AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Tuesday, January 08, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tr>
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<td>Organizational Meeting</td>
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"Education is the ability to listen to almost anything without losing your temper or your self-confidence." - Robert Frost

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Tuesday, January 08, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Mark Browning, CWI; Marilyn Whitney, Sherri Ybarra and Tim McMurtrey, State Department of Education; Harold Ott, Idaho Rural Schools/IASA

Chairman Clow called the meeting to order at 9:01 am.

Chairman Clow welcomed the Committee and guests and made introductory remarks. He asked the Committee members, page and secretary to introduce themselves.

Chairman Clow invited the state agency heads in attendance to introduce themselves and their staff.

The Committee reviewed electronic meeting procedures. This year the Committee will use electronic copies of documents, rather than paper.

Vice Chairman Kerby explained how the Committee will review administrative rules and stated two Subcommittees will be formed. The members of each Subcommittee will be announced at the next meeting. He further explained any Committee members who serve elsewhere as chairmen or vice chairmen will not be placed on a Subcommittee, unless they choose to be.

Chairman Clow stated his intention to begin Committee meetings at 9 am and noted it will not meet for the next two Fridays.

Chairman Clow selected Reps. Goesling and McCrostie to proofread the meeting minutes.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:52 am.

Representative Clow
Chair

Erica McGinnis
Secretary
AGENDA

HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Wednesday, January 09, 2019

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<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td></td>
<td>Administrative Rules Procedures</td>
<td>Department of Administration and Legislative Services Office</td>
</tr>
<tr>
<td></td>
<td>Establishment of Subcommittees</td>
<td>Vice Chairman Kerby</td>
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</tbody>
</table>

"The mind is not a vessel to be filled, but a fire to be kindled." - Plutarch

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

<table>
<thead>
<tr>
<th>COMMITTEE MEMBERS</th>
<th>COMMITTEE SECRETARY</th>
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<tbody>
<tr>
<td>Chairman Clow</td>
<td>Erica McGinnis</td>
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<tr>
<td>Vice Chairman Kerby</td>
<td>Room: EW49</td>
</tr>
<tr>
<td>Rep Shepherd</td>
<td>Phone: 332-1148</td>
</tr>
<tr>
<td>Rep Boyle</td>
<td>email: <a href="mailto:hedu@house.idaho.gov">hedu@house.idaho.gov</a></td>
</tr>
<tr>
<td>Rep Mendive</td>
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<td>Rep DeMordaunt</td>
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<td>Rep Marshall</td>
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MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, January 09, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Helen Price, State Department of Education; Dennis Stevenson, Rules Coordinator; Harold Ott, IRSA/IASA; Matt Compton, IEA; Quinn Perry, ISBA

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. McCrostie made a motion to approve the minutes of the January 8, 2019, meeting. Motion carried by voice vote.

Chairman Clow noted although approval of minutes will not be an agenda item, it will happen on an ongoing basis. He encouraged Committee members to be punctual and efficient with their questions to keep meetings as short as possible.

Eric Milstead, Director, Legislative Services Office, gave a brief overview of the administrative rules approval process and reminded the Committee that rules review is a legislative duty authorized in state statute and the Idaho Constitution. He noted Ryan Bush will be the drafting attorney for any resolutions regarding rules that the Committee rejects in whole or in part.

Dennis Stevenson, Administrative Rules Coordinator for Idaho, reviewed the three options available to a committee when reviewing administrative rules: reject a rule in its entirety, reject in part, or approve in entirety. He noted the Committee only has pending rules to review this year and if approved, no further action is necessary for the rules to take effect.

In response to Committee questions, Mr. Stevenson clarified the smallest portion of a rule that can be rejected is a subsection, which is designated alphabetically or numerically. Any pending rules rejected by the Committee, either in part or whole, must also be rejected by the Senate to be removed from the final rules. He also stated the Committee has the authority to review any rule that has already been codified and is not limited to the pending rules before the Committee this year.

Vice Chairman Kerby said there will be two subcommittees for rules review and Reps. Moon and Ehardt will chair.

Chairman Clow reminded guests if they want to be recorded as attending a meeting, they must sign in.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:19 am.

Representative Clow
Chair

Erica McGinnis
Secretary
SUBJECT | DESCRIPTION | PRESENTER
--- | --- | ---
Update from Bluum Foundation on Charter School Program Grant | | Terry Ryan, CEO, Bluum Foundation

"Upon the subject of education, not presuming to dictate any plan or system respecting it, I can only say that I view it as the most important subject which we as a people can be engaged in."

- Abraham Lincoln

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

 COMMITTEE MEMBERS

| Chairman Clow | Rep DeMordaunt | Rep Raymond |
| Vice Chairman Kerby | Rep Moon | Rep Wisniewski |
| Rep Shepherd | Rep Ehardt | Rep McCrostie |
| Rep Boyle | Rep Goesling | Rep Abernathy |
| Rep Mendive | Rep Marshall | Rep Berch |

 COMMITTEE SECRETARY

| Erica McGinnis |
| Room: EW49 |
| Phone: 332-1148 |
| email: hedu@house.idaho.gov |
Chairman Clow called the meeting to order at 9:00 am.

Terry Ryan, CEO, Bluum Foundation, presented to the Committee the $17.1 million federal grant awarded to Idaho in 2018. He explained Bluum is a nonprofit that works exclusively in Idaho to support charter, private and innovation schools. They were awarded a Charter Schools Program (CSP) grant to open, replicate and expand public charter schools with a goal of adding 8,200 quality charter school seats over 5 years. At least 90% of the total will be distributed in competitive subgrants to do this, 7% must be used at the state level for technical assistance and program evaluation and research, and no more than 3% will go for administrative costs. He noted grant money cannot be used for construction of new facilities. Each subgrant will be capped at $800,000 and the first 6 subgrants will be available in April.

In response to Committee questions, Mr. Ryan explained the 7% distribution is for sharing ideas that work in charter schools with school districts and traditional public schools, thereby benefitting all students. He stated Bluum is very interested in working with school districts to authorize additional charter schools and strengthen cooperation between charter schools and their district. He also clarified charter and traditional schools do not compete for the same federal dollars; Congress authorizes a separate allocation for charter schools.

Several Committee members questioned Mr. Ryan about the demographics of charter schools and how they encourage disadvantaged students to enroll. Mr. Ryan noted historically charter schools have not been as diverse as traditional schools, but administrators are actively recruiting students and seeking out more special education, at risk, and free and reduced lunch students.

In response to Committee questions, Mr. Ryan explained that Idaho law changed in 2015 to allow nonprofits to become the state entity to apply for and distribute federal dollars. He noted Bluum had the support of state agencies to apply for the CSP grant.
After discussion, Chairman Clow invited the Public Charter School Commission to present to the Committee at a later date and give additional information on how they will use their portion of the CSP grant funds.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 9:46 pm.

___________________________  __________________________
Representative Clow                             Erica McGinnis
Chair                                              Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Monday, January 14, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
<th>PRESENTER</th>
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<tbody>
<tr>
<td>Dual Credit Report</td>
<td></td>
<td>Matt Freeman, Executive Director, Idaho State Board of Education</td>
</tr>
</tbody>
</table>

"The mediocre teacher tells. The good teacher explains. The superior teacher demonstrates. The great teacher inspires."
- William Arthur Ward

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Monday, January 14, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/GUESTS: None
GUESTS: Tracie Bent and Mike Keckler, SBOE; Dwight Johnson, Idaho Career-Technical Education; Clark Corbin, Idaho Ed News; Helen Price, Charlie Silva and Marilyn Whitney, State Department of Education; Harold Ott, IRSA/IASA; Jacob Smith, Idaho Digital Learning Academy; Kari Overall, IEA; Greg Wilson, Governor's Office; Jay Shaw, Administrative Rules

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the January 9, 2019 and January 10, 2019 meetings. Motion carried by voice vote.

Matt Freeman, Executive Director, State Board of Education, reported on the Dual Credit (DC) program. The program was launched in 2011 with the goal of giving students a jump start on their college education by allowing them to take college-level courses while still in high school. The program has since expanded to provide a $4,125 stipend to all 7th-12th grade students to enroll in DC courses. The volume of enrolled students has increased every year and DC accumulation has a direct relationship to the Go On Rate; the more DC earned, the more likely the student is to immediately go to college after graduating high school. Students who enter college with DC also have higher GPAs in their first fall term and higher retention rates than students with no DC.

In response to Committee questions, Mr. Freeman stated as the program has expanded, the number of participating students from underrepresented demographic groups has also increased. This larger pool of students enrolled in DC has caused the immediate Go-On Rate to dip, because it has enabled students who traditionally have not taken college-prep courses to try them. He also noted variability in the way school districts handle the stipends, either passing the money directly to the DC teachers, or holding it centrally and distributing to all teachers for professional development, or other needs. The State Board of Education is working to establish protocols on how the DC program is operated and administered statewide to aid in data collection and analyzing.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:26 am.

___________________________
Representative Clow
Chair

___________________________
Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
MOON SUBCOMMITTEE
Upon Adjournment of the Full Committee
Room EW41
Monday, January 14, 2019

<table>
<thead>
<tr>
<th>DOCKET NO.</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>08-0203-1801</td>
<td>Rules Governing Thoroughness</td>
<td>Dr. Charlie Silva, Director of Special Ed, State Dept. of Education</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Moon
Rep.Mendive
Rep.Goesling
Rep.Wisniewski
Rep.Berch
Rep.McCrostie

COMMITTEE SECRETARY
Josie Ford
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE
MOON SUBCOMMITTEE

DATE: Monday, January 14, 2019
TIME: Upon Adjournment of the Full Committee
PLACE: Room EW41
MEMBERS: Chairman Moon, Representatives Mendive, Goesling, Wisniewski, Berch, McCrostie
ABSENT/EXCUSED: None
GUESTS: Jay Shaw, Admin Rules

Chairman Moon called the meeting to order at 9:34 a.m.

DOCKET NO. 08-0203-1801: Dr. Charlie Silva, Director of Special Education, State Department of Education, presented Docket No. 08-0203-1801 to the subcommittee and stated the only change to this Administrative Rule is to the adoption date of the Special Education Manual which is being incorporated by reference. Ms. Price reviewed the changes specifically in the Rule including updating acronyms, updating the glossary, minor corrections and deletions and definitions of new terms.

In response to Subcommittee questions regarding differences in receiving funds for charter schools, Dr. Silva, said the manual does not dictate what resources are provided, such as funding. This is not the purpose of the manual; funding is allocated at the local level with an assessment of funding needs.

MOTION: Rep. McCrostie made a motion to recommend the full committee approve Docket No. 08-0203-1801. Motion carried by voice vote.

ADJOURN: There being no further business to come before the Subcommittee, the meeting was adjourned at 10:06 a.m.

__________________________________________  __________________________________________
Representative Moon  Josie Ford
Chair  Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Tuesday, January 15, 2019

<table>
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<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td></td>
<td>Opportunity Scholarship Program Report</td>
<td>Matt Freeman, Executive Director, Idaho State Board of Education</td>
</tr>
</tbody>
</table>

"Live as if you were to die tomorrow. Learn as if you were to live forever."
- Mahatma Gandhi

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Tuesday, January 15, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Tracie Bent and Mike Keckler, SBOE; Nanna Hanchett, Idaho Division of Vocational Rehabilitation; Shannon Purvis and Jane Donnellian, IDVR/Extended Employment Services; Harold Ott, IRSA/IASA; Karen Echeverria, ISBA; Amy Lorenzo, Dwight Johnson and Steve Rayborn, ICTE

Chairman Clow called the meeting to order at 9:00 am.

Matt Freeman, Executive Director, State Board of Education, reported on the Opportunity Scholarship Program. This need- and merit-based scholarship has been awarded to over 8,000 students for college or Career-Technical Education and the current fiscal year appropriation is $13.5 million. Last year the legislature authorized up to 20% of the funds to go toward Adult Learner Scholarships, with priority given to veterans, Hispanic and Native American students, and students living in rural areas. The average scholarship award for both high school seniors and adults is $3,400 and students must attend an Idaho institution in order to accept. Mr. Freeman also announced his office has been awarded a $400,000 Adult Promise Grant from the Lumina Foundation to raise awareness of postsecondary opportunities, including the Adult Learner Scholarship, with a pilot program in 10 rural or under served counties.

In response to Committee questions, Mr. Freeman explained his staff's efforts to market the Adult Learner program, despite a lack of funding for promotion. They collaborated with institutions, particularly Boise State and Idaho State Universities, and the Workforce Development Council provided funding for a website. He noted it will take several years of data to create a baseline from which to judge the success of the Adult Learner Scholarship, but his staff does track and analyze this information.

Brian Armes, Manager, Idaho Office of School Safety and Security (IOS3), reported on the Office's progress toward their institutional goals, as informed by the authorizing statute. Their mandate is to be on every school campus within three years, but the number of campuses constantly increases, especially charter school locations. IOS3 begins with a security assessment for each school, but is most valuable in training and consulting. They are co-located within the Division of Building Safety, which is advantageous in selecting new school sites. IOS3 applied for two grants from the U.S. Department of Justice, to create a threat assessment model for schools, and a statewide confidential tip line. The goal is for the tip line to go live on March 1, 2019. These two initiatives aim to prevent violent action, rather than respond afterward. They are also working on the Idaho Command Responses, a group of four initial response protocols for Idaho's schools in case of emergency. Mr. Armes noted suburban schools typically have better resources than rural schools and are better able to meet security challenges.
In response to Committee questions, Mr. Armes stated over a three year period there is 25% turnover among administrative staff, making communication between schools and first responders in their community more difficult. IOS3 encourages the first responder community to introduce themselves to the school community every fall and think more proactively about how to increase school security.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 9:54 am.

___________________________  __________________________
Representative Clow            Erica McGinnis
Chair                          Secretary
# AMENDED AGENDA #1

## HOUSE EDUCATION COMMITTEE

EHARDT SUBCOMMITTEE

Upon Adjournment of the Full Committee
Room EW41
Tuesday, January 15, 2019

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<tr>
<th>DOCKET NO.</th>
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<tbody>
<tr>
<td>08-0202-1803</td>
<td>Rules Governing Uniformity</td>
<td>Tracie Bent, Chief Planning and Policy Officer, Office of the State Board of Education (SBE)</td>
</tr>
<tr>
<td>08-0203-1803</td>
<td>Rules Governing Thoroughness</td>
<td>Tracie Bent</td>
</tr>
<tr>
<td>08-0203-1804</td>
<td>Rules Governing Thoroughness</td>
<td>Amy Lorenzo, Idaho Division of Career Technical Education</td>
</tr>
<tr>
<td>47-0102-1801</td>
<td>Rules and Minimum Standards Governing Extended Employment Services</td>
<td>Shannon Purvis, Idaho Division of Vocational Rehabilitation, EES Program Manager</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

**COMMITTEE MEMBERS**
Chairman Ehardt
Rep.Boyle
Rep.DeMordaunt
Rep.Marshall
Rep.Raymond
Rep.Abernathy

**COMMITTEE SECRETARY**
Shellie Coates
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
DATE: Tuesday, January 15, 2019
TIME: 10:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Ehardt, Representatives Boyle, DeMordaunt, Marshall, Raymond, Abernathy
ABSENT/EXCUSED: None
GUESTS: Christine Pisani, Idaho DD Council

Chairman Ehardt called the meeting to order at 10:02 a.m.

DOCKET NO. 08-0202-1803: Tracie Bent, Chief Planning and Policy Officer, Office of the State Board of Education (SBE) presented this rule docket. She explained technical changes and corrections were made to clean up the Certification requirement section of the rule for clarification and ease of understanding.

MOTION: Rep. DeMordaunt made a motion to recommend the full committee approve Docket No. 08-0202-1803. Motion carried by voice vote.

DOCKET NO. 08-0203-1803: Tracie Bent presented this rule docket regarding graduation requirements. She reminded members the bill for a STEM diploma was approved last year. Within that section of code there was an exemption to the senior math requirement. Feedback was received during the negotiated rule-making process for a few other changes regarding the math requirements, as well as the senior project.

Tracie Bent discussed removing the words pre-algebra with Meet the Grade 8 Mathematics Standards. She explained that the school districts requested the terminology change. The state requirements are based on standards at the 8th grade level and they are incorporating the terminology of Integrated Math at the high school level.

Rep. Boyle questioned why the section requiring two credits of the required six of mathematics must be taken in the last year of high school was not struck out. In response, Tracie Bent, explained students that take a senior mathematics class are less likely to need remedial math, if they go on to higher education. Public comment received during negotiated rule making was in favor of maintaining the senior math requirement.

Rep. Boyle and other members of the committee wanted to review the bill made last year removing the senior math requirement during the student's senior year prior to voting on a motion involving this section of the docket.

In response to committee member's questions, Tracie Bent explained that clarification of the wording dual credit engineering and computer science can be addressed next year to add additional wording and grammar to make it clearer in meaning and not left to individual school district interpretation. Engineering must be dual credit. There are not state standards for engineering. Computer science must be aligned with state standards for high school level computer science.
Tracie Bent explained changes in the senior project. The senior project is a culminating project to show a student's ability to analyze, synthesize, and evaluate information and communicate that knowledge and understanding. Senior projects may be multi-year projects, group or individual projects at the discretion of the school district or charter school.

Chairman Ehardt advised that Docket No. 08-0203-1803 will be carried over to the meeting of January 17, 2019 at 9:00 a.m. due to time constraints.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:32 a.m.
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Wednesday, January 16, 2019

<table>
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<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>Advanced Opportunities Program</td>
<td>Advanced Opportunities Program Report</td>
<td>Tina Polishchuk, Advanced Opportunities Coordinator, State Department of Education</td>
</tr>
</tbody>
</table>

"An investment in knowledge pays the best interest."
- Benjamin Franklin
Quote submitted by Rep. Berch

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
e-mail: hedu@house.idaho.gov
DATE: Wednesday, January 16, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Wendi Secrist, Workforce Development Council; Tracie Bent, SBOE; Ann Joslin and Stephanie Bailey-White, Commission for Libraries; Dwight Johnson and Heather Luchte, ICTE; Quinn Perry, ISBA; Helen Price and Christina Nava, SDE; Jay Shaw, Administrative Rules

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. McCrostie made a motion to approve the minutes of the January 14, 2019 meeting. Motion carried by voice vote.

Dr. Tina Polishchuk, Advanced Opportunities Coordinator, State Department of Education, reported on the Advanced Opportunities Program, on behalf of Superintendent Ybarra. Advanced Opportunities are a series of course choice options for Idaho students grades 7-12, including Dual Credit (DC), Advanced Placement, International Baccalaureate and Career-technical Education. Each seventh grader has $4,125 available to use over the course of six years, towards course and examination fees. Over 32,000 students participated last year and $16.4 million was spent, resulting in $55 million in college tuition savings for students. By senior year, the participation rate is nearly 60%, demonstrating Advanced Opportunities are for the majority of students, not only advanced ones. She noted 70% of the DC courses taken align with General Education core courses and DC quality is now monitored by an accrediting body.

