

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 596

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE  
2 PROVISIONS REGARDING THE CALCULATION FOR THE EDUCATIONAL SUPPORT PRO-  
3 GRAM, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS;  
4 AMENDING SECTION 33-1002, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER  
5 229, LAWS OF 2015, TO REVISE PROVISIONS REGARDING THE CALCULATION FOR  
6 THE EDUCATIONAL SUPPORT PROGRAM, TO MAKE CODIFIER'S CORRECTIONS AND TO  
7 MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.  
8

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

10 SECTION 1. That Section 33-1002, Idaho Code, be, and the same is hereby  
11 amended to read as follows:

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

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

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

19 (a) Pupil tuition-equivalency allowances as provided in section  
20 33-1002B, Idaho Code;

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

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

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

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

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

33 (g) Salary-based apportionment calculated as provided in sections  
34 33-1004 through 33-1004F, Idaho Code;

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

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

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

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

1 (l) For charter school facilities funds and reimbursements paid pur-  
2 suant to section 33-5208(5), Idaho Code;

3 (m) For an online course portal as provided for in section 33-1024,  
4 Idaho Code;

5 (n) For advanced opportunities as provided for in section 33-4602,  
6 Idaho Code;

7 (o) For the "8 in 6 program" as provided for in section 33-4603, Idaho  
8 Code;

9 (p) For additional math and science courses for high school students as  
10 provided in section 33-1021, Idaho Code;

11 (q) For leadership premiums as provided in section 33-1004J, Idaho  
12 Code;

13 (r) For the support of provisions that provide a safe environment con-  
14 ductive to student learning and maintain classroom discipline, an allo-  
15 cation of three hundred dollars (\$300) per support unit;

16 (s) An amount specified in the appropriation bill for the public  
17 schools educational support program for counseling support as provided  
18 for in section 33-1212A, Idaho Code, shall be distributed, in full or  
19 pro rata, based on ~~one hundred twenty dollars (\$120) per first reporting~~  
20 ~~period~~ secondary support units for grades 8 through 12 or used to calcu-  
21 late the February 15 apportionment of state funds as provided in section  
22 33-1009, Idaho Code. School districts and charter schools will receive  
23 a minimum of twenty thousand dollars (\$20,000) if current enrollment  
24 includes all grades served as identified in section 33-1212A, Idaho  
25 Code; otherwise, a minimum of ten thousand dollars (\$10,000), ~~whichever~~  
26 is greater if current enrollment includes any of the grades served as  
27 identified in section 33-1212A, Idaho Code; and

28 (t) Any additional amounts as required by statute to effect administra-  
29 tive adjustments or as specifically required by the provisions of any  
30 bill of appropriation; and

31 (~~u~~) For mastery-based education as provided for in section 33-1630,  
32 Idaho Code;

33 to secure the total educational support distribution funds.

34 (3) Average Daily Attendance. The total state average daily attendance  
35 shall be the sum of the average daily attendance of all of the school dis-  
36 tricts of the state. The state board of education shall establish rules set-  
37 ting forth the procedure to determine average daily attendance and the time  
38 for, and method of, submission of such report. Average daily attendance cal-  
39 culation shall be carried out to the nearest hundredth. Computation of av-  
40 erage daily attendance shall also be governed by the provisions of section  
41 33-1003A, Idaho Code.

42 (4) Support Units. The total state support units shall be determined  
43 by using the tables set out hereafter called computation of kindergarten  
44 support units, computation of elementary support units, computation of sec-  
45 ondary support units, computation of exceptional education support units,  
46 and computation of alternative school support units. The sum of all of the  
47 total support units of all school districts of the state shall be the total  
48 state support units.

1	COMPUTATION OF KINDERGARTEN SUPPORT UNITS		
2	Average Daily		
3	Attendance	Attendance Divisor	Units Allowed
4	41 or more....	40.....	1 or more as computed
5	31 - 40.99 ADA....	-.....	1
6	26 - 30.99 ADA....	-.....	.85
7	21 - 25.99 ADA....	-.....	.75
8	16 - 20.99 ADA....	-.....	.6
9	8 - 15.99 ADA....	-.....	.5
10	1 - 7.99 ADA....	-.....	count as elementary

