsection shall be carried  
 3 out to the nearest tenth when more than one (1) unit is allowed.

4 (iii) The total number of support units of the district shall be  
 5 the sum of the total support units for regular students, subsec-  
 6 tion (6) (a) (i) of this section, and the support units allowance  
 7 for the approved exceptional child program, subsection (6) (a) (ii)  
 8 of this section.

9 (b) Total District Allowance Educational Program. Multiply the dis-  
 10 trict's total number of support units, carried out to the nearest tenth,  
 11 by the state distribution factor per support unit and to this product  
 12 add the approved amount of programs of the district provided in subsec-  
 13 tion (2) of this section to secure the district's total allowance for  
 14 the educational support program.

15 (c) District Share. The district's share of state apportionment is the  
 16 amount of the total district allowance, subsection (6) (b) of this sec-  
 17 tion.

18 (d) Adjustment of District Share. The contract salary of every noncer-  
 19 tificated teacher shall be subtracted from the district's share as cal-  
 20 culated from the provisions of subsection (6) (c) of this section.

21 (7) Property Tax Computation Ratio. In order to receive state funds  
 22 pursuant to this section a charter district shall utilize a school mainte-  
 23 nance and operation property tax computation ratio for the purpose of cal-  
 24 culating its maintenance and operation levy, that is no greater than that  
 25 which it utilized in tax year 1994, less four-tenths of one percent (.4%). As  
 26 used herein, the term "property tax computation ratio" shall mean a ratio de-  
 27 termined by dividing the district's certified property tax maintenance and  
 28 operation budget by the actual or adjusted market value for assessment pur-  
 29 poses as such values existed on December 31, 1993. Such maintenance and op-  
 30 eration levy shall be based on the property tax computation ratio multiplied  
 31 by the actual or adjusted market value for assessment purposes as such values  
 32 existed on December 31 of the prior calendar year.

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

35 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-  
 36 gram is calculated as follows:

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

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

42 (a) Pupil tuition-equivalency allowances as provided in section  
 43 33-1002B, Idaho Code;

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

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

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

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

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

9 (g) Salary-based apportionment calculated as provided in sections  
10 33-1004 through 33-1004F, Idaho Code;

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

13 (i) ~~For expenditure as provided by the public school technology program~~  
14 as provided for in section 33-1022, Idaho Code;

15 (j) For employee severance payments as provided in section 33-521,  
16 Idaho Code;

17 (k) For distributions to the Idaho digital learning academy as provided  
18 in section 33-1020, Idaho Code;

19 (l) For dual credit courses as provided in section 33-1626, Idaho Code;

20 (m) For additional math and science courses for high school students as  
21 provided in section 33-1021, Idaho Code;

22 (n) For costs associated with the online course requirement as provided  
23 in section 33-1627, Idaho Code;

24 (o) For certificated employee severance payment reimbursement as pro-  
25 vided in section 33-515B, Idaho Code;

26 (p) For pay for performance, hard to positions and leadership awards as  
27 provided in section 33-1004I, Idaho Code;

28 (q) For the support of provisions that provide a safe environment con-  
29 ducive to student learning and maintain classroom discipline, an allo-  
30 cation of \$300 per support unit; and

31 (r) Any additional amounts as required by statute to effect adminis-  
32 trative adjustments or as specifically required by the provisions of  
33 any bill of appropriation;

34 to secure the total educational support distribution funds.

35 (3) Average Daily Attendance. The total state average daily attendance  
36 shall be the sum of the average daily attendance of all of the school dis-  
37 tricts of the state. The state board of education shall establish rules set-  
38 ting forth the procedure to determine average daily attendance and the time  
39 for, and method of, submission of such report. Average daily attendance cal-  
40 culation shall be carried out to the nearest hundredth. Computation of av-  
41 erage daily attendance shall also be governed by the provisions of section  
42 33-1003A, Idaho Code.

43 (4) Support Units. The total state support units shall be determined  
44 by using the tables set out hereafter called computation of kindergarten  
45 support units, computation of primary support units, computation of elemen-  
46 tary support units, computation of secondary support units, computation of  
47 exceptional education support units, and computation of alternative school  
48 secondary support units. The sum of all of the total support units of all  
49 school districts of the state shall be the total state support units.

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
.01 - 7.99 ADA....	-.....	count as elementary primary

<u>COMPUTATION OF PRIMARY SUPPORT UNITS (GRADES 1-3)</u>		
<u>Average Daily Attendance</u>	<u>Attendance Divisor</u>	<u>Minimum Units Allowed</u>
<u>80 or more ADA.....</u>	<u>20.....</u>	<u>4.2</u>
<u>55 - 79.99 ADA....</u>	<u>19.....</u>	<u>3.4</u>
<u>35.5 - 54.99 ADA...</u>	<u>16.....</u>	<u>2.4</u>
<u>25.8 - 35.49 ADA...</u>	<u>15.....</u>	<u>2.0</u>
<u>16.8 - 25.79 ADA...</u>	<u>13.....</u>	<u>1.4</u>
<u>8.3 - 16.79 ADA...</u>	<u>12.....</u>	<u>0.7</u>
<u>.01 - 8.29 ADA...</u>	<u>n/a.....</u>	<u>0.5</u>

<u>COMPUTATION OF ELEMENTARY SUPPORT UNITS</u>		
<u>Average Daily Attendance</u>	<u>Attendance Divisor</u>	<u>Minimum Units Allowed</u>
<u>300 or more ADA.....</u>	<u>.....</u>	<u>15</u>
	<u>..23...grades 4, 5 &amp; 6....</u>	
	<u>..22...grades 1, 2 &amp; 3....1994-95</u>	
	<u>..21...grades 1, 2 &amp; 3....1995-96</u>	
	<u>..20...grades 1, 2 &amp; 3....1996-97</u>	
	<u>— and each year thereafter.</u>	
<u>160 to 299.99 ADA....</u>	<u>20.....</u>	<u>8.4</u>
<u>110 to 159.99 ADA....</u>	<u>19.....</u>	<u>6.8</u>
<u>71.1 to 109.99 ADA....</u>	<u>16.....</u>	<u>4.7</u>
<u>51.7 to 71.0 ADA....</u>	<u>15.....</u>	<u>4.0</u>
<u>33.6 to 51.6 ADA....</u>	<u>13.....</u>	<u>2.8</u>
<u>16.6 to 33.5 ADA....</u>	<u>12.....</u>	<u>1.4</u>
<u>1.0 to 16.5 ADA....</u>	<u>n/a.....</u>	<u>1.0</u>

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

2 <u>Average Daily</u>		<u>Minimum Units</u>
3 <u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
4 <u>150 or more ADA.....</u>	<u>25.....</u>	<u>6.8</u>
5 <u>80 - 149.99 ADA...</u>	<u>22.....</u>	<u>3.8</u>
6 <u>55 - 79.99 ADA...</u>	<u>21.....</u>	<u>3.1</u>
7 <u>35.5 - 54.99 ADA...</u>	<u>18.....</u>	<u>2.1</u>
8 <u>25.8 - 35.49 ADA...</u>	<u>17.....</u>	<u>1.7</u>
9 <u>16.8 - 25.79 ADA...</u>	<u>15.....</u>	<u>1.2</u>
10 <u>8.3 - 16.79 ADA</u>	<u>14.....</u>	<u>0.6</u>
11 <u>.01 - 8.29 ADA...</u>	<u>n/a.....</u>	<u>0.5</u>

12                                    COMPUTATION OF SECONDARY SUPPORT UNITS

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

25                                    COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

26 <u>Average Daily</u>		<u>Minimum Units</u>
27 <u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
28 <u>146.5 or more ....</u>	<u>146.5.....</u>	<u>1 or more as computed</u>
29		
30 <u>123.7 - <del>13.9</del>6.49.....</u>	<u>--.....</u>	<u>1</u>
31 <u><del>89.4</del> - <del>11.9</del>3.69.....</u>	<u>--.....</u>	<u>.75</u>
32 <u><del>4.6</del> - <del>7.9</del>9.39.....</u>	<u>--.....</u>	<u>.5</u>
33 <u><del>.01</del> - <del>3.9</del>4.59.....</u>	<u>--.....</u>	<u>.25</u>

34                                    COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

35 <u>Pupils in Attendance</u>	<u>Attendance Divisor</u>	<u>Minimum Units</u>
36		<u>Allowed</u>

1 124 or more..... 124..... 1 or more as  
 2 computed

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

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

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

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

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

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

48 (b) Total District Allowance Educational Program. Multiply the dis-  
 49 trict's total number of support units, carried out to the nearest tenth,

1 by the state distribution factor per support unit and to this product  
 2 add the approved amount of programs of the district provided in subsec-  
 3 tion (2) of this section to secure the district's total allowance for  
 4 the educational support program.

5 (c) District Share. The district's share of state apportionment is the  
 6 amount of the total district allowance, subsection (6) (b) of this sec-  
 7 tion.

8 (d) Adjustment of District Share. The contract salary of every noncer-  
 9 tificated teacher shall be subtracted from the district's share as cal-  
 10 culated from the provisions of subsection (6) (c) of this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 ~~(i) For expenditure as provided by the public school technology program~~  
 2 ~~as provided for 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 provided  
 6 in section 33-1020, Idaho Code;

7 (l) For dual credit courses as provided in section 33-1626, Idaho Code;

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

10 (n) For costs associated with the online course requirement as provided  
 11 in section 33-1627, Idaho Code;

12 (o) For certificated employee severance payment reimbursement as pro-  
 13 vided in section 33-515B, Idaho Code;

14 (p) For pay for performance, hard to fill positions and leadership  
 15 awards as provided in section 33-1004I, Idaho Code;

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

19 (mr) Any additional amounts as required by statute to effect adminis-  
 20 trative adjustments or as specifically required by the provisions of  
 21 any bill of appropriation;

22 to secure the total educational support distribution funds.

23 (3) Average Daily Attendance. The total state average daily attendance  
 24 shall be the sum of the average daily attendance of all of the school dis-  
 25 tricts of the state. The state board of education shall establish rules set-  
 26 ting forth the procedure to determine average daily attendance and the time  
 27 for, and method of, submission of such report. Average daily attendance cal-  
 28 culation shall be carried out to the nearest hundredth. Computation of av-  
 29 erage daily attendance shall also be governed by the provisions of section  
 30 33-1003A, Idaho Code.

