

IN THE SENATE

SENATE BILL NO. 1113

BY STATE AFFAIRS 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
35 TO SOCIAL SECURITY; AMENDING SECTION 33-1020, IDAHO CODE, TO DELETE A
36 PROVISION RELATING TO MONEYS DISTRIBUTED TO THE IDAHO DIGITAL LEARNING
37 ACADEMY; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A
38 NEW SECTION 33-1021, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO THE
39 DISTRIBUTION OF MONEYS TO SCHOOL DISTRICTS FOR CERTAIN MATH AND SCIENCE
40 COURSES; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF
41 A NEW SECTION 33-1022, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO
42 PUBLIC SCHOOL TECHNOLOGY AND EXPENDITURES OR DISTRIBUTIONS OF MONEYS
43 FOR SUCH; AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF
44 A NEW SECTION 33-1626, IDAHO CODE, TO PROVIDE PROVISIONS RELATING TO
45

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

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

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

24 33-125. STATE DEPARTMENT OF EDUCATION -- CREATION -- DUTIES. There is
 25 hereby established as an executive agency of the state board of education a
 26 department known as the state department of education. The state superin-
 27 tendent shall serve as the executive officer of such department and shall
 28 have the responsibility for carrying out policies, procedures and duties au-
 29 thorized by law or established by the state board of education for all ele-
 30 mentary and secondary school matters, and to ~~administer grants for the pro-~~
 31 ~~motion of science education as provided in sections 33-128 and 33-129, Idaho~~
 32 ~~Code~~ post a fiscal report card on each school district and charter school on
 33 the department's internet site. The department shall perform the duties as-
 34 signed to it as specified in section 67-5745D, Idaho Code, relating to the
 35 Idaho education network.

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

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

40 33-357. CREATION OF INTERNET BASED EXPENDITURE WEBSITE. (1) As used
 41 in this section, unless otherwise required:

42 (a) "Education provider" means:

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

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

49 SECTION 4. That Section 33-1002, Idaho Code, be, and the same is hereby
50 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 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 certificated employee severance payment reimbursement as pro-
36 vided in section 33-515B, Idaho Code;

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

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

43 to secure the total educational support distribution funds.

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

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

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

10 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

11	Average Daily		
12	Attendance	Attendance Divisor	Units Allowed
13	41 or more	40.....	1 or more as computed
14	31 - 40.99 ADA....	-.....	1
15	26 - 30.99 ADA....	-.....	.85
16	21 - 25.99 ADA....	-.....	.75
17	16 - 20.99 ADA....	-.....	.6
18	8 - 15.99 ADA....	-.....	.5
19	<u>.01 - 7.99 ADA....</u>	-.....	count as elementary
20			<u>primary</u>

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

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

COMPUTATION OF ELEMENTARY SUPPORT UNITS		
Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
300 or more ADA.....	.....	15
	..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

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

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

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

6 COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

7	Average Daily		Minimum Units
8	Attendance	Attendance Divisor	Allowed
9	<u>145.75</u> or more	14 <u>5.75</u>	1 or more as computed
10			
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 computed
19			

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 primary

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 16 8.3 ADA

30 COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

31	Average Daily		Minimum Units
32	Attendance	Attendance Divisor	Allowed
33	<u>146.5 or more</u>	<u>146.5.....</u>	<u>1 or more as</u>
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
<u>.01 - 7.99 ADA....</u>	-.....	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>	Units allowed as follows:	
21 <u>Grades 7-12</u>	.....	8
22 <u>Grades 9-12</u>	.....	6
23 <u>Grades 7-9</u>	<u>.....</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 computed</u>
29		
30 <u>123.7 - 13.96.49.....</u>	<u>--.....</u>	<u>1</u>
31 <u>89.4 - 11.93.69.....</u>	<u>--.....</u>	<u>.75</u>
32 <u>4.6 - 7.99.39.....</u>	<u>--.....</u>	<u>.5</u>
33 <u>.01 - 3.94.59.....</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	<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	4.6 - 7.9 <u>99.39</u>....	- .....	.5
27	.01 - 3.9 <u>4.59</u>....	- .....	.25

28 COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

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

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

1 of days of a full school year. No school district reporting any number of
 2 students in average daily attendance for kindergarten through sixth grade
 3 shall receive less than one (1.0) support units for such. The tables for
 4 exceptional education and alternative school secondary support units shall
 5 be applicable only for programs approved by the state department of educa-
 6 tion following rules established by the state board of education. Moneys
 7 generated from computation of support units for alternative schools shall be
 8 utilized for alternative school programs. School district administrative
 9 and facility costs may be included as part of the alternative school expen-
 10 ditures.