Dr. Polishchuk noted College Advisor and Career Mentor positions were funded recently and approximately 900 personnel are now employed to advise students and transmit data to SDE. The department trains Advanced Opportunities teachers each year after the legislative session to update them on the new rules and laws applying to the program. She discussed equity and access in the program and highlighted a narrowing gap among the percentage of free/reduced lunch students in the Advanced Opportunities population and the general population.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:42 am.
# AGENDA

**HOUSE EDUCATION COMMITTEE**  
**MOON SUBCOMMITTEE**  
Upon Adjournment of the Full Committee  
Room EW41  
Wednesday, January 16, 2019

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<tr>
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<tbody>
<tr>
<td>08-0104-1801</td>
<td>Residency</td>
<td>Tracie Bent, Chief Planning and Policy Officer, Board of Education</td>
</tr>
<tr>
<td>08-0202-1804</td>
<td>Rules Governing Uniformity</td>
<td>Tracie Bent</td>
</tr>
<tr>
<td>08-0203-1805</td>
<td>Rules Governing Thoroughness</td>
<td>Helen Price, Rules Specialist, State Department of Education</td>
</tr>
</tbody>
</table>

**COMMITTEE MEMBERS**

- Chairman Moon
- Rep.Mendive
- Rep.Goesling
- Rep.Wisniewski
- Rep.Berch
- Rep.McCrostie

**COMMITTEE SECRETARY**

- Josie Ford  
  Room: EW49  
  Phone: 332-1148  
  email: hedu@house.idaho.gov
**MINUTES**

**HOUSE EDUCATION COMMITTEE**

**MOON SUBCOMMITTEE**

<table>
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<th>DATE:</th>
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</tr>
<tr>
<td>PLACE:</td>
<td>Room EW41</td>
</tr>
<tr>
<td>MEMBERS:</td>
<td>Chairman Moon, Representatives Mendive, Goesling, Wisniewski, Berch, McCrostie</td>
</tr>
<tr>
<td>ABSENT/EXCUSED:</td>
<td>None</td>
</tr>
<tr>
<td>GUESTS:</td>
<td>None</td>
</tr>
</tbody>
</table>

Chairman Moon called the meeting to order at 9:51 a.m.

**DOCKET NO. 08-0104-1801:** Tracie Bent, Chief Planning and Policy Officer, State Board of Education, presented Docket No. 08-0104-1801 saying this Administrative Rule cleans up definitions. In answering questions regarding the full-time definition, Ms. Bent said they received guidance from the Department of Labor for the definitions.

**MOTION:** Rep. Mendive made a motion to recommend the full committee approve Docket No. 08-0104-1801. Motion carried by voice vote.

**DOCKET NO. 08-0202-1804:** Tracie Bent, presented Docket No. 08-0202-1804, stating this Administrative Rule includes an entire new Subsection regarding the requirements for professional endorsement eligibility. Ms. Bent said this Rule allows for local districts to evaluate teacher eligibility and to notify the Department the teacher meets the requirements.

In answering Subcommittee questions regarding the changes in this Rule making it more difficult to bring teachers into the state, Ms. Bent, said the language is already in state Code and the professional endorsement requirements are already required.

**MOTION:** Rep. Berch made a motion to recommend the full committee approve Docket No. 08-0202-1804.

**SUBSTITUTE MOTION:** Rep. Mendive made a substitute motion to recommend the full committee reject Docket No. 08-0202-1804.

Speaking to the substitute motion, Rep. Mendive stated because of the teacher shortage, this Administrative Rule should be rejected. Rep. McCrostie spoke in support of the original motion, saying the Rule is not providing any added restrictions to the requirements; it only provides greater clarity. Rep. Berch also spoke in support of the original motion.

**VOTE ON SUBSTITUTE MOTION:** Substitute motion carried by a voice vote.

**DOCKET NO. 30-0101-1801:** Stephanie Bailey-White, Deputy State Librarian, Idaho Commission for Libraries, said this Administrative Rule is regarding the state funded grant programs and broadens the range of available libraries to receive those grants. Ms. Bailey-White reviewed the changes in the Rule, which include changing and clarifying definitions, grant eligibility requirements and removing some requirements to provide more flexibility in the grant application.

**MOTION:** Rep. McCrostie made a motion to recommend the full committee approve Docket No. 30-0101-1801. Motion carried by voice vote.
ADJOURN: There being no further business to come before the Subcommittee, the meeting was adjourned at 10:29 a.m.

___________________________  _________________________
Representative Moon          Josie Ford
Chair

Secretary
### AMENDED AGENDA #1
### HOUSE EDUCATION COMMITTEE
#### EHRDt SUBCOMMITTEE

**Ehardt**

**9:00 A.M.**

**Room EW41**

**Thursday, January 17, 2019**

<table>
<thead>
<tr>
<th>DOCKET NO.</th>
<th>DESCRIPTION</th>
<th>PRESENTER</th>
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<tbody>
<tr>
<td>08-0203-1803</td>
<td>Rules Governing Thoroughness</td>
<td>Tracie Bent, Chief Planning and Policy Officer, Office of the State Board of Education (SBE)</td>
</tr>
<tr>
<td>08-0203-1804</td>
<td>Rules Governing Thoroughness</td>
<td>Amy Lorenzo, Idaho Division of Career Technical Education</td>
</tr>
<tr>
<td>47-0102-1801</td>
<td>Rules and Minimum Standards Governing Extended Employment Services</td>
<td>Shannon Purvis, Idaho Division of Vocational Rehabilitation, EES Program Manager</td>
</tr>
<tr>
<td>08-0202-1801</td>
<td>Rules Governing Uniformity</td>
<td>Helen Price, Rules Specialist, Department of Education</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

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**COMMITTEE MEMBERS**

Chairman Ehardt  
Rep.DeMordaunt  
Rep.Marshall  
Rep.Raymond  
Rep.Boyle  
Rep.Abernathy  

**COMMITTEE SECRETARY**

Shellie Coates  
Room: EW49  
Phone: 332-1148  
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE
EHARDT SUBCOMMITTEE

DATE: Thursday, January 17, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Ehardt, Representatives DeMordaunt, Marshall, Raymond, Boyle, Abernathy
ABSENT/EXCUSED: None
GUESTS: None

Chairman Ehardt called the meeting to order at 9:09 a.m.

DOCKET NO. 08-0203-1803:
Continuation of the meeting of January 15, 2019. The prior meeting left off with committee members wanting to review materials from the last session regarding the senior math requirement and the senior project.

Chairman Ehardt asked Tracie Bent, Chief Planning and Policy Officer, Office of the State Board of Education (SBE) to address the senior math requirement. Chairman Ehardt indicated both bodies passed the removal of the senior math requirement, if the student already had six credits of math. In response, Tracie Bent, advised the language was not removed as may have been the impression by passing the bill last year. The SBE received feedback from the Governor’s office; the negotiated rule making process; and the data on the impact of this requirement. The intent during negotiated rule making and other stakeholder’s feedback was to require the students to take four years of math to avoid the need for remedial math, if they pursued higher education. The SBE’s decision was based from all of the feedback indicating the need of eight credits and increased minimum content. The SBE plans to readdress the increased math requirements this year following additional feedback that will be gathered from around the state.

Rep. Boyle stated the bill was passed in both bodies of the legislature and it was clearly the intent to remove the need for senior math credits. She said the law can’t be overridden. She did not agree with the game playing to get around legislative intent. The SBE had an opportunity to beef up the math requirements in the other three years of high school, while removing the requirement for senior math credits.

Matt Freeman, Executive Director SBE, stated that it is important to recognize the legislation passed and amended last session applied specifically to gifted and talented students. He understood perhaps legislative intent was broader than that, but that has to be a critical part of the conversation in terms of what the SBE was considering. The SBE had a balancing act to consider what the legislation actually did and the recommendation received from the Governor’s office.

Tracie Bent, replied that it was not the SBE’s intention to disregard what the legislature had directed. The SBE responded to the actual language in the bill and the direction of the recommendation from the Governor’s office. Before increasing the requirements in other years the SBE wanted to take more time to weigh the data and public comment. Changes made this year were those changes the SBE had consensus on, as well as the requirement that was explicit in the STEM diploma. The SBE will continue working on the requirements with the school districts and other stakeholder groups.
In response to committee members questions, Tracie Bent, stated that the senior math requirement is not explicitly stated in any other section of law. The main section of code that authorizes the SBE to set the graduation requirements is the section of code regarding Uniformity and Thoroughness and is part of the SBEs Constitutional requirement for thoroughness. She also stated the Senate Education Committee did accept the rule January 16, 2019.

Tracie Bent clarified questions of committee members regarding where the intent for the senior math requirements, related to Gifted and Talented students only, is in code. She explained that whenever the code itself does not match a Statement of Purpose then the SBE will always go by the code.

Committee members stated that the title doesn't have anything to do with the language of the code. It is clearly mislabeled as Encouragement of Gifted Students. This section was the only available option to place the code.

Senator Steven Thayn, District 8, testified as sponsor of last year's bill. He said that graduation requirements are found in IDAPA code and typically graduation requirements are not found in statute. The intent was to take it out of code which did not impact the graduation requirements. The bill was intended to allow for discussion. His interpretation is that rules typically follow legislation. The SBE is charged with the responsibility over education unless the legislature defines something. The SBE can then decide what they want to do.

Rep. DeMordaunt made comments trying to clarify and understand Senator Thayn's intent as the sponsor of the bill. She asked if his intent was simply to only open discussion between the SBE and the legislature or to specifically direct the SBE through legislation. The House of Representatives passed the legislation almost unanimously based on the Statement of Purpose and bill in front of them last year. Therefore the discussion had been opened, but the SBE landed in a different place than what seems to have passed on the floor of the House based on the information in front of the Members. Senator Thayn stated that he does not know what was presented on the House floor. However, he thought he was clear in his presentation to the House Education Committee. The bill did remove the senior math graduation requirement from code, but not IDAPA rule. He stated that in his perspective, the SBE is acting on what was intended in the bill.

Rep. Boyle referred to and read the Senate and House of Representative’s minutes from last year for Senator Thayn's benefit since he did not have a copy of them. The Senate minutes indicated Senator Thayn presented the proposed legislation to revise high school graduation requirements. The bill would delete the requirement for students to take a math class in their senior year. An emphasis was placed on the requirement for six semesters of math in high school would remain. Written testimony was provided from two teachers supporting the proposed legislation. When presenting the bill in the House, Senator Thayn indicated the bill would remove the graduation requirement to take a math class during the senior year which is still in administrative rule. The reason for the bill is that many students do not take a math class during their junior year and the attrition of skills between the junior and senior year means the rule may keep some students from graduating.

Rep. Boyle said the minutes are the same as what she recalled. In her opinion the legislature was directing the SBE to remove the senior math graduation requirement. Senator Thayn responded by saying that he believes the minutes are accurate. He thought a key component lacking from the minutes is that it was not necessarily demanded that a senior math requirement be removed from IDAPA rule, it was only removed from code.
Rep. Moon was the House floor sponsor of last year's bill. She testified that she did not bring the bill to open dialogue, it was because there was a senior math requirement that she believed should not have been there. Juniors were not taking a math class causing a gap of knowledge for a year. This bill allowed them to take the three year math requirement back-to-back their junior year. This allows students to take other classes their senior year including upper-level math classes in rural areas. She thought it sent a pretty bad message to the public, because the press went out and shared the information causing junior students to be elated that they did not have to take a math class their senior year if they already had their three math classes. She thought it would be a huge disservice and very cumbersome to require a four-year math program for some of the students. There are students that currently believe they do not have to have a senior math class, because it was in all of the papers and discussed in public forums with constituents. She doesn't believe the Legislature passes bills because there is a need to open discussion. She believes that the legislature passes bills because there is a need for those bills. She would like to see this corrected, but doesn't think it needs to be corrected by creating another bill. She thinks the SBE and the rules need to be adapted to what was required by the legislation.

To clarify committee members questions, Tracie Bent explained that the current requirement that is codified requires six math credits with two of those credits required in the senior year. The students have options for the senior year math being computer science, engineering, CTE math or any math. The added language is for students that take eight credits which could include credits taken during the middle school year with classes up to algebra II, then those students would not need to take math during their senior year. Additionally, in the codified section there are exemptions for the senior year even if the student has only taken six credits. So, if the student takes six credits and higher level math, then there is also an exemption for the senior math requirement that is already in place.

Rep. Marshall believes that it should be a student's choice to take a senior math class. There is no need to micro-manage the students regarding when they should take their required six credits of math. If remedial math is needed during their pursuit of higher education, that would be the student's choice. He does not believe that it is possible to take six credits of math to get to an advanced placement or a dual-credit calculus class anyway. Those students will be taking at least eight credits of math and most likely math classes during their senior year. Therefore, those students with less math aptitude or interest are being forced to take math during their senior year. It doesn't make sense to him to force the students that pursue vocational trades or choose not to pursue higher education to take the additional credits of math in their senior year. Tracie Bent responded by saying data has shown taking a senior math class regardless of the level results in less need for remedial math in upper education. This is also a result of the push for STEM education and having the students prepared for higher education.

Chairman Ehardt put the committee at ease at 10:16 a.m.

Chairman Ehardt resumed the meeting at 10:23 a.m.

Chairman Ehardt advised that procedural advice was being sought and in the meantime the committee would continue to the part of the docket dealing with the amendment to the senior project.

Tracie Bent indicated language was added to the docket to describe more specific intent of what the senior project is intended to cover. Clarifications and common questions were answered in the amendment as well.
In response to committee member’s questions, **Tracie Bent** stated the new language provided clarification and allows more flexibility, guidance and intent for the school district to define and provide options to make the senior projects more meaningful to the students.

**Rep. Marshall** stated he is opposed to the addition of the language requiring senior projects to include all of the following: analysis, synthesis, and evaluation. Those terms cannot be ignored as part of the senior project as they are included in the language of the docket. Many students and the teachers do not know what is meant by those terms; what they imply; and what they require to complete. We are encouraging districts to ignore the requirements in the language by also saying it is left to the discretion of the school district.

Due to time constraints, **DOCKET NO. 08-0203-1803** will be carried over to the next meeting that would be scheduled at a later date the following week.

**ADJOURN:** There being no further business to come before the committee, the meeting was adjourned at 10:46 a.m.
AMENDED JOINT AGENDA #1
HOUSE EDUCATION COMMITTEE
AND
SENATE EDUCATION COMMITTEE
3:00 P.M.
WW02 Lincoln Auditorium
Thursday, January 17, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
<th>PRESENTER</th>
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<tbody>
<tr>
<td></td>
<td>Interim Committee Report</td>
<td>Rep. Wendy Horman</td>
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<td></td>
<td>Idaho's Public School Funding Formula Committee Report</td>
<td>Sen. Chuck Winder</td>
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<td>Idaho's Public School Funding Formula Video</td>
<td>Sen. Chuck Winder</td>
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<td>Public School Funding Formula Presentation</td>
<td>Rep. Scott Bedke</td>
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<td></td>
<td>Budget Tool Demonstration</td>
<td>Michael Griffith, Principal Contractor, School Finance Education Commission of the States Emily Parker, Policy Analyst Education Commission of the States</td>
</tr>
</tbody>
</table>

"Only the educated are free."
- Epictetus

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
e-mail: hedu@house.idaho.gov
Chairman Mortimer called the meeting to order at 3:00 pm.

Rep. Wendy Horman, Co-chair, reported on the work of the Interim Public School Funding Formula Committee. The Committee has met since 2016 and has now submitted a set of recommendations which have unanimous support from the full Interim Committee. She explained the proposed new, student-centered funding formula and noted the current formula is wildly complex and the goal was to make it more understandable, transparent and flexible at the local level.

Sen. Lori Den Hartog spoke on behalf of Sen. Chuck Winder, Co-chair, who was unable to attend. She noted today was the handoff from the Interim Committee to the Germane Committees to continue work on a new public school funding formula. The current formula was built in 1994 and was no longer meeting student and district needs. The Committee’s recommendations resulted from years of feedback from administrators, teachers and other stakeholders and she expressed her desire for people to remain welcome and engaged in the policy process. She stated her hope to end the session with a signed bill adopted by both bodies.

Emily Parker, Policy Analyst, Education Commission of the States (ECS), explained ECS is a national nonprofit, nonpartisan organization with a mission to help states learn from each other and create better education policy. She stressed the process in Idaho had been open and inclusive and noted the budget tool about to be demonstrated was the fifth or sixth version offered publicly.
Rep. Scott Bedke, Speaker of the House, demonstrated the budget tool. The formula starts by providing a base amount per student, so the more students in a district, the more funding the district receives. Certain students and types of districts then receive additional funding ("weight") because they require additional resources. These weighted groups are: economically disadvantaged students, English language learners, Gifted and Talented students, Special Education students, students in grades K-3 and 9-12, small districts or charter schools, remote school buildings, very large districts and wealth adjustment for districts with a low property value per student. Once the weights have been adjusted, the budget tool shows the total amount of per student funding. Estimated expenditures on salaries and benefits, along with line items such as transportation, are then added, resulting in the total state funding to districts. The budget tool then lists the funding for every district, along with a comparison to 2017-18 funding with the current formula.

Michael Griffith, Principal Contractor, School Finance, ECS, further discussed the budget tool. He recommended the final formula have mild, moderate and severe weights for Special Education students, rather than a single weight, and noted when you turn off a weight, the base cost per student increases. He stated the proposed new formula tried to mirror existing state law as closely as possible, such as in the definition of a small district or remote buildings, both to cater to Idaho's unique needs and to avoid making policy decisions beyond the scope of the formula.

In response to Committee questions, Rep. Bedke and Mr. Griffith explained how to prevent big "winners" and "losers" when transitioning to a new formula. The budget tool allows a cap on annual funding increases and a maximum annual per pupil funding increase. With a cap in place, the extra funding that would have gone to "winners" is redistributed to "losers." They recommend holding districts harmless from a funding loss for three years, although some districts' funding would simply remain flat. They also noted the number of line items in the current formula is 35, while the budget tool lists 14 with the new formula, which would account for 9% of the budget. It is the responsibility of the germaine committees to write the policy language for a new funding formula.

In conclusion, Rep. Horman explained the forthcoming bill draft from the Interim Committee includes an automatic five year review of the funding formula by the germaine committees. She stated the current formula dictates how money can be spent, but the new formula will allow districts to allocate funding according to their individual priorities. She expressed hope this will spur innovation and local control to meet student needs.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 4:40 pm.
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Monday, January 21, 2019

SUBJECT | DESCRIPTION | PRESENTER
--- | --- | ---
Public School Funding Formula Discussion | - Informational only, no testimony will be taken | 

"The best teacher is not the one who knows most but the one who is most capable of reducing knowledge to that simple compound of the obvious and wonderful."
- H.L. Mencken

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES

HOUSE EDUCATION COMMITTEE

DATE: Monday, January 21, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch

ABSENT/EXCUSED: Rep. Shepherd

GUESTS: Harold Ott, IRSA/IASA; A Burton, CSD; Marilyn Whitney, SDE; Lori Steiniker, IEA; Liam Stokes, Veritas LLP; Clark Corbin, Idaho Ed News; Dwight Johnson, ICTE

MOTION: Rep. McCrostie made a motion to approve the minutes of the January 15, 2019 and January 16, 2019 meetings. Motion carried by voice vote.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

Chairman Clow demonstrated how to navigate the budgeting tool and emphasized the responsibility of the Committee to set policy, not appropriate funding. The budgeting tool uses FY 18 funding and enrollment numbers in its calculations and demonstrates the effects of using a student-centered funding formula. If the amount of money remains static, when you weigh certain types of students, money is shifted to these groups and away from the base; thereby, decreasing the base funding per student. These weighted groups are: Economically Disadvantaged, English Language Learners, Gifted and Talented and Special Education students. The Committee will define the weighted groups and the weight levels. The budgeting tool aids in calculating the impact of potential policy decisions, such as changing the weight of a group. Such a policy would change how funds are distributed, but would not increase the amount of funding.