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

#### 38 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

39 Average Daily

40 Attendance	Attendance Divisor	Units Allowed
41 41 or more . . . .	40 . . . . .	1 or more as computed
42 31 - 40.99 ADA . . . .	- . . . . .	1
43 26 - 30.99 ADA . . . .	- . . . . .	.85

44 Average Daily

45 Attendance	Attendance Divisor	Units Allowed
46 21 - 25.99 ADA . . . .	- . . . . .	.75



1	16 - 20.99 ADA.....	-.....	.6
2	8 - 15.99 ADA.....	-.....	.5
3	.01 - 7.99 ADA.....	-.....	count as elementary
4			<u>primary</u>

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

6	<u>Average Daily</u>		<u>Minimum Units</u>
7	<u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
8	<u>80 or more ADA.....</u>	<u>20.....</u>	<u>4.2</u>
9	<u>55 - 79.99 ADA...</u>	<u>19.....</u>	<u>3.4</u>
10	<u>35.5 - 54.99 ADA...</u>	<u>16.....</u>	<u>2.4</u>
11	<u>25.8 - 35.49 ADA...</u>	<u>15.....</u>	<u>2.0</u>
12	<u>16.8 - 25.79 ADA...</u>	<u>13.....</u>	<u>1.4</u>
13	<u>8.3 - 16.79 ADA...</u>	<u>12.....</u>	<u>0.7</u>
14	<u>.01 - 8.29 ADA...</u>	<u>n/a.....</u>	<u>0.5</u>

15                                    COMPUTATION OF ELEMENTARY SUPPORT UNITS

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

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

32	<u>Average Daily</u>		<u>Minimum Units</u>
33	<u>Attendance</u>	<u>Attendance Divisor</u>	<u>Allowed</u>
34	<u>150 or more ADA.....</u>	<u>25.....</u>	<u>6.8</u>
35	<u>80 - 149.99 ADA...</u>	<u>22.....</u>	<u>3.8</u>
36	<u>55 - 79.99 ADA...</u>	<u>21.....</u>	<u>3.1</u>

1	<u>35.5 - 54.99 ADA...</u>	<u>18</u> .....	<u>2.1</u>
2	<u>25.8 - 35.49 ADA...</u>	<u>17</u> .....	<u>1.7</u>
3	<u>16.8 - 25.79 ADA...</u>	<u>15</u> .....	<u>1.2</u>
4	<u>8.3 - 16.79 ADA</u>	<u>14</u> .....	<u>0.6</u>
5	<u>.01 - 8.29 ADA...</u>	<u>n/a</u> .....	<u>0.5</u>

6 COMPUTATION OF SECONDARY SUPPORT UNITS

7	Average Daily		Minimum Units
8	Attendance	Attendance Divisor	Allowed
9	750 or more ....	<del>18.5</del> <u>21</u> .....	<del>47</del> <u>0.5</u>
10	400 - 749.99 ADA....	<del>168.5</del> .....	<del>28</del> <u>3.5</u>
11	300 - 399.99 ADA....	<del>14.5</del> <u>7</u> .....	<del>22</del> <u>18.7</u>
12	200 - 299.99 ADA....	<del>13.5</del> <u>6</u> .....	<del>17</del> <u>3.8</u>
13	100 - 199.99 ADA....	<u>124.5</u> .....	<u>98</u>
14	99.99 or fewer	Units allowed as follows:	
15	Grades 7-12	.....	8
16	Grades 9-12	.....	6
17	<del>Grades 7-9</del>	.....	<del>1 per 14</del> ADA
18	Grades 7- 8	.....	1 per <del>168.5</del> <u>168.5</u> ADA

19 COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

20	Average Daily		Minimum Units
21	Attendance	Attendance Divisor	Allowed
22	<u>146.5</u> or more ....	<u>146.5</u> .....	1 or more as computed
23			
24	<del>123.7 - 13.99</del> <u>6.49</u> ....	- .....	1
25	<del>89.4 - 11.99</del> <u>3.69</u> ....	- .....	.75
26	<del>4.6 - 7.99</del> <u>9.39</u> ....	- .....	.5
27	<del>.01 - 3.94</del> <u>4.59</u> ....	- .....	.25

28 COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

29	Pupils in Attendance	Attendance Divisor	Minimum Units
30			Allowed
31	<u>124</u> or more.....	<u>124</u> .....	1 or more as computed
32			

33 In applying these tables to any given separate attendance unit, no  
 34 school district shall receive less total money than it would receive if it  
 35 had a lesser average daily attendance in such separate attendance unit. In  
 36 applying the kindergarten table to a kindergarten program of less days than a  
 37 full school year, the support unit allowance shall be in ratio to the number

1 of days of a full school year. No school district reporting any number of  
 2 students in average daily attendance for kindergarten through sixth grade  
 3 shall receive less than one (1.0) support units for such. The tables for  
 4 exceptional education and alternative school secondary 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 secondary students. Calculations in application of this subsec-  
 26 tion shall be carried out to the nearest tenth.

27 (ii) Divide the combined totals of the average daily attendance  
 28 of all preschool, kindergarten, primary, elementary, secondary,  
 29 juvenile detention center students and students with disabilities  
 30 approved for inclusion in the exceptional child program of the  
 31 district by the appropriate divisor from the table for computa-  
 32 tion of exceptional education support units to obtain the number  
 33 of support units allowed for the district's approved exceptional  
 34 child program. Calculations for this subsection shall be carried  
 35 out to the nearest tenth 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, subsec-  
 38 tion (6) (a) (i) of this section, and the support units allowance  
 39 for the approved exceptional child program, subsection (6) (a) (ii)  
 40 of this section.

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

47 (c) District Share. The district's share of state apportionment is the  
 48 amount of the total district allowance, subsection (6) (b) of this sec-  
 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 subsection (6) (c) of this section.

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 cal-  
7 culating its maintenance and operation levy, that is no greater than that  
8 which it utilized in tax year 1994, less four-tenths of one percent (.4%). As  
9 used herein, the term "property tax computation ratio" shall mean a ratio de-  
10 termined by dividing the district's certified property tax maintenance and  
11 operation 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 9. That Chapter 10, Title 33, Idaho Code, be, and the same is  
17 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
18 ignated as Section 33-1002A, Idaho Code, and to read as follows:

19 33-1002A. FRACTIONAL AVERAGE DAILY ATTENDANCE. (1) For students at-  
20 tending school in more than one (1) school district or public charter school,  
21 or who are enrolled in one (1) or more online courses in which the student's  
22 home school district or public charter school is not the content provider,  
23 attendance shall be counted and divided based on the portion of the student's  
24 daily attendance time that is spent in attendance at each school district,  
25 public charter school or online course. This provision shall not apply to:

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

28 (b) An online course in which the school district or public charter  
29 school has a contract in place for the same course with one (1) or more  
30 private providers, in which the highest such contracted course cost is  
31 less than the amount that would be paid by the school district or pub-  
32 lic charter school pursuant to subsection (2) of this section. In such  
33 instances, the school district or public charter school shall pay the  
34 private provider an amount equal to the highest contracted course cost  
35 for such class. For the purposes of this subsection, the term "private  
36 provider" shall be any provider of online course content and instruc-  
37 tion except a public school district, a public charter school, a public  
38 institution of postsecondary education, or the Idaho digital learning  
39 academy.

40 (c) Any online course which causes the total number of courses in which  
41 a student is enrolled to exceed the maximum number of periods of in-  
42 struction offered at the school in which the student is enrolled. If a  
43 student is enrolled in multiple online courses and one (1) or more on-  
44 line course falls within this limitation and one (1) or more fall beyond  
45 it, then the most expensive courses shall be subject to fractional aver-  
46 age daily attendance. School districts and public charter schools may  
47 choose to pay for any online courses that fall beyond the limitation of  
48 this paragraph, at their discretion. The parents or guardians of stu-  
49 dents shall be responsible for paying the cost of any online courses in

1           which the student is enrolled beyond the limitation of this paragraph,  
2           unless such cost has been paid by the student's school district or pub-  
3           lic charter school.

4           (2) For online courses subject to fractional counting and division, the  
5           average daily attendance shall be counted and funded as part of the student's  
6           home school district or public charter school attendance. However, the  
7           state department of education shall identify the fraction attributable to  
8           such attendance for each student and furnish the home school district or pub-  
9           lic charter school with a dollar amount of funding attributable to each such  
10          fraction. The home school district or public charter school shall then remit  
11          two-thirds (2/3) of such amount to each online course content provider.

12          (3) For the purposes of this section, the term "online course" means  
13          a course which delivers a sequential program of synchronous and/or asyn-  
14          chronous instruction primarily through the use of technology, in which the  
15          instructor is not physically located at the school or place in which the stu-  
16          dent is receiving instruction.

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

19          33-1002C. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SEC-  
20          ONDARY SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary  
21          summer school programs of not less than two hundred twenty-five (225) hours  
22          of instruction, which shall be included in the educational support units  
23          calculated as provided in section 33-1002, Idaho Code, may be established  
24          as approved by the state board of education. The average daily attendance  
25          divided by forty-two and one-half (402.5) shall determine the number of  
26          allowable support units which shall be included in the alternative school  
27          secondary support units calculated for the school district for the succeed-  
28          ing school term.

29          (2) Districts which educate pupils placed by court order in a juvenile  
30          detention facility may establish a summer school program which shall be in-  
31          cluded in the educational support units calculated as provided in section  
32          33-1002, Idaho Code. The average daily attendance divided by forty-two and  
33          one-half (402.5) shall determine the number of allowable support units which  
34          shall be included in the exceptional education school support units calcu-  
35          lated for the school district for the succeeding school term.

36          (3) Average daily attendance and the support units so generated by this  
37          section shall not be included in or subject to the provisions of section  
38          33-1003, Idaho Code, and shall be included as an addition to any other sup-  
39          port units generated pursuant to Idaho Code.

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

42          33-1002C. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SEC-  
43          ONDARY SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary  
44          summer school programs of not less than two hundred twenty-five (225) hours  
45          of instruction, which shall be included in the educational support units  
46          calculated as provided in section 33-1002, Idaho Code, may be established  
47          as approved by the state board of education. The average daily attendance

1 divided by forty-five (405) shall determine the number of allowable support  
 2 units which shall be included in the alternative school secondary support  
 3 units calculated for the school district for the succeeding school term.

