

IN THE SENATE

SENATE BILL NO. 1109

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 PROVISIONS RELATING TO A CERTAIN INTERNET
5 BASED WEBSITE; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVI-
6 SIONS RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION
7 33-1002, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EDUCATIONAL
8 SUPPORT PROGRAM; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PRO-
9 VISIONS RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION
10 33-1002, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EDUCATIONAL
11 SUPPORT PROGRAM; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVI-
12 SIONS RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10,
13 TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002A, IDAHO
14 CODE, TO PROVIDE PROVISIONS RELATING TO FRACTIONAL AVERAGE DAILY AT-
15 TENDANCE; AMENDING SECTION 33-1002C, IDAHO CODE, TO REVISE PROVISIONS
16 RELATING TO ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS AND EXCEPTIONAL
17 EDUCATION SCHOOL SUPPORT UNITS; AMENDING SECTION 33-1002C, IDAHO CODE,
18 TO REVISE PROVISIONS RELATING TO ALTERNATIVE SCHOOL SECONDARY SUPPORT
19 UNITS AND EXCEPTIONAL EDUCATION SCHOOL SUPPORT UNITS; AMENDING SECTION
20 33-1002C, IDAHO CODE, TO REVISE PROVISIONS RELATING TO ALTERNATIVE
21 SCHOOL SECONDARY SUPPORT UNITS AND EXCEPTIONAL EDUCATION SCHOOL SUP-
22 PORT UNITS; AMENDING SECTION 33-1002C, IDAHO CODE, TO REVISE PROVISIONS
23 RELATING TO ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS AND EXCEPTIONAL
24 EDUCATION SCHOOL SUPPORT UNITS; AMENDING SECTION 33-1004, IDAHO CODE,
25 TO REVISE A PROVISION RELATING TO STAFF ALLOWANCE COSTS OF PROVIDING
26 VIRTUAL EDUCATION COURSEWORK; AMENDING SECTION 33-1004A, IDAHO CODE,
27 TO REVISE PROVISIONS RELATING TO THE EXPERIENCE AND EDUCATION MULTI-
28 PLIER; AMENDING SECTION 33-1004A, IDAHO CODE, TO REVISE PROVISIONS
29 RELATING TO THE EXPERIENCE AND EDUCATION MULTIPLIER; AMENDING SECTION
30 33-1004A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EXPERIENCE
31 AND EDUCATION MULTIPLIER; AMENDING SECTION 33-1004E, IDAHO CODE, TO
32 REVISE PROVISIONS RELATING TO DISTRICT'S SALARY-BASED APPORTIONMENT;
33 AMENDING SECTION 33-1004F, IDAHO CODE, TO REVISE PROVISIONS RELATING
34 TO MEETING OBLIGATIONS TO THE PUBLIC EMPLOYEE RETIREMENT SYSTEM AND TO
35 SOCIAL SECURITY; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDI-
36 TION OF A NEW SECTION 33-1004I, IDAHO CODE, TO PROVIDE PROVISIONS RELAT-
37 ING TO PAY FOR PERFORMANCE, HARD TO FILL POSITIONS, LEADERSHIP AWARDS
38 AND TO PROVIDE FOR DISTRIBUTION OF MONEYS; AMENDING SECTION 33-1020,
39 IDAHO CODE, TO DELETE A PROVISION RELATING TO MONEYS DISTRIBUTED TO THE
40 IDAHO DIGITAL LEARNING ACADEMY; AMENDING CHAPTER 10, TITLE 33, IDAHO
41 CODE, BY THE ADDITION OF A NEW SECTION 33-1021, IDAHO CODE, TO PROVIDE
42 PROVISIONS RELATING TO THE DISTRIBUTION OF MONEYS TO SCHOOL DISTRICTS
43 FOR CERTAIN MATH AND SCIENCE COURSES; AMENDING CHAPTER 10, TITLE 33,
44 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1022, IDAHO CODE, TO PRO-

1 VIDE PROVISIONS RELATING TO PUBLIC SCHOOL TECHNOLOGY AND EXPENDITURES
 2 OR DISTRIBUTIONS OF MONEYS FOR SUCH; AMENDING CHAPTER 16, TITLE 33,
 3 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1626, IDAHO CODE, TO PRO-
 4 VIDE PROVISIONS RELATING TO DUAL CREDIT; AMENDING CHAPTER 16, TITLE 33,
 5 IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1627, IDAHO CODE, TO PRO-
 6 VIDE PROVISIONS RELATING TO ONLINE COURSES AND MOBILE COMPUTING DEVICES
 7 AND TO PROVIDE FOR CERTAIN EXPENDITURES OR DISTRIBUTIONS OF MONEYS;
 8 AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS RELATING
 9 TO PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5208,
 10 IDAHO CODE, TO REVISE PROVISIONS RELATING TO PUBLIC CHARTER SCHOOL
 11 FINANCIAL SUPPORT; AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PRO-
 12 VISIONS RELATING TO PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING
 13 SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS RELATING TO PUBLIC
 14 CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5208, IDAHO
 15 CODE, TO REVISE PROVISIONS RELATING TO PUBLIC CHARTER SCHOOL FINANCIAL
 16 SUPPORT; AMENDING CHAPTER 52, TITLE 33, IDAHO CODE, BY THE ADDITION OF
 17 A NEW SECTION 33-5216, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO
 18 PUBLIC POSTSECONDARY INSTITUTIONS BEING AUTHORIZED TO OPERATE PUBLIC
 19 CHARTER HIGH SCHOOLS; TO PROVIDE THAT NOTHING IN THIS ACT SHALL PREVENT
 20 THE LEGISLATURE FROM ADJUSTING COMPONENTS OF CERTAIN FUNDING FORMULAS
 21 PURSUANT TO THE NEEDS OF PUBLIC SCHOOLS AND THE CONSTITUTIONAL REQUIRE-
 22 MENT THAT THE STATE MAINTAIN A BALANCED BUDGET; PROVIDING SEVERABILITY;
 23 AND PROVIDING EFFECTIVE DATES.

