

HCR 33 – Public School Funding Formula Interim Committee

USE IT OR LOSE IT

Senate Bill 1560, 1994 Legislature, added section 33-1004 Staff Allowance, Idaho Code. Instructional and administrative staff allowance was reduced to staff employed if less than the allowance. 20% of the administrative staff allowance could be used for noncertificated (classified) staff. A waiver could be requested if there were circumstances preventing eligible use of staff allowance. This was generally approved for school districts with insufficient classrooms. A one-year waiver was granted with the understanding that funds would be used to defray the cost of additional classrooms (portable).

Senate Bill 1058, 1995 Legislature, amended section 33-1004 to allow school districts to contract for instructional and administrative staff, each of which could apply to available staff allowance. This portion of staff allowance was not eligible for benefit apportionment.

Senate Bill 1197, 2003 Legislature, amended section 33-1004 to remove the use it lose it provision for administrative staff.

House Bill 303a, 2009 Legislature, amended section 33-1004 to allow up to 5% of instructional staff allowance to defray the cost of providing virtual education coursework, including virtual dual credit coursework. It also allowed for the period July 1, 2009, through June 30, 2011, only, to shift up to 2.63% of instructional staff allowance to federal funded positions.

Senate Bill 1422, 2010 Legislature, amended section 33-1004 to allow for the period July 1, 2009, through June 30, 2011, only, to shift up to 5% of instructional staff allowance to federally funded positions.

Senate Bill 1057, 2013 Legislature, amended section 33-1004 to allow kindergarten teachers to visit parents or guardians of students during the first week of the kindergarten school year. The amount of moneys to be expended cannot exceed one week of kindergarten staff allowance.

House Bill 275, 2013 Legislature, amended section 33-1004 to allow up to 15% (previously 5%) of instructional staff allowance to defray the cost of providing virtual education coursework, including virtual dual credit coursework. The allowable use was expanded to include paying another school district or public charter school for instructional services. This amendment also allowed school districts to employ up to 9.5% fewer instructional positions than funded. Sections 2 and 3 of HB 275 repealed and recodified section 33-1004, respectively, with an effective date of July 1, 2014. The recodified statute decreased the virtual allowance to 5% and eliminated the 9.5% provision for hiring less instructional staff without penalty.

House Bill 557, 2014 Legislature, repealed sections 2,3,and 4, Chapter 349, Laws of 2013 (HB275), and amended section 33-1004 to remove the FY 2010 – FY 2011 shift of 5% of instructional staff allowance to federally funded positions. It also amended the 9.5% provision to, beginning in FY 2016, to reduce by one percent those school districts that have average class size at least one greater than the statewide average. The State Department of Education must report annually to the Legislature a list of those school districts that had a reduction.

Idaho Legislature

House Bill 296, 2015 Legislature, amended section 33-1004 to segregate pupil service staff from instructional staff. The use it or lose it provision is applied to the aggregate of instructional and pupil service staff, resulting in no change from previous application.

House Bill 476, 2016 Legislature, amended section 33-1004 to compare school districts of similar size with respect to attendance divisors, charging the State Board of Education to promulgate rules outlining the method of calculation of the statewide average class size figures. It also added an exclusion for boundary changes due to division, consolidation, excision, or annexation of territory.