4 (2) Districts which educate pupils placed by court order in a juvenile  
 5 detention facility may establish a summer school program which shall be in-  
 6 cluded in the educational support units calculated as provided in section  
 7 33-1002, Idaho Code. The average daily attendance divided by forty-five  
 8 (405) shall determine the number of allowable support units which shall be  
 9 included in the exceptional education school support units calculated for  
 10 the school district for the succeeding school term.

11 (3) Average daily attendance and the support units so generated by this  
 12 section shall not be included in or subject to the provisions of section  
 13 33-1003, Idaho Code, and shall be included as an addition to any other sup-  
 14 port units generated pursuant to Idaho Code.

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

17 33-1002C. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SEC-  
 18 ONDARY SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary  
 19 summer school programs of not less than two hundred twenty-five (225) hours  
 20 of instruction, which shall be included in the educational support units  
 21 calculated as provided in section 33-1002, Idaho Code, may be established  
 22 as approved by the state board of education. The average daily attendance  
 23 divided by forty-seven and one-half (47.5) shall determine the number of  
 24 allowable support units which shall be included in the alternative school  
 25 secondary support units calculated for the school district for the succeed-  
 26 ing school term.

27 (2) Districts which educate pupils placed by court order in a juvenile  
 28 detention facility may establish a summer school program which shall be in-  
 29 cluded in the educational support units calculated as provided in section  
 30 33-1002, Idaho Code. The average daily attendance divided by forty-seven  
 31 and one-half (47.5) shall determine the number of allowable support units  
 32 which shall be included in the exceptional education school support units  
 33 calculated for the school district for the succeeding school term.

34 (3) Average daily attendance and the support units so generated by this  
 35 section shall not be included in or subject to the provisions of section  
 36 33-1003, Idaho Code, and shall be included as an addition to any other sup-  
 37 port units generated pursuant to Idaho Code.

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

40 33-1002C. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SEC-  
 41 ONDARY SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary  
 42 summer school programs of not less than two hundred twenty-five (225) hours  
 43 of instruction, which shall be included in the educational support units  
 44 calculated as provided in section 33-1002, Idaho Code, may be established  
 45 as approved by the state board of education. The average daily attendance  
 46 divided by ~~forty~~ fifty (50) shall determine the number of allowable support

1 units which shall be included in the alternative school secondary support  
2 units calculated for the school district for the succeeding school term.

3 (2) Districts which educate pupils placed by court order in a juvenile  
4 detention facility may establish a summer school program which shall be in-  
5 cluded in the educational support units calculated as provided in section  
6 33-1002, Idaho Code. The average daily attendance divided by ~~forty~~ fifty  
7 (450) shall determine the number of allowable support units which shall be  
8 included in the exceptional education school support units calculated for  
9 the school district for the succeeding school term.

10 (3) Average daily attendance and the support units so generated by this  
11 section shall not be included in or subject to the provisions of section  
12 33-1003, Idaho Code, and shall be included as an addition to any other sup-  
13 port units generated pursuant to Idaho Code.

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

16 33-1004. STAFF ALLOWANCE. For each school district, a staff allowance  
17 shall be determined as follows:

18 (1) Using the daily attendance reports that have been submitted for  
19 computing the February 15 apportionment of state funds as provided in sec-  
20 tion 33-1009, Idaho Code, determine the total support units for the district  
21 in the manner provided in section 33-1002 (6) (a), Idaho Code;

22 (2) Determine the instructional staff allowance by multiplying the  
23 support units by 1.1. A district must demonstrate that it actually employs  
24 the number of certificated instructional staff allowed, except as provided  
25 in subsection (5) (f) and (g) of this section. If the district does not employ  
26 the number allowed, the staff allowance shall be reduced to the actual number  
27 employed, except as provided in subsection (5) (f) and (g) of this section;

28 (3) Determine the administrative staff allowance by multiplying the  
29 support units by .075;

30 (4) Determine the classified staff allowance by multiplying the sup-  
31 port units by .375;

32 (5) Additional conditions governing staff allowance:

33 (a) In determining the number of staff in subsections (2), (3) and (4)  
34 of this section, a district may contract separately for services to be  
35 rendered by nondistrict employees and such employees may be counted  
36 in the staff allowance. A "nondistrict employee" means a person for  
37 whom the school district does not pay the employer's obligations for  
38 employee benefits. When a district contracts for the services of a  
39 nondistrict employee, only the salary portion of the contract shall be  
40 allowable for computations.

41 (b) If there are circumstances preventing eligible use of staff al-  
42 lowance to which a district is entitled as provided in subsections (2)  
43 and (3) of this section, an appeal may be filed with the state depart-  
44 ment of education outlining the reasons and proposed alternative use of  
45 these funds, and a waiver may be granted.

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

47 (i) The instructional staff allowance shall be calculated  
48 applying the actual number of support units. If the actual in-  
49 structural staff employed in the school year is greater than the

1 instructional staff allowance, then the instructional staff al-  
 2 lowance shall be increased by one-half (1/2) staff allowance; and  
 3 (ii) The administrative staff allowance shall be calculated ap-  
 4 plying the actual number of support units. If the actual adminis-  
 5 trative staff employed in the school year is greater than the ad-  
 6 ministrative staff allowance, then the administrative staff al-  
 7 lowance shall be increased by one-half (1/2) staff allowance.

8 (iii) Additionally, for any district with less than twenty (20)  
 9 support units, the instructional staff allowance shall be calcu-  
 10 lated applying the actual number of support units. If the number  
 11 of instructional staff employed in the school year is greater than  
 12 the instructional staff allowance, the staff allowance shall be  
 13 increased as provided in paragraphs (i) and (ii) of this subsec-  
 14 tion, and by an additional one-half (1/2) instructional staff al-  
 15 lowance.

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

20 (e) Only instructional, administrative and classified personnel  
 21 compensated by the school district from the general maintenance and  
 22 operation fund of the district shall be included in the calculation  
 23 of staff allowance or in any other calculations based upon staff, in-  
 24 cluding determination of the experience and education multiplier, the  
 25 reporting requirements, or the district's salary-based apportionment  
 26 calculation. No food service staff or transportation staff shall be  
 27 included in the staff allowance.

28 (f) A district may utilize up to ~~five~~ fifteen percent (15%) of the mon-  
 29 eys associated with positions funded pursuant to subsection (2) of this  
 30 section to defray the cost of providing virtual education coursework,  
 31 including virtual dual credit coursework, without a reduction in the  
 32 number of funded positions being imposed.

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

37 (6) In the event that the staff allowance in any category is insuffi-  
 38 cient to meet accreditation standards, a district may appeal to the state  
 39 board of education, demonstrating the insufficiency, and the state board may  
 40 grant a waiver authorizing sufficient additional staff to be included within  
 41 the staff allowance to meet accreditation standards. Such a waiver shall be  
 42 limited to one (1) year, but may be renewed upon showing of continuing justi-  
 43 fication.

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

46 33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. Each instructional  
 47 and administrative staff position shall be assigned an appropriate multi-  
 48 plier based upon the following table:

49 EXPERIENCE AND EDUCATION



		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

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~~ one (21); 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, 20101, through June 30, 20112, 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 this section, exceeds 1.59092, then each school district's instructional staff multiplier shall be multiplied by the result of 1.59092 divided by the actual statewide average multiplier for instructional staff.

In determining the statewide average multiplier for administrative staff, no multiplier in excess of 1.86643 shall be used. If the actual statewide average multiplier for administrative staff, as determined by

1 this section, exceeds 1.86643, then each school district's administrative  
 2 staff multiplier shall be multiplied by the result of 1.86643 divided by the  
 3 actual statewide average multiplier for administrative staff.

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

6 33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. Each instructional  
 7 and administrative staff position shall be assigned an appropriate multi-  
 8 plier based upon the following table:

9 EXPERIENCE AND EDUCATION

	MA	MA + 12	MA + 24	MA + 36				
10								
11	Years	BA	BA + 12	BA + 24	BA + 36	BA + 48	BA + 60	ES/DR
12	0	1.00000	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730
13	1	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410
14	2	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260
15	3	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290
16	4	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510
17	5	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930
18	6	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550
19	7	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380
20	8	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430
21	9	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430	1.73710
22	10	1.39290	1.49930	1.55550	1.61380	1.67430	1.73710	1.80220
23	11	1.39290	1.49930	1.55550	1.61380	1.73710	1.80220	1.86980
24	12	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	1.93990
25	13 or							
26	more	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	2.01260

27 In determining the experience factor, the actual years of teaching  
 28 or administrative service in a public school, in an accredited private or  
 29 parochial school, or beginning in the 2005-06 school year and thereafter in  
 30 an accredited college or university shall be credited, minus ~~two~~ one (21);  
 31 provided however, that the experience factor cannot be less than zero (0).

32 In determining the education factor, only credits earned after initial  
 33 certification, based upon a transcript on file with the teacher certifica-  
 34 tion office of the state department of education, earned at an institution of  
 35 higher education accredited by the state board of education or a regional ac-  
 36 crediting association, shall be allowed. Provided however, that successful  
 37 completion of a state-approved mathematical thinking for instruction course  
 38 shall be counted as transcribed credit. Instructional staff whose initial  
 39 certificate is an occupational specialist certificate shall be treated as  
 40 BA degree prepared instructional staff. Credits earned by such occupational  
 41 specialist instructional staff after initial certification shall be cred-  
 42 ited toward the education factor. ~~For the time period July 1, 2010, through~~

1 ~~June 30, 2011, instructional and administrative staff shall not advance on~~  
 2 ~~the education portion of the multiplier table.~~

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

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

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

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

20 EXPERIENCE AND EDUCATION

		MA						
		BA	BA + 12	BA + 24	BA + 36	BA + 48	BA + 60	ES/DR
21	Years							
22	0	1.00000	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730
23	1	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410
24	2	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260
25	3	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290
26	4	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510
27	5	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930
28	6	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550
29	7	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380
30	8	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430
31	9	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430	1.73710
32	10	1.39290	1.49930	1.55550	1.61380	1.67430	1.73710	1.80220
33	11	1.39290	1.49930	1.55550	1.61380	1.73710	1.80220	1.86980
34	12	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	1.93990
35								
36					MA			
37	Years	BA	BA + 12	BA + 24	BA + 36	BA + 48	BA + 60	ES/DR
38	13 or							
39	more	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	2.01260

40 In determining the experience factor, the actual years of teaching  
 41 or administrative service in a public school, in an accredited private or

1 parochial school, or beginning in the 2005-06 school year and thereafter in  
 2 an accredited college or university shall be credited, ~~minus two (2); pro-~~  
 3 ~~vided however, that the experience factor cannot be less than zero (0).~~

4 In determining the education factor, only credits earned after initial  
 5 certification, based upon a transcript on file with the teacher certifica-  
 6 tion office of the state department of education, earned at an institution of  
 7 higher education accredited by the state board of education or a regional ac-  
 8 crediting association, shall be allowed. Provided however, that successful  
 9 completion of a state-approved mathematical thinking for instruction course  
 10 shall be counted as transcribed credit. Instructional staff whose initial  
 11 certificate is an occupational specialist certificate shall be treated as  
 12 BA degree prepared instructional staff. Credits earned by such occupational  
 13 specialist instructional staff after initial certification shall be cred-  
 14 ited toward the education factor. ~~For the time period July 1, 2010, through~~  
 15 ~~June 30, 2011, instructional and administrative staff shall not advance on~~  
 16 ~~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 this  
 20 section, exceeds 1.59092, then each school district's instructional staff  
 21 multiplier shall be multiplied by the result of 1.59092 divided by the actual  
 22 statewide average multiplier for instructional staff.