Rep. Scott Bedke, Speaker of the House, spoke of the budgeting tool as giving the Committee a flavor of the policy decisions in their future and noted all those decisions will have to be tempered by budget realities. The proposed new funding formula will distribute 90% of funding on a per pupil basis and the remainder through line items, such as transportation and technology. He stated the budgeting tool uses existing definitions of the weighted groups and the Committee will decide whether to tweak the definitions. He discussed the option to hold districts harmless for three years and cap per-year increases. This would ameliorate changes for school districts that would lose money under the new formula.

Vice Chairman Kerby turned the gavel over to Chairman Clow.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:35 am.

___________________________
Representative Kerby
Chair

___________________________
Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Tuesday, January 22, 2019

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<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>College of Western Idaho</td>
<td>Dr. Bert Glandon President</td>
<td></td>
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<tr>
<td>College of Southern Idaho</td>
<td>Dr. Jeff Fox President</td>
<td></td>
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<tr>
<td>North Idaho College</td>
<td>Dr. Rick MacLennan President</td>
<td></td>
</tr>
<tr>
<td>College of Eastern Idaho</td>
<td>Dr. Rick Aman President</td>
<td></td>
</tr>
</tbody>
</table>

"Anyone who stops learning is old, whether at twenty or eighty. Anyone who keeps learning stays young."
- Henry Ford

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Tuesday, January 22, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. Shepherd
GUESTS: Shannon Purvis, IDVR/EES; Harold Ott, IRSA/IASA; Wendi Secrist, Workforce Development Council; Zac Ricketts and Mark Browning, CWI; Jeff Harmon, CSI; Nanna Hanchett, IDVR

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the January 17, 2019 meeting. Motion carried by voice vote.

Dr. Bert Glandon, President, College of Western Idaho (CWI), presented on behalf of Idaho's four community colleges: CWI, College of Southern Idaho (CSI), North Idaho College (NIC) and College of Eastern Idaho (CEI). Each college's president introduced the attending members of their locally elected board. Together, the community colleges served nearly 80,000 students in 2017-2018. Dr. Glandon noted the large numbers of students enrolled in Dual Credit (DC) courses. This has sparked a conversation about how to best serve students that may enter community college with a year's worth of credits already earned.

Dr. Jeff Fox, President, College of Southern Idaho, discussed CSI's efforts to increase access to higher education by reducing costs. The college has reduced the number of credits needed to earn a degree and is working to reduce textbook costs by working with their library and faculty to find alternatives. He noted many students attend as they can, so CSI has expanded offerings at their outreach centers and increased online and other course delivery methods. Also, the CSI Foundation will award $2.5 million in scholarships this year. Dr. Fox stated DC students occupy 50% of CSI's head count, so they work to ensure those programs are top-notch.

Dr. Rick MacLennan, President, North Idaho College, discussed the entrepreneurship opportunities available at NIC. There is an Integrated Business Entrepreneur program, along with a Small Business Development Center, on campus and NIC was named the 2018 Entrepreneurial College of the Year. The Health and Sciences program is also expanding with the addition of four new labs.

Dr. Rick Aman, President, College of Eastern Idaho, discussed CEI's progression from a technical college to a community college. CEI's trustees not only want student retention and degree completion, but also look at the speed to degree. Career-Technical Education students go from start to degree and job in two years and those who complete their degree have a 93% job placement rate. CEI is invested in cybersecurity and information technology; they work closely with the Idaho Technology Council and Idaho National Laboratory. The college has very sophisticated simulation tools in many programs, including health sciences. They are also working to expand opportunities in rural Idaho, paying particular attention to the Salmon and Driggs areas.
Dr. Bert Glandon, President, College of Western Idaho, stated CWI is a commuter college and 30-40% of its programming is online. CWI also sees time to completion as a key way to reduce costs and works with local industries to evaluate their needs and adjust degree requirements and course offerings accordingly. To increase retention the college is beginning some courses every eight weeks, instead of every sixteen weeks. This allows students to immediately start progressing toward a degree.

In response to Committee questions, Dr. Fox discussed the tension Idaho's community colleges feel between being accessible and affordable, but also having adequate funds to support infrastructure. The colleges view themselves as progressive and innovative and try to lead the way in new teaching technology. Each president also discussed their efforts to reach out to veterans.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:06 am.
AGENDA
HOUSE EDUCATION COMMITTEE
EHARDT SUBCOMMITTEE
Ehardt
Upon Adjournment of the Full Committee
Room EW41
Tuesday, January 22, 2019

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<td>Tracie Bent, Chief Planning and Policy Officer, Office of the State Board of Education (SBE)</td>
</tr>
<tr>
<td>08-0203-1804</td>
<td>Rules Governing Thoroughness</td>
<td>Amy Lorenzo, Idaho Division of Career Technical Education</td>
</tr>
<tr>
<td>47-0102-1801</td>
<td>Rules and Minimum Standards Governing Extended Employment Services</td>
<td>Shannon Purvis, Idaho Division of Vocational Rehabilitation, EES Program Manager</td>
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If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Ehardt
Rep.Boyle
Rep.DeMordaunt
Rep.Marshall
Rep.Raymond
Rep.Abernathy

COMMITTEE SECRETARY
Shellie Coates
Room: EW29
Phone: 332-1050
email: hmjeg29@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE
EHARDT SUBCOMMITTEE
Ehardt

DATE: Tuesday, January 22, 2019
TIME: Upon Adjournment of the Full Committee
PLACE: Room EW41
MEMBERS: Chairman Ehardt, Representatives Boyle, DeMordaunt, Marshall, Raymond, Abernathy
ABSENT/EXCUSED: None
GUESTS: None

Chairman Ehardt called the meeting to order at 10:19 a.m.

Chairman Ehardt introduced the meeting as a continuation of the Subcommittee meeting on January 17, 2019.

Rep. Marshall stated the additional language added to the rule regarding the student's ability to analyze, synthesize and evaluate information and communicate that knowledge and understanding is problematic. The State should not mandate a Senior Project. Senior Projects should be left up to the discretion of the school district and managed at the local level. The language has been clouded and will be difficult to follow by stating senior projects may be: multi-year projects; group or individual projects; or approved pre-internship or school to work internship programs; completion of a postsecondary certificate or degree at the time of high school graduation or an approved pre-internship or an internship program may be used to meet this requirement.

MOTION: Rep. Marshall made a motion to recommend that the full committee approve Docket No. 08-0203-1803 with the exception of Section 105, Subsection 04.

Rep. Raymond opposed the motion stating the language in the rule provides a definition of facts, not requirements. Rep. DeMordaunt opposed the motion also stating the rule offers flexibility towards more meaningful and applicable senior projects and therefore, would like to take a whole-state approach.

In response to committee member questions Tracie Bent, Chief Planning and Policy Officer, Office of the State Board of Education stated senior project requirements are only referred to in this rule docket. She stated the graduation requirements in administrative code are minimum requirements so school districts have the option to add any additional requirements they would like to the senior project. Some school districts were flexible in the options provided to students regarding the senior projects. Other school districts interpreted the rules very rigidly and were not doing other projects. By adding language into the rule it gets the information out more broadly to all school districts.

MOTION WITHDRAWN: Rep. Marshall withdrew his motion to recommend the full committee approve Docket No. 08-0203-1803 with the exception of Section 105, Subsection 04.

MOTION: Rep. Marshall made a motion to recommend that the full committee approve Docket No. 08-0203-1803 with the exception of Section 105, Subsection 04, which the subcommittee recommends the full committee reject.
ROLL CALL VOTE: Chairman Ehardt requested a roll call vote on Docket No. 08-0203-1803 with the exception of Section 105, Subsection 04, which the subcommittee recommends the full committee reject. Motion carried by a vote of 4 AYE, 2 NAY. Voting in favor of the motion: Reps. Ehardt, Boyle, Marshall, Abernathy. Voting in opposition to the motion: Reps. DeMordaunt and Raymond.

MOTION: Rep. Boyle made a motion to recommend the full committee approve Docket No. 08-0203-1803 with the exception of the amendments to and the final codified text in Section 105.01, Subsections d. ii., iii and iv. Motion carried by voice vote.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:46 a.m.

Representative Ehardt
Chair

Shellie Coates
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Wednesday, January 23, 2019

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<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td></td>
<td>Lewis-Clark State College</td>
<td>Dr. Cynthia Pemberton President</td>
</tr>
<tr>
<td></td>
<td>Idaho State University</td>
<td>Dr. Kevin Satterlee President</td>
</tr>
</tbody>
</table>

"Education breeds confidence. Confidence breeds hope. Hope breeds peace."
- Confucius

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, January 23, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. Shepherd
GUESTS: Harold Ott, IRSA/IASA; Helen Price, Christina Nava and Marilyn Whitney, SDE; Jeff Fox and Todd Schwarz, CSI; Jay Shaw, Administrative Rules

Chairman Clow called the meeting to order at 9:00 am.

Dr. Cynthia Pemberton, President, Lewis-Clark State College (LCSC), introduced herself to the Committee for the first time and gave an update on LCSC. She highlighted the college's deep ties in Idaho, noting Idaho residents make up 80% of total headcount. Over 80% of LCSC students receive financial aid, 73% are first generation college students and 35% are low-income. To achieve this level of accessibility, the college strives to keep costs in check, has no long-term debt and is the most affordable four-year public institution in Idaho. LCSC is launching an adult learner initiative which will provide experiential learning credits and increase alternative schedules. To connect learning to life, 90% of programs have an experiential learning component and the college is committed to increasing that to 100%. LCSC serves its region through an emphasis on workforce training and is preparing to break ground on a new Career-Technical Education that is jointly funded by the state, industry and the community.

In response to Committee questions, Dr. Pemberton discussed the smooth relationship between two-year colleges and LCSC; such partnerships are particularly helpful for nursing and dental hygiene students.

Dr. Kevin Satterlee, President, Idaho State University (ISU), introduced himself to the Committee for the first time and gave an update on ISU. He stated support for outcomes-based funding for higher education, provided it is funded consistently and allows for startup funding of new programs. He discussed the success of ISU's Health Sciences programs across the state. Most programs are full to their accredited capacity; nursing, physical therapy and other programs are expanding; and expansions are planned for the occupational therapy and dental hygiene programs. Each expansion is being driven by specific industry requests. ISU’s service region has the lowest go-on rate in the state, so the university needs to work on their outreach, visibility and narrative about how ISU can serve students in this region.

In response to Committee questions, Dr. Satterlee discussed ISU's efforts to market the Adult Learner Scholarship, increase the number of teachers in rural areas and the successes of the Dual Credit (DC) program, but the need to track whether earning DC does reduce time spent in college. He also discussed finding a balance between degree completion speed and supporting those students who work their way through college and may take longer than four years to earn a bachelor's degree.
There being no further business to come before the Committee, the meeting adjourned at 9:55 am.

Representative Clow
Chair

Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
MOON SUBCOMMITTEE
Rules Governing Thoroughness
Upon Adjournment of the Full Committee
Room EW41
Wednesday, January 23, 2019

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<tr>
<th>DOCKET NO.</th>
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<tbody>
<tr>
<td>08-0203-1805</td>
<td>Rules Governing Thoroughness</td>
<td>Helen Price, Rules Specialist, State Department of Education</td>
</tr>
</tbody>
</table>

COMMITTEE MEMBERS
Chairman Moon
Rep.Mendive
Rep.Goesling
Rep.Wisniewski
Rep.Berch
Rep.McCroste

COMMITTEE SECRETARY
Josie Ford
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
DATE: Wednesday, January 23, 2019
TIME: Upon Adjournment of the Full Committee
PLACE: Room EW41
MEMBERS: Chairman Moon, Representatives Mendive, Goesling, Wisniewski, Berch, McCrostie
ABSENT/EXCUSED: None
GUESTS: None

Chairman Moon called the meeting to order at 10:03 a.m.

MOTION: Rep. McCrostie made a motion to approve the minutes of January 14, and January 16, 2019 with minor punctuation corrections to both. Motion carried by voice vote.

DOCKET NO. 08-0203-1805:
Helen Price, Rules Specialist, State Department of Education reviewed the changes in the rule stating this simply eliminates information from the rule which is no longer relevant. This change also allows for the removal of an incorporated document.

MOTION: Rep. Mendive made a motion to recommend the full committee approve Docket No. 08-0203-1805. Motion carried by voice vote.

ADJOURN: There being no further business to come before the subcommittee, the meeting was adjourned at 10:07 a.m.

___________________________  _______________________
Representative Moon           Josie Ford
Chair                          Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Thursday, January 24, 2019

SUBJECT | DESCRIPTION | PRESENTER
--- | --- | ---
Idaho Parent Teacher Association | Maria Lorch, Advocacy Chair, Idaho PTA
University of Idaho | Dr. Chuck Staben, President

"Do not train a child to learn by force or harshness; but direct them to it by what amuses their minds, so that you may be better able to discover with accuracy the peculiar bent of the genius of each."
- Plato

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Thursday, January 24, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Maria Lorch, Idaho PTA; Robin Zikmund, Decoding Dyslexia; Tracie Bent, SBOE

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the January 21, 2019 and January 22, 2019 meetings. Motion carried by voice vote.

Rep. Berch introduced visiting students from Ustick Elementary School and Lewis and Clark Middle School.

Maria Lorch, Vice President of Advocacy, Idaho PTA, shared the organization’s priorities and accomplishments for the year. The top priority is the overall well-being of children and students in Idaho, with a focus on student mental health. She expressed concern for schools needing to choose between paying for counselors or arts programs due to tight budgets and encouraged the legislature to increase discretionary school funding. The final priority she addressed was Idaho PTA’s desire to give parents educational options by changing state policy to allow districts to use state funds to support pre-kindergarten and full-day Kindergarten programs. Ms. Lorch announced three schools in Idaho have been recognized as National PTA Schools of Excellence. She also discussed organizational support for juvenile justice reforms that have been passed at the federal level.

In response to Committee questions, Ms. Lorch stated Idaho PTA supports funding preschool and full-day Kindergarten through districts, but does not think children should be required to attend. Having a program available through their local school, in addition to paid daycare and church programs, would give parents more choices, she said. Some districts offer full-day Kindergarten, but at a cost to parents; state funding would eliminate this barrier. Parents would be able to choose the option that is right for their family, including caring for their child exclusively at home. She also clarified Idaho PTA supports pre-kindergarten for three and four year-olds, provided it is age-appropriate and play-based. She noted parental PTA dues are $7.50; 70% of the funds stay in Idaho, while 30% go to the national PTA.

Dr. Chuck Staben, President, University of Idaho (U of I), gave an update on the state’s land-grant university. He noted U of I’s four and six year graduation rates are the best in the state, but the university does not have as many students coming as they would like. U of I is addressing affordability by encouraging enrollment, keeping tuition increases to a minimum, offering $25 million in institutional financial aid and rolling out a need-based aid campaign. They have instituted “Durable Admissions” which allows accepted students to defer enrollment for up to four years, instead of one. President Staben observed that despite the state’s heavy investment in Advanced Opportunities, most students entering U of I with dual credits still take four years to earn a degree and called for serious evaluation of the program.
**President Staben** expressed support for outcomes-based funding (OBF), but stated all the college/university presidents want to graduate students; changing the funding mechanism to motivate outcomes will not change U of I's goals. He did note current funding focuses on graduating Idaho residents, which aligns with the university's mission, while OBF treats all learners equally.

**President Staben** mentioned the Idaho WWAMI Medical Education Program, which has doubled in size and highlighted U of I's role as the state leader in STEM and doctoral degree production.

In response to Committee questions, **President Staben** discussed the university's Latino Advisory Council and efforts to increase the go-on rate among Latinos, which is 15% below the general population's. He also discussed upcoming efforts to reach out to former students who are eligible for the Adult Learner Scholarship.

**ADJOURN:**

There being no further business to come before the Committee, the meeting adjourned at 10:08 am.

___________________________  __________________________
Representative Clow          Erica McGinnis
Chair                        Secretary
**AGENDA**

**HOUSE EDUCATION COMMITTEE**

**EHARDT SUBCOMMITTEE**

Upon Adjournment of the Full Committee

Room EW41

Thursday, January 24, 2019

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<tbody>
<tr>
<td>08-0203-1804</td>
<td>Rules Governing Thoroughness</td>
<td>Amy Lorenzo, Idaho Division of Career Technical Education</td>
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<tr>
<td>47-0102-1801</td>
<td>Rules and Minimum Standards Governing Extended Employment Services</td>
<td>Shannon Purvis, Idaho Division of Rehabilitation, EES Program Manager</td>
</tr>
</tbody>
</table>

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

**COMMITTEE MEMBERS**

Chairman Ehardt  
Rep.Boyle  
Rep.DeMordaunt  
Rep.Marshall  
Rep.Raymond  
Rep.Abernathy  

**COMMITTEE SECRETARY**

Shellie Coates  
Room: EW49  
Phone: 332-1148  
email: hedu@house.idaho.gov
DATE: Thursday, January 24, 2019
TIME: Upon Adjournment of the Full Committee
PLACE: Room EW41
MEMBERS: Chairman Ehardt, Representatives Boyle, DeMordaunt, Marshall, Raymond, Abernathy
ABSENT/EXCUSED: None
GUESTS: Bill Benkula, WDB., Inc.; Jay Shaw, Administrative Rules

Chairman Ehardt called the meeting to order at 10:20 a.m.

DOCKET NO. 47-0102-1801: Shannon Purvis, Idaho Division of Rehabilitation, Extended Employment Services Program (EES) Manager presented this rule docket. She reviewed technical corrections, additional defined terms and updates to the referral and eligibility requirements for the (EES).

In response to Rep. Marshall’s question regarding increased eligibility requirements or making the eligibility requirements more federally mandated, Shannon Purvis explained EES does not fall under Federal requirements. EES is state General Fund dollars only. Changes do not increase the eligibility requirements. They remain the same. The changes in the rule deal with the referral process specifically with workshops or work services for the Special Minimum Wage. It is for individuals interested in working in that particular environment only and are not interested in going through the Vocational Rehabilitation Process.

MOTION: Rep. Raymond made a motion to recommend the full committee approve Docket No. 47-0102-1801. Motion carried by voice vote.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:47 a.m.