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

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

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

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

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

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

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

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

COMPUTATION OF SECONDARY SUPPORT UNITS		
Average Daily		Minimum Units
Attendance	Attendance Divisor	Allowed
750 or more	18.5 19.75.....	473.5
400 - 749.99 ADA....	16 7.25.....	285.4
300 - 399.99 ADA....	14.5 5.75.....	220.3
200 - 299.99 ADA....	13.5 4.75.....	175.1
100 - 199.99 ADA....	12 3.25.....	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	Grades 7-9	.....	1 per 14 ADA
5	Grades 7- 8	.....	1 per <u>147.25</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> - 13.99 <u>5.74</u>	-	1
12	<u>8.4</u> - 11.99 <u>12.59</u>.....	- .....	.75
13	<u>4.2</u> - 7.99 <u>8.39</u>.....	- .....	.5
14	<u>.01</u> - 3.99 <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	Average Daily		Minimum Units
36	Attendance	Attendance Divisor	Allowed
37	300 or more ADA.....	.....	15
38		..23...grades 4, 5 & 6....	
39		..22...grades 1, 2 & 3....1994-95	

1	Average Daily		Minimum Units
2	Attendance	Attendance Divisor	Allowed
3		..21...grades 1,2 & 3....1995-96	
4		..20...grades 1,2 & 3....1996-97	
5		— and each year thereafter.	
6	160 to 299.99 ADA...	20	8.4
7	110 to 159.99 ADA...	19	6.8
8	71.1 to 109.99 ADA...	16	4.7
9	51.7 to 71.0 ADA...	15	4.0
10	33.6 to 51.6 ADA...	13	2.8
11	16.6 to 33.5 ADA...	12	1.4
12	1.0 to 16.5 ADA...	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	18.5 <u>20.7</u>	47 <u>1.2</u>
28	400 - 749.99 ADA....	16 <u>8.2</u>	28 <u>4</u>
29	300 - 399.99 ADA....	14.5 <u>6.7</u>	22 <u>19.1</u>
30	200 - 299.99 ADA....	13.5 <u>5.7</u>	17 <u>4.1</u>
31	100 - 199.99 ADA....	12 <u>4.2</u>	9 <u>8</u>
32	99.99 or fewer	Units allowed as follows:	
33	Grades 7-12	.....	8
34	Grades 9-12	.....	6
35	Grades 7-9	.....	1 per 14 ADA
36	Grades 7- 8	.....	1 per 16 <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
123.7 - 13.99 6.49	-	1
89.4 - 11.99 3.69 . . . .	- . . . . .	.75
4.6 - 7.99 9.39 . . . .	- . . . . .	.5
.01 - 3.99 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
28 300 or more ADA.....	.....	15
29 ..23...grades 4, 5 & 6....	.....
30 ..22...grades 1, 2 & 3....1994-95	.....
31 ..21...grades 1, 2 & 3....1995-96	.....
32 ..20...grades 1, 2 & 3....1996-97	.....
33 — and each year thereafter.		
34 160 to 299.99 ADA....	20.....	8.4
35 110 to 159.99 ADA....	19.....	6.8
36 71.1 to 109.99 ADA....	16.....	4.7
37 51.7 to 71.0 ADA....	15.....	4.0

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

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>18.520.8.....</u>	<u>471</u>
21	<u>400 - 749.99 ADA....</u>	<u>168.3.....</u>	<u>283.8</u>
22	<u>300 - 399.99 ADA....</u>	<u>14.56.8.....</u>	<u>2219</u>
23	<u>200 - 299.99 ADA....</u>	<u>13.55.8.....</u>	<u>174</u>
24	<u>100 - 199.99 ADA....</u>	<u>124.3.....</u>	<u>98</u>
25	99.99 or fewer	Units allowed as follows:	
26	Grades 7-12	.....	8
27	Grades 9-12	.....	6
28	Grades 7-9	.....	1 per 14 ADA
29	Grades 7- 8	.....	1 per 168.3 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>
34			<u>computed</u>
35	<u>123.7 - 13.996.49.....</u>	<u>-.....</u>	<u>1</u>
36	<u>89.4 - 11.993.69.....</u>	<u>-.....</u>	<u>.75</u>

1	Average Daily		Minimum Units
2	Attendance	Attendance Divisor	Allowed
3	<u>4.6</u> - 7.99 <u>9.39</u>.....	- .....	.5
4	<u>.01</u> - 3.99 <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 fill positions and leadership
 27 awards as 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 & 6....</u>	<u>.....</u>	<u>.....</u>
<u>..22...grades 1, 2 & 3....1994-95</u>	<u>.....</u>	<u>.....</u>
<u>..21...grades 1, 2 & 3....1995-96</u>	<u>.....</u>	<u>.....</u>
<u>..20...grades 1, 2 & 3....1996-97</u>	<u>.....</u>	<u>.....</u>
<u>— and each year thereafter.</u>	<u>.....</u>	<u>.....</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>18.520.9.....</u>	<u>470.8</u>
16	<u>400 - 749.99 ADA....</u>	<u>168.4.....</u>	<u>283.7</u>
17	<u>300 - 399.99 ADA....</u>	<u>14.56.9.....</u>	<u>2218.9</u>
18	<u>200 - 299.99 ADA....</u>	<u>13.55.9.....</u>	<u>173.9</u>
19	<u>100 - 199.99 ADA....</u>	<u>124.4.....</u>	<u>98</u>
20	<u>99.99 or fewer</u>	<u>Units allowed as follows:</u>	
21	<u>Grades 7-12</u>	.....	<u>8</u>
22	<u>Grades 9-12</u>	.....	<u>6</u>
23	<u>Grades 7-9</u>	.....	<u>1 per 14 ADA</u>
24	<u>Grades 7- 8</u>	.....	<u>1 per 168.4 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</u> <u>computed</u>
29			
30	<u>123.7 - 13.996.49.....</u>	<u>--.....</u>	<u>1</u>
31	<u>89.4 - 11.993.69.....</u>	<u>--.....</u>	<u>.75</u>
32	<u>4.6 - 7.999.39.....</u>	<u>--.....</u>	<u>.5</u>
33	<u>.01 - 3.994.59.....</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 & 6....</u>	
20		<u>..22...grades 1, 2 & 3....1994-95</u>	
21		<u>..21...grades 1, 2 & 3....1995-96</u>	
22		<u>..20...grades 1, 2 & 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	18.5 <u>21</u>	47 <u>0.5</u>
10	400 - 749.99 ADA....	168.5	283.5
11	300 - 399.99 ADA....	14.5 <u>7</u>	22 <u>18.7</u>
12	200 - 299.99 ADA....	13.5 <u>6</u>	17 <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	Grades 7-9	.....	1 per 14 ADA
18	Grades 7- 8	.....	1 per 168.5 <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	123.7 - 13.9 <u>96.49</u>	-	1
25	89.4 - 11.9 <u>93.69</u>....	- .....	.75
26	<u>4.6 - 7.9<u>99.39</u>....</u>	- .....	.5
27	<u>.01 - 3.9<u>4.59</u>....</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) Any online course which causes the total number of courses in which
29 a student is enrolled to exceed the maximum number of periods of in-
30 struction offered at the school in which the student is enrolled. If a
31 student is enrolled in multiple online courses and one (1) or more on-
32 line course falls within this limitation and one (1) or more fall beyond
33 it, then the most expensive courses shall be subject to fractional aver-
34 age daily attendance. School districts and public charter schools may
35 choose to pay for any online courses that fall beyond the limitation of
36 this paragraph, at their discretion. The parents or guardians of stu-
37 dents shall be responsible for paying the cost of any online courses in
38 which the student is enrolled beyond the limitation of this paragraph,
39 unless such cost has been paid by the student's school district or pub-
40 lic charter school.