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

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

31 33-1004E. DISTRICT'S SALARY-BASED APPORTIONMENT. Each district shall  
 32 be entitled to a salary-based apportionment calculated as provided in this  
 33 section.

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

1 salaries shall be determined from a salary schedule developed by each dis-  
 2 trict and submitted to the state department of education. No full-time  
 3 instructional staff member shall be paid less than \$29,65530,000. ~~If an~~  
 4 ~~instructional staff member has been certified by the national board for~~  
 5 ~~professional teaching standards, the staff member shall be designated as~~  
 6 ~~a master teacher and receive \$2,000 per year for five (5) years. The in-~~  
 7 ~~structional salary shall be increased by \$2,000 for each master teacher~~  
 8 ~~provided however, that no such awards shall be paid for the period July 1,~~  
 9 ~~2010, through June 30, 2011, nor shall any liabilities accrue or payments~~  
 10 ~~be made pursuant to this section in the future to any individuals who would~~  
 11 ~~have otherwise qualified for a payment during this stated time period. The~~  
 12 ~~resulting amount is the district's salary-based apportionment for instruc-~~  
 13 ~~tional staff. For purposes of this section, teachers qualifying for the~~  
 14 ~~salary increase as master teacher shall be those who have been recognized as~~  
 15 ~~national board certified teachers as of July 1 of each year.~~

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

30 3. To determine the apportionment for classified staff, multiply  
 31 \$19,041 by the district classified staff allowance determined as provided in  
 32 section 33-1004(4), Idaho Code. The amount so determined is the district's  
 33 apportionment for classified staff.

34 4. The district's salary-based apportionment shall be the sum of the  
 35 apportionments calculated in subsections 1., 2. and 3., of this section,  
 36 plus the benefit apportionment as provided in section 33-1004F, Idaho Code.

37 SECTION 19. That Section 33-1004F, Idaho Code, be, and the same is  
 38 hereby amended to read as follows:

39 33-1004F. OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS. ~~1-~~  
 40 Based upon the actual salary-based apportionment, as determined in section  
 41 33-1004E, Idaho Code, plus distributions made pursuant to section 33-1004I,  
 42 Idaho Code, there shall be allocated that amount required to meet the em-  
 43 ployer's obligations to the public employee retirement system and to social  
 44 security.

45 ~~2. If a district's qualifying salaries total more than the district's~~  
 46 ~~salary-based apportionment, there shall be allocated an additional amount~~  
 47 ~~to meet the employer's obligation to the public employee retirement system~~  
 48 ~~and to social security equal to two-thirds (2/3) of the additional obliga-~~  
 49 ~~tion for the school year 1994-95. If a district's qualifying salaries total~~

1 ~~more than the district's salary-based apportionment, there shall be allo-~~  
 2 ~~cated an additional amount to meet the employer's obligation to the public~~  
 3 ~~employee retirement system and to social security equal to one-third (1/3)~~  
 4 ~~of the additional obligation for the school year 1995-96. Thereafter, the~~  
 5 ~~benefit allocation shall be based solely upon the provisions of subsection~~  
 6 ~~1. of this section.~~

7 SECTION 20. That Chapter 10, Title 33, Idaho Code, be, and the same is  
 8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 9 ignated as Section 33-1004I, Idaho Code, and to read as follows:

10 33-1004I. PAY FOR PERFORMANCE -- HARD TO FILL POSITIONS -- LEADERSHIP  
 11 AWARDS. (1) In addition to the moneys provided pursuant to the calculations  
 12 for salary-based apportionment, the following amounts shall be distributed  
 13 and paid, from the moneys appropriated to the educational support program,  
 14 subject to the criteria contained in this section:

15 (a) For fiscal year 2013, an amount equal to five hundred seven (507)  
 16 multiplied by the per statewide support unit value of salary-based ap-  
 17 portionment and discretionary funds shall be distributed pursuant to  
 18 subsection (2) of this section.

19 (b) For fiscal year 2014, an amount equal to six hundred eighty (680)  
 20 multiplied by the per statewide support unit value of salary-based ap-  
 21 portionment and discretionary funds shall be distributed pursuant to  
 22 subsections (2), (3) and (4) of this section, in the following propor-  
 23 tions:

24 (i) Seventy-four and one-tenth percent (74.1%) pursuant to sub-  
 25 section (2) of this section;

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

28 (iii) Eighteen and one-half percent (18.5%) pursuant to subsec-  
 29 tion (4) of this section.

30 (c) For fiscal year 2015 and each fiscal year thereafter, an amount  
 31 equal to six hundred eighty (680) multiplied by the per statewide sup-  
 32 port unit value of salary-based apportionment and discretionary funds  
 33 shall be distributed pursuant to subsections (2), (3) and (4) of this  
 34 section, plus fifty percent (50%) of any moneys appropriated for in-  
 35 creased pay for certificated staff beyond the amount needed to fund the  
 36 base and minimum instructional salaries, pursuant to section 33-1004E,  
 37 Idaho Code, that were in effect during fiscal year 2009. Such distri-  
 38 butions made pursuant to subsections (2), (3) and (4) of this section  
 39 shall be made according to the allocations established in subsection  
 40 (1) (b) of this section.

41 (d) The provision in subsection (1) (c) of this section that directs  
 42 that fifty percent (50%) of certain moneys be distributed pursuant to  
 43 subsections (2), (3) and (4) of this section shall be effective until  
 44 such time as fifteen percent (15%) of the total moneys appropriated  
 45 for certificated staff salaries are being distributed pursuant to this  
 46 section. After this allocation is attained, fifteen percent (15%) of  
 47 the total moneys appropriated for certificated staff salaries shall be  
 48 distributed pursuant to subsections (2), (3) and (4) of this section.  
 49 Such distributions made pursuant to subsections (2), (3) and (4) of this

1 section shall be made according to the allocations established in sub-  
 2 section (1) (b) of this section.

3 (e) For the purposes of this subsection, the term "statewide support  
 4 units" shall mean the total number of support units calculated for the  
 5 purposes of distributing salary-based apportionment in the current  
 6 fiscal year.

7 (f) In the event of a reduction in the moneys appropriated for certifi-  
 8 cated staff salaries, the calculations established pursuant to subsec-  
 9 tions (1) (b) through (d) of this section shall be performed in reverse.

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

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

14 (i) Growth -- Utilizing a state longitudinal data system for  
 15 students, the state department of education shall develop a sys-  
 16 tem for measuring individual student growth. Such system shall  
 17 compare spring student scores on the state-mandated summative  
 18 achievement tests ("spring test") from one year to the next, and  
 19 establish percentile rankings for individual student growth by  
 20 comparing students with an identical spring test score in the pre-  
 21 vious year with each other in the current year. A separate growth  
 22 percentile shall be established for each student for each subject  
 23 in which the spring test is given in consecutive grades. The me-  
 24 dian student growth percentile, based on measuring all eligible  
 25 students, shall be the growth score for each school. All certifi-  
 26 cated employees at a school with a median growth score in the fol-  
 27 lowing ranked quartiles shall be awarded state shares as follows:

	Instructional	Administrative
28		
29	1st Highest Quartile 1.00 shares	2.00 shares
30	2nd Highest Quartile 0.50 shares	1.00 shares
31	3rd Highest Quartile 0.25 shares	0.50 shares
32	4th Highest Quartile 0.00 shares	0.00 shares

33 (ii) Excellence -- The state department of education shall de-  
 34 velop a system for comparing and ranking school spring test scores  
 35 based on standardized scores, utilizing all grades and subjects  
 36 tested. Based on each school's median standardized score, all  
 37 certificated employees of a school in the following ranked quar-  
 38 tiles shall be awarded state shares as follows:

	Instructional	Administrative
39		
40	1st Highest Quartile 0.50 shares	1.00 shares
41	2nd Highest Quartile 0.25 shares	0.50 shares
42	3rd Highest Quartile 0.00 shares	0.00 shares
43	4th Highest Quartile 0.00 shares	0.00 shares

44 (iii) No certificated instructional employee shall receive more  
 45 than one (1.00) share, the results of the quartile award tables

1 for growth and excellence notwithstanding. No certificated ad-  
2 ministrative employee shall receive more than two (2.00) shares,  
3 the results of the quartile award tables for growth and excellence  
4 notwithstanding.

5 (iv) Students whose spring test results are excluded from the  
6 school's results for federal accountability purposes shall be ex-  
7 cluded from school growth and excellence calculations.

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

12 (vi) For certificated employees assigned more than one (1)  
13 school, state shares shall be earned pro rata, based on the per-  
14 centage of the employee's time assigned to each school at the time  
15 that students take their spring tests. In addition, for part-time  
16 employees, state shares shall be earned pro rata, based on such  
17 employee's full-time equivalency status.

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

22 (viii) For certificated employees not assigned to a specific  
23 school, all new employment contracts signed on or after July 1,  
24 2011, shall provide that at least five percent (5%) of the total  
25 available compensation be based on growth in student achievement,  
26 as determined by the board of trustees. Such percentage shall  
27 increase to ten percent (10%) of the total available compensation  
28 for contracts signed on or after July 1, 2015, and fifteen percent  
29 (15%) for contracts signed on or after July 1, 2019.