___________________________       _________________
Representative Ehardt                      Shellie Coates
Chair                                            Secretary
# AGENDA
**HOUSE EDUCATION COMMITTEE**
9:00 A.M.
Room EW41
Friday, January 25, 2019

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<thead>
<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>Boise State University's Executive Educational Leadership Program</td>
<td>Professor Heather Williams</td>
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<tr>
<td>Idaho Education Association</td>
<td>Kari Overall, President</td>
<td></td>
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<tr>
<td>Teacher of the Year</td>
<td>Marc Beitia, Agriculture Instructor, American Falls High School</td>
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</table>

"I am indebted to my father for living, but to my teacher for living well."
- Alexander the Great

**If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.**

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<tr>
<th>COMMITTEE MEMBERS</th>
<th>COMMITTEE SECRETARY</th>
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<tr>
<td>Chairman Clow</td>
<td>Erica McGinnis</td>
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<tr>
<td>Vice Chairman Kerby</td>
<td>Room: EW49</td>
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<tr>
<td>Rep Shepherd</td>
<td>Phone: 332-1148</td>
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<tr>
<td>Rep Boyle</td>
<td>email: <a href="mailto:hedu@house.idaho.gov">hedu@house.idaho.gov</a></td>
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<td>Rep DeMordaunt</td>
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<td>Rep Moon</td>
<td>Rep Wisniewski</td>
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<td>Rep Ehardt</td>
<td>Rep McCrostie</td>
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<td>Rep Goesling</td>
<td>Rep Abernathy</td>
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<td>Rep Marshall</td>
<td>Rep Berch</td>
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MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Friday, January 25, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch

ABSENT/EXCUSED: Rep. Shepherd

GUESTS: Marc Beitia, American Falls School District; Paul Stark and Matt Compton, IEA; Heather Williams, Boise State; Jason Hudson, AFL-CIO; Marilyn Whitney

Chairman Clow called the meeting to order at 9:01 am.

MOTION: Rep. McCrostie made a motion to approve the minutes of the January 23, 2019 meeting. Motion carried by voice vote.

Professor Heather Williams, Program Coordinator, Boise State Executive Educational Leadership Program, provided a program overview. Many districts struggle to attract and retain talented principals and superintendents. The program started at Boise State in 2014 and aims to address this leadership shortage. Program students come from across the state and are primarily current principals.

Kari Overall, President, Idaho Education Association (IEA), introduced IEA's budget committee and board members and discussed members' legislative priorities. IEA is the largest professional organization in the state and represents teachers, counselors, librarians, bus drivers and other school staff members. They provide professional support, training and mentoring. She stated IEA members want autonomy to utilize their expertise, to be compensated like professionals and a voice in creating policy, including representation on Governor Little's newly-announced task force. She encouraged Committee members to visit the schools in their district.

Superintendent Sherri Ybarra introduced Marc Beitia, 2019 Idaho Teacher of the Year. She noted he is a Career-Technical Educator who has been teaching for thirty years. Nineteen years ago Mr. Beitia began teaching at American Falls High School (AFHS) and started the school's Agriculture program. He is also the mayor of American Falls.

Mr. Beitia stated his passion has always been kids and that is why he teaches. Forty percent of the student body at AFHS lives in poverty, 70% come from socioeconomically disadvantaged families, 40% are Hispanic and 10% are Native American. He is the school's FFA advisor and for the past two years the chapter has been recognized as a Model of Excellence and a Premier Chapter out of 8,600 FFA chapters nationally. He struggled to encourage Hispanic students to join FFA, but once one Hispanic student joined and was successful, a precedent was set and FFA membership now mirrors the school's demographics. On average, eighty students participate at state events and the national convention. Local potato producers fund $50-60,000 annually to support these student opportunities. There are currently 247 FFA members in a high school of less than 400 students.
Mr. Beitia noted AFHS has a work habits report card, which was requested by local employers. Many of his students need to be prepared to enter the workforce upon graduation and teaching work ethic is one of his priorities. Of last year’s high school graduating class, 96% passed the workplace readiness assessment. He stated the value of Career-Technical Education is that it teaches students how to work and helps them learn what they want to do before they grow up.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:47 am.

________________________________________
Representative Clow
Chair

________________________________________
Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Monday, January 28, 2019

SUBJECT DESCRIPTION PRESENTER

Report: Budget Priorities including Student Safety Sherri Ybarra,
Superintendent of Public Instruction

"Do you know the difference between education and experience? Education is when you read the fine print; experience is what you get when you don't."
- Pete Seeger

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow Rep DeMordaunt Rep Raymond
Vice Chairman Kerby Rep Moon Rep Wisniewski
Rep Shepherd Rep Ehardt Rep McCrostie
Rep Boyle Rep Goesling Rep Abernathy
Rep Mendive Rep Marshall Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch

None

Clark Corbin, Idaho Ed News

Chairman Clow called the meeting to order at 9:00 am.

Sherri Ybarra, Superintendent of Public Instruction, introduced her staff and gave an overview of her FY20 Superintendent's Budget Request. Her request is a 6.8% increase, assuming FY19 levels include her $19 million supplemental request for the Keep Idaho Students Safe (KISS) initiative. She stated her proposed budget reflects an investment in the future and human capital, with the largest increases going to teachers and other employees who serve Idaho children. She noted the top request she received from districts was continued focus on increasing teacher pay, which she incorporated by recommending full funding for the Career Ladder and beginning the payment of Master Educator Premiums to eligible teachers who submit a portfolio.

Superintendent Ybarra is requesting a $3 million increase for Advanced Opportunities, $1.4 million to expand Mastery Based Education, and an additional $1.1 million for her Math Initiative. These funds would add six full-time regional math specialists, particularly for support at the secondary level; support educators learning best practices to integrate math into other content areas; and increase the number of students with access to a K-2 diagnostic for early math intervention.

Superintendent Ybarra is requesting $3 million more for classroom technology to move closer to the $60 million goal set by the 2013 Task Force for Improving Education. She is also requesting $3 million more for Professional Development, primarily to train teachers to implement the new Idaho Science Standards approved last year by the Legislature. These standards will be key in helping prepare Idaho students to fill high-paying STEM jobs. These funds also include $980,000 for a Teacher Pipeline Initiative to support district-level programs to increase teacher recruitment, particularly in rural and remote districts.

In response to Committee questions, Superintendent Ybarra noted she could not comment on the proposed new funding formula and its impact on the Career Ladder without first seeing draft legislation, but would have concerns about removing it. Regarding Master Educator Premiums, she noted a group of educators formulated the requirements for portfolio submissions and 25% of Idaho educators are estimated to be eligible, but may not all submit a portfolio. She highlighted Idaho student achievement, but stated unless the state invests in teacher recruitment and retention, high growth rates will begin to impact achievement.
Matt McCarter, Director of Student Engagement, Career and Technical Readiness Department, State Department of Education, gave an overview of the KISS initiative. Current school safety efforts include anti-bullying and suicide prevention programs, and the Idaho Youth Risk Behavior Survey, which are funded by the $4 million appropriation for Safe and Drug Free Schools. KISS aims to provide a multi-pronged, comprehensive approach through school safety grants, a school safety course and a statewide Crisis Prevention Counselor. The school safety course would bring together many individual safety topics in a single place and be open to all school staff; forty percent of the lesson planning is done. For school safety grants, $18.5 million is requested one-time from FY19. The majority of the funds would be distributed by formula to all schools, while $1 million would be competitive and focused on securing instructional areas and building-wide communication. The Crisis Prevention Counselor would be housed in the State Department of Education and be the point of contact for school counselors for support in addressing social/emotional issues.

In response to Committee questions, Mr. McCarter clarified school safety grants could be used to pay for School Resource Officers. He also explained the Idaho Youth Risk Behavior Survey questions are chosen by state stakeholders and participation is optional.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:34 am.
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Tuesday, January 29, 2019

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<tr>
<th>SUBJECT</th>
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<tr>
<td>RS26503</td>
<td>Music in Our Schools Month</td>
<td>Rep. McCrostie</td>
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<tr>
<td></td>
<td>State Budget Overview</td>
<td>Paul Headlee, Division Manager, LSO Budget and Policy Analysis Division</td>
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<td></td>
<td>K-12 Budget Briefing</td>
<td>Robyn Lockett, Principal Analyst, LSO Budget and Policy Analysis Division</td>
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"The world as we have created it is a process of our thinking. It cannot be changed without changing our thinking."
- Albert Einstein

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
DATE: Tuesday, January 29, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Mike Keckler, SBOE; Tim Hill, Julie Oberle, Helen Price and Marilyn Whitney, SDE; Gideon Tolman, Division of Financial Management; Harold Ott, IRSA/IASA; Dwight Johnson, ICTE

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the January 24, 2019 and January 25, 2019 meetings. Motion carried by voice vote.

RS 26503: Rep. McCrostie presented RS 26503, proposed legislation to recognize March as Music in Our Schools Month. He is a public school music teacher and noted the many benefits to students of high-quality music education.

MOTION: Rep. Ehardt made a motion to introduce RS 26503. Motion carried by voice vote.

Robyn Lockett, Principal Analyst, Legislative Services Office, Budget and Policy Analysis Division, gave an overview of the state budget process. She stated the education budgets that will be approved this session will be for the FY20 appropriation and any FY19 supplemental requests. She also noted the Legislative Services Office (LSO) is nonpartisan and is for legislators.

Ms. Lockett reviewed the Public Schools Appropriation request for FY20. She noted roughly two-thirds of the budget is for statutory requirements. The appropriation request is from the superintendent/State Department of Education, while the governor submits his own proposed budget. The two budgets may differ, but the Joint Finance and Appropriations Committee (JFAC) considers both before setting a final budget to be voted on by the legislature. Ms. Lockett highlighted differences between the Agency Request and Governor’s Recommendation in teacher pay, Literacy Proficiency and Mastery Based Education.

Ms. Lockett also addressed funding for the Idaho Youth Challenge Academy in the Orofino School District. The Academy appears to be an outlier in models of the proposed new funding formula and their funding mechanism needs to be explored further. Chairman Clow requested the State Department of Education provide more information to the Committee on the amount and distribution of average daily attendance (ADA) funds for the Academy.
Ms. Lockett concluded by giving the Committee an overview of the Public Education Stabilization Fund.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:10 am.

___________________________  __________________________
Representative Clow          Erica McGinnis
Chair                        Secretary

HOUSE EDUCATION COMMITTEE
Tuesday, January 29, 2019—Minutes—Page 2
AMENDED AGENDA #1
HOUSE EDUCATION COMMITTEE
EHARDT SUBCOMMITTEE

Upon Adjournment of the Full Committee
Room EW41
Tuesday, January 29, 2019

<table>
<thead>
<tr>
<th>DOCKET NO.</th>
<th>DESCRIPTION</th>
<th>PRESENTER</th>
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<tbody>
<tr>
<td>08-0202-1801</td>
<td>Rules Governing Uniformity</td>
<td>Helen Price, Rules Specialist</td>
</tr>
</tbody>
</table>

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
- Chairman Ehardt
- Rep. Boyle
- Rep. DeMordaunt
- Rep. Marshall
- Rep. Raymond
- Rep. Abernathy

COMMITTEE SECRETARY
- Shellie Coates
  - Room: EW29
  - Phone: 332-1050
  - email: hjmg29@house.idaho.gov
Chairman Ehardt called the meeting to order at 10:18 a.m.

Helen Price, Rules Specialist for the State Department of Education (SDE) presented this rule docket concerning preparation standards, endorsements and recertification requirements. The docket includes changes to both IDAPA 08.02.02 Rules Governing Uniformity, and a document incorporated by reference into Rule, The Idaho Standards for the Initial Certification of Professional School Personnel (Preparation Standards).

Helen Price explained the sections for Idaho Standards for Model Preservice Student Teaching Experience and Institutional Recommendations were added. These sections reflect common practice that had not been previously documented. Terms were added throughout the rule to increase clarity and to ensure understanding and consistency. A revision to the recertification requirement for Pupil Service Staff allows individuals to use the continuing education units that apply to the renewal of their licence from the Idaho Bureau of Occupational Licenses toward renewal of the Pupil Service Staff certificate.

Rep. Marshall stated that the definitions of clinical experience and clinical practice are quite complicated. He stated only three of the five definitions were needed: field experience, student teaching and internship. In response, Lisa Colon Durham, Director of Certification and Professional Standards, SDE, explained that the definitions came from the preparation programs and are an umbrella to make clinical experience and clinical practice broader.

Rep. Marshall stated that he was concerned about inserting the language Pre-K since the legislature had not authorized the idea of Pre-K. Lisa Colon Durham explained one of the reasons for Pre-K being included in the rule is because funding for Special Ed is through the Federal. There is a requirement to have appropriate certification for the Special Ed Pre-K and to determine if an individual is appropriately certificated to render services for Special Ed.
Lisa Colon Durham addressed Rep. Marshall's concern about the English requirement of 20 semester credit hours, but there are eight required courses that typically results in 24 semester credit hours at most universities. She stated that the capitalization was taken off all of the names of the coursework. It is not the intent they must take a class in each of the courses. It is up to the education preparation program to organize their coursework and design what they can include in their content. For example, an education preparation program may include four of these subjects into a particular three-credit course. It actually removes the specific three-credit coursework requirement. This coursework name plus these standards are used to design a preparation program. Most of the preparation programs are done in 20 credits for English, if it is a minor. The SBE will address the wording of the rule to avoid misinterpretation of the intent being the coursework content, not credits per course.

MOTION: Rep. Marshall made a motion to recommend the full committee approve Docket No. 08-0202-1801 with the exception of Section 07, Subsections 03, 04, 07, 11, 16 and 18.

Committee members discussed the terms Clinical Experience and Clinical Practice and noted that they were included in the Professional Standards Manual, as well as the rules.

MOTION WITHDRAWN: Rep. Marshall withdrew his motion to recommend the full committee approve Docket No. 08-0202-1801 with the exception of Section 07, Subsections 03, 04, 07, 11, 16 and 18.

MOTION: Rep. Marshall made a motion to recommend the full committee approve Docket No. 08-0202-1801. Motion carried by voice vote.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:54 a.m.
# AGENDA

**HOUSE EDUCATION COMMITTEE**

9:00 A.M.

Room EW41

Wednesday, January 30, 2019

<table>
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<th>SUBJECT</th>
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<tbody>
<tr>
<td></td>
<td>Career and Technical Education students</td>
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<td></td>
<td>Career and Technical Education Division Overview</td>
<td>Dwight Johnson, State Adminstrator, ICTE</td>
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<tr>
<td></td>
<td>Higher Education Budget Briefing</td>
<td>Janet Jessup, Budget and Policy Analyst, LSO Budget and Policy Analysis Division</td>
</tr>
</tbody>
</table>

"Tell me and I forget, teach me and I may remember, involve me and I learn."

- Benjamin Franklin

**If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.**

**COMMITTEE MEMBERS**

| Chairman Clow | Rep DeMordaunt | Rep Raymond |
| Vice Chairman Kerby | Rep Moon | Rep Wisniewski |
| Rep Shepherd | Rep Ehardt | Rep McCrostie |
| Rep Boyle | Rep Goesling | Rep Abernathy |
| Rep Mendive | Rep Marshall | Rep Berch |

**COMMITTEE SECRETARY**

| Erica McGinnis | Room: EW49 | Phone: 332-1148 |
| email: hedu@house.idaho.gov | | |
MINUTES

HOUSE EDUCATION COMMITTEE

DATE: Wednesday, January 30, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Matthew Taylor, SkillsUSA/CTE; Nikoli Carlquist, FCCLA/CTE; Emily White, BPA/CTE; Robert Hale and Lex Godfrey, CTEI; Brandi Hawkins, James Barrett-Spencer and Dwight Johnson, ICTE; Harold Ott, IRSA/IASA; Rob Winslow, IASA; Marilyn Whitney, SDE

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the January 28, 2019 meeting. Motion carried by voice vote.

Emily White, Idaho Chapter Vice President, Business Professionals of America, stated her Career and Technical Education (CTE) courses brought classroom learning to life and helped her develop leadership skills.

Nikoli Carlquist, Idaho Chapter President, Family, Career and Community Leaders of America (FCCLA), discussed how his participation in FCCLA has allowed him to help others and through this, he has settled on a career path.

Matthew Taylor, Idaho Chapter President, SkillsUSA, praised his CTE courses for helping him find a career path and for giving him public speaking skills.

Dwight Johnson, State Administrator, Idaho Career and Technical Education, gave an update on Idaho CTE and noted this year is the 100th anniversary of vocational/technical education. The mission of Idaho CTE is to prepare Idaho's youth and adults for high-skill, in-demand careers; of those future jobs, two-thirds will need postsecondary training and half of this training can be met through CTE. Mr. Johnson noted academics, education and technical education are mutually supportive and CTE strives to make education meaningful through applied learning. Nearly 60,000 secondary students enrolled in a CTE course last year and thousands of adults trained at adult education and workforce training centers. He also discussed the CTE teacher shortage and a program change that allows those in the private sector to become certified teachers with no out-of-pocket expenses.

Janet Jessup, Budget and Policy Analyst, Legislative Services Office, Budget and Policy Analysis Division, reviewed the State Board of Education Appropriation request for FY20. This request includes the requests from Community Colleges, Colleges and Universities, Career Technical Education, Agriculture Research and Extension Services, the Office of the State Board, Health Education Programs and Special Programs, such as Scholarship and Grants and Small Business Development Centers. She noted differences between higher education institutions' requests and the Governor's Recommendation in Outcome Based Funding and Change in Employee Compensation. Ms. Jessup also explained four types of intent language often included in appropriations bills.
In response to Committee questions, Ms. Jessup discussed the definition and purpose of unrestricted funds at colleges and universities.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:19 am.

___________________________  ________________________________
Representative Clow  Erica McGinnis
Chair  Secretary
If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

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<th>DOCKET NO.</th>
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<tr>
<td>08-0203-1804</td>
<td>Rules Governing Thoroughness</td>
<td>Dwight Johnson, the Administrator for the Division of Career Technical Education</td>
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COMMITTEE MEMBERS
Chairman Ehardt  
Rep. Boyle  
Rep. DeMordaunt  
Rep. Marshall  
Rep. Raymond  
Rep. Abernathy

COMMITTEE SECRETARY
Shellie Coates  
Room: EG29  
Phone: 332-1050  
email: h mjeg29@house.idaho.gov
DATE: Wednesday, January 30, 2019
TIME: Upon Adjournment of the Full Committee
PLACE: Room EW41
MEMBERS: Chairman Ehardt, Representatives Boyle, DeMordaunt, Marshall, Raymond, Abernathy
ABSENT/EXCUSED: None
GUESTS: Brad Hunt, O.A.R.C.

Chairman Ehardt called the meeting to order at 10:26 a.m.

DOCKET NO. 08-0203-1804: Dwight Johnson, Administrator for the Division of Career Technical Education (CTE), presented this rule docket. To be consistent with the Academic Content Standards during the 2016 Rule making time period the Division started the process of bringing the Career Technical content standards forward for incorporation into administrative codes. Eleven subcategories were added to the current content standards for CTE. The Division of CTE will also be amending the current standards for collision repair by adding a section for performance standards.

MOTION: Rep. Marshall made a motion to recommend that the full committee approve Docket No. 08-0203-1804. Motion carried by voice vote.