41 (2) For online courses subject to fractional counting and division, the
42 average daily attendance shall be counted and funded as part of the student's
43 home school district or public charter school attendance. However, the
44 state department of education shall identify the fraction attributable to
45 such attendance for each student and furnish the home school district or pub-
46 lic charter school with a dollar amount of funding attributable to each such
47 fraction. The home school district or public charter school shall then remit
48 two-thirds (2/3) of such amount to each online course content provider.

1 (3) For the purposes of this section and section 33-1627, Idaho Code,
2 the term "online course" means a course which delivers a sequential program
3 of synchronous and/or asynchronous instruction primarily through the use of
4 technology, in which the instructor is not physically located at the school
5 or place in which the student is receiving instruction. Nothing in this def-
6 inition shall prohibit a blended course that includes face-to-face, in per-
7 son instruction, provided that a majority of the instruction is delivered as
8 stated herein.

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

11 33-1002C. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SEC-
12 ONDARY SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary
13 summer school programs of not less than two hundred twenty-five (225) hours
14 of instruction, which shall be included in the educational support units
15 calculated as provided in section 33-1002, Idaho Code, may be established
16 as approved by the state board of education. The average daily attendance
17 divided by forty-two and one-half (40~~2~~.5) shall determine the number of
18 allowable support units which shall be included in the alternative school
19 secondary support units calculated for the school district for the succeed-
20 ing school term.

21 (2) Districts which educate pupils placed by court order in a juvenile
22 detention facility may establish a summer school program which shall be in-
23 cluded in the educational support units calculated as provided in section
24 33-1002, Idaho Code. The average daily attendance divided by forty-two and
25 one-half (40~~2~~.5) shall determine the number of allowable support units which
26 shall be included in the exceptional education school support units calcu-
27 lated for the school district for the succeeding school term.

28 (3) Average daily attendance and the support units so generated by this
29 section shall not be included in or subject to the provisions of section
30 33-1003, Idaho Code, and shall be included as an addition to any other sup-
31 port units generated pursuant to Idaho Code.

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

34 33-1002C. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SEC-
35 ONDARY SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary
36 summer school programs of not less than two hundred twenty-five (225) hours
37 of instruction, which shall be included in the educational support units
38 calculated as provided in section 33-1002, Idaho Code, may be established
39 as approved by the state board of education. The average daily attendance
40 divided by forty-five (40~~5~~) shall determine the number of allowable support
41 units which shall be included in the alternative school secondary support
42 units calculated for the school district for the succeeding school term.

43 (2) Districts which educate pupils placed by court order in a juvenile
44 detention facility may establish a summer school program which shall be in-
45 cluded in the educational support units calculated as provided in section
46 33-1002, Idaho Code. The average daily attendance divided by forty-five
47 (40~~5~~) shall determine the number of allowable support units which shall be

1 included in the exceptional education school support units calculated for
2 the school district for the succeeding school term.

3 (3) Average daily attendance and the support units so generated by this
4 section shall not be included in or subject to the provisions of section
5 33-1003, Idaho Code, and shall be included as an addition to any other sup-
6 port units generated pursuant to Idaho Code.

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

9 33-1002C. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SEC-
10 ONDARY SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary
11 summer school programs of not less than two hundred twenty-five (225) hours
12 of instruction, which shall be included in the educational support units
13 calculated as provided in section 33-1002, Idaho Code, may be established
14 as approved by the state board of education. The average daily attendance
15 divided by forty-seven and one-half (47.5) shall determine the number of
16 allowable support units which shall be included in the alternative school
17 secondary support units calculated for the school district for the succeed-
18 ing school term.

19 (2) Districts which educate pupils placed by court order in a juvenile
20 detention facility may establish a summer school program which shall be in-
21 cluded in the educational support units calculated as provided in section
22 33-1002, Idaho Code. The average daily attendance divided by forty-seven
23 and one-half (47.5) shall determine the number of allowable support units
24 which shall be included in the exceptional education school support units
25 calculated for the school district for the succeeding school term.

26 (3) Average daily attendance and the support units so generated by this
27 section shall not be included in or subject to the provisions of section
28 33-1003, Idaho Code, and shall be included as an addition to any other sup-
29 port units generated pursuant to Idaho Code.