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

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

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

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

36 (iii) The total number of support units of the district shall be
 37 the sum of the total support units for regular students, subsec-
 38 tion (6) (a) (i) of this section, and the support units allowance
 39 for the approved exceptional child program, subsection (6) (a) (ii)
 40 of this section.

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

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

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

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

16 SECTION 9. That Chapter 10, Title 33, Idaho Code, be, and the same is
17 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
18 ignated as Section 33-1002A, Idaho Code, and to read as follows:

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

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

28 (b) 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-

lated applying the actual number of support units. If the number of instructional staff employed in the school year is greater than the instructional staff allowance, the staff allowance shall be increased as provided in paragraphs (i) and (ii) of this subsection, and by an additional one-half (1/2) instructional staff allowance.

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

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

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

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

(6) In the event that the staff allowance in any category is insufficient to meet accreditation standards, a district may appeal to the state board of education, demonstrating the insufficiency, and the state board may grant a waiver authorizing sufficient additional staff to be included within the staff allowance to meet accreditation standards. Such a waiver shall be limited to one (1) year, but may be renewed upon showing of continuing justification.

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

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

EXPERIENCE AND EDUCATION

		MA	MA + 12	MA + 24	MA + 36			
Years	BA	BA + 12	BA + 24	BA + 36	BA + 48	BA + 60	ES/DR	
0	1.00000	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730	
1	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410	
2	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260	
3	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290	

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		MA	MA + 12	MA + 24	MA + 36			
16	Years	BA	BA + 12	BA + 24	BA + 36	BA + 48	BA + 60	ES/DR
17	0	1.00000	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730
18	1	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410
19	2	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260
20	3	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290
21	4	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510
22	5	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930
23	6	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550
24	7	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380
25	8	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430
26	9	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430	1.73710
27	10	1.39290	1.49930	1.55550	1.61380	1.67430	1.73710	1.80220
28	11	1.39290	1.49930	1.55550	1.61380	1.73710	1.80220	1.86980
29	12	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	1.93990
30	13 or							
31	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 Section 33-1020, Idaho Code, be, and the same is hereby
 4 amended to read as follows:

5 33-1020. IDAHO DIGITAL LEARNING ACADEMY FUNDING. Of the moneys appro-
 6 priated for the educational support program, an amount shall be distributed
 7 to support the Idaho digital learning academy, created pursuant to chapter
 8 55, title 33, Idaho Code. For the purposes of this section, an "enrollment"
 9 shall be counted each time an Idaho school age child enrolls in an Idaho dig-
 10 ital learning academy class. A single child enrolled in multiple classes
 11 shall count as multiple enrollments. Summer enrollments shall be included
 12 in the fiscal year that begins that summer. The amount distributed shall be
 13 calculated as follows:

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

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

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

27 The state department of education shall make an estimated distribu-
 28 tion of funds to the Idaho digital learning academy by no later than July
 29 31 of each fiscal year, consisting of eighty percent (80%) of the estimated
 30 funding for the fiscal year. The balance of all remaining funds to be dis-
 31 tributed, pursuant to the calculations in this section, shall be distributed
 32 by no later than May 15 of the same fiscal year.