ADJOURN: There being no further business to come before the committee, the meeting was adjourned at 10:43 p.m.

___________________________  __________________________
Representative Ehardt            Shellie Coates
Chair                              Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Thursday, January 31, 2019

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<th>SUBJECT</th>
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<tr>
<td>Idaho Head Start Association</td>
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<td>Bill Foxcroft, Executive Director</td>
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<td>Center for Research on Education Outcomes (CREDO) report: Charter School Performance in Idaho 2019</td>
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<td>Margaret (Macke) Raymond, Director</td>
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"Children must be taught how to think, not what to think."
- Margaret Mead

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
e-mail: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Thursday, January 31, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostile, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Tamara Baysinger, Public Charter School Commission; Bill Foxcroft, Idaho Head Start Association; Evelyn Johnson, Lee Pesky Learning Center; Harold Ott, IRSA/IASA

Chairman Clow called the meeting to order at 9:00 am.

Bill Foxcroft, Executive Director, Idaho Head Start Association, reported on the Association's programs in Idaho. There are thirteen Head Start and Early Head Start programs in the state, serving over 5,000 low-income children. He noted they are whole family programs designed to help children and their families succeed in school and life, and lift themselves out of poverty. He stated Head Start provides temporary assistance for families in need, with most families able to leave the program after one year. The programs find eligible families through extensive community outreach, with homeless and foster care families receiving priority.

In response to Committee questions, Mr. Foxcroft explained 99% of Head Start funding comes from federal grants directly to participating communities. Program participation is driven by community interest, so counties in Idaho without a program have either not demonstrated interest, or lack a sufficiently dense concentration of children to participate.

Dr. Sofoklis Goulas, Senior Research Analyst, Center for Research on Education Outcomes (CREDO) at Stanford University, presented a report on Charter School Performance in Idaho. He compared the demographics of Idaho students at charter schools, traditional public schools (TPS) and feeders. Feeders are schools that have lost students to charter schools. He noted charters have a higher percentage of white and Native American students than TPS and feeders, but students in poverty, English language learners, Special Education and Hispanic students were all less represented at charters. The study examined two successive Idaho standardized test scores to measure the one-year gain in learning of charter students. The charter school students were "matched" to a TPS peer, based on demography and prior achievement, to provide an appropriate point of comparison. Dr. Goulas stated the study analysis showed in one year, a typical charter student in Idaho exhibits similar academic progress in math and stronger growth in reading than they would have made in a TPS. The stronger growth in reading is equivalent to 24 additional days of learning.
Dr. Macke Raymond, Director, CREDO at Stanford University, presented the study results broken down by school locale, level and delivery system. She noted 26% of Idaho charter schools are rural and the state is the only place in the country where significant and positive learning effects for rural charter students have been found. She also highlighted that online charter students have significant, negative effects in math, equivalent to 59 fewer days of learning for these students. She stated study findings that 66% of charters show high growth and high achievement in reading, but 20% show low growth and low achievement, meaning students are learning less per year than if they had remained at a TPS. Nearly a quarter of the charter schools studied are producing actively damaging growth in math, partially driven by the poor performance of online charters. She encouraged Idaho to exercise stronger charter school authorizing authority to ensure charters are held accountable for their performance, in exchange for the increased flexibility they have.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 10:25 am.

___________________________
Representative Clow
Chair

___________________________
Erica McGinnis
Secretary
AGENDA

HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Monday, February 04, 2019

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<tr>
<td></td>
<td>Update from Teach for America (TFA)</td>
<td>Tony Ashton, Idaho Director</td>
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<td>Mastery Based Education</td>
<td>Sherri Ybarra, Superintendent of Public Instruction Kelly Brady, Director, Instructional Support for Student Centered Learning</td>
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"What is a teacher? I'll tell you: it isn't someone who teaches something, but someone who inspires the student to give of her best in order to discover what she already knows."
- Paulo Coelho

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

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<tr>
<th>COMMITTEE MEMBERS</th>
<th>COMMITTEE SECRETARY</th>
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<tr>
<td>Chairman Clow</td>
<td>Erica McGinnis</td>
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<tr>
<td>Vice Chairman Kerby</td>
<td>Room: EW49</td>
</tr>
<tr>
<td>Rep Shepherd</td>
<td>Phone: 332-1148</td>
</tr>
<tr>
<td>Rep Boyle</td>
<td>email: <a href="mailto:hedu@house.idaho.gov">hedu@house.idaho.gov</a></td>
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<td>Rep Mendive</td>
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<td>Rep DeMordaunt</td>
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<td>Rep Marshall</td>
<td>Rep Berch</td>
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MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Monday, February 04, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Harold Ott, IRSA/IASA

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. McCrostie made a motion to approve the minutes of the January 29, 2019 meeting. Motion carried by voice vote.

Tony Ashton, Executive Director, Teach For America (TFA) Idaho, presented to the Committee. TFA works to ensure every student has access to an excellent education and works to recruit and retain high-quality teachers and leaders. TFA corps members commit to teach for at least two years in a rural community that serves low-income students. They have forty teachers in the Treasure Valley, teaching over 3,000 students in seven communities. Their teachers receive over three months of intensive training before the first day and ongoing coaching and professional development from TFA staff and Boise State University. Nearly two-thirds of TFA-Idaho teachers continue teaching for a third year.

The Honorable Sergio Gutierrez, Retired Justice from the Idaho Court of Appeals, TFA-Idaho Regional Board Member, discussed the positive ways TFA teachers are engaging parents. He stated he sees TFA as a strategic, targeted partner in Idaho's overall education work.

Christine Ketterling, Federal Programs and Curriculum Director, Homedale School District, discussed her district's experience with TFA. She stated TFA teachers have allowed the district to fill positions months ahead of time, instead of sometimes the day before school starts. She noted TFA's professional support focuses on data, which all the district teachers can learn from. She has seen corps members work hard to be involved in the community, including through home visits.

In response to Committee questions, Mr. Ashton explained TFA-Idaho only has teachers in the Treasure Valley, but is exploring expanding to other areas of the state. He noted 98% of the resources used in Idaho are raised through private donors and federal grants, and additional financial support from the state would be needed for TFA to expand.

Sherri Ybarra, Superintendent of Public Instruction, reviewed Idaho Mastery Education, which provides personalized instruction that allows students to advance once they have mastered content or skills. This system makes students more invested in their own learning. Mastery Education does not work for every student and there must be community and school support. She stated Idaho's mastery based incubator schools are succeeding because they are afforded flexibility and innovation.
Kelly Brady, Director, Instructional Support for Student-Centered Learning, State Department of Education, further discussed Idaho Mastery Education Network (IMEN) schools. She highlighted differences between traditional and mastery classroom instruction, progression and assessment. She stated Mastery Education will prepare Idaho students for a rapidly changing world by teaching the necessary skills to engage more deeply with content, while teachers are given the flexibility needed to meet the needs of Idaho’s diverse student population. The funds appropriated by the legislature for the Mastery Education Initiative were used for salaries/benefits, professional development, purchased services, supplies/materials, travel and capital objects. The current IMEN cohort includes 32 schools and the State Department of Education is working toward adding a second cohort.

Donell McNeal, Principal, Central Academy in the West Ada School District, discussed his school's success with Mastery Education. Their ISAT scores and graduation rates have increased and moving to Mastery Education has created a school culture with a focus on developing strong relationships, where everyone feels they belong.

Tyson Woods, a senior at Central Academy, spoke of his transition from falling behind in a traditional school, to becoming prepared to graduate and go on to college after transferring to Central Academy and the mastery system.

In response to Committee questions, Principal McNeal discussed how Central Academy utilized their Mastery Education Initiative funds.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:33 am.
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Tuesday, February 05, 2019

SUBJECT | DESCRIPTION | PRESENTER
---------|-------------|-------------
RS26705  | Nontraditional Educator Preparation | Blake Youde
         | Boise State University               | Dr. Martin Schimpf, Interim President

"You can never be overdressed or overeducated."
- Oscar Wilde

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.
DATE: Tuesday, February 05, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Blake Youde, Teach for America; Tracie Bent and Mike Keckler, SBOE; Marilyn Whitney, SDE
RS 26705: Blake Youde, on behalf of Teach for America, presented RS 26705. This proposed legislation would allow State Board of Education-approved nontraditional educator preparation programs to obtain state funding, provided the program matches at least 100% with private funds. The program must have a history of recruiting and retaining high-quality teachers who achieve above-average academic growth from their students.
MOTION: Rep. DeMordaunt made a motion to introduce RS 26705.
In response to Committee questions, Mr. Youde explained several states are entering into similar arrangements with private teacher preparation programs because of the need for teachers. He noted private donors may only be willing to continue support if the state also contributes funds; demonstrating the state is a willing partner. The 100% minimum match was included to prevent private programs from becoming fully state-subsidized.
Chairman Clow noted the proposed legislation would authorize board-approved teacher preparation programs to request state money, but does not force the state to expend funds.
VOTE ON MOTION: Chairman Clow called for a vote on the motion to introduce RS 26705. Motion carried by voice vote.
Dr. Martin Schimpf, Interim President, Boise State University (BSU), presented to the Committee. He described BSU's growth over the past thirty years, from an undergraduate commuter college to a doctoral research university, with the largest graduate student population in Idaho. BSU offers forty degree and certificate programs fully online, with 3,000 enrolled students. The Passport to Education program launched last fall to help students returning to college as adults. Dr. Schimpf also described applied learning and readiness programs, to encourage students to develop workforce-applicable skills. BSU recently reached a goal to dramatically increase completion rates and the first-year retention rate is now over 80%.
In response to Committee questions, Dr. Schimpf stated the Beyond the Major program to increase workforce readiness launched last year and has not produced data yet, but the university plans to track participating students to evaluate the program. Regarding students who enter college with dual credit, he said he has not seen them graduate early, but their dual credits allow them to broaden their curriculum during college. He sees the program as allowing BSU to reach into high school and pull students toward attending college.
ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:40 am.

________________________________________
Representative Clow
Chair

________________________________________
Erica McGinnis
Secretary
AMENDED AGENDA #1
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Wednesday, February 06, 2019

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<th>SUBJECT</th>
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<tr>
<td>HCR 6</td>
<td>Music in Our Schools Month</td>
<td>Rep. McCrostie</td>
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<td>State Report Card</td>
<td>Sherri Ybarra, Superintendent of Public Instruction</td>
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<td>Karlynn Laraway, Director, Assessment and Accountability Department, State Department of Education</td>
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"To learn something new, you need to try new things and not be afraid to be wrong."
- Roy T. Bennett

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
e-mail: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, February 06, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch

ABSENT/EXCUSED: None
GUESTS: Jeff Davis, Idaho Music Educators Association; Marilyn Whitney, Tim McMurtry and Sherri Ybarra, SDE; Kari Overall, Erin Paradis and Greg Felton, Idaho Education Association; Jennie Moyett, Marisela Lee, Ricardo Luna and Marion Tello, Community Council of Idaho Migrant Head Start; Clark Corbin, Idaho Ed News; Daphne Sosa, Idaho Head Start

Chairman Clow called the meeting to order at 9:01 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the January 30, 2019, January 31, 2019 and February 4, 2019 meetings. Motion carried by voice vote.

HCR 6: Rep. McCrostie presented HCR 6, which recognizes the importance of music education in school by designating March as Music in Our Schools Month. He discussed the academic benefits of music education, including improved outcomes in reading, English language and math.

Those speaking in support were Jeff Davis, Idaho Music Educators Association; Greg Felton and Erin Paradis, Idaho Education Association; Daphne Sosa, citizen; and Superintendent Sherri Ybarra. They were of the opinion that in addition to academic benefits, music education helps create well-rounded students who gain confidence, learn interpersonal skills and connect more deeply to their history and culture.

MOTION: Rep. Ehardt made a motion to send HCR 6 to the floor with a DO PASS recommendation. Motion carried unanimously by voice vote.

Superintendent Sherri Ybarra introduced the new state report card website, www.idahoschools.org. She stated this new interface provides a user-friendly way for the public to find non-biased information about schools and districts.

Karlynn Laraway, Director of Assessment and Accountability Department, State Department of Education, demonstrated how to navigate the report card website. A user can enter their home address to find nearby schools and districts, or go directly to a school/district page. Current and historical enrollment data is listed, along with academic and non-academic indicators. Academic indicators include student achievement, student progress, group achievement, English Learner progress and College/Career Readiness. Non-academic indicators include teacher workforce data and student engagement. A user can compare up to three schools side-by-side.

In response to Committee questions, Ms. Laraway noted features are still being added and may include go-on rates for high schools, financial information and school capacity.
ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:08 am.

___________________________  _______________________
Representative Clow         Erica McGinnis
Chair

HOUSE EDUCATION COMMITTEE
Wednesday, February 06, 2019—Minutes—Page 2
# JOINT AGENDA
**HOUSE EDUCATION COMMITTEE**
AND
**SENATE EDUCATION COMMITTEE**
3:00 P.M.
WW02 Lincoln Auditorium
Thursday, February 07, 2019

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<tr>
<td>Draft Public School Funding Formula Legislation</td>
<td>Stakeholder Agency Comments</td>
<td>Superintendent Sherri Ybarra</td>
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<td>Coalition of Idaho Charter School Families</td>
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<td>Idaho Business for Education</td>
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<td>Public Comments</td>
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<tr>
<td>Testimony is limited to 3 minutes or less</td>
<td>&quot;Wisdom is not a product of schooling but of the lifelong attempt to acquire it.&quot;</td>
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<td>- Albert Einstein</td>
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*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

**COMMITTEE MEMBERS**
- Chairman Clow
- Vice Chairman Kerby
- Rep Shepherd
- Rep Boyle
- Rep DeMordaunt
- Rep Moon
- Rep Ehardt
- Rep Goesling
- Rep Raymond
- Rep Wisniewski
- Rep McCrostie
- Rep Abernathy

**COMMITTEE SECRETARY**
- Erica McGinnis
- Room: EW49
- Phone: 332-1148
- email: hedu@house.idaho.gov
<table>
<thead>
<tr>
<th>Rep Mendive</th>
<th>Rep Marshall</th>
<th>Rep Berch</th>
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MINUTES
JOINT MEETING

HOUSE EDUCATION COMMITTEE
SENATE EDUCATION COMMITTEE

DATE: Thursday, February 07, 2019
TIME: 3:00 P.M.
PLACE: WW02 Lincoln Auditorium
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
Chairman Mortimer, Vice Chairman Thayn, Senators Winder, Den Hartog, Crabtree, Woodward, Lent, Buckner-Webb, Ward-Engelking
ABSENT/EXCUSED: None
GUESTS: The sign-in sheet will be retained in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Library.

Chairman Mortimer called the meeting to order at 3:02 pm.
Chairman Mortimer turned the gavel over to Chairman Clow.

Superintendent Sherri Ybarra discussed items in the draft public school funding formula bill that the State Department of Education believes require further discussion. She stated the payment schedule could cause cash flow problems for districts and she is not supportive of a plan where any district loses significant funding. She expressed concern about a fiscal cliff if there is insufficient revenue to fund the hold harmless provision for three years. She stated the wealth adjustment is problematic. She noted the draft language is far more prescriptive regarding teacher salaries than current statute and there is no recognition for additional educational attainment for teachers. She also noted several terms need to be properly defined and aligned to current administrative rule definitions.

Rob Winslow, Executive Director of the Idaho Association of School Administrators, spoke on behalf of his organization and the Idaho Rural Schools Association. He expressed concern the budget tool used to model the draft legislation uses inconsistent data for year-to-year comparisons. He noted the Career Ladder teacher pay system was a salary model, not an allocation directive like the draft. He expressed concern about the end of the hold harmless funding and expressed a desire to see the proposed funding formula projected out three to five years, to better gauge the impact. He stated at-risk students should be funded and districts should be added as fund recipients for weighted student groups. He too expressed concerns about the payment schedule causing cash flow problems and expressed concern about the teacher evaluation review requirements in the draft. He stated Idaho Digital Learning Academy should be funded by the new formula in a way similar to its current funding. He stated the wealth/market value adjustment is confusing and the weight ought to reflect the wealth of the student population, more than the market value of the district.
Kari Overall, Elected President, Idaho Education Association, urged the germane committees to reject a false sense of urgency and return to a collaborative method, including more voices. She suggested working with the governor's proposed task force over the summer. She noted the goal of the interim committee was to create a funding formula that is transparent, flexible and easy to understand; she stated the proposed language does not meet these goals. She stated the market value weight will be unpredictable for districts to rely on. She noted the biggest complaint about the current funding formula is the difficulty calculating money that will flow to districts and the draft legislation has the same problem. She stated the draft reduces local control and removes funding plans and commitments for teacher salaries and accountability provisions.

Karen Echeverria, Executive Director, Idaho School Boards Association, spoke on behalf of over 900 school board members. She stated her organization has not had enough time to properly review the draft language. She noted uniform terms need to be used and definitions added. By including career ladder requirements, but removing funding, she stated the draft imposes a mandate and the vast majority of local education agencies do not have salary schedules that resemble the draft. Unless the career ladder is directly funded by the state, she feels the language should be removed. She noted a requirement for additional district funds for Career and Technical Educators, without any additional state funding. She too raised concerns about the payment schedule as currently drafted. She expressed concern about the additional data that will be required to be reported and questioned whether the State Department of Education will need to hire additional staff to process it. She noted there may be a large increase in the special education population if schools are required to report, but noted there is no requirement for families to report if they qualify for free and reduced lunch. She stated the wealth adjustment is not working as intended and suggested it may need to be removed. She mentioned Governor Otter's K-12 Task Force and stated the draft legislation goes much farther than they recommended. She too urged using a collaborative, task force model to implement a new funding formula.

Blake Youde spoke on behalf of Idaho Charter School Network and expressed support for the proposed funding formula, for philosophical and functional reasons. He noted his group approves of an enrollment-based formula with weighted student funding, likes the simplicity of the draft compared to the current formula and welcomes the opportunity to improve data reporting. He asked the germane committees to work on the tiered implementation of the special education weight and more clearly link outcomes to funding. He too requested a three to five year projection of the proposed funding formula.

Tom LeClaire, President, Coalition of Idaho Charter School Families, spoke on behalf of his group as well as virtual charter schools. He expressed support of the draft because funding will be more student-centered and less program-centered. He stated charter schools will overall be better funded and noted many charter students fall within the weighted groups.

Rod Gramer, President and CEO, Idaho Business for Education, stated his group has not taken an official position. He noted one of their biggest concerns is key education stakeholders do not support the draft as currently written, yet their support will be crucial for implementation. He urged the creation of a framework for all stakeholders to come together and work in collaboration. He noted if a consensus cannot be reached this session there is plenty of time to get it right and work with stakeholders over the summer.
Fred Birnbaum, Vice President, Idaho Freedom Foundation, spoke in support of the proposed formula, but felt there should only be two or three weights. He also noted the need to compare true dollar amounts across funding years to accurately gauge the impact.

Superintendent James Gilbert, Mountain Home; Superintendent Michael Garrett, Orofino; Superintendent Kevin Lancaster, Bliss; Jonathan Gillen, CFO, West Ada School District and Superintendent Paula Kellner, Nampa, testified in opposition to the wealth adjustment.