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

32 33-1002C. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SEC-
33 ONDARY SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative secondary
34 summer school programs of not less than two hundred twenty-five (225) hours
35 of instruction, which shall be included in the educational support units
36 calculated as provided in section 33-1002, Idaho Code, may be established
37 as approved by the state board of education. The average daily attendance
38 divided by ~~forty~~ fifty (45) shall determine the number of allowable support
39 units which shall be included in the alternative school secondary support
40 units calculated for the school district for the succeeding school term.

41 (2) Districts which educate pupils placed by court order in a juvenile
42 detention facility may establish a summer school program which shall be in-
43 cluded in the educational support units calculated as provided in section
44 33-1002, Idaho Code. The average daily attendance divided by ~~forty~~ fifty
45 (45) shall determine the number of allowable support units which shall be
46 included in the exceptional education school support units calculated for
47 the school district for the succeeding school term.

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

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

7 33-1004. STAFF ALLOWANCE. For each school district, a staff allowance
 8 shall be determined as follows:

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

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

19 (3) Determine the administrative staff allowance by multiplying the
 20 support units by .075;

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

23 (5) Additional conditions governing staff allowance:

24 (a) In determining the number of staff in subsections (2), (3) and (4)
 25 of this section, a district may contract separately for services to be
 26 rendered by nondistrict employees and such employees may be counted
 27 in the staff allowance. A "nondistrict employee" means a person for
 28 whom the school district does not pay the employer's obligations for
 29 employee benefits. When a district contracts for the services of a
 30 nondistrict employee, only the salary portion of the contract shall be
 31 allowable for computations.

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

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

38 (i) The instructional staff allowance shall be calculated
 39 applying the actual number of support units. If the actual in-
 40 structional staff employed in the school year is greater than the
 41 instructional staff allowance, then the instructional staff al-
 42 lowance shall be increased by one-half (1/2) staff allowance; and

43 (ii) The administrative staff allowance shall be calculated ap-
 44 plying the actual number of support units. If the actual adminis-
 45 trative staff employed in the school year is greater than the ad-
 46 ministrative staff allowance, then the administrative staff al-
 47 lowance shall be increased by one-half (1/2) staff allowance.

48 (iii) Additionally, for any district with less than twenty (20)
 49 support units, the instructional staff allowance shall be calcu-

1	4	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510
2	5	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930
3	6	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550
4	7	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380
5	8	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430
6	9	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430	1.73710
7	10	1.39290	1.49930	1.55550	1.61380	1.67430	1.73710	1.80220
8	11	1.39290	1.49930	1.55550	1.61380	1.73710	1.80220	1.86980
9	12	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	1.93990
10	13 or							
11	more	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	2.01260

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

17 In determining the education factor, only credits earned after initial
 18 certification, based upon a transcript on file with the teacher certifica-
 19 tion office of the state department of education, earned at an institution of
 20 higher education accredited by the state board of education or a regional ac-
 21 crediting association, shall be allowed. Provided however, that successful
 22 completion of a state-approved mathematical thinking for instruction course
 23 shall be counted as transcribed credit. Instructional staff whose initial
 24 certificate is an occupational specialist certificate shall be treated as
 25 BA degree prepared instructional staff. Credits earned by such occupational
 26 specialist instructional staff after initial certification shall be cred-
 27 ited toward the education factor. For the time period July 1, 2010~~1~~, through
 28 June 30, 2014~~2~~, instructional and administrative staff shall not advance on
 29 the education portion of the multiplier table.

30 In determining the statewide average multiplier for instructional
 31 staff, no multiplier in excess of 1.59092 shall be used. If the actual
 32 statewide average multiplier for instructional staff, as determined by this
 33 section, exceeds 1.59092, then each school district's instructional staff
 34 multiplier shall be multiplied by the result of 1.59092 divided by the actual
 35 statewide average multiplier for instructional staff.

36 In determining the statewide average multiplier for administrative
 37 staff, no multiplier in excess of 1.86643 shall be used. If the actual
 38 statewide average multiplier for administrative staff, as determined by
 39 this section, exceeds 1.86643, then each school district's administrative
 40 staff multiplier shall be multiplied by the result of 1.86643 divided by the
 41 actual statewide average multiplier for administrative staff.

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

1 33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. Each instructional
2 and administrative staff position shall be assigned an appropriate multi-
3 plier based upon the following table:

4 EXPERIENCE AND EDUCATION

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

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

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

40 In determining the statewide average multiplier for instructional
41 staff, no multiplier in excess of 1.59092 shall be used. If the actual
42 statewide average multiplier for instructional staff, as determined by this
43 section, exceeds 1.59092, then each school district's instructional staff

1 multiplier shall be multiplied by the result of 1.59092 divided by the actual
 2 statewide average multiplier for instructional staff.

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

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

11 33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. Each instructional
 12 and administrative staff position shall be assigned an appropriate multi-
 13 plier based upon the following table:

14 EXPERIENCE AND EDUCATION

15		16 MA						
17	Years	BA	BA + 12	BA + 24	BA + 36	BA + 48	BA + 60	ES/DR
18	0	1.00000	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730
19	1	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410
20	2	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260
21	3	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290
22	4	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510
23	5	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930
24	6	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550
25	7	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380
26	8	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430
27	9	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430	1.73710
28	10	1.39290	1.49930	1.55550	1.61380	1.67430	1.73710	1.80220
29	11	1.39290	1.49930	1.55550	1.61380	1.73710	1.80220	1.86980
30	12	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	1.93990
31	13 or more	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	2.01260

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

37 In determining the education factor, only credits earned after initial
 38 certification, based upon a transcript on file with the teacher certifica-
 39 tion office of the state department of education, earned at an institution of
 40 higher education accredited by the state board of education or a regional ac-
 41 crediting association, shall be allowed. Provided however, that successful
 42 completion of a state-approved mathematical thinking for instruction course

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

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

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

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

22 33-1004E. DISTRICT'S SALARY-BASED APPORTIONMENT. Each district shall
 23 be entitled to a salary-based apportionment calculated as provided in this
 24 section.