33 SECTION 21. That Chapter 10, Title 33, Idaho Code, be, and the same is
 34 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 35 ignated as Section 33-1021, Idaho Code, and to read as follows:

36 33-1021. MATH AND SCIENCE REQUIREMENT. In order to meet state gradua-
 37 tion requirements regarding math and science courses, moneys shall be dis-
 38 tributed to school districts to defray the cost of providing additional math
 39 and science courses. Moneys so distributed shall be used to hire additional
 40 high school math and science teachers or to defray costs associated with pro-
 41 viding math and science courses to high school students. Moneys shall be
 42 distributed to school districts from the moneys appropriated to the educa-
 43 tional support program for each regular high school, not including alterna-
 44 tive schools, based on the following criteria:

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

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

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

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

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

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

16 SECTION 22. 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 33-1022, Idaho Code, and to read as follows:

19 33-1022. PUBLIC SCHOOL TECHNOLOGY. (1) Moneys shall be expended or
20 distributed from the educational support program for public school technol-
21 ogy as follows:

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

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

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

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

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

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

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

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

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

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

3 (d) Safe and secure online knowledge sharing and collaboration sys-
4 tems.

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

8 (f) The development of plans at the school, district and statewide
9 level for the improved use and integration of technology in learning.
10 As part of this subsection, the superintendent of public instruction
11 shall convene a task force to study and develop plans for the imple-
12 mentation of online course requirements and the provision and support
13 of one-to-one mobile computing devices for students, including an
14 examination of the experience of other states and school districts, be-
15 ginning in the 2012-2013 school year. The superintendent shall report
16 the findings, plans and recommendations of this task force, including
17 any recommendations for changes to statute or rule, to the senate and
18 house of representatives education committees by no later than January
19 31, 2012.

20 (4) The state superintendent of public instruction shall include
21 information on the uses, planned uses and impact of moneys distributed
22 pursuant to this section as part of the annual report required by section
23 33-4805, Idaho Code.

24 SECTION 23. That Chapter 16, Title 33, Idaho Code, be, and the same is
25 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
26 ignated as Section 33-1626, Idaho Code, and to read as follows:

27 33-1626. DUAL CREDIT FOR EARLY COMPLETERS. Students completing all
28 high school graduation requirements by no later than the start of the twelfth
29 grade shall be eligible for up to thirty-six (36) postsecondary credits of
30 dual credit courses during their twelfth grade year. Average daily atten-
31 dance shall be counted as normal for such twelfth grade students for public
32 school funding purposes. In addition, the state department of education
33 shall distribute funds from the moneys appropriated for the educational
34 support program to defray the per credit cost charged for such dual credit
35 courses by accredited postsecondary institutions. The amount so dis-
36 tributed shall not exceed seventy-five dollars (\$75.00) per credit hour.

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

40 33-1627. ONLINE COURSES -- MOBILE COMPUTING DEVICES AND TEACHER
41 TRAINING. (1) The legislature finds that in order to better provide students
42 with the skills that they will need to be successful as students, employees,
43 entrepreneurs and parents in the future, more exposure is needed to online
44 learning and informational environments.

45 (2) Beginning with the ninth grade class of the 2012-2013 school year,
46 students shall be required to successfully complete at least four (4) cred-
47 its of online courses in order to graduate. The school district or public

1 charter school may designate the required courses that students must suc-
2 cessfully complete each school year, but may not prescribe the provider of
3 such courses. The state board of education may provide for appropriate ex-
4 emptions from this requirement, by rule.

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

10 (a) The course is offered by a provider accredited by the organization
11 that accredits Idaho high schools, or an organization whose accredi-
12 tation of providers is recognized by the organization that accredits
13 Idaho high schools;

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

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

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

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

27 (5) In order to assist in providing students with access to online
28 courses, the state department of education shall contract for the provision
29 of mobile computing devices for each high school, equal to the number of
30 ninth grade students, beginning with the ninth grade class of the 2012-2013
31 school year. School districts and public charter schools in which high
32 school begins in tenth grade may elect to have all of the provisions of this
33 section that apply to ninth grade students apply instead to tenth grade stu-
34 dents. School districts and public charter schools that already have one
35 (1) mobile computing device for each student in grades 9-12 shall receive an
36 allocation of funds equal to the cost of purchasing such devices pursuant
37 to this section, in lieu of receiving such devices, to be used at the school
38 district or public charter school's discretion. The department shall use
39 the same laws, rules and policies in issuing and awarding such contract as
40 would an executive branch agency in which an appointed director reports di-
41 rectly to the governor. Such devices shall include technology that provides
42 for compliance with the provisions of section 33-132, Idaho Code. Such con-
43 tract shall also provide for the maintenance, repair and technical support
44 of such devices. The cost of such contract and distributions made pursuant
45 to this subsection shall be paid from the moneys appropriated for the educa-
46 tional support program. Each school district or public charter school shall
47 develop a policy on student use of the mobile computing devices outside of
48 the school day. Such policy shall be in compliance with the provisions of
49 section 33-132, Idaho Code. The state department of education shall develop

