

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 287

BY APPROPRIATIONS 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 2018; PROVIDING
3 FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PRO-
4 GRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2018; 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 2018; PROVIDING
8 LEGISLATIVE INTENT REGARDING 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 REMEDIATION; DIRECTING THE USE OF
11 APPROPRIATION FOR LIMITED ENGLISH PROFICIENCY PROGRAMS; DIRECTING THE
12 USE OF FUNDS FOR GIFTED AND TALENTED STUDENTS; DIRECTING A DISTRIBUTION
13 TO PURCHASE DIGITAL CONTENT AND CURRICULUM; DIRECTING THE STATE DEPART-
14 MENT OF EDUCATION TO COMPILE INFORMATION ON ADVANCED OPPORTUNITIES;
15 PROVIDING A TRANSFER TO THE COMMISSION ON HISPANIC AFFAIRS; PROVIDING
16 A TRANSFER TO IDAHO STATE POLICE; PROVIDING REAPPROPRIATION AUTHORITY
17 FOR CERTAIN DEDICATED FUNDS; AND DEFINING THE TERM "DISTRIBUTED."
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19 Be It Enacted by the Legislature of the State of Idaho:

20 SECTION 1. The following amount shall be expended for the Public
21 Schools Educational Support Program/Division of Children's Programs for the
22 period July 1, 2017, through June 30, 2018:

23 FROM:

24 General Fund	\$45,497,900
25 Cigarette, Tobacco and Lottery Income Taxes	4,024,900
26 Federal Grant	<u>249,115,000</u>
27 TOTAL	\$298,637,800

28 SECTION 2. There is hereby appropriated the following amount to be
29 transferred to the Public School Income Fund for the period July 1, 2017,
30 through June 30, 2018:

31 FROM:

32 General Fund	\$45,497,900
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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, 2017, through June
 4 30, 2018:

5 FROM:

6	Public School Income Fund	\$49,522,800
7	Federal Grant	<u>249,115,000</u>
8	TOTAL	\$298,637,800

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, 2017, through June 30, 2018, 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 (1) 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 \$4,024,900 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, and 63-3067, Idaho Code, for the pe-
 27 riod July 1, 2017, through June 30, 2018, shall be distributed to school dis-
 28 tricts and charter schools through a combination of a base amount of \$2,000
 29 plus a prorated amount based on the prior year's average daily attendance.
 30 Such funds shall be used to develop and implement school safety improvements
 31 and/or to facilitate and provide substance abuse prevention programs in the
 32 public school system.

33 SECTION 6. Of the moneys appropriated in Section 3 of this act,
 34 \$4,715,000 shall be distributed for remedial coursework for students fail-
 35 ing to achieve proficiency on Idaho's standards-based achievement tests in
 36 dollar amounts determined by the Superintendent of Public Instruction. The
 37 superintendent shall report to the Joint Finance-Appropriations Committee
 38 and the Senate and House Education committees by no later than February 1,
 39 2019, on the uses of funds and effectiveness of the programs and efforts.

40 SECTION 7. Pursuant to Section 33-1617, Idaho Code, of the moneys ap-
 41 propriated in Section 3 of this act, \$3,820,000 shall be distributed for
 42 support of programs for students with non-English or limited English profi-
 43 ciency, as follows:

1 (1) The Superintendent of Public Instruction shall distribute
2 \$3,370,000 to school districts pro rata, based on the population of limited
3 English proficient students under criteria established by the department.

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

11 (3) The superintendent shall develop the program elements and objec-
12 tives governing the use of these funds and include a program evaluation com-
13 ponent. The purpose of these funds is to improve student English language
14 skills to allow for better access to the educational opportunities offered
15 in public schools. The superintendent shall report to the Joint Finance-App-
16 propriations Committee and the Senate and House Education committees by no
17 later than February 1, 2019, on the program design, uses of funds and program
18 effectiveness.

19 SECTION 8. Of the funds appropriated in Section 3 of this act,
20 \$1,000,000 shall be distributed by the Superintendent of Public Instruction
21 for professional training and screening for gifted and talented students and
22 instructors. Funding will be distributed based on a formula prescribed by
23 the Superintendent of Public Instruction that includes a base amount and an
24 amount based on the number of identified gifted and talented students.

25 SECTION 9. Of the funds appropriated in Section 3 of this act, \$950,000
26 shall be distributed by the Superintendent of Public Instruction to school
27 districts and charter schools to purchase digital content and curriculum of
28 their choice. Funding will be distributed based on a formula prescribed by
29 the Superintendent of Public Instruction that includes a base amount and an
30 amount based on the number of mid-term support units.

31 SECTION 10. It is legislative intent that the Superintendent of Public
32 Instruction shall compile information concerning the numbers of students
33 enrolling in advanced opportunities courses according to the provisions of
34 Chapter 16, Title 33, Idaho Code, whether coursework is successfully com-
35 pleted, and expenditures for fiscal year 2018. As nearly as possible, the
36 report shall contain information about enrollment of this student popula-
37 tion in post-high school education. A report containing such information
38 shall be posted on the website of the State Department of Education no later
39 than December 31, 2019.

40 SECTION 11. PUBLIC SCHOOL INCOME FUND TRANSFER TO COMMISSION ON HIS-
41 PANIC AFFAIRS. There is hereby appropriated and the State Controller shall
42 transfer in accordance with Section 63-2552A(3), Idaho Code, on July 1,
43 2017, or as soon thereafter as practicable, \$80,000 from the Public School
44 Income Fund to the Commission on Hispanic Affairs Miscellaneous Revenue Fund
45 to be used for substance abuse prevention efforts in collaboration with the
46 State Department of Education.

1 SECTION 12. PUBLIC SCHOOL INCOME FUND TRANSFER TO IDAHO STATE POLICE.
2 There is hereby appropriated and the State Controller shall transfer in ac-
3 cordance with Section 63-2552A(3), Idaho Code, on July 1, 2017, or as soon
4 thereafter as practicable, \$200,000 from the Public School Income Fund to
5 the Idaho State Police Miscellaneous Revenue Fund for the purpose of in-
6 creasing toxicology lab capacity in Forensic Services.

7 SECTION 13. DEDICATED FUND REAPPROPRIATION AUTHORITY. There is hereby
8 reappropriated to the Public Schools Educational Support Program/Chil-
9 dren's Programs Division, the unexpended and unencumbered balance of
10 \$110,000 from the Public School Income Fund appropriated in Section 10 of
11 House Bill No. 620, Second Regular Session, Sixty-third Idaho Legislature,
12 pursuant to Section 33-1024, Idaho Code, for fiscal year 2017, to be used for
13 the period July 1, 2017, through June 30, 2018. This funding, in full or in
14 part, is intended to be distributed to the Idaho Digital Learning Academy for
15 its development of a portal of parent educational resources, notwithstand-
16 ing any laws to the contrary.

17 SECTION 14. For the purposes of this appropriation, the term "dis-
18 tributed" means moneys that are transferred to school districts, public
19 charter schools, and the Idaho Digital Learning Academy, with no funds with-
20 held for any other contract or administrative costs.