25 1. To determine the apportionment for instructional staff, first de-
 26 termine the district average experience and education index by placing all
 27 eligible district certificated instructional employees on the statewide
 28 index provided in section 33-1004A, Idaho Code. The resulting average is the
 29 district index. ~~Districts with an index above the state average index shall~~
 30 ~~receive their actual index but not more than the state average plus .03 for~~
 31 ~~the 1994-95 school year, and shall receive their actual index but not more~~
 32 ~~than the state average plus .06 for the 1995-96 school year, and thereafter~~
 33 ~~shall receive their actual district index.~~ The district instructional staff
 34 index shall be multiplied by the instructional base salary of \$23,565. The
 35 amount so determined shall be multiplied by the district staff allowance
 36 for instructional staff determined as provided in section 33-1004(2), Idaho
 37 Code. The instructional salary allocation shall be further increased by the
 38 amount necessary for each full-time equivalent instructional staff member
 39 placed on the experience and education index to be allocated at least the
 40 minimum salary mandated by this section. Full-time instructional staff
 41 salaries shall be determined from a salary schedule developed by each dis-
 42 trict and submitted to the state department of education. No full-time
 43 instructional staff member shall be paid less than \$29,65530,000. ~~If an~~
 44 ~~instructional staff member has been certified by the national board for~~
 45 ~~professional teaching standards, the staff member shall be designated as~~
 46 ~~a master teacher and receive \$2,000 per year for five (5) years. The in-~~
 47 ~~structional salary shall be increased by \$2,000 for each master teacher~~
 48 ~~provided however, that no such awards shall be paid for the period July 1,~~
 49 ~~2010, through June 30, 2011, nor shall any liabilities accrue or payments~~

1 ~~be made pursuant to this section in the future to any individuals who would~~
 2 ~~have otherwise qualified for a payment during this stated time period. The~~
 3 ~~resulting amount is the district's salary-based apportionment for instruc-~~
 4 ~~tional staff. For purposes of this section, teachers qualifying for the~~
 5 ~~salary increase as master teacher shall be those who have been recognized as~~
 6 ~~national board certified teachers as of July 1 of each year~~ After the base
 7 and minimum salaries established pursuant to this subsection have reached
 8 the amounts that were in effect in fiscal year 2009, all further increases to
 9 these base and minimum salaries shall be allocated such that the percentage
 10 increase in the minimum salary is one and one-half (1.5) times the percentage
 11 increase in the base salary.

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

26 3. To determine the apportionment for classified staff, multiply
 27 \$19,041 by the district classified staff allowance determined as provided in
 28 section 33-1004(4), Idaho Code. The amount so determined is the district's
 29 apportionment for classified staff.

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

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

35 33-1004F. OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS. ~~1-~~
 36 Based upon the actual salary-based apportionment, as determined in section
 37 33-1004E, Idaho Code, plus distributions made pursuant to section 33-1004I,
 38 Idaho Code, there shall be allocated that amount required to meet the em-
 39 ployer's obligations to the public employee retirement system and to social
 40 security.

41 ~~2. If a district's qualifying salaries total more than the district's~~
 42 ~~salary-based apportionment, there shall be allocated an additional amount~~
 43 ~~to meet the employer's obligation to the public employee retirement system~~
 44 ~~and to social security equal to two-thirds (2/3) of the additional obliga-~~
 45 ~~tion for the school year 1994-95. If a district's qualifying salaries total~~
 46 ~~more than the district's salary-based apportionment, there shall be allo-~~
 47 ~~cated an additional amount to meet the employer's obligation to the public~~
 48 ~~employee retirement system and to social security equal to one-third (1/3)~~
 49 ~~of the additional obligation for the school year 1995-96. Thereafter, the~~

1 ~~benefit allocation shall be based solely upon the provisions of subsection~~
2 ~~1. of this section.~~

3 SECTION 20. 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 33-1004I, Idaho Code, and to read as follows:

6 33-1004I. PAY FOR PERFORMANCE -- HARD TO FILL POSITIONS -- LEADERSHIP
7 AWARDS. (1) In addition to the moneys provided pursuant to the calculations
8 for salary-based apportionment, the following amounts shall be distributed
9 and paid, from the moneys appropriated to the educational support program,
10 subject to the criteria contained in this section:

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

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

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

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

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

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

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

48 (e) For the purposes of this subsection, the term "statewide support
49 units" shall mean the total number of support units calculated for the

1 purposes of distributing salary-based apportionment in the current
 2 fiscal year.

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

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

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

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

	Instructional	Administrative
24		
25	1st Highest Quartile 1.00 shares	2.00 shares
26	2nd Highest Quartile 0.50 shares	1.00 shares
27	3rd Highest Quartile 0.25 shares	0.50 shares
28	4th Highest Quartile 0.00 shares	0.00 shares

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

	Instructional	Administrative
35		
36	1st Highest Quartile 0.50 shares	1.00 shares
37	2nd Highest Quartile 0.25 shares	0.50 shares
38	3rd Highest Quartile 0.00 shares	0.00 shares
39	4th Highest Quartile 0.00 shares	0.00 shares

40 (iii) No certificated instructional employee shall receive more
 41 than one (1.00) share, the results of the quartile award tables
 42 for growth and excellence notwithstanding. No certificated ad-
 43 ministrative employee shall receive more than two (2.00) shares,
 44 the results of the quartile award tables for growth and excellence
 45 notwithstanding.

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

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

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

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

18 (viii) For certificated employees not assigned to a specific
19 school, all new employment contracts signed on or after July 1,
20 2011, shall provide that at least five percent (5%) of the total
21 available compensation be based on growth in student achievement,
22 as determined by the board of trustees. Such percentage shall
23 increase to ten percent (10%) of the total available compensation
24 for contracts signed on or after July 1, 2015, and fifteen percent
25 (15%) for contracts signed on or after July 1, 2019.