30 (b) Local shares shall be awarded to certificated employees based on  
31 performance. Each board of trustees shall develop a plan for awarding  
32 local pay for performance shares in consultation with certificated em-  
33 ployees. Local share awards to certificated instructional employees  
34 shall be based on the performance of groups of such employees, unless  
35 there is only one (1) such employee in the school district. No employee  
36 shall receive more than one (1.00) local share. For part-time employ-  
37 ees, local shares shall be earned pro rata, based on such employee's  
38 full-time equivalency status. Local share awards shall be based on one  
39 (1) or more of the following measures:

40 (i) Student test scores;

41 (ii) Student graduation rate;

42 (iii) Student dropout rate;

43 (iv) Percent of graduates attending postsecondary education or  
44 entering military service;

45 (v) Making federally approved adequate yearly progress;

46 (vi) Number of students successfully completing dual credit or  
47 advanced placement classes;

48 (vii) Percent of students involved in extracurricular activi-  
49 ties;

50 (viii) Class projects;



- 1 (ix) Portfolios;
- 2 (x) Successful completion of special student assignments;
- 3 (xi) Parental involvement;
- 4 (xii) Teacher-assigned grades; and
- 5 (xiii) Student attendance rate.

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

10 (c) Individual pay for performance bonuses shall be calculated as fol-  
11 lows:

12 (i) Divide the moneys available for pay for performance bonuses  
13 by the total number of state shares earned by certificated employ-  
14 ees statewide.

15 (ii) To determine the amount of pay for performance bonus funds  
16 to distribute to each school district, multiply the result of  
17 subparagraph (i) of this subsection by the number of state shares  
18 earned by certificated employees in the school district.

19 (iii) To establish the value of a share in each school district,  
20 the school district shall divide the funds distributed by the  
21 state department of education pursuant to subparagraph (ii) of  
22 this subsection by the total number of state and local shares  
23 earned by all certificated employees who earned at least a frac-  
24 tion of both a state and local share.

25 (iv) Multiply the total number of state and local shares earned  
26 by each certificated employee of the school district who earned at  
27 least a fraction of a state and local share by the result of sub-  
28 paragraph (iii) of this subsection. Certificated employees who do  
29 not earn at least a fraction of both a state and local share shall  
30 not be eligible to receive a pay for performance bonus. Pay for  
31 performance bonuses shall be paid by school districts to qualify-  
32 ing certificated employees in a lump sum by no later than December  
33 15 following the spring test of the prior school year.

34 (3) Hard to fill position bonuses.

35 (a) The state board of education shall designate certificates and en-  
36 dorsements held by certificated instructional staff for hard to fill  
37 position bonuses. The board shall rank the certificates or endorse-  
38 ments to be so designated based on the relative difficulty of school  
39 districts' ability to recruit and retain such personnel. No additional  
40 certificates or endorsements may be added to the rankings beyond the  
41 first such certificate or endorsement that causes the number of cer-  
42 tificates or endorsements to equal or exceed one-third (1/3) of the  
43 total certificates and endorsements held by certificated instructional  
44 public school employees in the state. The board shall review and alter  
45 such rankings and designations at least once every two (2) years based  
46 on market conditions. Any changes in rankings and designations shall be  
47 made by the board by no later than March 31 of the previous school year,  
48 and school districts shall be promptly notified of any changes.

49 (b) School district boards of trustees may choose to designate certifi-  
50 cates and endorsements held by certificated instructional employees

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

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

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

30 (e) If an individual qualifies for a hard to fill position bonus in more  
31 than one (1) certificate or endorsement, the individual shall be allo-  
32 cated and paid on a full-time equivalency basis, based on the relative  
33 time spent in each of the qualifying areas.

34 (f) School district boards of trustees choosing to utilize hard to fill  
35 position bonus funds shall designate a new list of certificates and en-  
36 dorsements for such bonuses for each school year by no later than June 11  
37 of the previous school year. The new list may be identical to the list  
38 from the previous school year, subject to the current ten percent (10%)  
39 limitation requirements.

40 (g) If the board of trustees determines that it will be unable to at-  
41 tract a qualified candidate to serve in a hard to fill position, even  
42 with the addition of such bonus funds, the board may use such funds  
43 to pay for the training and coursework needed by a currently unquali-  
44 fied employee or other individual to gain such qualification. If such  
45 payment is authorized, the amount paid for an individual in a fiscal  
46 year shall not exceed twice the statewide average bonus paid per cer-  
47 tificated instructional employee pursuant to subsection (2) of this  
48 section. The individual for whom training and coursework is paid in  
49 such manner must earn a passing grade for the training and coursework  
50 that is paid by the school district and must work for the school district

1 at least one (1) year in the designated certificate or endorsement area  
 2 for each fiscal year in which the school district made payments for  
 3 training and coursework, or repay the funds.

4 (h) Hard to fill position bonuses shall be paid by school districts to  
 5 qualifying certificated instructional employees by no later than De-  
 6 cember 15, in a lump sum payment.

7 (4) Leadership awards.

8 (a) School district boards of trustees may designate up to twenty-five  
 9 percent (25%) of their certificated instructional employees for lead-  
 10 ership awards. Such awards shall recognize excellence, be valid only  
 11 for the fiscal year for which the awards are made and require one (1) or  
 12 more of the following additional duties:

13 (i) Teacher or other instructional staff mentoring;

14 (ii) Content leadership;

15 (iii) Lead teacher;

16 (iv) Peer teaching coach;

17 (v) Content specialist;

18 (vi) Remedial instructor;

19 (vii) Curriculum development;

20 (viii) Assessment development;

21 (ix) Data analysis;

22 (x) Grant writing;

23 (xi) Special program coordinator;

24 (xii) Research project;

25 (xiii) Teaching professional development course;

26 (xiv) Service on local/state/national education committee or  
 27 task force;

28 (xv) Providing leadership to a professional learning community;  
 29 and

30 (xvi) Earning national board certification.

31 Duties related to student activities and athletics shall not be eligi-  
 32 ble for leadership awards.

33 (b) Local school district boards of trustees shall require that the em-  
 34 ployee work additional time as a condition of the receipt of a leader-  
 35 ship award.

36 (c) Local school district boards of trustees may grant multiple lead-  
 37 ership awards with multiple additional duties. No employee, however,  
 38 shall receive leadership awards in excess of twice the statewide aver-  
 39 age bonus paid per certificated instructional employee pursuant to sub-  
 40 section (2) of this section.

41 (d) Leadership awards shall be paid by school districts to qualifying  
 42 certificated instructional employees in a lump sum payment upon comple-  
 43 tion of the additional duty.

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

47 (f) Notwithstanding the provisions of subsection (4) (a) through (e) of  
 48 this section, employees who earned national board certification prior  
 49 to July 1, 2011, and who are no longer receiving payments for earning  
 50 such certification pursuant to section 33-1004E, Idaho Code, due to the

1 repeal of the provision providing for such payments, shall be paid two  
 2 thousand dollars (\$2,000) per year from the moneys allocated pursuant  
 3 to this subsection (4) until all moneys that would have been paid un-  
 4 der the previous provisions of section 33-1004E, Idaho Code, have been  
 5 paid.

6 (5) School districts may shift moneys between the allocations for  
 7 subsections (3) and (4) of this section. The ten percent (10%) limitation  
 8 established in subsection (3) of this section and the twenty-five percent  
 9 (25%) limitation established in subsection (4) of this section shall be ad-  
 10 justed accordingly.

11 (6) All distributions of moneys to school districts shall be made as  
 12 part of the third payment to school districts required by section 33-1009,  
 13 Idaho Code.

14 (7) School districts shall not enter into any contract that discrimi-  
 15 nates against those receiving a bonus award pursuant to this section.

16 (8) The state department of education may require reports of informa-  
 17 tion as needed to implement the provisions of this section and provide re-  
 18 ports to the governor, the legislature and the public.

19 (9) For the purposes of this section, the term "school district" also  
 20 means "public charter school," and the term "board of trustees" also means  
 21 "board of directors."

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

24 33-1020. IDAHO DIGITAL LEARNING ACADEMY FUNDING. Of the moneys appro-  
 25 priated for the educational support program, an amount shall be distributed  
 26 to support the Idaho digital learning academy, created pursuant to chapter  
 27 55, title 33, Idaho Code. For the purposes of this section, an "enrollment"  
 28 shall be counted each time an Idaho school age child enrolls in an Idaho dig-  
 29 ital learning academy class. A single child enrolled in multiple classes  
 30 shall count as multiple enrollments. Summer enrollments shall be included  
 31 in the fiscal year that begins that summer. The amount distributed shall be  
 32 calculated as follows:

33 (1) A fixed base amount shall be distributed, equal to the current fis-  
 34 cal year's statewide average salary-based apportionment funding per midterm  
 35 support unit, multiplied by seven (7).

36 (2) A variable base amount shall be distributed each time the number  
 37 of enrollments meets or exceeds an increment of five thousand (5,000). The  
 38 amount so distributed shall be equal to the number of such increments, mul-  
 39 tiplied by the current fiscal year's statewide average salary-based appor-  
 40 tionment funding per midterm support unit, multiplied by four and thirty-  
 41 three hundredths (4.33).

42 ~~(3) A variable amount shall be distributed, equal to the number of en-~~  
 43 ~~rollments multiplied by the current fiscal year's statewide average salary-~~  
 44 ~~based apportionment funding per midterm support unit, divided by one hundred~~  
 45 ~~forty-three (143).~~

46 The state department of education shall make an estimated distribu-  
 47 tion of funds to the Idaho digital learning academy by no later than July  
 48 31 of each fiscal year, consisting of eighty percent (80%) of the estimated  
 49 funding for the fiscal year. The balance of all remaining funds to be dis-

1 tributed, pursuant to the calculations in this section, shall be distributed  
2 by no later than May 15 of the same fiscal year.

3 SECTION 22. That Chapter 10, Title 33, Idaho Code, be, and the same is  
4 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
5 ignated as Section 33-1021, Idaho Code, and to read as follows:

6 33-1021. MATH AND SCIENCE REQUIREMENT. In order to meet state gradua-  
7 tion requirements regarding math and science courses, moneys shall be dis-  
8 tributed to school districts to defray the cost of providing additional math  
9 and science courses. Moneys so distributed shall be used to hire additional  
10 high school math and science teachers or to defray costs associated with pro-  
11 viding math and science courses to high school students. Moneys shall be  
12 distributed to school districts from the moneys appropriated to the educa-  
13 tional support program for each regular high school, not including alterna-  
14 tive schools, based on the following criteria:

15 (1) For each school with enrollment of 99 or less, distribute the equiv-  
16 alent of one ninth (1/9) of a classified staff position.