11	COMPUTATION OF ELEMENTARY SUPPORT UNITS		
12	Average Daily		Minimum Units
13	Attendance	Attendance Divisor	Allowed
14	300 or more ADA.....	.....	.. 15
15		..23...grades 4, 5 & 6....	
16		..22...grades 1, 2 & 3....1994-95	
17		..21...grades 1, 2 & 3....1995-96	
18		..20...grades 1, 2 & 3....1996-97	
19		and each year thereafter.	
20	160 to 299.99 ADA...	20.....	8.4
21	110 to 159.99 ADA...	19.....	6.8
22	71.1 to 109.99 ADA...	16.....	4.7
23	51.7 to 71.0 ADA...	15.....	4.0
24	33.6 to 51.6 ADA...	13.....	2.8
25	16.6 to 33.5 ADA...	12.....	1.4
26	1.0 to 16.5 ADA...	n/a.....	1.0

27	COMPUTATION OF SECONDARY SUPPORT UNITS		
28	Average Daily		Minimum Units
29	Attendance	Attendance Divisor	Allowed
30	750 or more....	18.5.....	47
31	400 - 749.99 ADA....	16.....	28
32	300 - 399.99 ADA....	14.5.....	22
33	200 - 299.99 ADA....	13.5.....	17
34	100 - 199.99 ADA....	12.....	9
35	99.99 or fewer	Units allowed as follows:	
36	Grades 7-12	.....	8
37	Grades 9-12	.....	6

1	Grades 7- 9	.....	1 per 14 ADA
2	Grades 7- 8	.....	1 per 16 ADA

3                    COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

4	Average Daily		Minimum Units
5	Attendance	Attendance Divisor	Allowed
6	14 or more.....	14.5 .....	1 or more as
7			computed
8	12 - 13.99.....	- .....	1
9	8 - 11.99.....	- .....	.75
10	4 - 7.99.....	- .....	.5
11	1 - 3.99.....	- .....	.25

12                    COMPUTATION OF ALTERNATIVE SCHOOL SUPPORT UNITS

13                    (Computation of alternative school support units shall include  
14                    grades 6 through 12)

15	Pupils in Attendance	Attendance Divisor	Minimum Units
16			Allowed
17	12 or more.....	12 .....	1 or more as
18			computed

19                    In applying these tables to any given separate attendance unit, no  
20                    school district shall receive less total money than it would receive if it  
21                    had a lesser average daily attendance in such separate attendance unit. In  
22                    applying the kindergarten table to a kindergarten program of less fewer days  
23                    than a full school year, the support unit allowance shall be in ratio to the  
24                    number of days of a full school year. The attendance of students attending  
25                    an alternative school in a school district reporting less fewer than one  
26                    hundred (100) secondary students in average daily attendance shall not be  
27                    assigned to the alternative table if the student is from a school district  
28                    reporting less fewer than one hundred (100) secondary students in average  
29                    daily attendance, but shall instead be assigned to the secondary table of the  
30                    school district in which they are attending the alternative school, unless  
31                    the alternative school in question serves students from multiple districts  
32                    reporting less fewer than one hundred (100) secondary students in average  
33                    daily attendance. The tables for exceptional education and alternative  
34                    school support units shall be applicable only for programs approved by the  
35                    state department of education following rules established by the state board  
36                    of education. Moneys generated from computation of support units for alter-  
37                    native schools shall be utilized for alternative school programs. School  
38                    district administrative and facility costs may be included as part of the  
39                    alternative school expenditures.

40                    (5) State Distribution Factor per Support Unit. Divide educational  
41                    support program distribution funds, after subtracting the amounts necessary  
42                    to pay the obligations specified in subsection (2) of this section, by the

1 total state support units to secure the state distribution factor per sup-  
2 port unit.

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

5 (a) (i) Divide the actual average daily attendance, excluding stu-  
6 dents approved for inclusion in the exceptional child educational  
7 program, for the administrative schools and each of the separate  
8 schools and attendance units by the appropriate divisor from the  
9 tables of support units in this section, then add the quotients  
10 to obtain the district's support units allowance for regular stu-  
11 dents, kindergarten through grade 12 including alternative school  
12 students. Calculations in application of this subsection shall be  
13 carried out to the nearest hundredth.

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

23 (iii) The total number of support units of the district shall be  
24 the sum of the total support units for regular students, subpara-  
25 graph (i) of this paragraph, and the support units allowance for  
26 the approved exceptional child program, subparagraph (ii) of this  
27 paragraph.

28 (b) Total District Allowance Educational Program. Multiply the dis-  
29 trict's total number of support units, carried out to the nearest hun-  
30 dredth, by the state distribution factor per support unit and to this  
31 product add the approved amount of programs of the district provided in  
32 subsection (2) of this section to secure the district's total allowance  
33 for the educational support program.

34 (c) District Share. The district's share of state apportionment is the  
35 amount of the total district allowance, paragraph (b) of this subsec-  
36 tion.

