

IN THE SENATE

SENATE BILL NO. 1125

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING CHAPTER 20,
2 TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-2006A, IDAHO
3 CODE, TO ESTABLISH PROVISIONS RELATING TO THE EDUCATION OF CERTAIN
4 SCHOOL AGE CHILDREN, TO ESTABLISH PROVISIONS RELATING TO A MEMORANDUM
5 OF UNDERSTANDING, TO ESTABLISH PROVISIONS RELATING TO AN ANNUAL AL-
6 LOWANCE AND TO ESTABLISH PROVISIONS RELATING TO ACCREDITATION REVIEWS
7 OR REPORTS; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE PROVISIONS
8 RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AND PROVIDING A SUNSET
9 DATE.
10

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

12 SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature to
13 establish a two-year exploratory program to ensure stable involvement and
14 oversight by appropriate state entities of educational programs and ser-
15 vices aimed at helping abused, neglected and abandoned school age boys and
16 girls to become productive and caring citizens. This exploratory program
17 will help ensure that dozens of teenagers and adolescents will continue
18 to receive specialized care and education. By establishing this effort
19 as a two-year exploratory program, the Legislature will learn whether the
20 approach created in this legislation is a viable, efficient and effective
21 approach to providing education for this population of students.

22 SECTION 2. That Chapter 20, Title 33, Idaho Code, be, and the same is
23 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
24 ignated as Section 33-2006A, Idaho Code, and to read as follows:

25 33-2006A. SCHOOL AGE CHILDREN IN CERTAIN LICENSED AND ACCREDITED
26 SCHOOLS.

27 (1) (a) To provide for the education of school age children at the
28 northwest children's home, located in Lewiston, Idaho, who are under
29 state department of juvenile corrections jurisdiction or state depart-
30 ment of health and welfare jurisdiction, as governed by a memorandum
31 of understanding between the department of juvenile corrections, the
32 department of health and welfare and the state department of education.
33 Where such children are enrolled in a licensed and accredited residen-
34 tial treatment program at the northwest children's home, such program
35 shall be eligible for an annual allowance for fiscal year 2014 of sev-
36 enty-one dollars and five cents (\$71.05) per student per educational
37 day based on the average daily attendance as defined by the state board
38 of education.

39 (b) For each year subsequent to fiscal year 2014, the allowance pro-
40 vided for in paragraph (a) of this subsection shall be revised based

1 upon the percentage change from the previous year's instructional base
2 salary provided for in section 33-1004E(1), Idaho Code.

3 (2) Upon the completion of an internal accreditation self-assessment
4 and the five (5) year external accreditation review published by the accred-
5 iting body recognized by the state board of education relating to the program
6 referenced in subsection (1) of this section, copies of such reviews or re-
7 ports shall be provided to the state department of juvenile corrections and
8 the state department of health and welfare.

9 SECTION 3. That Section 33-1002, Idaho Code, be, and the same is hereby
10 amended to read as follows:

11 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-
12 gram is calculated as follows:

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

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

18 (a) Pupil tuition-equivalency allowances as provided in section
19 33-1002B, Idaho Code;

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

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

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

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

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

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

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

36 (i) For expenditure as provided by the public school technology pro-
37 gram;

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

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

42 (l) For expenditures for certain school age children as provided in
43 section 33-2006A, Idaho Code.

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

47 (n) Any additional amounts as required by statute to effect adminis-
48 trative adjustments or as specifically required by the provisions of
49 any bill of appropriation;

1 to secure the total educational support distribution funds.

2 (3) Average Daily Attendance. The total state average daily attendance
 3 shall be the sum of the average daily attendance of all of the school dis-
 4 tricts of the state. The state board of education shall establish rules set-
 5 ting forth the procedure to determine average daily attendance and the time
 6 for, and method of, submission of such report. Average daily attendance cal-
 7 culation shall be carried out to the nearest hundredth. Computation of av-
 8 erage daily attendance shall also be governed by the provisions of section
 9 33-1003A, Idaho Code.

10 (4) Support Units. The total state support units shall be determined
 11 by using the tables set out hereafter called computation of kindergarten
 12 support units, computation of elementary support units, computation of sec-
 13 ondary support units, computation of exceptional education support units,
 14 and computation of alternative school secondary support units. The sum of
 15 all of the total support units of all school districts of the state shall be
 16 the total state support units.

17 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

| | | | |
|----|--------------------|--------------------|-----------------------|
| 18 | Average Daily | | |
| 19 | Attendance | Attendance Divisor | Units Allowed |
| 20 | 41 or more | 40..... | 1 or more as computed |
| 21 | 31 - 40.99 ADA.... | -..... | 1 |
| 22 | 26 - 30.99 ADA.... | -..... | .85 |
| 23 | 21 - 25.99 ADA.... | -..... | .75 |
| 24 | 16 - 20.99 ADA.... | -..... | .6 |
| 25 | 8 - 15.99 ADA.... | -..... | .5 |
| 26 | 1 - 7.99 ADA.... | -..... | count as elementary |

27 COMPUTATION OF ELEMENTARY SUPPORT UNITS

| | | | |
|----|-----------------------|----------------------------------|---------------|
| 28 | Average Daily | | Minimum Units |
| 29 | Attendance | Attendance Divisor | Allowed |
| 30 | 300 or more ADA..... | | .. 15 |
| 31 | | ..23...grades 4,5 & 6.... | |
| 32 | | ..22...grades 1,2 & 3....1994-95 | |
| 33 | | ..21...grades 1,2 & 3....1995-96 | |
| 34 | | ..20...grades 1,2 & 3....1996-97 | |
| 35 | | and each year thereafter. | |
| 36 | 160 to 299.99 ADA... | 20..... | 8.4 |
| 37 | 110 to 159.99 ADA... | 19..... | 6.8 |
| 38 | 71.1 to 109.99 ADA... | 16..... | 4.7 |
| 39 | 51.7 to 71.0 ADA... | 15..... | 4.0 |
| 40 | 33.6 to 51.6 ADA... | 13..... | 2.8 |

1 computation of support units for alternative schools shall be utilized for
2 alternative school programs. School district administrative and facility
3 costs may be included as part of the alternative school expenditures.

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

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

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

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

29 (iii) The total number of support units of the district shall be
30 the sum of the total support units for regular students, subsec-
31 tion (6) (a) (i) of this section, and the support units allowance
32 for the approved exceptional child program, subsection (6) (a) (ii)
33 of this section.

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

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

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

46 (7) Property Tax Computation Ratio. In order to receive state funds
47 pursuant to this section a charter district shall utilize a school mainte-
48 nance and operation property tax computation ratio for the purpose of cal-
49 culating its maintenance and operation levy, that is no greater than that
50 which it utilized in tax year 1994, less four-tenths of one percent (.4%). As

1 used herein, the term "property tax computation ratio" shall mean a ratio de-
2 termined by dividing the district's certified property tax maintenance and
3 operation budget by the actual or adjusted market value for assessment pur-
4 poses as such values existed on December 31, 1993. Such maintenance and op-
5 eration levy shall be based on the property tax computation ratio multiplied
6 by the actual or adjusted market value for assessment purposes as such values
7 existed on December 31 of the prior calendar year.

8 SECTION 4. The provisions of Sections 2 and 3 of this act shall be null,
9 void and of no force and effect on and after August 31, 2015.