17 (2) For each school with enrollment of 100 to 159, distribute the equiv-  
18 alent of one and one-quarter (1.25) of a classified staff position.

19 (3) For each school with enrollment of 160 to 319, distribute the equiv-  
20 alent of two sevenths (2/7) of a classified staff position.

21 (4) For each school with enrollment of 320 to 639, distribute the equiv-  
22 alent of one (1.0) instructional staff position, based on the statewide av-  
23 erage funding per position.

24 (5) For each school with enrollment of 640 or more, distribute the  
25 equivalent of one (1.0) instructional staff position, based on the statewide  
26 average funding per position, and three-quarters (0.75) of a classified  
27 staff position.

28 For the purposes of these school size classifications for regular high  
29 schools that serve only grades 10-12, ninth grade students who will attend  
30 the regular high school upon matriculating to tenth grade shall be included  
31 as enrolled in the regular high school.

32 SECTION 23. That Chapter 10, Title 33, Idaho Code, be, and the same is  
33 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
34 ignated as Section 33-1022, Idaho Code, and to read as follows:

35 33-1022. PUBLIC SCHOOL TECHNOLOGY. (1) Moneys shall be expended or  
36 distributed from the educational support program for public school technol-  
37 ogy as follows:

38 (a) For fiscal year 2012, an amount equal to three hundred twenty (320)  
39 multiplied by the per statewide support unit value of salary-based ap-  
40 portionment and discretionary funds.

41 (b) For fiscal year 2013, an amount equal to three hundred seven (307)  
42 multiplied by the per statewide support unit value of salary-based ap-  
43 portionment and discretionary funds.

44 (c) For fiscal year 2014, an amount equal to one hundred sev-  
45 enty-two (172) multiplied by the per statewide support unit value of  
46 salary-based apportionment and discretionary funds.

1 (d) For fiscal year 2015, an amount equal to one hundred sev-  
 2 enty-two (172) multiplied by the per statewide support unit value of  
 3 salary-based apportionment and discretionary funds.

4 (e) For fiscal year 2016 and each fiscal year thereafter, an amount  
 5 equal to one hundred forty (140) multiplied by the per statewide support  
 6 unit value of salary-based apportionment and discretionary funds.

7 (2) For the purposes of subsection (1) of this section, the support unit  
 8 figure used shall be statewide support units used to calculate the distribu-  
 9 tion of salary-based apportionment funds in the current fiscal year.

10 (3) Moneys expended or distributed pursuant to this section shall be  
 11 utilized for one (1) or more of the following:

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

16 (b) High quality digital learning resources and software linked to  
 17 state and local curricula, including model lesson plans, content and  
 18 formative and summative assessments tied to rigorous college and ca-  
 19 reer-ready standards.

20 (c) Classroom technology that assists teachers in the effective and ef-  
 21 ficient delivery of instruction.

22 (d) Safe and secure online knowledge sharing and collaboration sys-  
 23 tems.

24 (e) Professional development and training that promotes the effective  
 25 use of technology by students, staff and parents, and the integration of  
 26 technology into public school curricula and instructional methods.

27 (f) The development of plans at the school, district and statewide  
 28 level for the improved use and integration of technology in learning.  
 29 As part of this subsection, the superintendent of public instruction  
 30 shall convene a task force to study and develop plans for the imple-  
 31 mentation of online course requirements and the provision and support  
 32 of one-to-one mobile computing devices for students, including an  
 33 examination of the experience of other states and school districts, be-  
 34 ginning in the 2012-2013 school year. The superintendent shall report  
 35 the findings, plans and recommendations of this task force, including  
 36 any recommendations for changes to statute or rule, to the senate and  
 37 house of representatives education committees by no later than January  
 38 31, 2012.

39 (4) The state superintendent of public instruction shall include  
 40 information on the uses, planned uses and impact of moneys distributed  
 41 pursuant to this section as part of the annual report required by section  
 42 33-4805, Idaho Code.

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

46 33-1626. DUAL CREDIT FOR EARLY COMPLETERS. Students completing all  
 47 high school graduation requirements by no later than the start of the twelfth  
 48 grade shall be eligible for up to thirty-six (36) postsecondary credits of  
 49 dual credit courses during their twelfth grade year. Average daily atten-

1 dance shall be counted as normal for such twelfth grade students for public  
2 school funding purposes. In addition, the state department of education  
3 shall distribute funds from the moneys appropriated for the educational  
4 support program to defray the per credit cost charged for such dual credit  
5 courses by accredited postsecondary institutions. The amount so dis-  
6 tributed shall not exceed seventy-five dollars (\$75.00) per credit hour.

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

10 33-1627. ONLINE COURSES -- MOBILE COMPUTING DEVICES AND TEACHER  
11 TRAINING. (1) The legislature finds that in order to better provide students  
12 with the skills that they will need to be successful as students, employees,  
13 entrepreneurs and parents in the future, more exposure is needed to online  
14 learning and informational environments.

15 (2) Beginning with the ninth grade class of the 2012-2013 school year,  
16 students shall be required to successfully complete at least six (6) credits  
17 of online courses in order to graduate. The school district may designate  
18 the required courses that students must successfully complete each school  
19 year, but may not prescribe the provider of such courses. The state board of  
20 education may provide for appropriate exemptions from this requirement, by  
21 rule.

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

27 (a) The course is offered by a provider accredited by the organization  
28 that accredits Idaho high schools, or an organization whose accredi-  
29 tation of providers is recognized by the organization that accredits  
30 Idaho high schools;

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

33 (c) The state department of education, a school district, a public  
34 charter school or the Idaho digital learning academy has verified that  
35 the course meets state content standards;

36 (d) The school district or public charter school in which the student is  
37 enrolled has been provided with notification of the student's enroll-  
38 ment in the online course no later than thirty (30) days prior to the end  
39 of the previous term, or no later than the end of the school year, in the  
40 case of a term ending at the end of the school year.

41 (4) A student's transcript at the school district or public charter  
42 school at which the student is enrolled shall include the credits earned and  
43 grades received by each student for any online courses take pursuant to this  
44 section.

45 (5) In order to assist in providing students with access to online  
46 courses, the state department of education shall contract for the provision  
47 of mobile computing devices for each student upon entering the ninth grade,  
48 beginning with the ninth grade class of the 2012-2013 school year. The de-  
49 partment shall use the same laws, rules and policies in issuing and awarding

1 such contract as would an executive branch agency in which an appointed  
 2 director reports directly to the governor. Such devices shall include tech-  
 3 nology that provides for compliance with the provisions of section 33-132,  
 4 Idaho Code. Such contract shall also provide for the maintenance, repair  
 5 and technical support of such devices. The cost of such contract shall be  
 6 paid from the moneys appropriated for the educational support program. Each  
 7 school district or public charter school shall develop a policy on student  
 8 use of the mobile computing devices outside of the school day. Such policy  
 9 shall be in compliance with the provisions of section 33-132, Idaho Code.  
 10 The state department of education shall develop a policy addressing the is-  
 11 sue of damage, loss, repair and replacement of the mobile computing devices.

12 (6) The state department of education shall expend or distribute an  
 13 amount equal to ten and five-eighths (10 5/8) multiplied by the per statewide  
 14 support unit value of salary-based apportionment and discretionary funds  
 15 for fiscal year 2013 through fiscal year 2016, from the amount appropriated  
 16 to the educational support program, to train high school staff in the use of  
 17 mobile computing devices by students in the classroom, and the integration  
 18 of such use into the curriculum. For the purposes of this subsection, the  
 19 support units used to calculate this statewide figure shall be the statewide  
 20 support units used to calculate the distribution of salary-based apportion-  
 21 ment funds in the current fiscal year.

22 (7) The state board of education shall promulgate rules to implement  
 23 the provisions of this section.

24 SECTION 26. That Chapter 16, Title 33, Idaho Code, be, and the same is  
 25 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 26 ignated as Section 33-1627A, Idaho Code, and to read as follows:

27 33-1627A. NOMINAL VALUE PROPERTY. The legislature hereby declares  
 28 each mobile computing device provided pursuant to section 33-1627, Idaho  
 29 Code, to be of nominal value upon each student's graduation, and therefore  
 30 each student's mobile computing device shall become their property upon  
 31 their successful graduation from high school, any other provision of law  
 32 notwithstanding. The legislature hereby declares such transfer of nominal  
 33 value property to graduates to render a benefit to the state of Idaho and its  
 34 citizens.

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

37 33-5208. PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided  
 38 in subsection (8) of this section, from the state educational support pro-  
 39 gram the state department of education shall make the following apportion-  
 40 ment to each public charter school for each fiscal year based on attendance  
 41 figures submitted in a manner and time as required by the department of edu-  
 42 cation:

43 (1) Per student support. Computation of support units for each public  
 44 charter school shall be calculated as if it were a separate school accord-  
 45 ing to the schedules in section 33-1002(4), Idaho Code, except that public  
 46 charter schools with fewer than one hundred (100) secondary ADA shall use a  
 47 divisor of ~~twelve~~ thirteen and one-quarter (123.25) and the minimum units



1 shall not apply, and no public charter school shall receive an increase in  
2 support units that exceeds the support units it received in the prior year  
3 by more than thirty (30). Funding from the state educational support pro-  
4 gram shall be equal to the total distribution factor, plus the salary-based  
5 apportionment provided in chapter 10, title 33, Idaho Code. Provided how-  
6 ever, any public charter school that is formed by the conversion of an exist-  
7 ing traditional public school shall be assigned divisors, pursuant to sec-  
8 tion 33-1002, Idaho Code, that are no lower than the divisors of the school  
9 district in which the traditional public school is located, for each cate-  
10 gory of pupils listed.