37 (d) Adjustment of District Share. The contract salary of every noncer-  
38 tificated teacher shall be subtracted from the district's share as cal-  
39 culated from the provisions of paragraph (c) of this subsection.

40 (7) Property Tax Computation Ratio. In order to receive state funds  
41 pursuant to this section, a charter district shall utilize a school mainte-  
42 nance and operation property tax computation ratio for the purpose of calcu-  
43 lating its maintenance and operation levy that is no greater than that which  
44 it utilized in tax year 1994, less four-tenths of one percent (.4%). As used  
45 herein, the term "property tax computation ratio" shall mean a ratio deter-  
46 mined by dividing the district's certified property tax maintenance and op-  
47 eration budget by the actual or adjusted market value for assessment pur-  
48 poses as such values existed on December 31, 1993. Such maintenance and op-  
49 eration levy shall be based on the property tax computation ratio multiplied

1 by the actual or adjusted market value for assessment purposes as such values  
2 existed on December 31 of the prior calendar year.

3 SECTION 2. That Section 33-1002, Idaho Code, as amended by Section 2,  
4 Chapter 229, Laws of 2015, be, and the same is hereby amended to read as fol-  
5 lows:

6 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-  
7 gram is calculated as follows:

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

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

13 (a) Pupil tuition-equivalency allowances as provided in section  
14 33-1002B, Idaho Code;

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

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

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

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

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

27 (g) Salary-based apportionment calculated as provided in sections  
28 33-1004 through 33-1004F, Idaho Code;

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

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

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

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

37 (l) For charter school facilities funds and reimbursements paid pur-  
38 suant to section 33-5208(5), Idaho Code;

39 (m) For an online course portal as provided for in section 33-1024,  
40 Idaho Code;

41 (n) For advanced opportunities as provided for in section 33-4602,  
42 Idaho Code;

43 (o) For the "8 in 6 program" as provided for in section 33-4603, Idaho  
44 Code;

45 (p) For additional math and science courses for high school students as  
46 provided in section 33-1021, Idaho Code;

47 (q) For leadership premiums as provided in section 33-1004J, Idaho  
48 Code;

- 1 (r) For master teacher premiums as provided in section 33-1004I, Idaho
- 2 Code;
- 3 (~~rs~~) For the support of provisions that provide a safe environment con-
- 4 ductive to student learning and maintain classroom discipline, an allo-
- 5 cation of three hundred dollars (\$300) per support unit;
- 6 (~~st~~) An amount specified in the appropriation bill for the public
- 7 schools educational support program for counseling support as provided
- 8 for in section 33-1212A, Idaho Code, shall be distributed, in full or
- 9 pro rata, based on ~~one hundred twenty dollars (\$120) per first reporting~~
- 10 ~~period secondary support units for grades 8 through 12 or used to calcu-~~
- 11 ~~late the February 15 apportionment of state funds as provided in section~~
- 12 ~~33-1009, Idaho Code. School districts and charter schools will receive~~
- 13 ~~a minimum of twenty thousand dollars (\$20,000) if current enrollment~~
- 14 ~~includes all grades served as identified in section 33-1212A, Idaho~~
- 15 ~~Code; otherwise, a minimum of ten thousand dollars (\$10,000), whichever~~
- 16 ~~is greater if current enrollment includes any of the grades served as~~
- 17 ~~identified in section 33-1212A, Idaho Code; and~~
- 18 (~~tu~~) Any additional amounts as required by statute to effect adminis-
- 19 trative adjustments or as specifically required by the provisions of
- 20 any bill of appropriation; and
- 21 (~~tv~~) For mastery-based education as provided for in section 33-1630,
- 22 Idaho Code;

23 to secure the total educational support distribution funds.

24 (3) Average Daily Attendance. The total state average daily attendance  
 25 shall be the sum of the average daily attendance of all of the school dis-  
 26 tricts of the state. The state board of education shall establish rules set-  
 27 ting forth the procedure to determine average daily attendance and the time  
 28 for, and method of, submission of such report. Average daily attendance cal-  
 29 culation shall be carried out to the nearest hundredth. Computation of av-  
 30 erage daily attendance shall also be governed by the provisions of section  
 31 33-1003A, Idaho Code.

32 (4) Support Units. The total state support units shall be determined  
 33 by using the tables set out hereafter called computation of kindergarten  
 34 support units, computation of elementary support units, computation of sec-  
 35 ondary support units, computation of exceptional education support units,  
 36 and computation of alternative school support units. The sum of all of the  
 37 total support units of all school districts of the state shall be the total  
 38 state support units.