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

36 (i) Student test scores;

37 (ii) Student graduation rate;

38 (iii) Student dropout rate;

39 (iv) Percent of graduates attending postsecondary education or
40 entering military service;

41 (v) Making federally approved adequate yearly progress;

42 (vi) Number of students successfully completing dual credit or
43 advanced placement classes;

44 (vii) Percent of students involved in extracurricular activi-
45 ties;

46 (viii) Class projects;

47 (ix) Portfolios;

48 (x) Successful completion of special student assignments;

49 (xi) Parental involvement;

50 (xii) Teacher-assigned grades; and

1 (xiii) Student attendance rate.

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

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

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

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

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

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

30 (3) Hard to fill position bonuses.

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

45 (b) School district boards of trustees may choose to designate certifi-
46 cates and endorsements held by certificated instructional employees
47 for hard to fill position bonuses, provided such certificates and en-
48 dorsements have been so designated by the state board of education
49 as provided in subsection (3)(a) of this section. School boards of
50 trustees choosing to make such designations shall rank the certificates

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

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

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

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

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

36 (g) If the board of trustees determines that it will be unable to at-
37 tract a qualified candidate to serve in a hard to fill position, even
38 with the addition of such bonus funds, the board may use such funds
39 to pay for the training and coursework needed by a currently unquali-
40 fied employee or other individual to gain such qualification. If such
41 payment is authorized, the amount paid for an individual in a fiscal
42 year shall not exceed twice the statewide average bonus paid per cer-
43 tificated instructional employee pursuant to subsection (2) of this
44 section. The individual for whom training and coursework is paid in
45 such manner must earn a passing grade for the training and coursework
46 that is paid by the school district and must work for the school district
47 at least one (1) year in the designated certificate or endorsement area
48 for each fiscal year in which the school district made payments for
49 training and coursework, or repay the funds.

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

4 (4) Leadership awards.

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

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

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

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

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

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

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

44 (f) Notwithstanding the provisions of subsection (4) (a) through (e) of
 45 this section, employees who earned national board certification prior
 46 to July 1, 2011, and who are no longer receiving payments for earning
 47 such certification pursuant to section 33-1004E, Idaho Code, due to the
 48 repeal of the provision providing for such payments, shall be paid two
 49 thousand dollars (\$2,000) per year from the moneys allocated pursuant
 50 to this subsection (4) until all moneys that would have been paid un-

1 der the previous provisions of section 33-1004E, Idaho Code, have been
2 paid.

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

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

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

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

16 (9) For the purposes of this section, the term "school district" also
17 means "public charter school," and the term "board of trustees" also means
18 "board of directors."

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

21 33-1020. IDAHO DIGITAL LEARNING ACADEMY FUNDING. Of the moneys appro-
22 priated for the educational support program, an amount shall be distributed
23 to support the Idaho digital learning academy, created pursuant to chapter
24 55, title 33, Idaho Code. For the purposes of this section, an "enrollment"
25 shall be counted each time an Idaho school age child enrolls in an Idaho dig-
26 ital learning academy class. A single child enrolled in multiple classes
27 shall count as multiple enrollments. Summer enrollments shall be included
28 in the fiscal year that begins that summer. The amount distributed shall be
29 calculated as follows:

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

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

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

43 The state department of education shall make an estimated distribu-
44 tion of funds to the Idaho digital learning academy by no later than July
45 31 of each fiscal year, consisting of eighty percent (80%) of the estimated
46 funding for the fiscal year. The balance of all remaining funds to be dis-
47 tributed, pursuant to the calculations in this section, shall be distributed
48 by no later than May 15 of the same fiscal year.

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

4 33-1021. MATH AND SCIENCE REQUIREMENT. In order to meet state gradua-
 5 tion requirements regarding math and science courses, moneys shall be dis-
 6 tributed to school districts to defray the cost of providing additional math
 7 and science courses. Moneys so distributed shall be used to hire additional
 8 high school math and science teachers or to defray costs associated with pro-
 9 viding math and science courses to high school students. Moneys shall be
 10 distributed to school districts from the moneys appropriated to the educa-
 11 tional support program for each regular high school, not including alterna-
 12 tive schools, based on the following criteria:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

19 (d) Safe and secure online knowledge sharing and collaboration sys-
 20 tems.

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

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

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

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

43 33-1626. DUAL CREDIT FOR EARLY COMPLETERS. Students completing all
 44 high school graduation requirements by no later than the start of the twelfth
 45 grade shall be eligible for up to thirty-six (36) postsecondary credits of
 46 dual credit courses during their twelfth grade year. Average daily atten-
 47 dance shall be counted as normal for such twelfth grade students for public
 48 school funding purposes. In addition, the state department of education
 49 shall distribute funds from the moneys appropriated for the educational

1 support program to defray the per credit cost charged for such dual credit
2 courses by accredited postsecondary institutions. The amount so dis-
3 tributed shall not exceed seventy-five dollars (\$75.00) per credit hour.

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

7 33-1627. ONLINE COURSES -- MOBILE COMPUTING DEVICES AND TEACHER
8 TRAINING. (1) The legislature finds that in order to better provide students
9 with the skills that they will need to be successful as students, employees,
10 entrepreneurs and parents in the future, more exposure is needed to online
11 learning and informational environments.

12 (2) Beginning with the ninth grade class of the 2012-2013 school year,
13 students shall be required to successfully complete at least four (4) cred-
14 its of online courses in order to graduate. The school district or public
15 charter school may designate the required courses that students must suc-
16 cessfully complete each school year, but may not prescribe the provider of
17 such courses. The state board of education may provide for appropriate ex-
18 emptions from this requirement, by rule.