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

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

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

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

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

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

44 (5) Payment schedule. The state department of education is authorized  
45 to make an advance payment of twenty-five percent (25%) of a public charter  
46 school's estimated annual apportionment for its first year of operation, and  
47 each year thereafter, provided the public charter school has an increase of  
48 student population in any given year of twenty (20) students or more, to as-  
49 sist the school with initial 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 apportion-  
6 ment from which the amount of the advance payment shall be calculated.  
7 Advance payment shall be made to the school on or after July 1 but no  
8 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 public  
11 charter school in the same manner as other traditional public schools in  
12 accordance with the provisions of section 33-1009, Idaho Code.

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

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

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

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

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

1 completed, whichever is more advantageous to the school, up to the maxi-  
2 mum of one (1) full-time equivalent student.

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

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

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

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

17 (1) Per student support. Computation of support units for each public  
18 charter school shall be calculated as if it were a separate school according  
19 to the schedules in section 33-1002(4), Idaho Code, except that public char-  
20 ter schools with fewer than one hundred (100) secondary ADA shall use a di-  
21 visor of ~~twelve~~ fourteen and two-tenths (124.2) and the minimum units shall  
22 not apply, and no public charter school shall receive an increase in sup-  
23 port units that exceeds the support units it received in the prior year by  
24 more than thirty (30). Funding from the state educational support program  
25 shall be equal to the total distribution factor, plus the salary-based ap-  
26 portionment provided in chapter 10, title 33, Idaho Code. Provided however,  
27 any public charter school that is formed by the conversion of an existing  
28 traditional public school shall be assigned divisors, pursuant to section  
29 33-1002, Idaho Code, that are no lower than the divisors of the school dis-  
30 trict in which the traditional public school is located, for each category of  
31 pupils listed.

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

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

42 (4) Transportation support. Support shall be paid to the public char-  
43 ter school as provided in chapter 15, title 33, Idaho Code, and section  
44 33-1006, Idaho Code. Each public charter school shall furnish the depart-  
45 ment with an enrollment count as of the first Friday in November, of public  
46 charter school students who are eligible for reimbursement of transporta-  
47 tion costs under the provisions of this subsection and who reside more than  
48 one and one-half (1 1/2) miles from the school. For charter schools in the  
49 initial year of operation, the petition shall include a proposal for trans-

1 portation services with an estimated first year cost. The state department  
2 of education is authorized to include in the annual appropriation to the  
3 charter school sixty percent (60%) of the estimated transportation cost.  
4 The final appropriation payment in July shall reflect reimbursements of ac-  
5 tual costs pursuant to section 33-1006, Idaho Code. To be eligible for state  
6 reimbursement under the provisions of section 33-1006, Idaho Code, the stu-  
7 dent to be transported must reside within the public charter school's atten-  
8 dance zone, and must meet at least one (1) of the 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 charter  
12 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 virtual  
15 schools.

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

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

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

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

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

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

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

47 (8) (a) For the period July 1, 2003, through June 30, 2005, all pub-  
48 lic virtual schools shall be assigned divisors, pursuant to section  
49 33-1002, Idaho Code, that are no higher than the median divisor shown  
50 for each respective category of pupils, among the possible divisors

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

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

24 (c) All federal educational funds shall be administered and dis-  
 25 tributed to public charter schools, including public virtual schools,  
 26 that have been designated by the state board of education as a local edu-  
 27 cation agency (LEA), as provided in section 33-5203(7), Idaho Code.

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

30 SECTION 29. That Section 33-5208, Idaho Code, be, and the same is hereby  
 31 amended to read as follows:

32 33-5208. PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided  
 33 in subsection (8) of this section, from the state educational support pro-  
 34 gram the state department of education shall make the following apportion-  
 35 ment to each public charter school for each fiscal year based on attendance  
 36 figures submitted in a manner and time as required by the department of edu-  
 37 cation:

38 (1) Per student support. Computation of support units for each public  
 39 charter school shall be calculated as if it were a separate school accord-  
 40 ing to the schedules in section 33-1002(4), Idaho Code, except that public  
 41 charter schools with fewer than one hundred (100) secondary ADA shall use a  
 42 divisor of ~~twelve~~ fourteen and three-tenths (124.3) and the minimum units  
 43 shall not apply, and no public charter school shall receive an increase in  
 44 support units that exceeds the support units it received in the prior year  
 45 by more than thirty (30). Funding from the state educational support pro-  
 46 gram shall be equal to the total distribution factor, plus the salary-based  
 47 apportionment provided in chapter 10, title 33, Idaho Code. Provided how-  
 48 ever, any public charter school that is formed by the conversion of an exist-  
 49 ing traditional public school shall be assigned divisors, pursuant to sec-

1 tion 33-1002, Idaho Code, that are no lower than the divisors of the school  
2 district in which the traditional public school is located, for each cate-  
3 gory of pupils listed.

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

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

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

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

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

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

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

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

46 (b) Using the figures provided by the public charter school, the state  
47 department of education shall determine an estimated annual apportion-  
48 ment from which the amount of the advance payment shall be calculated.  
49 Advance payment shall be made to the school on or after July 1 but no  
50 later than July 31.

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

5 A public charter school shall comply with all applicable fiscal requirements  
6 of law, except that the following provisions shall not be applicable to  
7 public charter schools: section 33-1003B, Idaho Code, relating to guaran-  
8 teed minimum support; that portion of section 33-1004, Idaho Code, relating  
9 to reduction of the administrative and instructional staff allowance when  
10 there is a discrepancy between the number allowed and the number actually em-  
11 ployed; and section 33-1004E, Idaho Code, for calculation of district staff  
12 indices.

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

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

18 (8) (a) For the period July 1, 2003, through June 30, 2005, all pub-  
19 lic virtual schools shall be assigned divisors, pursuant to section  
20 33-1002, Idaho Code, that are no higher than the median divisor shown  
21 for each respective category of pupils, among the possible divisors  
22 listed, for each respective category of pupils that contains more than  
23 one (1) divisor. If there is an even number of possible divisors listed  
24 for a particular category of pupils, then the lesser of the two (2) me-  
25 dian divisors shall be used. For the period July 1, 2005, through June  
26 30, 2007, all public virtual schools shall be assigned divisors, pur-  
27 suant to section 33-1002, Idaho Code, that are no higher than the second  
28 highest divisor shown, among the possible divisors listed, for each  
29 respective category of pupils that contains more than one (1) divisor.  
30 The divisor provisions contained herein shall only be applicable to  
31 the number of pupils in average daily attendance in such public virtual  
32 schools for the period July 1, 2003, through June 30, 2004. If the num-  
33 ber of pupils in average daily attendance in any particular category  
34 of pupils increases, during the period July 1, 2004, through June 30,  
35 2005, to a number above that which existed in the prior fiscal year, then  
36 those additional pupils in average daily attendance shall be assigned  
37 the divisor, pursuant to section 33-1002, Idaho Code, that would have  
38 otherwise been assigned to the school district or public charter school  
39 had this section not been in force.

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

45 (c) All federal educational funds shall be administered and dis-  
46 tributed to public charter schools, including public virtual schools,  
47 that have been designated by the state board of education as a local edu-  
48 cation agency (LEA), as provided in section 33-5203(7), Idaho Code.

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

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

3 33-5208. PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided  
4 in subsection (8) of this section, from the state educational support pro-  
5 gram the state department of education shall make the following apportion-  
6 ment to each public charter school for each fiscal year based on attendance  
7 figures submitted in a manner and time as required by the department of edu-  
8 cation:

9 (1) Per student support. Computation of support units for each public  
10 charter school shall be calculated as if it were a separate school accord-  
11 ing to the schedules in section 33-1002(4), Idaho Code, except that public  
12 charter schools with fewer than one hundred (100) secondary ADA shall use  
13 a divisor of ~~twelve~~ fourteen and four-tenths (124.4) and the minimum units  
14 shall not apply, and no public charter school shall receive an increase in  
15 support units that exceeds the support units it received in the prior year  
16 by more than thirty (30). Funding from the state educational support pro-  
17 gram shall be equal to the total distribution factor, plus the salary-based  
18 apportionment provided in chapter 10, title 33, Idaho Code. Provided how-  
19 ever, any public charter school that is formed by the conversion of an exist-  
20 ing traditional public school shall be assigned divisors, pursuant to sec-  
21 tion 33-1002, Idaho Code, that are no lower than the divisors of the school  
22 district in which the traditional public school is located, for each cate-  
23 gory of pupils listed.

24 (2) Special education. For each student enrolled in the public charter  
25 school who is entitled to special education services, the state and federal  
26 funds from the exceptional child education program for that student that  
27 would have been apportioned for that student to the school district in which  
28 the public charter school is located.

29 (3) Alternative school support. Public charter schools may qualify un-  
30 der the provisions of sections 33-1002 and 33-1002C, Idaho Code, provided  
31 the public charter school meets the necessary statutory requirements, and  
32 students qualify for attendance at an alternative school as provided by rule  
33 of the state board of education.

34 (4) Transportation support. Support shall be paid to the public char-  
35 ter school as provided in chapter 15, title 33, Idaho Code, and section  
36 33-1006, Idaho Code. Each public charter school shall furnish the depart-  
37 ment with an enrollment count as of the first Friday in November, of public  
38 charter school students who are eligible for reimbursement of transporta-  
39 tion costs under the provisions of this subsection and who reside more than  
40 one and one-half (1 1/2) miles from the school. For charter schools in the  
41 initial year of operation, the petition shall include a proposal for trans-  
42 portation services with an estimated first year cost. The state department  
43 of education is authorized to include in the annual appropriation to the  
44 charter school sixty percent (60%) of the estimated transportation cost.  
45 The final appropriation payment in July shall reflect reimbursements of ac-  
46 tual costs pursuant to section 33-1006, Idaho Code. To be eligible for state  
47 reimbursement under the provisions of section 33-1006, Idaho Code, the stu-  
48 dent to be transported must reside within the public charter school's atten-  
49 dance zone, and must meet at least one (1) of the following two (2) criteria:



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

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

5 The limitations placed by this subsection on the reimbursement of  
6 transportation costs for certain students shall not apply to public virtual  
7 schools.

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

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

17 (b) Using the figures provided by the public charter school, the state  
18 department of education shall determine an estimated annual apportion-  
19 ment from which the amount of the advance payment shall be calculated.  
20 Advance payment shall be made to the school on or after July 1 but no  
21 later than July 31.