1 a policy addressing the issue of damage, loss, repair and replacement of the
2 mobile computing devices.

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

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

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

19 33-5208. PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided
20 in subsection (8) of this section, from the state educational support pro-
21 gram the state department of education shall make the following apportion-
22 ment to each public charter school for each fiscal year based on attendance
23 figures submitted in a manner and time as required by the department of edu-
24 cation:

25 (1) Per student support. Computation of support units for each public
26 charter school shall be calculated as if it were a separate school accord-
27 ing to the schedules in section 33-1002(4), Idaho Code, except that public
28 charter schools with fewer than one hundred (100) secondary ADA shall use a
29 divisor of ~~twelve~~ thirteen and one-quarter (123.25) and the minimum units
30 shall not apply, and no public charter school shall receive an increase in
31 support units that exceeds the support units it received in the prior year
32 by more than thirty (30). Funding from the state educational support pro-
33 gram shall be equal to the total distribution factor, plus the salary-based
34 apportionment provided in chapter 10, title 33, Idaho Code. Provided how-
35 ever, any public charter school that is formed by the conversion of an exist-
36 ing traditional public school shall be assigned divisors, pursuant to sec-
37 tion 33-1002, Idaho Code, that are no lower than the divisors of the school
38 district in which the traditional public school is located, for each cate-
39 gory of pupils listed.

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

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

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

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

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

21 The limitations placed by this subsection on the reimbursement of
22 transportation costs for certain students shall not apply to public virtual
23 schools.

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

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

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

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

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

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

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

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

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

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

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

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

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

47 (1) Per student support. Computation of support units for each public
48 charter school shall be calculated as if it were a separate school according
49 to the schedules in section 33-1002(4), Idaho Code, except that public char-

1 ter schools with fewer than one hundred (100) secondary ADA shall use a di-
2 visor of ~~twelve~~ fourteen and two-tenths (124.2) and the minimum units shall
3 not apply, and no public charter school shall receive an increase in sup-
4 port units that exceeds the support units it received in the prior year by
5 more than thirty (30). Funding from the state educational support program
6 shall be equal to the total distribution factor, plus the salary-based ap-
7 portionment provided in chapter 10, title 33, Idaho Code. Provided however,
8 any public charter school that is formed by the conversion of an existing
9 traditional public school shall be assigned divisors, pursuant to section
10 33-1002, Idaho Code, that are no lower than the divisors of the school dis-
11 trict in which the traditional public school is located, for each category of
12 pupils listed.

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

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

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

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

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

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

46 (5) Payment schedule. The state department of education is authorized
47 to make an advance payment of twenty-five percent (25%) of a public charter
48 school's estimated annual apportionment for its first year of operation, and
49 each year thereafter, provided the public charter school has an increase of

1 student population in any given year of twenty (20) students or more, to as-
2 sist the school with initial start-up costs or payroll obligations.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 (4) Transportation support. Support shall be paid to the public char-
 46 ter school as provided in chapter 15, title 33, Idaho Code, and section
 47 33-1006, Idaho Code. Each public charter school shall furnish the depart-
 48 ment with an enrollment count as of the first Friday in November, of public
 49 charter school students who are eligible for reimbursement of transporta-