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

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

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

30 (c) The state department of education or the Idaho digital learning
31 academy has verified that the course meets state content standards;

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

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

41 (5) In order to assist in providing students with access to online
42 courses, the state department of education shall contract for the provision
43 of mobile computing devices for each high school, equal to the number of
44 ninth grade students, beginning with the ninth grade class of the 2012-2013
45 school year. School districts and public charter schools in which high
46 school begins in tenth grade may elect to have all of the provisions of this
47 section that apply to ninth grade students apply instead to tenth grade stu-
48 dents. School districts and public charter schools that already have one
49 (1) mobile computing device for each student in grades 9-12 shall receive an

1 allocation of funds equal to the cost of purchasing such devices pursuant
2 to this section, in lieu of receiving such devices, to be used at the school
3 district or public charter school's discretion. The department shall use
4 the same laws, rules and policies in issuing and awarding such contract as
5 would an executive branch agency in which an appointed director reports di-
6 rectly to the governor. Such devices shall include technology that provides
7 for compliance with the provisions of section 33-132, Idaho Code. Such con-
8 tract shall also provide for the maintenance, repair and technical support
9 of such devices. The cost of such contract and distributions made pursuant
10 to this subsection shall be paid from the moneys appropriated for the educa-
11 tional support program. Each school district or public charter school shall
12 develop a policy on student use of the mobile computing devices outside of
13 the school day. Such policy shall be in compliance with the provisions of
14 section 33-132, Idaho Code. The state department of education shall develop
15 a policy addressing the issue of damage, loss, repair and replacement of the
16 mobile computing devices.

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

27 (7) The state board of education shall promulgate rules to implement
28 the provisions of this section, including the development of digital citi-
29 zenship standards for students to which the graduation requirements of this
30 section apply.

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

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

39 (1) Per student support. Computation of support units for each public
40 charter school shall be calculated as if it were a separate school accord-
41 ing to the schedules in section 33-1002(4), Idaho Code, except that public
42 charter schools with fewer than one hundred (100) secondary ADA shall use a
43 divisor of ~~twelve~~ thirteen and one-quarter (123.25) and the minimum units
44 shall not apply, and no public charter school shall receive an increase in
45 support units that exceeds the support units it received in the prior year
46 by more than thirty (30). Funding from the state educational support pro-
47 gram shall be equal to the total distribution factor, plus the salary-based
48 apportionment provided in chapter 10, title 33, Idaho Code. Provided how-
49 ever, any public charter school that is formed by the conversion of an exist-

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

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

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

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

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

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

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

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

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

47 (b) Using the figures provided by the public charter school, the state
48 department of education shall determine an estimated annual apportion-
49 ment from which the amount of the advance payment shall be calculated.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 dent to be transported must reside within the public charter school's atten-
2 dance zone, and must meet at least one (1) of the following two (2) criteria:

- 3 (a) The student resides within the school district in which the public
4 charter school is physically located; or
5 (b) The student resides within fifteen (15) miles of the public charter
6 school, by road.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

47 (2) Special education. For each student enrolled in the public charter
 48 school who is entitled to special education services, the state and federal
 49 funds from the exceptional child education program for that student that

1 would have been apportioned for that student to the school district in which
2 the public charter school is located.

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

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

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

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

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

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

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

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

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

49 A public charter school shall comply with all applicable fiscal requirements
50 of law, except that the following provisions shall not be applicable to

1 public charter schools: section 33-1003B, Idaho Code, relating to guaran-
2 teed minimum support; that portion of section 33-1004, Idaho Code, relating
3 to reduction of the administrative and instructional staff allowance when
4 there is a discrepancy between the number allowed and the number actually em-
5 ployed; and section 33-1004E, Idaho Code, for calculation of district staff
6 indices.

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

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

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

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

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

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

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

47 33-5208. PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided
48 in subsection (8) of this section, from the state educational support pro-
49 gram the state department of education shall make the following apportion-

1 ment to each public charter school for each fiscal year based on attendance
2 figures submitted in a manner and time as required by the department of edu-
3 cation:

4 (1) Per student support. Computation of support units for each public
5 charter school shall be calculated as if it were a separate school accord-
6 ing to the schedules in section 33-1002(4), Idaho Code, except that public
7 charter schools with fewer than one hundred (100) secondary ADA shall use
8 a divisor of ~~twelve~~ fourteen and four-tenths (124.4) and the minimum units
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10 support units that exceeds the support units it received in the prior year
11 by more than thirty (30). Funding from the state educational support pro-
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13 apportionment provided in chapter 10, title 33, Idaho Code. Provided how-
14 ever, any public charter school that is formed by the conversion of an exist-
15 ing traditional public school shall be assigned divisors, pursuant to sec-
16 tion 33-1002, Idaho Code, that are no lower than the divisors of the school
17 district in which the traditional public school is located, for each cate-
18 gory of pupils listed.

19 (2) Special education. For each student enrolled in the public charter
20 school who is entitled to special education services, the state and federal
21 funds from the exceptional child education program for that student that
22 would have been apportioned for that student to the school district in which
23 the public charter school is located.

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

29 (4) Transportation support. Support shall be paid to the public char-
30 ter school as provided in chapter 15, title 33, Idaho Code, and section
31 33-1006, Idaho Code. Each public charter school shall furnish the depart-
32 ment with an enrollment count as of the first Friday in November, of public
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35 one and one-half (1 1/2) miles from the school. For charter schools in the
36 initial year of operation, the petition shall include a proposal for trans-
37 portation services with an estimated first year cost. The state department
38 of education is authorized to include in the annual appropriation to the
39 charter school sixty percent (60%) of the estimated transportation cost.
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41 tual costs pursuant to section 33-1006, Idaho Code. To be eligible for state
42 reimbursement under the provisions of section 33-1006, Idaho Code, the stu-
43 dent to be transported must reside within the public charter school's atten-
44 dance zone, and must meet at least one (1) of the following two (2) criteria:

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

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

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2 transportation costs for certain students shall not apply to public virtual
3 schools.

4 (5) Payment schedule. The state department of education is authorized
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6 school's estimated annual apportionment for its first year of operation, and
7 each year thereafter, provided the public charter school has an increase of
8 student population in any given year of twenty (20) students or more, to as-
9 sist the school with initial start-up costs or payroll obligations.

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

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14 department of education shall determine an estimated annual apportion-
15 ment from which the amount of the advance payment shall be calculated.
16 Advance payment shall be made to the school on or after July 1 but no
17 later than July 31.

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

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23 of law, except that the following provisions shall not be applicable to
24 public charter schools: section 33-1003B, Idaho Code, relating to guaran-
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26 to reduction of the administrative and instructional staff allowance when
27 there is a discrepancy between the number allowed and the number actually em-
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29 indices.