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

26 A public charter school shall comply with all applicable fiscal requirements  
27 of law, except that the following provisions shall not be applicable to  
28 public charter schools: section 33-1003B, Idaho Code, relating to guaran-  
29 teed minimum support; that portion of section 33-1004, Idaho Code, relating  
30 to reduction of the administrative and instructional staff allowance when  
31 there is a discrepancy between the number allowed and the number actually em-  
32 ployed; and section 33-1004E, Idaho Code, for calculation of district staff  
33 indices.

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

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

39 (8) (a) For the period July 1, 2003, through June 30, 2005, all pub-  
40 lic virtual schools shall be assigned divisors, pursuant to section  
41 33-1002, Idaho Code, that are no higher than the median divisor shown  
42 for each respective category of pupils, among the possible divisors  
43 listed, for each respective category of pupils that contains more than  
44 one (1) divisor. If there is an even number of possible divisors listed  
45 for a particular category of pupils, then the lesser of the two (2) me-  
46 dian divisors shall be used. For the period July 1, 2005, through June  
47 30, 2007, all public virtual schools shall be assigned divisors, pur-  
48 suant to section 33-1002, Idaho Code, that are no higher than the second  
49 highest divisor shown, among the possible divisors listed, for each  
50 respective category of pupils that contains more than one (1) divisor.

1 The divisor provisions contained herein shall only be applicable to  
 2 the number of pupils in average daily attendance in such public virtual  
 3 schools for the period July 1, 2003, through June 30, 2004. If the num-  
 4 ber of pupils in average daily attendance in any particular category  
 5 of pupils increases, during the period July 1, 2004, through June 30,  
 6 2005, to a number above that which existed in the prior fiscal year, then  
 7 those additional pupils in average daily attendance shall be assigned  
 8 the divisor, pursuant to section 33-1002, Idaho Code, that would have  
 9 otherwise been assigned to the school district or public charter school  
 10 had this section not been in force.

11 (b) Each student in attendance at a public virtual school shall be  
 12 funded based upon either the actual hours of attendance in the public  
 13 virtual school on a flexible schedule, or the percentage of coursework  
 14 completed, whichever is more advantageous to the school, up to the maxi-  
 15 mum of one (1) full-time equivalent student.

16 (c) All federal educational funds shall be administered and dis-  
 17 tributed to public charter schools, including public virtual schools,  
 18 that have been designated by the state board of education as a local edu-  
 19 cation agency (LEA), as provided in section 33-5203(7), Idaho Code.

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

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

24 33-5208. PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided  
 25 in subsection (8) of this section, from the state educational support pro-  
 26 gram the state department of education shall make the following apportion-  
 27 ment to each public charter school for each fiscal year based on attendance  
 28 figures submitted in a manner and time as required by the department of edu-  
 29 cation:

30 (1) Per student support. Computation of support units for each public  
 31 charter school shall be calculated as if it were a separate school accord-  
 32 ing to the schedules in section 33-1002(4), Idaho Code, except that public  
 33 charter schools with fewer than one hundred (100) secondary ADA shall use a  
 34 divisor of ~~twelve~~ fourteen and one-half (14.5) and the minimum units shall  
 35 not apply, and no public charter school shall receive an increase in sup-  
 36 port units that exceeds the support units it received in the prior year by  
 37 more than thirty (30). Funding from the state educational support program  
 38 shall be equal to the total distribution factor, plus the salary-based ap-  
 39 portionment provided in chapter 10, title 33, Idaho Code. Provided however,  
 40 any public charter school that is formed by the conversion of an existing  
 41 traditional public school shall be assigned divisors, pursuant to section  
 42 33-1002, Idaho Code, that are no lower than the divisors of the school dis-  
 43 trict in which the traditional public school is located, for each category of  
 44 pupils listed.

45 (2) Special education. For each student enrolled in the public charter  
 46 school who is entitled to special education services, the state and federal  
 47 funds from the exceptional child education program for that student that  
 48 would have been apportioned for that student to the school district in which  
 49 the public charter school is located.

1 (3) Alternative school support. Public charter schools may qualify un-  
2 der the provisions of sections 33-1002 and 33-1002C, Idaho Code, provided  
3 the public charter school meets the necessary statutory requirements, and  
4 students qualify for attendance at an alternative school as provided by rule  
5 of the state board of education.

6 (4) Transportation support. Support shall be paid to the public char-  
7 ter school as provided in chapter 15, title 33, Idaho Code, and section  
8 33-1006, Idaho Code. Each public charter school shall furnish the depart-  
9 ment with an enrollment count as of the first Friday in November, of public  
10 charter school students who are eligible for reimbursement of transporta-  
11 tion costs under the provisions of this subsection and who reside more than  
12 one and one-half (1 1/2) miles from the school. For charter schools in the  
13 initial year of operation, the petition shall include a proposal for trans-  
14 portation services with an estimated first year cost. The state department  
15 of education is authorized to include in the annual appropriation to the  
16 charter school sixty percent (60%) of the estimated transportation cost.  
17 The final appropriation payment in July shall reflect reimbursements of ac-  
18 tual costs pursuant to section 33-1006, Idaho Code. To be eligible for state  
19 reimbursement under the provisions of section 33-1006, Idaho Code, the stu-  
20 dent to be transported must reside within the public charter school's atten-  
21 dance zone, and must meet at least one (1) of the following two (2) criteria:

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

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

26 The limitations placed by this subsection on the reimbursement of  
27 transportation costs for certain students shall not apply to public virtual  
28 schools.

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

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

38 (b) Using the figures provided by the public charter school, the state  
39 department of education shall determine an estimated annual apportion-  
40 ment from which the amount of the advance payment shall be calculated.  
41 Advance payment shall be made to the school on or after July 1 but no  
42 later than July 31.

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

47 A public charter school shall comply with all applicable fiscal requirements  
48 of law, except that the following provisions shall not be applicable to  
49 public charter schools: section 33-1003B, Idaho Code, relating to guaran-  
50 teed minimum support; that portion of section 33-1004, Idaho Code, relating

1 to reduction of the administrative and instructional staff allowance when  
2 there is a discrepancy between the number allowed and the number actually em-  
3 ployed; and section 33-1004E, Idaho Code, for calculation of district staff  
4 indices.

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

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

10 (8) (a) For the period July 1, 2003, through June 30, 2005, all pub-  
11 lic virtual schools shall be assigned divisors, pursuant to section  
12 33-1002, Idaho Code, that are no higher than the median divisor shown  
13 for each respective category of pupils, among the possible divisors  
14 listed, for each respective category of pupils that contains more than  
15 one (1) divisor. If there is an even number of possible divisors listed  
16 for a particular category of pupils, then the lesser of the two (2) me-  
17 dian divisors shall be used. For the period July 1, 2005, through June  
18 30, 2007, all public virtual schools shall be assigned divisors, pur-  
19 suant to section 33-1002, Idaho Code, that are no higher than the second  
20 highest divisor shown, among the possible divisors listed, for each  
21 respective category of pupils that contains more than one (1) divisor.  
22 The divisor provisions contained herein shall only be applicable to  
23 the number of pupils in average daily attendance in such public virtual  
24 schools for the period July 1, 2003, through June 30, 2004. If the num-  
25 ber of pupils in average daily attendance in any particular category  
26 of pupils increases, during the period July 1, 2004, through June 30,  
27 2005, to a number above that which existed in the prior fiscal year, then  
28 those additional pupils in average daily attendance shall be assigned  
29 the divisor, pursuant to section 33-1002, Idaho Code, that would have  
30 otherwise been assigned to the school district or public charter school  
31 had this section not been in force.

32 (b) Each student in attendance at a public virtual school shall be  
33 funded based upon either the actual hours of attendance in the public  
34 virtual school on a flexible schedule, or the percentage of coursework  
35 completed, whichever is more advantageous to the school, up to the maxi-  
36 mum of one (1) full-time equivalent student.

37 (c) All federal educational funds shall be administered and dis-  
38 tributed to public charter schools, including public virtual schools,  
39 that have been designated by the state board of education as a local edu-  
40 cation agency (LEA), as provided in section 33-5203(7), Idaho Code.

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

43 SECTION 32. That Chapter 52, Title 33, Idaho Code, be, and the same is  
44 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
45 ignated as Section 33-5216, Idaho Code, and to read as follows:

46 33-5216. PUBLIC POSTSECONDARY INSTITUTIONS -- PUBLIC CHARTER HIGH  
47 SCHOOLS. (1) Any public postsecondary institution located in this state is  
48 hereby authorized to operate a public charter high school in Idaho. The pro-  
49 visions of chapter 52, title 33, Idaho Code, shall apply to each such public

1 charter high school in the same manner and to the same extent as the provi-  
2 sions of charter school law apply to other public charter schools, with the  
3 exception of certain conditions and applications as specifically provided  
4 in this section.

5 (2) A public postsecondary institution may petition to establish a pub-  
6 lic charter high school to the state board of education or to the local board  
7 of trustees. Any provision or reference to the public charter school commis-  
8 sion found in chapter 52, title 33, Idaho Code, shall mean, for the purposes  
9 of this section, the state board of education.

10 (3) The president or chief executive officer of such postsecondary in-  
11 stitution, or his designee(s), shall serve as the board of trustees of any  
12 public charter high school opened for educational instruction pursuant to  
13 this section.

14 (4) For the purposes of this section, the term "high school" means a  
15 school serving any grades from ninth grade or higher.

16 SECTION 33. Nothing in this act shall prevent the Legislature from  
17 adjusting any component of any public school funding formula in any fiscal  
18 year, pursuant to the needs of public schools and the constitutional re-  
19 quirement that the state of Idaho maintain a balanced budget.

20 SECTION 34. SEVERABILITY. The provisions of this act are hereby de-  
21 clared to be severable and if any provision of this act or the application  
22 of such provision to any person or circumstance is declared invalid for any  
23 reason, such declaration shall not affect the validity of the remaining por-  
24 tions of this act.

25 SECTION 35. Sections 1, 2, 3, 4, 10, 14, 15, 18, 22, 23, 24, 25, 27, 32,  
26 33 and 34 of this act shall be in full force and effect on and after July 1,  
27 2011. Sections 5, 9, 11, 16, 19, 20, 21, 26 and 28 of this act shall be in full  
28 force and effect on and after July 1, 2012. Sections 6, 12, 17 and 29 of this  
29 act shall be in full force and effect on and after July 1, 2013. Sections 7,  
30 13 and 30 of this act shall be in full force and effect on and after July 1,  
31 2014. Sections 8 and 31 of this act shall be in full force and effect on and  
32 after July 1, 2015.