

IN THE SENATE

SENATE BILL NO. 1186

BY FINANCE COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PRO-
2 GRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2016; PROVIDING
3 FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PRO-
4 GRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2016; APPROPRIAT-
5 ING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME FUND;
6 APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PRO-
7 GRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2016; PROVIDING
8 LEGISLATIVE INTENT RELATING TO THE IDAHO DIGITAL LEARNING ACADEMY; DI-
9 RECTING THE USE OF TOBACCO, CIGARETTE AND LOTTERY INCOME TAX MONEYS; DI-
10 RECTING THE USE OF APPROPRIATION FOR LITERACY PROGRAMS AND REMEDIATION;
11 DIRECTING THE USE OF APPROPRIATION FOR LIMITED ENGLISH PROFICIENCY
12 PROGRAMS; DIRECTING THE STATE DEPARTMENT OF EDUCATION TO COMPILE IN-
13 FORMATION ON ADVANCED OPPORTUNITIES; DEFINING THE TERM "DISTRIBUTED";
14 APPROPRIATING AND TRANSFERRING MONEYS TO THE PUBLIC EDUCATION STABI-
15 LIZATION FUND FOR FISCAL YEAR 2015; AND DECLARING AN EMERGENCY.
16

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

18 SECTION 1. The following amount shall be expended for the Public
19 Schools Educational Support Program/Division of Children's Programs for the
20 period July 1, 2015, through June 30, 2016:

21 FROM:

22 General Fund	\$28,928,200
23 Cigarette, Tobacco and Lottery Income Taxes	4,031,400
24 Federal Grant	<u>249,115,000</u>
25 TOTAL	\$282,074,600

26 SECTION 2. There is hereby appropriated the following amount to be
27 transferred to the Public School Income Fund for the period July 1, 2015,
28 through June 30, 2016:

29 FROM:

30 General Fund	\$28,928,200
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1 SECTION 3. There is hereby appropriated to the Public Schools Educa-
 2 tional Support Program/Division of Children's Programs the following amount
 3 to be expended from the listed funds for the period July 1, 2015, through June
 4 30, 2016:

5 FROM:

6	Public School Income Fund	\$32,959,600
7	Federal Grant	<u>249,115,000</u>
8	TOTAL	\$282,074,600

9 SECTION 4. The Idaho Digital Learning Academy (IDLA), created pursuant
 10 to Chapter 55, Title 33, Idaho Code, shall utilize state appropriated funds
 11 for the period July 1, 2015, through June 30, 2016, to achieve the following:

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

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

16 (3) Pursuant to State Board of Education rule, IDAPA 08.02.03, provide
 17 advanced learning opportunities for students.

18 (4) Pursuant to State Board of Education rule, IDAPA 08.02.03, work
 19 with institutions of higher education to provide dual credit coursework.

20 The preceding list shall not be construed as excluding other instruction and
 21 training that may be provided by the Idaho Digital Learning Academy.

22 SECTION 5. Notwithstanding the provisions of any law to the contrary,
 23 of the moneys appropriated in Section 3 of this act, up to \$4,031,400 from
 24 funds determined by available tobacco, cigarette and lottery income tax rev-
 25 enues accruing, appropriated or distributed to the Public School Income Fund
 26 pursuant to Sections 63-2506, 63-2552A, 63-3035A and 63-3067, Idaho Code,
 27 for the period July 1, 2015, through June 30, 2016, shall be distributed to
 28 school districts and charter schools through a combination of a base amount
 29 of \$2,000 plus a prorated amount based on the prior year's average daily
 30 attendance. Such funds shall be used to develop and implement school safety
 31 improvements and/or to facilitate and provide substance abuse prevention
 32 programs in the public school system.

33 SECTION 6. Of the moneys appropriated in Section 3 of this act,
 34 \$5,790,000 shall be distributed for literacy programs, as outlined in
 35 Sections 33-1207A(2), 33-1614 and 33-1615, Idaho Code, and for remedial
 36 coursework for students failing to achieve proficiency on Idaho's stan-
 37 dards-based achievement tests in dollar amounts determined by the Superin-
 38 tendent of Public Instruction. The superintendent shall report to the Joint
 39 Finance-Appropriations Committee and the Senate and House Education commit-
 40 tees by no later than February 1, 2017, on the uses of funds and effectiveness
 41 of the programs and efforts.

42 SECTION 7. Pursuant to Section 33-1617, Idaho Code, of the moneys ap-
 43 propriated in Section 3 of this act, \$3,820,000 shall be distributed for

1 support of programs for students with non-English or limited English profi-
2 ciency, as follows:

3 (1) The Superintendent of Public Instruction shall distribute
4 \$3,370,000 to school districts pro rata, based upon the population of
5 limited English proficient students under criteria established by the de-
6 partment.

7 (2) The Superintendent of Public Instruction shall distribute \$450,000
8 for a competitive grant program to assist school districts in which the pop-
9 ulation of English language learners must meet Annual Measurable Achieve-
10 ment Objectives (AMAOs) in math or reading, as defined in federal law. This
11 amount shall be distributed annually to school districts in three-year grant
12 cycles, contingent on appropriation and the ability of grantees to meet pro-
13 gram objectives.

14 (3) The superintendent shall develop the program elements and objec-
15 tives governing the use of these funds and include a program evaluation com-
16 ponent. The purpose of these funds is to improve student English language
17 skills to allow for better access to the educational opportunities offered
18 in public schools. The superintendent shall report to the Joint Finance-App-
19 propriations Committee and the Senate and House Education committees by no
20 later than February 1, 2017, on the program design, uses of funds and program
21 effectiveness.

22 SECTION 8. It is legislative intent that the Superintendent of Public
23 Instruction shall compile information concerning the numbers of students
24 enrolling in advanced opportunities courses according to the provisions of
25 Chapter 16, Title 33, Idaho Code, whether coursework is successfully com-
26 pleted, and expenditures for fiscal year 2016. As nearly as possible, the
27 report shall contain information about enrollment of this student popula-
28 tion in post-high school education. A report containing such information
29 shall be posted on the website of the State Department of Education no later
30 than December 31, 2016.

31 SECTION 9. For the purposes of this appropriation, the term "dis-
32 tributed" means moneys that are transferred to school districts and public
33 charter schools with no funds withheld for any other contract or administra-
34 tive costs.

35 SECTION 10. TRANSFER TO THE PUBLIC EDUCATION STABILIZATION FUND. There
36 is hereby appropriated and upon passage and approval of this act, the State
37 Controller shall transfer \$21,500,000 from the Consumer Protection Fund in
38 the Office of the Attorney General to the Public Education Stabilization
39 Fund.

40 SECTION 11. An emergency existing therefor, which emergency is hereby
41 declared to exist, Section 10 of this act shall be in full force and effect on
42 and after its passage and approval.