They felt the wealth adjustment was added to appease specific districts who would lose money under the new formula, but it is not an accurate reflection of the wealth of a student body, nor is a district's market value something school leaders can control. They expressed concern the adjustment would discourage community growth. They stated small districts need to be a funding priority without a special adjustment to give them needed funds. They also encouraged the germane committees to include superintendents and other school leaders in the drafting process.

Brandon Durst, Citizen, spoke in opposition to the wealth adjustment and suggested looking to Washington State's system as an alternative. He noted the current formula already has "losers" and stated Idaho Digital Learning Academy's funding needs to be considered.

Nick Smith, Human Resources Director, Boise School District, testified in opposition to the wealth adjustment and suggested restoring the property tax equalization. He expressed concern about the career ladder being rolled into the funding formula.

Steve Smylie, Educator and former Representative, spoke in opposition to the draft legislation and said it does not directly address the disparity in per-pupil spending. He expressed doubt a single formula can be used for every school and charter district.

Superintendent Andrew Grover, Melba, spoke in opposition to the special education weight, unless maintenance of effort dollars are considered.

Allison Westfall, Chairman of the Board of Trustees, Nampa School District, spoke in opposition to the small school adjustment. She also expressed frustration with the current school property tax system and urged a conversation about alternatives.

Superintendent GwenCarol Holmes, Blaine, noted schools need to ensure every child has the same opportunities by focusing on equity, not equality.

Superintendent Wayne Rush, Emmett, asked the germane committees to slow down and take more time with the draft bill. He urged funding to be included for at-risk students and Idaho Digital Learning Academy.

Chairman Clow turned the gavel over to Chairman Mortimer.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 4:41 pm.
## AMENDED AGENDA #1
### HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Friday, February 08, 2019

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<thead>
<tr>
<th>DOCKET NO.</th>
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<tbody>
<tr>
<td>RS26781</td>
<td>Sex education</td>
<td>Rep. Ehardt</td>
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<tr>
<td>08-0203-1803</td>
<td>Rules Governing Thoroughness</td>
<td>Tracie Bent, Chief Planning and Policy Officer, SBOE</td>
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<tr>
<td>08-0203-1804</td>
<td>Rules Governing Thoroughness</td>
<td>Dwight Johnson, State Administrator, Idaho CTE</td>
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<td>08-0202-1801</td>
<td>Rules Governing Uniformity</td>
<td>Helen Price, Rules Specialist, SDE</td>
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<td>08-0202-1803</td>
<td>Rules Governing Uniformity</td>
<td>Tracie Bent</td>
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<td>Tracie Bent</td>
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<td>Residency</td>
<td>Tracie Bent</td>
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<td>Helen Price</td>
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<td>08-0203-1805</td>
<td>Rules Governing Thoroughness</td>
<td>Helen Price</td>
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<td>&quot;The mind once enlightened cannot again become dark.&quot;</td>
<td>- Thomas Paine</td>
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### COMMITTEE MEMBERS

- **Chairman Clow**  
- **Vice Chairman Kerby**  
- **Rep Shepherd**  
- **Rep Boyle**  
- **Rep Mendive**  
- **Rep DeMordaunt**  
- **Rep Moon**  
- **Rep Ehardt**  
- **Rep Goesling**  
- **Rep Marshall**  
- **Rep Raymond**  
- **Rep Wisniewski**  
- **Rep McCrostie**  
- **Rep Abernathy**  
- **Rep Berch**

### COMMITTEE SECRETARY

- **Erica McGinnis**  
- Room: EW49  
- Phone: 332-1148  
- email: hedu@house.idaho.gov
MINUTES

HOUSE EDUCATION COMMITTEE

DATE: Friday, February 08, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None

Chairman Clow called the meeting to order at 9:01 am

MOTION: Rep. Goesling made a motion to approve the minutes of the February 5, 2019, meeting. Motion carried by voice vote.

RS 26781: Rep. Ehardt presented RS 26781, proposed legislation that will allow parents to opt-in to classes where sexually explicit material would be taught. It also clarifies that sexually related materials must be made available to parents to review and anyone who comes into the classroom to teach must abide by already existing Idaho Code.

MOTION: Rep. Moon made a motion to introduce RS 26781.

In response to Committee questions, Rep. Ehardt stated she had not consulted with any stakeholder associations, but has heard from many parents.

VOTE ON MOTION: Chairman Clow called for a vote on the motion to introduce RS 26781. Motion carried by voice vote.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

MOTION: Rep. DeMordaunt made a motion to approve the minutes of the January 15, 2019, January 24, 2019, January 29, 2019 and January 30, 2019 Ehardt Subcommittee meetings. Motion carried by voice vote.

DOCKET NO: 47-0102-1801: Shannon Purvis, Extended Employment Services (EES) Program Manager, Idaho Division of Vocational Rehabilitation (IDVR), presented Docket No. 47-0102-1801, which addresses rules and minimum standards governing EES. The rule defines terms and clarifies language regarding records retention and documentation, and expands and clarifies referral and eligibility processes for EES.
Hannah Liedkie, ACCSES-Idaho; Trinity Nicholson, Panhandle Special Needs, Inc.; Terry Fredrickson, New Day Products, Inc.; Maureen Stokes, Witco, Inc.; and Mary Nyland, Citizen spoke in opposition to Docket No. 47-0102-1801, Section 500.03.c.

They felt the language in Paragraph c was too strict and burdensome to meet the needs of people with disabilities seeking employment. Requiring eligible applicants to first use Medicaid Waiver funding raised concerns about access, particularly in rural Idaho, because many service providers do not offer Medicaid Waiver funding and only offer IDVR EES-supported employment. They testified many people do not want to apply for a Medicaid Waiver due to stigma associated with Medicaid. They expressed concern about differing provider reimbursement rates for Medicaid Waiver and EES employment services and suggested waiting until a cost study is completed this summer before adding this language. They also stated EES and Medicaid Waiver served a different clientele, to some degree, and people whose best fit would be EES would be forced over to Medicaid. Since this rule went into effect, the EES wait list has disappeared, but they disputed that it was because individuals were instead receiving services through Medicaid Waiver. Rather, they suggested individuals either chose not to apply for Medicaid Waiver funding, or did not realize they needed to apply.


They stated the disputed language brings clarity regarding eligibility for services and argued it is the providers, not the individuals receiving services, that oppose this change. By moving those who are eligible for a Medicaid Waiver off the EES wait list, it allows more people to receive services. Providers can better leverage federal Medicaid dollars and be more cost efficient with state fund dollars that pay for EES. They stated individuals receive the same service, whether through Medicaid Waiver or EES funding and the cost study is already working to address reimbursement disparities between the two programs.

Ms. Purvis was recognized to close testimony on Docket No. 47-0102-1801. She noted ongoing stakeholder collaboration to achieve parity between programs and stated IDVR’s data shows those who were removed from the EES wait list have still been able to access needed services. The elimination of the wait list allows EES to serve individuals who do not have access to other funding sources.

**ORIGINAL MOTION:** Rep. Mendive made a motion to approve Docket No. 47-0102-1801, with the exception of Section 500.03.c.

Rep. Ehardt and Moon spoke in support of the original motion.

**SUBSTITUTE MOTION:** Rep. Berch made a substitute motion to approve Docket No. 47-0102-1801.

Rep. Raymond and McCrostie spoke in support of the substitute motion.


Motion carried by voice vote.
Vice Chairman Kerby turned the gavel over to Chairman Clow.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:53 am.

________________________________________
Representative Kerby
Chair

________________________________________
Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Monday, February 11, 2019

DOCKET NO. DESCRIPTION PRESENTER

Idaho Department of Juvenile Corrections Monty Prow, Director
Cindy Orr, Ed.D, Education Program Director

Report from Rep. Ehardt’s Subcommittee

08-0203-1803 Rules Governing Thoroughness Tracie Bent, Chief Planning and Policy Officer, State Board of Education

08-0203-1804 Rules Governing Thoroughness Dwight Johnson, State Administrator, Idaho Career and Technical Education

08-0202-1801 Rules Governing Uniformity Helen Price, Rules Specialist, State Department of Education

08-0202-1803 Rules Governing Uniformity Tracie Bent

"Formal education will make you a living; self-education will make you a fortune."
- Jim Rohn

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
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DA
TIME: 9:00 A.M.
PLACE: Room EW41

MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt (Call), Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch

ABSENT/EXCUSED: None

GUESTS: Monty Prow and Dr. Cindy Orr, Idaho Department of Juvenile Corrections; Quinn Perry, Idaho School Boards Association; Dwight Johnson, ICTE; Tracie Bent, SBOE; Harold Ott, IRSA/IASA; Rob Winslow, IASA; Colin Nash, Senate Intern; Clark Corbin, Idaho Education News; Jared Larsen and Greg Wilson, Governor's Office; Helen Price and Marilyn Whitney, SDE

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the February 6, 2019 meeting. Motion carried by voice vote.

Monty Prow, Director and Dr. Cindy Orr, Education Program Director, Idaho Department of Juvenile Corrections (IDJC), presented to the Committee. They discussed Juniper Hills School and stated the goal is to help kids earn their high school diploma or GED and if not, at least catch them up to grade level. Advanced Opportunities are offered to earn certifications and college credit. IDJC also works with the Department of Labor WIOA program to offer work-based learning opportunities. Two years ago IDJC received career ladder funding for their teachers, which has had a positive impact on data and outcomes tracking.

In response to Committee questions, Dr. Orr described the different programs offered by IDJC’s three locations and Mr. Prow stated the average stay is 18 months and 85% of kids are able to successfully transition to life in the community.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

DOCKET NO. 08-0203-1803:

Rep. Ehardt reported on this rule docket, which deals with the senior math requirement for high school students. Last year the legislature passed S 1266, which removed the requirement to take a senior math class, but retained the graduation requirement to take six semesters of math. If a student completes the six semesters prior to their senior year, they are not required to take a math class senior year. The senior math requirement language was put back in this rule, so the Subcommittee recommended approval of this docket, with the exception of the new and codified language in Section 105.01.d.ii, iii and iv, which pertains to senior math, and with the exception of the new language in Section 105.04, which pertains to senior projects.
Tracie Bent, Chief Planning and Policy Officer, State Board of Education, presented on Docket No. 08-0203-1803. She stated the docket updates high school graduation requirements, clarifies integrated math classes can fill the math requirement, expands the dual credit courses which meet the math and engineering requirements and updates the senior project to better reflect intent, while still allowing districts flexibility in implementation. The feedback received on the senior math requirement was to keep or increase it, and analysis shows since the requirement was put in place more students have taken four years of math and are less likely to need remediation. Due to the data and feedback, the senior math requirement was left in the rules.

In response to Committee questions, Rep. Marshall clarified the subcommittee recommended rejecting the new language in Section 105.04 because he felt it added unnecessary requirements.

In response to Committee questions, Rep. Boyle reviewed the impetus for S 1266 last year and expressed her feeling that putting the senior math requirement back into the rules was executive branch overreach.

In response to Committee questions, Ms. Bent stated the State Board of Education has the authority to promulgate rules to ensure a thorough system of education and put the senior math requirement in the docket in service of that goal.

Reps. Ehardt and Marshall stated their belief that it was the clear intent of the legislature last year to remove the senior math requirement.

MOTION: Rep. Marshall made a motion to approve Docket No. 08-0203-1803, with the exception of Section 105.01.d.ii, iii and iv in their entirety, and the new language in Section 105.04.

Rep. McCrostie spoke in opposition to the motion.

Reps. Boyle and DeMordaunt spoke in support of the motion, in order to support the intent of their colleagues last year.

VOTE ON MOTION: Motion carried by voice vote. Reps. Clow and McCrostie requested they be recorded as voting NAY.

DOCKET NO. 08-0203-1804: Rep. Ehardt gave an overview of this rule docket, which concerns Career and Technical Education (CTE) subsections that were added to the academic content standards in Administrative Code. These subsections had been previously used, but not officially added to code, so this docket clarifies what has been happening, makes it more transparent and gives a set of governing standards. Subsections were added to the current content standard areas of: Agriculture and Natural Resources, Family and Consumer Sciences, Skilled and Technical Sciences, Engineering and Technology, and Health Sciences. The Subcommittee recommended approval of this docket.

Dwight Johnson, State Administrator, Idaho CTE, noted the Subcommittee unanimously recommended approval of the docket.

MOTION: Rep. Moon made a motion to approve Docket No. 08-0203-1804. Motion carried by voice vote.

DOCKET NO. 08-0202-1801: Rep. Ehardt reviewed this docket, which concerns the preparation standards endorsement and recertification requirements. The Subcommittee recommended approval of this docket, but noted there was discussion about the complexity of the teaching definitions, particularly clinical experience and clinical practice.
Helen Price, Rules Specialist, State Department of Education, stated the docket includes changes to IDAPA and a document incorporated by reference. Revisions to educator preparation standards and the corresponding endorsements in IDAPA were made for teachers of English Language Arts, Gifted and Talented students, Literacy Teachers, Online-Teachers, Teacher Leaders, Teacher Librarians and school nurses. It includes the addition of institutional recommendations and standards for model pre-service student teaching experience and definitions linked to clinical experience. It also includes a language change to allow Pupil Service Staff to use continuing education units towards certificate renewal.

Reps. Marshall and Moon stated they believe Section 007 adds extra, confusing requirements to those in teacher preparation programs.

MOTION: Rep. Moon made a motion to reject all amendments to Docket No. 08-0202-1801.

Lisa Colón Durham, Director of Certification and Professional Standards, State Department of Education, stated clinical experience is a broad term that includes clinical practice and field experience, and the definitions refer to each other. The section regarding clinical experience gives educator preparation programs the option to do a field experience, or a more structured clinical practice. When the rule says student teaching, clinical practice, or internship, it is for a specific type of experience. The intent was to bring clarity and give teacher preparation programs the flexibility to be as specific as they want in their requirements.

SUBSTITUTE MOTION: Rep. Berch made a substitute motion to approve Docket No. 08-0202-1801.

AMENDED SUBSTITUTE MOTION: Rep. Moon made an amended substitute motion to approve Docket No. 08-0202-1801, with the exception of Section 007, Subsections 3, 4, 7, 11, 16 and 18.

VOTE ON AMENDED SUBSTITUTE MOTION: Motion carried by voice vote. Reps. McCrostie and Berch requested they be recorded as voting NAY.

DOCKET NO. 08-0202-1803: Rep. Ehardt gave an overview of this rule docket, which concerns educator preparedness programs and standards for teachers in various areas.

MOTION: Rep. Raymond made a motion to approve Docket No. 08-0202-1803. Motion carried by voice vote.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:22 am.

___________________________          ___________________________
Representative Kerby                   Erica McGinnis
Chair                                  Secretary

HOUSE EDUCATION COMMITTEE
Monday, February 11, 2019—Minutes—Page 3
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Tuesday, February 12, 2019

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<tr>
<th>SUBJECT</th>
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<tr>
<td>RS26810</td>
<td>School Boards executive session</td>
<td>Rep. Goesling</td>
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<tr>
<td></td>
<td>STEM Action Center</td>
<td>Angela Hemingway, Executive Director</td>
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<td>College Board Opportunity Scholarships</td>
<td>Alexandra Dominguez</td>
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"The important thing is not to stop questioning. Curiosity has its own reason for existence. One cannot help but be in awe when he contemplates the mysteries of eternity, of life, of the marvelous structure of reality. It is enough if one tries merely to comprehend a little of this mystery each day."
- Albert Einstein

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow        Rep DeMordaunt        Rep Raymond
Vice Chairman Kerby  Rep Moon            Rep Wisniewski
Rep Shepherd         Rep Ehardt           Rep McCrostie
Rep Boyle            Rep Goesling         Rep Abernathy
Rep Mendive          Rep Marshall         Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
e-mail: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Tuesday, February 12, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt (Call), Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Erica Compton and Angela Hemingway, STEM Action Center; Alexandra Dominguez, The College Board; Clark Corbin, Idaho Ed News; Harold Ott, IRSA/IASA; Marilyn Whitney, SDE

Chairman Clow called the meeting to order at 9:00 am.

RS 26810: Rep. Goesling presented RS 26810, which concerns school boards. He stated most school boards have five trustees, but many rural districts struggle to find people willing to serve. With a simple majority of three, boards are able to conduct routine business, but cannot go into executive session. This proposed legislation would allow school boards to go into executive session with a simple majority of members present.


Dr. Angela Hemingway, Executive Director, STEM Action Center, presented to the Committee. Last year, over 6,300 STEM jobs went unfilled in Idaho, resulting in lost personal income and state tax revenue. The STEM Action Center was created by the legislature to help build a homegrown workforce to fill these high-paying jobs. She shared three goals of the Center. The first is to coordinate and facilitate the implementation of STEM programs throughout Idaho. This is accomplished through professional development for teachers; support of student competitions; and the STEM Resources Portal, which is a resource for educators to find lesson plans, toolkits and best practices. The second goal is to align STEM education and workforce needs throughout Idaho. This is accomplished through a new externship for teachers to gain work experience in a STEM job; 140+ community-led STEM events throughout the state; a virtual, project-based, statewide mentorship platform to connect students with mentors; the encouragement of industry donations; and a STEM school designation which schools can earn. The third goal is to increase awareness of STEM throughout Idaho. The Center has an online impact map which shows events and interactions happening throughout the state and can be broken down by legislative district.

In response to Committee questions, Dr. Hemingway noted to receive a grant, recipients must identify how they will serve underrepresented populations, which include female, minority and rural students. The Center focuses primarily on serving K-12 students in order to create interest in STEM long before a student is already in college. The Center also tries to help communities recognize pre-existing STEM activity in their area, whether it's mining, agriculture, health care or banks.
Alexandra Dominguez, Government Relations Director for Idaho, College Board, gave an overview of the College Board Opportunity Scholarships. This new program guides students through the journey to college, motivating and rewarding them with scholarships along the way. The College Board will award $25 million in scholarships over the next five years; 4,000 students will earn a scholarship each year, and the amounts will range from $500-40,000. Students will be entered into a drawing for a scholarship by completing one or more of six steps to prepare for college. Any student who completes a step will be entered to win, regardless of their GPA, and the more steps completed, the more chances they will have to win.

In response to Committee questions, Ms. Dominguez explained the winners are chosen randomly to give the largest number of students an opportunity to win. She stated she will look into what College Board will do with the data entered by students.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:02 am.