1 tion costs under the provisions of this subsection and who reside more than
2 one and one-half (1 1/2) miles from the school. For charter schools in the
3 initial year of operation, the petition shall include a proposal for trans-
4 portation services with an estimated first year cost. The state department
5 of education is authorized to include in the annual appropriation to the
6 charter school sixty percent (60%) of the estimated transportation cost.
7 The final appropriation payment in July shall reflect reimbursements of ac-
8 tual costs pursuant to section 33-1006, Idaho Code. To be eligible for state
9 reimbursement under the provisions of section 33-1006, Idaho Code, the stu-
10 dent to be transported must reside within the public charter school's atten-
11 dance zone, and must meet at least one (1) of the following two (2) criteria:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 (1) Per student support. Computation of support units for each public
 43 charter school shall be calculated as if it were a separate school according
 44 to the schedules in section 33-1002(4), Idaho Code, except that public
 45 charter schools with fewer than one hundred (100) secondary ADA shall use
 46 a divisor of ~~twelve~~ fourteen and four-tenths (124.4) and the minimum units
 47 shall not apply, and no public charter school shall receive an increase in
 48 support units that exceeds the support units it received in the prior year
 49 by more than thirty (30). Funding from the state educational support pro-

1 gram shall be equal to the total distribution factor, plus the salary-based
2 apportionment provided in chapter 10, title 33, Idaho Code. Provided how-
3 ever, any public charter school that is formed by the conversion of an exist-
4 ing traditional public school shall be assigned divisors, pursuant to sec-
5 tion 33-1002, Idaho Code, that are no lower than the divisors of the school
6 district in which the traditional public school is located, for each cate-
7 gory of pupils listed.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 (1) Per student support. Computation of support units for each public
16 charter school shall be calculated as if it were a separate school accord-
17 ing to the schedules in section 33-1002(4), Idaho Code, except that public
18 charter schools with fewer than one hundred (100) secondary ADA shall use a
19 divisor of ~~twelve~~ fourteen and one-half (124.5) and the minimum units shall
20 not apply, and no public charter school shall receive an increase in sup-
21 port units that exceeds the support units it received in the prior year by
22 more than thirty (30). Funding from the state educational support program
23 shall be equal to the total distribution factor, plus the salary-based ap-
24 portionment provided in chapter 10, title 33, Idaho Code. Provided however,
25 any public charter school that is formed by the conversion of an existing
26 traditional public school shall be assigned divisors, pursuant to section
27 33-1002, Idaho Code, that are no lower than the divisors of the school dis-
28 trict in which the traditional public school is located, for each category of
29 pupils listed.

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

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

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

1 charter school sixty percent (60%) of the estimated transportation cost.
2 The final appropriation payment in July shall reflect reimbursements of ac-
3 tual costs pursuant to section 33-1006, Idaho Code. To be eligible for state
4 reimbursement under the provisions of section 33-1006, Idaho Code, the stu-
5 dent to be transported must reside within the public charter school's atten-
6 dance zone, and must meet at least one (1) of the following two (2) criteria:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

28 SECTION 30. That Chapter 52, Title 33, Idaho Code, be, and the same is
29 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
30 ignated as Section 33-5216, Idaho Code, and to read as follows:

31 33-5216. PUBLIC POSTSECONDARY INSTITUTIONS -- PUBLIC CHARTER HIGH
32 SCHOOLS. (1) Any public postsecondary institution located in this state is
33 hereby authorized to operate a public charter high school in Idaho. The pro-
34 visions of chapter 52, title 33, Idaho Code, shall apply to each such public
35 charter high school in the same manner and to the same extent as the provi-
36 sions of charter school law apply to other public charter schools, with the
37 exception of certain conditions and applications as specifically provided
38 in this section.

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

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

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

1 SECTION 31. Nothing in this act shall prevent the Legislature from
2 adjusting any component of any public school funding formula in any fiscal
3 year, pursuant to the needs of public schools and the constitutional re-
4 quirement that the state of Idaho maintain a balanced budget.

5 SECTION 32. SEVERABILITY. The provisions of this act are hereby de-
6 clared to be severable and if any provision of this act or the application
7 of such provision to any person or circumstance is declared invalid for any
8 reason, such declaration shall not affect the validity of the remaining por-
9 tions of this act.

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