39 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

40	Average Daily		
41	Attendance	Attendance Divisor	Units Allowed
42	41 or more....	40.....	1 or more as computed
43	31 - 40.99 ADA....	-.....	1
44	26 - 30.99 ADA....	-.....	.85
45	21 - 25.99 ADA....	-.....	.75
46	16 - 20.99 ADA....	-.....	.6

1	8 - 15.99 ADA....	-.....	.5
2	1 - 7.99 ADA....	-.....	count as elementary

3 COMPUTATION OF ELEMENTARY SUPPORT UNITS

4	Average Daily		Minimum Units
5	Attendance	Attendance Divisor	Allowed
6	300 or more ADA.....	.....	.. 15
7		..23...grades 4,5 & 6....	
8		..22...grades 1,2 & 3....1994-95	
9		..21...grades 1,2 & 3....1995-96	
10		..20...grades 1,2 & 3....1996-97	
11		and each year thereafter.	
12	160 to 299.99 ADA...	20.....	8.4
13	110 to 159.99 ADA...	19.....	6.8
14	71.1 to 109.99 ADA...	16.....	4.7
15	51.7 to 71.0 ADA...	15.....	4.0
16	33.6 to 51.6 ADA...	13.....	2.8
17	16.6 to 33.5 ADA...	12.....	1.4
18	1.0 to 16.5 ADA...	n/a.....	1.0

19 COMPUTATION OF SECONDARY SUPPORT UNITS

20	Average Daily		Minimum Units
21	Attendance	Attendance Divisor	Allowed
22	750 or more....	18.5.....	47
23	400 - 749.99 ADA....	16.....	28
24	300 - 399.99 ADA....	14.5.....	22
25	200 - 299.99 ADA....	13.5.....	17
26	100 - 199.99 ADA....	12.....	9
27	99.99 or fewer	Units allowed as follows:	
28	Grades 7-12	.....	8
29	Grades 9-12	.....	6
30	Grades 7- 9	.....	1 per 14 ADA
31	Grades 7- 8	.....	1 per 16 ADA

COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
14 or more.....	14.5 .....	1 or more as computed
12 - 13.99.....	- .....	1
8 - 11.99.....	- .....	.75
4 - 7.99.....	- .....	.5
1 - 3.99.....	- .....	.25

COMPUTATION OF ALTERNATIVE SCHOOL SUPPORT UNITS

(Computation of alternative school support units shall include grades 6 through 12)

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
12 or more.....	12 .....	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~~ fewer days than a full school year, the support unit allowance shall be in ratio to the number of days of a full school year. The attendance of students attending an alternative school in a school district reporting ~~less~~ fewer than one hundred (100) secondary students in average daily attendance shall not be assigned to the alternative table if the student is from a school district reporting ~~less~~ fewer than one hundred (100) secondary students in average daily attendance, but shall instead be assigned to the secondary table of the school district in which they are attending the alternative school, unless the alternative school in question serves students from multiple districts reporting ~~less~~ fewer than one hundred (100) secondary students in average daily attendance. The tables for exceptional education and alternative school 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:

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 students. Calculations in application of this subsection shall be  
9 carried out to the nearest hundredth.

10 (ii) Divide the combined totals of the average daily attendance  
11 of all preschool, kindergarten, elementary, secondary, juvenile  
12 detention center students and students with disabilities approved  
13 for inclusion in the exceptional child program of the district by  
14 the appropriate divisor from the table for computation of excep-  
15 tional education support units to obtain the number of support  
16 units allowed for the district's approved exceptional child pro-  
17 gram. Calculations for this subsection shall be carried out to the  
18 nearest hundredth 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, subpara-  
21 graph (i) of this ~~sub~~paragraph, and the support units allowance  
22 for the approved exceptional child program, subparagraph (ii) of  
23 this ~~sub~~paragraph.

24 (b) Total District Allowance Educational Program. Multiply the dis-  
25 trict's total number of support units, carried out to the nearest hun-  
26 dredth, by the state distribution factor per support unit and to this  
27 product add the approved amount of programs of the district provided in  
28 subsection (2) of this section to secure the district's total allowance  
29 for the educational support program.

30 (c) District Share. The district's share of state apportionment is the  
31 amount of the total district allowance, paragraph (b) of this subsec-  
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 paragraph (c) of this subsection.

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 calcu-  
39 lating its maintenance and operation levy that is no greater than that which  
40 it utilized in tax year 1994, less four-tenths of one percent (.4%). As used  
41 herein, the term "property tax computation ratio" shall mean a ratio deter-  
42 mined by dividing the district's certified property tax maintenance and op-  
43 eration 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 3. The provisions of Section 2 of this act shall be in full force  
49 and effect on and after July 1, 2019.