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

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

35 (8) (a) For the period July 1, 2003, through June 30, 2005, all pub-
36 lic virtual schools shall be assigned divisors, pursuant to section
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38 for each respective category of pupils, among the possible divisors
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40 one (1) divisor. If there is an even number of possible divisors listed
41 for a particular category of pupils, then the lesser of the two (2) me-
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49 schools for the period July 1, 2003, through June 30, 2004. If the num-
50 ber of pupils in average daily attendance in any particular category

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 2 2005, to a number above that which existed in the prior fiscal year, then
 3 those additional pupils in average daily attendance shall be assigned
 4 the divisor, pursuant to section 33-1002, Idaho Code, that would have
 5 otherwise been assigned to the school district or public charter school
 6 had this section not been in force.

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

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

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

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

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 21 in subsection (8) of this section, from the state educational support pro-
 22 gram the state department of education shall make the following apportion-
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 24 figures submitted in a manner and time as required by the department of edu-
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 29 charter schools with fewer than one hundred (100) secondary ADA shall use a
 30 divisor of ~~twelve~~ fourteen and one-half (14.5) and the minimum units shall
 31 not apply, and no public charter school shall receive an increase in sup-
 32 port units that exceeds the support units it received in the prior year by
 33 more than thirty (30). Funding from the state educational support program
 34 shall be equal to the total distribution factor, plus the salary-based ap-
 35 portionment provided in chapter 10, title 33, Idaho Code. Provided however,
 36 any public charter school that is formed by the conversion of an existing
 37 traditional public school shall be assigned divisors, pursuant to section
 38 33-1002, Idaho Code, that are no lower than the divisors of the school dis-
 39 trict in which the traditional public school is located, for each category of
 40 pupils listed.

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 42 school who is entitled to special education services, the state and federal
 43 funds from the exceptional child education program for that student that
 44 would have been apportioned for that student to the school district in which
 45 the public charter school is located.

46 (3) Alternative school support. Public charter schools may qualify un-
 47 der the provisions of sections 33-1002 and 33-1002C, Idaho Code, provided
 48 the public charter school meets the necessary statutory requirements, and

1 students qualify for attendance at an alternative school as provided by rule
2 of the state board of education.

3 (4) Transportation support. Support shall be paid to the public char-
4 ter school as provided in chapter 15, title 33, Idaho Code, and section
5 33-1006, Idaho Code. Each public charter school shall furnish the depart-
6 ment with an enrollment count as of the first Friday in November, of public
7 charter school students who are eligible for reimbursement of transporta-
8 tion costs under the provisions of this subsection and who reside more than
9 one and one-half (1 1/2) miles from the school. For charter schools in the
10 initial year of operation, the petition shall include a proposal for trans-
11 portation services with an estimated first year cost. The state department
12 of education is authorized to include in the annual appropriation to the
13 charter school sixty percent (60%) of the estimated transportation cost.
14 The final appropriation payment in July shall reflect reimbursements of ac-
15 tual costs pursuant to section 33-1006, Idaho Code. To be eligible for state
16 reimbursement under the provisions of section 33-1006, Idaho Code, the stu-
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18 dance zone, and must meet at least one (1) of the following two (2) criteria:

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20 charter school is physically located; or

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

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24 transportation costs for certain students shall not apply to public virtual
25 schools.

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

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

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

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

44 A public charter school shall comply with all applicable fiscal requirements
45 of law, except that the following provisions shall not be applicable to
46 public charter schools: section 33-1003B, Idaho Code, relating to guaran-
47 teed minimum support; that portion of section 33-1004, Idaho Code, relating
48 to reduction of the administrative and instructional staff allowance when
49 there is a discrepancy between the number allowed and the number actually em-

1 ployed; and section 33-1004E, Idaho Code, for calculation of district staff
2 indices.

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

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

8 (8) (a) For the period July 1, 2003, through June 30, 2005, all pub-
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11 for each respective category of pupils, among the possible divisors
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14 for a particular category of pupils, then the lesser of the two (2) me-
15 dian divisors shall be used. For the period July 1, 2005, through June
16 30, 2007, all public virtual schools shall be assigned divisors, pur-
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18 highest divisor shown, among the possible divisors listed, for each
19 respective category of pupils that contains more than one (1) divisor.
20 The divisor provisions contained herein shall only be applicable to
21 the number of pupils in average daily attendance in such public virtual
22 schools for the period July 1, 2003, through June 30, 2004. If the num-
23 ber of pupils in average daily attendance in any particular category
24 of pupils increases, during the period July 1, 2004, through June 30,
25 2005, to a number above that which existed in the prior fiscal year, then
26 those additional pupils in average daily attendance shall be assigned
27 the divisor, pursuant to section 33-1002, Idaho Code, that would have
28 otherwise been assigned to the school district or public charter school
29 had this section not been in force.

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

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

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

41 SECTION 31. That Chapter 52, Title 33, Idaho Code, be, and the same is
42 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
43 ignated as Section 33-5216, Idaho Code, and to read as follows:

44 33-5216. PUBLIC POSTSECONDARY INSTITUTIONS -- PUBLIC CHARTER HIGH
45 SCHOOLS. (1) Any public postsecondary institution located in this state is
46 hereby authorized to operate a public charter high school in Idaho. The pro-
47 visions of chapter 52, title 33, Idaho Code, shall apply to each such public
48 charter high school in the same manner and to the same extent as the provi-
49 sions of charter school law apply to other public charter schools, with the

1 exception of certain conditions and applications as specifically provided
2 in this section.

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

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

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

14 SECTION 32. Nothing in this act shall prevent the Legislature from
15 adjusting any component of any public school funding formula in any fiscal
16 year, pursuant to the needs of public schools and the constitutional re-
17 quirement that the state of Idaho maintain a balanced budget.

18 SECTION 33. SEVERABILITY. The provisions of this act are hereby de-
19 clared to be severable and if any provision of this act or the application
20 of such provision to any person or circumstance is declared invalid for any
21 reason, such declaration shall not affect the validity of the remaining por-
22 tions of this act.

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