______________________________________  ______________________________________
Representative Clow                      Erica McGinnis
Chair                                      Secretary
# AGENDA

## HOUSE EDUCATION COMMITTEE

9:00 A.M.
Room EW41
Wednesday, February 13, 2019

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<tbody>
<tr>
<td>RS26842</td>
<td>Career Ladder - Teacher Pay</td>
<td>Greg Wilson, Senior Policy Adviser for Gov. Little</td>
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<td></td>
<td>Idaho Commission for Libraries</td>
<td>Stephanie Bailey-White, Deputy State Librarian</td>
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<tr>
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<td>Governing the Use of Commission Services</td>
<td></td>
</tr>
<tr>
<td>08-0203-1801</td>
<td>Rules Governing Thoroughness</td>
<td>Helen Price, Rules Specialist, State Department of Education</td>
</tr>
</tbody>
</table>

"Whatever the cost of our libraries, the price is cheap compared to that of an ignorant nation."
- Walter Cronkite

**If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.**

**COMMITTEE MEMBERS**
- Chairman Clow
- Vice Chairman Kerby
- Rep Shepherd
- Rep Boyle
- Rep Mendive
- Rep DeMordaunt(Call)
- Rep Moon
- Rep Ehardt
- Rep Goesling
- Rep Marshall
- Rep Raymond
- Rep Wisniewski
- Rep McCrostie
- Rep Abernathy
- Rep Berch

**COMMITTEE SECRETARY**
- Erica McGinnis
- Room: EW49
- Phone: 332-1148
- email: hedu@house.idaho.gov
DATE: Wednesday, February 13, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt (Call), Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. Shepherd
GUESTS: Donna Eggers, Ann Joslin, David Harrell and Stephanie Bailey-White, Idaho Commission for Libraries; Quinn Perry, ISBA; Rob Winslow, IASA; Gideon Tolman, Division of Financial Management; Helen Price and Marilyn Whitney, SDE; Greg Wilson and Bobbi-Jo Meuleman, Governor's Office

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the February 7, 2019 and February 8, 2019 meetings. Motion carried by voice vote.

MOTION: Rep. Boyle made a motion to approve the minutes of the January 22, 2019 Ehardt Subcommittee meeting. Motion carried by voice vote.

MOTION: Rep. Mendive made a motion to approve the minutes of the January 16, 2019 meeting as corrected, and the January 23, 2019 meeting of the Moon Subcommittee. Motion carried by voice vote.

RS 26842: Greg Wilson, Senior Policy Adviser for Education, Office of the Governor, presented RS 26842. This proposed legislation would increase the first three cells of the residency rung of the career ladder over two years. Appropriations would be raised to $38,500; $39,00 and $39,500, effective July 1, 2019 and to $40,000; $40,500 and $41,000, effective July 1, 2020. This would address Idaho's higher than average teacher attrition rate and help allow students to stay in Idaho and earn a competitive salary. The fiscal impact would be $3.8 million in the coming fiscal year and $7.6 million in FY21. These estimates account for projected movement along the career ladder and growth in our schools.

MOTION: Rep. Raymond made a motion to introduce RS 26842.

Rep. McCrostie spoke in support of the motion, but noted he would like to address teacher retention in the future, as well as starting teacher recruitment.

VOTE ON MOTION: Chairman Clow called for a vote on the motion. Motion carried by voice vote.
Stephanie Bailey-White, Deputy State Librarian, Idaho Commission for Libraries (ICfL), presented to the Committee. The Commission helps support more than 850 public, school, academic and special libraries. On their own, many of these libraries do not have the resources to create the depth and breadth of programming they need; the Commission helps by providing resources, consulting, continuing education and partnerships. ICfL is requesting $60,000 in ongoing state funding to support a new kindergarten readiness grant to reach children before they enter school. One in four Idaho school libraries receive less than $100 from their district to buy new books each year; to supplement this, the Commission provides School Library Access Mini-Grants. These grants require at least 40% of the funds be spent on nonfiction books that students can read at school and take home. Ms. Bailey-White also discussed the database access ICfL provides and highlighted available broadband support to help small and/or rural libraries.

In response to Committee questions, Ms. Bailey-White shared some of the activities funded by the kindergarten readiness grants.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

DOCKET NO. 30-0101-1801: Rep. Moon reported her subcommittee recommended approval of this docket, but did not have adequate time to discuss it and asked for it to be presented again.

Stephanie Bailey-White presented Docket No. 30-0101-1801, which addresses ICfL’s state-funded grant programs, which did not exist in 2008 when the last update was made. The docket makes eligibility requirements the same for state- and federally-funded grant programs, defines eligibility for the grants, broadens the range of eligible libraries and aligns the Talking Book Service’s guidelines with current national guidelines.

In response to Committee questions, Ms. Bailey-White stated current Library of Congress guidelines recommend eliminating fines for lost digital books from the Talking Book Service because there is nothing physical that needs to be replaced. Funds for ICfL’s grants mostly come from federal programs, with $200,000 provided by state funds.

MOTION: Rep. Berch made a motion to approve Docket No. 30-0101-1801. Motion carried by voice vote.

DOCKET NO. 08-0203-1801: Rep. Moon reported on this docket, which modifies and removes unnecessary language in the Idaho Special Education Manual. Her subcommittee recommended approval of the docket.

MOTION: Rep. Moon made a motion to approve Docket No. 08-0203-1801. Motion carried by voice vote.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:46 am.
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Thursday, February 14, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>IDeal Idaho College Savings Program</td>
<td>Christine Stoll, Executive Director</td>
<td></td>
</tr>
</tbody>
</table>

"The mind is like a parachute: it only works when it is open."
- Thomas Dewar

Quote submitted by Rep. Wisniewski

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt(Call)
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
DATE: Thursday, February 14, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt (Call), Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Reps. Boyle, Moon, Ehardt and Wisniewski
GUESTS: Christine Stoll, IDeal - 529; Tim Hill, SDE

Chairman Clow called the meeting to order at 9:01 am.

Christine Stoll, Executive Director, IDeal Idaho’s 529 College Savings Program, presented to the Committee. The program was created by the legislature to help Idahoans save for educational goals and can now be used for K-12 and higher education expenses. The program is self-funding, supported by a management fee of 50 basis points. IDeal currently manages $477 million in assets, spread across 36,000 accounts. About 5% of Idaho kids have accounts, which is in the middle nationally for market penetration. Ms. Stoll stated kids with a 529 account are seven times more likely to go on to postsecondary schooling. She noted 40% of account owners are grandparents and the bulk of beneficiaries are currently 6-14 years old.

In response to Committee questions, Ms. Stoll explained the program’s fee structure and discussed marketing and outreach efforts. She noted IDeal is particularly trying to partner with CPAs and financial advisers.

Chairman Clow recognized Legislative Page Avery Woods and thanked her for her service to the Committee during the first half of the session.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:45 am.

___________________________
Representative Clow
Chair

___________________________
Erica McGinnis
Secretary
### AGENDA

**HOUSE EDUCATION COMMITTEE**  
9:00 A.M.  
Room EW41  
Friday, February 15, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
<th>PRESENTER</th>
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<tbody>
<tr>
<td>S 1030</td>
<td>School Boards meeting date</td>
<td>Senator Mary Souza</td>
</tr>
<tr>
<td>Docket No. 08-0202-1804</td>
<td>Rules Governing Uniformity</td>
<td>Tracie Bent, Chief Planning and Policy Officer, State Board of Education</td>
</tr>
<tr>
<td>Docket No. 08-0104-1801</td>
<td>Residency</td>
<td>Tracie Bent</td>
</tr>
<tr>
<td>Docket No. 08-0203-1805</td>
<td>Rule Governing Thoroughness</td>
<td>Helen Price, Rules Specialist, State Department of Education</td>
</tr>
</tbody>
</table>

"True education does not consist merely in the acquiring of a few facts of science, history, literature, or art, but in the development of character."
- David O. McKay

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

### COMMITTEE MEMBERS
- Chairman Clow
- Vice Chairman Kerby
- Rep Shepherd
- Rep Boyle
- Rep Mendive
- Rep DeMordaunt(Call)
- Rep Moon
- Rep Ehardt
- Rep Goesling
- Rep Marshall
- Rep Raymond
- Rep Wisniewski
- Rep McCrostie
- Rep Abernathy
- Rep Berch

### COMMITTEE SECRETARY
- Erica McGinnis  
  Room: EW49  
  Phone: 332-1148  
  email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE:    Friday, February 15, 2019
TIME:    9:00 A.M.
PLACE:   Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. DeMordaunt
GUESTS: Nick Veldhouse; Idaho Association of Highway Districts; Rob Winslow, IASA; Quinn Perry, ISBA; Helen Price and Christina Nava, State Department of Education; Brad Hunt, Office of the Administrative Rules Coordinator

Chairman Clow called the meeting to order at 9:00 am.

S 1030: Vice Chairman Kerby presented S 1030. This bill is a technical change to last year’s School Board Election bill and corrects the date of organization for school board trustees, allowing for election of officers every year.

MOTION: Rep. Moon made a motion to send S 1030 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. DeMordaunt will sponsor the bill on the floor.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

DOCKET NO. 08-0202-1804: Rep. Moon reported her subcommittee recommended this rule docket be rejected. She cited concerns about privacy violations, validity of performance criteria between states and the difficulty for teachers to meet the new requirements. She stated this rule is too cumbersome and adds more regulation, when the state needs to make it easier for out-of-state teachers to be licensed in Idaho.

Tracie Bent, Chief Planning and Policy Officer, State Board of Education, stated the proposed rule will create a new section of Administrative Code, providing clarification as to types of “additional evidence demonstrating effective teaching” that are authorized as evidence for a Professional Endorsement. The requirements listed are discussed in statute; the rule does not add any additional requirements, but allows the evaluation of evidence to be done at the district level, rather than at the state level. She stated if the rule was rejected districts would still be able to hire out-of-state teachers, but if the state decides there is insufficient evidence to place them on the career ladder’s professional rung, they will have to be placed on the residential rung and the district will get less money from salary-based apportionment, due to their lower status.

Rep. Marshall stated he feels there is sufficient coverage in code regarding professional rung placement. He stated districts can justify their placement of an out-of-state hire to the state and receive the appropriate reimbursement, so there is no need for this rule. The rule does not limit how a district places individuals on their salary schedule.

In response to Committee questions, Ms. Bent noted because many states measure student achievement it is not uncommon for educators to have their student’s data at an aggregate level, which they could provide as evidence of student achievement and performance. The rule would not apply to those seeking alternative certifications.
Rob Winslow, Executive Director, Idaho Association of School Administrators, spoke in support of the docket. He stated it is difficult when administrators find an out-of-state candidate, but are not able to honor their prior teaching experience and have to place them on the residential rung at a lower salary.

Quinn Perry, Policy and Governmental Affairs Director, Idaho School Boards Association, spoke in support of the docket. She stated the rule does not entirely address how to better place out-of-state teachers on the career ladder, but it adds flexibility and makes it easier for districts.

In response to Committee questions, Mr. Winslow explained districts do not have enough money to pay teachers a significantly different salary than is warranted by their placement on the career ladder. The state sends an allocation and the district would be responsible to make up any difference between that money and the teacher's contracted salary. Certain districts have gone ahead with an out-of-state hire, then turned in the professional endorsement evaluation to the state, only to later find out the state has disagreed with the district's placement assessment. The teacher would already be under contract for the higher, professional salary, but the state refuses to reimburse at the higher level and so the district must make up the difference. He stated this rule attempts to make things easier for districts by giving them control to evaluate their own candidates.

MOTION: Rep. McCrostie made a motion to approve Docket No. 08-0202-1804.

Rep. Berch and Chairman Clow spoke in support of the motion, due to the supporting testimony.

SUBSTITUTE MOTION: Rep. Goesling made a substitute motion to approve Docket No. 08-0202-1804, with the exception of Subsections 01, 02 and 03. He stated the subcommittee was concerned about the levels of requirements added by the subsections, but was in support of the evaluation process taking place at the local level, as contained in Subsection 04.

In response to Committee questions, Ms. Bent stated Subsections 01-03 reference statutory requirements and removing them from the rule does not change the requirements. Those that participated in the rulemaking process felt it was helpful to have all the requirements in the same place, rather than spread between statute and rule.

Rep. Clow stated he felt it was easier for users to have all the references in one place, so he remained in support of the original motion.

Rep. Boyle spoke in support of the substitute motion, stating it is always a good idea for people to read the law, not just the rules.


DOCKET NO. 08-0104-1801: Rep. Moon reported this docket removes obsolete language referring to Eastern Idaho Technical College and simplifies how financial support is given to a student based on their parent/guardian income tax record. The subcommittee recommended approval of the docket.

MOTION: Rep. Raymond made a motion to approve Docket No. 08-0104-1801.

Rep. Goesling noted there are many discrepancies in how residency is defined and he would like to work with the State Board of Education to fix this.
VOTE ON MOTION: Motion carried by voice vote.

DOCKET NO. 08-0203-1805: Rep. Moon reported this docket is a clean up of language that became obsolete when the No Child Left Behind Act was replaced by the Every Student Succeeds Act. The subcommittee recommended approval of the docket.

MOTION: Rep. McCrostie made a motion to approve Docket No. 08-0203-1805. Motion carried by voice vote.

Vice Chairman Kerby turned the gavel over to Chairman Clow.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:11 am.

__________________________________________  _________________________________________
Representative Kerby                                          Erica McGinnis
Chair                                                            Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
WW02 Lincoln Auditorium
Tuesday, February 19, 2019

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<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>Idaho School Boards Association</td>
<td>&quot;Day on the Hill&quot;</td>
<td>Karen Echeverria, ISBA Executive Director</td>
</tr>
<tr>
<td></td>
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<td>Jennifer Parkins, ISBA President</td>
</tr>
</tbody>
</table>

"A primary object should be the education of our youth in the science of government. In a republic, what species of knowledge can be equally important? And what duty more pressing than communicating it to those who are to be the future guardians of the liberties of the country?"
- George Washington

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
Chairman Clow called the meeting to order at 9:02 am.

**MOTION:** Rep. McCrostie made a motion to approve the minutes of the February 11, 2019 and February 12, 2019 meetings. Motion carried by voice vote.

**Chairman Clow** introduced the Committee's new page, Jack Marchant.

Karen Echeverria, Executive Director, Idaho School Boards Association (ISBA), introduced the Association's President, Jennifer Parkins, from Genesee.

Jennifer Parkins, President, ISBA, discussed four key areas of focus. She first highlighted "Stand Up 4 Idaho Public Schools", a campaign to highlight the great things happening in the state. Local school governance means each community can establish their own vision of what a great school is. Next she discussed local school board governance and stated local boards must have flexibility to set policies in their school system. She stated higher levels of government must communicate with school boards to see if a proposed policy is viable at the local level. Third, ISBA advocates for equity and excellence in public education. Ms. Parkins stated schools need the resources to meet local and state standards, and funding in districts must be allocated in a manner that supports equitable learning for all children. Finally, she discussed the importance of a nurturing and safe school environment. This includes funding for physical improvements to enhance security, school resource officers and mental health support. She noted school boards need to publicize the link between safety and academic success.

Mike Dominguez, Mountain View School District, discussed his district's funding challenges. His district passed a levy by less than 1%, so he does not see a higher levy rate as a viable funding option. He stated per student funding does not work for a small district like his and thinks their budget shortfall is a result of underfunding by the state.

Nancy Gregory, ISBA Region 3 Chair, Boise School District Trustee, expressed satisfaction that stakeholder groups are now involved in drafting new funding formula legislation. She expressed concern about both the career ladder being rolled into the formula and the proposed wealth adjustment.
Ken Hart, ISBA Region 2 Chair, NezPerce School District, discussed health insurance in school districts. He stated boards and districts need freedom to negotiate these benefits with their staff.

Brian Pyper, ISBA Region 6 Vice Chair, Vice Chair of Madison School Board, stated over the years it has become progressively more expensive and difficult to become a teacher. He noted a major hurdle with recruitment and retention of teachers are low salaries. He stated the teachers feel the legislature does not trust them and all the calls for accountability feel oppressive, not supportive.

Travis Manning, Caldwell School Board, Vallivue School District teacher, also stated teachers feel disrespected by the legislature, due to the lack of funding for the upper end of the career ladder and the lack of school funding. He noted experienced teachers are embedded in the fabric of the community. He stated part of the reason test scores ebb and flow is the high teacher turnover rate.

Jim Stoor, Soda Springs Trustee, discussed the crisis of school infrastructure across the state. He asked that the two-thirds threshold to pass bonds and levies be lowered.

Wally Hedrick, Meridian Technical Charter High School Board Chair, President-elect of ISBA, asked for continued flexibility for districts and charters to develop programs within a policy framework. He noted Mastery Education is an example of this.

Michelle Lippert, ISBA Region 1 Chair, Post Falls School Board, expressed support for the governor's proposal to raise starting teacher pay to $40,000. She also noted the need to examine pay for the top tier of teachers.

Allison Westfall, Nampa School Board Chair, stated the wealth adjustment is a hasty solution to the complex problem of taxes and urged the legislature to have a conversation about property tax reform.

Steve Cook, Coeur d'Alene School District Superintendent, noted a needed statutory change for when districts put a levy into perpetuity.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:07 am.

___________________________
Representative Clow
Chair

___________________________
Erica McGinnis
Secretary
## AGENDA

**HOUSE EDUCATION COMMITTEE**  
9:00 A.M.  
Room EW41  
Wednesday, February 20, 2019

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<thead>
<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td><strong>H 153</strong></td>
<td>Career Ladder / Teacher Pay</td>
<td>Greg Wilson, Senior Policy Adviser for Education, Office of the Governor</td>
</tr>
<tr>
<td></td>
<td>Public Charter School Commission</td>
<td>Tamara Baysinger, PCSC Director</td>
</tr>
</tbody>
</table>

"Those who educate children well are more to be honored than they who produce them; for these only gave them life, those the art of living well."
- Aristotle

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

**COMMITTEE MEMBERS**

Chairman Clow  
Vice Chairman Kerby  
Rep Shepherd  
Rep Boyle  
Rep Mendive

Rep DeMordaunt  
Rep Moon  
Rep Ehardt  
Rep Goesling  
Rep Marshall

Rep Raymond  
Rep Wisniewski  
Rep McCrostie  
Rep Abernathy  
Rep Berch

**COMMITTEE SECRETARY**

Erica McGinnis  
Room: EW49  
Phone: 332-1148  
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, February 20, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. Shepherd
GUESTS: Greg Wilson, Governor's Office; Quinn Perry, ISBA; Samantha Eichner, Willow Creek; Tim Hill and Marilyn Whitney, SDE; Paul Stark, Idaho Education Association; Rod Gramer, Idaho Business for Education

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the February 13, 2019 and February 14, 2019 meetings. Motion carried by voice vote.

H 153: Greg Wilson, Senior Policy Adviser for Education, Office of the Governor, presented H 153. This bill addresses starting teacher pay increases on the career ladder, specifically in the first three years. He stated the governor believes there are budget priorities that cannot wait and getting starting teacher pay in Idaho to $40,000 is one such priority. Idaho's overall teacher attrition rate of 10% exceeds the national average and each year districts must fill 1,750 teaching positions, created by attrition and population growth. H 153 is designed to assist efforts to attract, recruit and retain young educators and allow Idaho's teacher salaries to better compete with surrounding states. This bill would raise starting teacher pay to $40,000 over a two-year period and increase teacher pay across the entire residency rung of the career ladder, which corresponds to the first three years of an educator's career. This bill also addresses the consolidation of cells along the professional rung of the career ladder, from ten to five cells, making clear how teachers would move and not see a decrease in their salaries. The fiscal impact for FY20 is $3.8 million, and for FY21 is $7.6 million. These figures account for projected movement of teachers along the career ladder and growth in schools, and cover salaries and benefits.

In response to Committee questions, Mr. Wilson stated the governor would like his proposed education task force to examine compensation for experienced educators. He also noted all teachers that move along the career ladder will see a pay increase, but districts can draft their own salary schedules based on this allocation.

Quinn Perry, Policy and Government Affairs Director, Idaho School Boards Association, spoke in support of the bill and noted the retention challenges facing border districts. She stated while the state may not have the resources to fully compete with neighboring states, this bill is a step in the right direction.

Samantha Eichner, Fourth grade teacher in Nampa, spoke in support of the bill and discussed her need to work additional jobs to supplement her teaching salary.

Rod Gramer, President, Idaho Business for Education, spoke in support of the bill and praised the two-year implementation as a recognition of fiscal realities. He stated investments in the career ladder will play a critical role in keeping teachers in the classroom and this bill provides a solid salary base for the professional rungs to build upon.
Superintendent Sherri Ybarra spoke in support of the bill and noted she supports increasing teacher pay across all experience levels.

**MOTION:** Rep. Marshall made a motion to send H 153 to the floor with a DO PASS recommendation.

Mr. Wilson was recognized to close testimony on H 153. He expressed empathy with the committee’s concerns about experienced teacher pay, but stated attrition is higher among starting teachers and the governor wants to focus on this side of the equation first. He anticipates the proposed education task force will examine how to provide extra incentives for experienced teachers and hard to fill positions.

Vice Chairman Kerby spoke in support of the motion, stating this is a nice signal from the governor that salary issues at all levels are going to be addressed.

Rep. McCrostie spoke in support of the motion, with the understanding this is a first step toward addressing retention issues.

Rep. DeMordaunt spoke in support of the motion and noted the flexibility of the career ladder will remain, so districts can set their own salaries after meeting the $40,000 starting minimum. She stated this could allow districts to use the additional allocation to benefit veteran teachers.

Rep. Berch spoke in support of the motion, but noted the proposed salaries fall short of being competitive with surrounding states. He expressed fear Idaho will lose additional teachers in the two years it will take for the bill to be implemented.

Mr. Wilson was called upon to answer questions from the Committee regarding state-allocated funds and district salary schedules. He stated at the end of the two-year implementation starting teacher pay will be mandated in code as $40,000. The career ladder is a distribution, but is not mandated. Many districts align their salary schedules with the career ladder because they do not have additional local funds to raise salaries beyond the state’s allocation. By increasing the allocation for teachers in their second and third year, this will send additional funds to districts which may choose to use those funds for year two and three teachers, or they may put the additional funds towards experienced teacher salaries.

**VOTE ON MOTION:**

Motion carried by voice vote. Rep. Marshall will sponsor the bill on the floor.

Tamara Baysinger, Director, Public Charter School Commission (PCSC), presented on the Commission’s current direction and focus. She stated the Commission is exploring if charters are seeing improvement in student learning, increased opportunities for students and if these opportunities are available and effective for all types of students. Among non-virtual charters authorized by the PCSC, 72% have higher proficiency rates than their surrounding districts and most of the charters with strong proficiency also show strong student growth. Unfortunately, the reverse is also true. The PCSC looks at each school every five years to determine whether to renew their charters; 55% have been renewed without conditions and 30% have been renewed with specific conditions for necessary improvement. She noted 8 of the 64 charters that have opened over the past twenty years have closed, for various reasons. She also noted the majority of charters are less diverse than their surrounding districts in the demographics of free and reduced lunch, special needs, ethnic, English language learner and at-risk students. As an authorizer, the PCSC can encourage, but not enforce, change to increase diversity. The Commission also seeks opportunities to disseminate best practices from charter schools.

In response to Committee questions, Ms. Baysinger asked for legislator’s support when difficult decisions about reauthorization must be made.
ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:32 am.

Representative Clow
Chair

Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Thursday, February 21, 2019

SUBJECT DESCRIPTION PRESENTER

RS26561 Educator loan assistance Rep. Toone

H 93 Nontraditional educator preparation Rep. Boyle
Rep. DeMordaunt

FFA State Officers Saydee Longhurst, President, Shelley
Harrison Jansen van Beek, Vice President, Middleton
Allyson King, Secretary, Filer
Melanie Searle, Treasurer, Burley
Savannah Stroebel, Reporter, Kuna
Caleb Johnston, Sentinel, New Plymouth

"There are two kinds of teachers: the kind that fills you with so much quail shot that you can't move, and the kind that just gives you a little prod behind and you jump to the skies."
- Robert Frost

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
e-mail: hedu@house.idaho.gov
MINUTES

HOUSE EDUCATION COMMITTEE

DATE: Thursday, February 21, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. Berch
GUESTS: Blake Youde, Robin Gilbert and Michael Jacobsen, Teach for America; Harold Ott, IRSA/IASA; Rob Winslow, IASA; Kari Overall, IEA

Chairman Clow called the meeting to order at 9:01 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the February 15, 2019 meeting. Motion carried by voice vote.

RS 26561: Rep. Toone presented RS 26561, which establishes the Quality Educator Loan Assistance Program to provide loan repayment assistance to teachers working in rural and/or economically disadvantaged areas. She stated 75% of schools in Idaho are located in rural areas and the loan forgiveness program would be one tool to attract and retain teachers for these schools.

Sen. Ward-Engelking also presented on the proposed legislation. She explained an eligible teacher would be eligible for $1,500 in loan repayment assistance their first year, $2,500 second year, $3,500 third year and $4,500 fourth year, provided they remain employed by the same school or district. She noted this would be more beneficial than a signing bonus because it lasts longer and the hope is that after four years the teacher will be invested in the community and likely to stay. She stated the proposed legislation has the backing of all stakeholders, including the State Board of Education.

MOTION: Rep. McCrostie made a motion to introduce RS 26561.

In response to Committee questions, Sen. Ward-Engelking stated she is working on additional legislation to encourage kids in rural communities to become teachers and return to teach in their hometown.

VOTE ON MOTION: Motion carried by voice vote.

H 93: Rep. DeMordaunt presented H 93, which creates one tool to address the teacher shortage. She stated 2,000 new teachers are needed each year to fill positions created by attrition and growth, and districts spend at least $6 million per year to fill these positions. This bill would allow districts or charters to enter into agreements with State Board of Education-approved nontraditional teacher preparation programs to help recruit, select, train and retain teachers for hard to fill positions. It would make these programs eligible for state funding if they provide at least 100% in matching funds. Eligible programs must demonstrate their teachers achieve above-average academic growth from students.

Rep. Boyle also presented on the bill and noted the teacher shortage is particularly severe in rural Idaho. She stated this bill is not just about one organization.
Blake Youde, speaking on behalf of Teach for America (TFA), spoke in support of H 93. He stated twelve more districts in Idaho have contacted TFA regarding expansion and noted this bill alone is not intended to solve the shortage, but it is one piece of the puzzle.

In response to Committee questions, Mr. Youde stated TFA provides a 3:1 match of private to state dollars, so expanding the program is very cost effective for the state. He stated it is a recruitment program and incentives are needed to lure the best individuals to Idaho. It is not uncommon for government to partner with private organizations to meet a public purpose and he suggested this is a better solution than expanding government to meet the need. He noted the bill allows funding subject to appropriation, so the legislature has the final say on fiscal impact.

Robin Gilbert, Payette School District Superintendent, spoke in support of the bill. She noted it has achievement requirements written into it and stated TFA mentors their teachers, so the district does not have to. She stated she has to spend money to find new teachers anyway, so it would be nice to have the state invest likewise.

Michael Jacobsen, Swan Valley School District Superintendent, spoke in support of the bill and stated all of his teachers are alternatively certified. He stated educators want a bag of tools they can use, but right now TFA is not an option for him, because the program is only in the Treasure Valley.

Kari Overall, President, Idaho Education Association, stated retention is clearly the primary issue causing the teacher shortage. She called for a comprehensive approach to the problem and suggested the governor's proposed Education Task Force as the place to begin the conversation about a multi-step solution.

Rep. DeMordaunt was recognized to close testimony on H 93. She noted the traditional teacher preparation model will continue to provide the bulk of teachers, but this bill can have an immediate impact. She stated it is local districts asking for this and state dollars will allow TFA and other programs scalability. She also noted student outcomes are written into the bill. She stated this sets up a model for future partnerships and when the state leverages private dollars with public funds, we get bang for our buck.

**MOTION:** Vice Chairman Kerby made a motion to send H 93 to the floor with a DO PASS recommendation. He noted Idaho already invests heavily in teacher preparation students at its public and private universities, the bill does not require a large funding commitment, and TFA has a good track record. He stated Idaho has an acute shortage of teachers, so the legislature cannot ignore a solution as valuable as this.

Rep. Marshall spoke in opposition to the motion, noting while he supports nontraditional teacher preparation methods, he was not convinced public funding is required.

Rep. Raymond spoke in support of the motion because he believed the bill will give the state a good return on investment.

Rep. McCrostie spoke in opposition to the motion because of concerns about the funding language.

Chairman Clow spoke in support of the motion, stating he views TFA and similar programs as recruitment operations, something districts are not prepared to do.

**VOTE ON MOTION:** Motion carried by voice vote. Reps. Marshall, McCrostie, Moon and Wisniewski requested to be recorded as voting NAY. Reps. Boyle and DeMordaunt will sponsor the bill on the floor.
Idaho's State FFA Officers, Saydee Longhurst, President; Harrison Jansen van Beek, Vice President; Allyson King, Secretary; Melanie Searle, Treasurer; Savannah Stroebel, Reporter; and Caleb Johnston, Sentinel, presented to the Committee. They spoke about the opportunity for students to have a supervised agriculture experience, the organization's service component and the leadership conferences available.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 10:52 am.

___________________________  __________________________
Representative Clow         Erica McGinnis
Chair                        Secretary
## AGENDA

**HOUSE EDUCATION COMMITTEE**

9:00 A.M.

Room EW42

Friday, February 22, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>H 150</td>
<td>School Boards executive session</td>
<td>Rep. Goesling</td>
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</tbody>
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| RS26668 | School Readiness Act | Rep. Amador  
Rod Gramer, President, Idaho Business for Education |
| RS26918 | Barber, cosmetology schools | Rep. Clow |

Scheduled for Remote Testimony: H 150

"Education is not the filling of a pail, but the lighting of a fire."
- W.B. Yeats

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

### COMMITTEE MEMBERS

| Chairman Clow | Rep DeMordaunt | Rep Raymond |
| Vice Chairman Kerby | Rep Moon | Rep Wisniewski |
| Rep Shepherd | Rep Ehardt | Rep McCrostie |
| Rep Boyle | Rep Goesling | Rep Abernathy |
| Rep Mendive | Rep Marshall | Rep Berch |

### COMMITTEE SECRETARY

Erica McGinnis  
Room: EW49  
Phone: 332-1148  
email: hedu@house.idaho.gov
RS 26668: Rep. Amador presented RS 26668, proposed legislation which he called the start of an important conversation about early childhood learning in Idaho. He noted the percentage of kids living in single-parent households continues to increase and Idaho is one of only four states that does not provide any state funding for pre-K programs. This proposed legislation, the "Idaho School Readiness Act", creates a voluntary, state-supported, early learning framework to get 4 year-olds ready to succeed in kindergarten. Programs would be home- or site-based and any state funding would be matched by local dollars.

Rod Gramer, President, Idaho Business for Education, also presented RS 26668 and noted the percentage of Idaho kids who enter kindergarten unprepared to learn to read is increasing. He explained the State Board of Education would set the standards for what constitutes high-quality, site-based early education. The state would provide 50% of the per child funding for site-based programs and 100% for home-based. Local community collaboratives would be formed by interested businesses and nonprofits to run site-based programs.

In response to Committee questions, Rep. Amador stated the vast majority of studies indicate high-quality early education leads to significant gains in kindergarten readiness and social skills. He noted funding would be based upon appropriation and it would be up to the legislature to set educational funding priorities.

MOTION: Rep. McCrostie made a motion to introduce RS 26668.

SUBSTITUTE MOTION: Rep. DeMordaunt made a substitute motion to return RS 26668 to the sponsor. She stated this year is not the time to discuss early learning programs, due to the legislature's funding commitments for raising starting teacher salaries and expanding early literacy programs.

Rep. Berch spoke in opposition to the substitute motion, stating the Committee has the time to have a conversation about the proposed legislation and the education of Idaho's children.
Motion carried by voice vote. Chairman Clow, Vice Chairman Kerby, Reps. Berch and McCrostie requested to be recorded as voting NAY.

Rep. Goesling presented H 150, which permits school boards to enter into executive session with a simple majority vote, if two board seats are vacant.

Jody Hendrickx, Chairman of the Board of S.D. 41, Idaho School Boards Association Executive Board Vice President, testified remotely from North Idaho College in support of the bill. He stated in the past St. Maries has had trouble filling two board vacancies. As a result, personnel and student expulsion matters that require the board to go into executive session had to be put aside.

Karen Echeverria, Executive Director, Idaho School Boards Association (ISBA), spoke in support of the bill. She noted the bill allows for an exception only when the board has enough vacancies to meet the requirement; it does not cover absences. Superintendents can make immediate decisions regarding the removal of staff or students, but the school board must approve those decisions within thirty days and can only do so while in executive session. She stated boards may have vacant seats due to a recall election or the inability to recruit someone to fill the seat. When the seat cannot be filled by someone within the correct zone, it can be filled by someone in the district at-large.

Vice Chairman Kerby made a motion to send H 150 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Goesling will sponsor the bill on the floor.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

Chairman Clow presented RS 26860, which clarifies libraries must filter access to minors of obscene and pornographic material not only through desktop computers, but also through library-provided Wi-Fi access. He stated some small libraries may need financial support to install Wi-Fi filters and suggested funds could be appropriated from within the current levels of support to the Broadband Committee.

Rep. Mendive made a motion to introduce RS 26860. Motion carried by voice vote.

Chairman Clow presented RS 26918 and stated the bill would ultimately be heard by the House Business Committee. This proposed legislation gives the Barber and Cosmetology Services Licensing Board the authority to approve license renewals for barber and cosmetology schools if their license lapsed due to a late payment. The Board could back date the license so the school would maintain continuous coverage.

Rep. DeMordaunt made a motion to introduce RS 26918. Motion carried by voice vote.

Vice Chairman Kerby turned the gavel over to Chairman Clow.

There being no further business to come before the Committee, the meeting adjourned at 10:03 am.
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Tuesday, February 26, 2019

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<tr>
<th>SUBJECT</th>
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<td>Virtual Schools Presentation:</td>
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<td>IDVA Data</td>
<td>Kelly Edginton, Head of School, Idaho Virtual Academy</td>
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<tr>
<td>ITCA Data</td>
<td>Monti Pittman, Head of School, Idaho Technical Career Academy</td>
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<tr>
<td>iSucceed Data</td>
<td>Katie Allison, Executive Director, iSucceed Virtual High School</td>
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<tr>
<td>Coalition of Idaho Charter School Families</td>
<td>Tom LeClaire, President</td>
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<tr>
<td>H 120</td>
<td>Sex education</td>
<td>Rep. Ehardt</td>
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"The difference between school and life? In school, you're taught a lesson and then given a test. In life, you're given a test that teaches you a lesson."
- Tom Bodett

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Tuesday, February 26, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie (Nash), Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: The sign-in sheet will be retained with the minutes in the committee secretary's office until the end of the session. Following the end of the session, the sign-in sheet will be filed with the minutes in the Legislative Services Library.

Chairman Clow called the meeting to order at 9:01 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the February 19, 2019 meeting. Motion carried by voice vote.

Kelly Edginton, Head of School, Idaho Virtual Academy (IDVA), presented data on online schools. IDVA has been certified since 2005 and expects to be recertified this year; it employs 57 Idaho certified teachers. Their student population is highly mobile, a significant portion is credit deficient and the percentages of economically disadvantaged students and students with disabilities is higher than brick-and-mortar charter schools. She noted in 2018, IDVA's high school students outperformed the state in Math, English Language Arts and Science ISAT scores and their at-risk groups consistently outperform the state average. She stated IDVA has a higher percentage of special education students because of the individualized support they provide to these students.

Monti Pittman, Head of School, Idaho Technical Career Academy, gave an update on ITCA. The school was founded in 2014 to meet the labor needs of business and industry and offers four career pathways: agricultural manufacturing/food processing systems, business/marketing management, health science/pharmacy tech, and web development and digital communications. He discussed their student demographics and noted a large number of students enroll during the second semester, indicating a highly mobile population. He noted 41% of ITCA students live in a rural location. Mr. Pittman also highlighted ITCA's above average scores on a national, technical skills assessment.

Chairman Clow asked the next two reports be delayed until a future date. Time expectations of the bill hearing would not allow more than the planned twenty minutes.

H 120: Rep. Ehardt presented H 120, legislation which changes the current system of sexual education from parental opt-out to opt-in. She stated the bill is very limited in scope and addresses parental rights and consent, not curriculum content. She gave an overview of the statutes that define parental rights and discussed "Reducing the Risk", a sex ed program used in several schools. She stated this program covers material beyond the scope of Idaho statutes and bypasses parental consent. She noted several neighboring states have changed to opt-in systems for sex ed and stated this change will empower parents to direct their children's education.
John Paulton, Family Policy Alliance of Idaho; Rep. Bryan Zollinger, District 33; and Christian Welp, Roman Catholic Diocese of Boise, spoke in support of the bill. They stated parents hold the primary responsibility for sexual education, not schools, and this bill gives parents more control and information. Rep. Zollinger also noted parents do not have time to stay up-to-date with school board curriculum meetings and it will be easy for schools to notify parents about how to opt-in their children.

Quinn Perry, Policy and Government Affairs Director, Idaho School Boards Association, testified in opposition to the bill as written. She stated the bill creates areas of redundancy and conflict with current law. She discussed the process school districts follow to adopt curricula and noted the public is able to attend all relevant meetings and share their comments. She noted the bill does not define “sexuality” and expressed concern this could impact other courses, including biology and anatomy. She also expressed concern about the bill limiting schools’ ability to disseminate information on harassment and bullying. She stated the bill is lacking an accurate fiscal note and will create an unfunded mandate at the local level.

Sabine Englert, Student from District 15; Isabella Hill, Student at Boise High School; Sarah Pearce, Student at Boise High; Zoe Kenney, Student from District 20; Lydia Christensen, Citizen; and Liam Neupert, Student, spoke in opposition. They stated this bill adds barriers to students receiving sexual education and learning about their own bodies. They noted many students have parents who are not very present in their lives or open to conversations about sexuality and these students will be at a disadvantage if the program becomes opt-in. They also raised concerns about homes where sexual abuse occurs and noted an abusive parent would be shielded because the child would be unable to learn about healthy sexual behavior. They stated parental approval is not needed for other subjects and sex ed should not be singled out.

Lori Burelle, Idaho Falls Progressives; Lori Gash, West Ada School District; Stacy Falkner, Idaho Education Manager for Planned Parenthood; Cody Hafer, Community Outreach Educator for Planned Parenthood; Kathy Griesmyer, American Civil Liberties Union; Sylvia Chariton, American Association of University Women; Nirmala Sandhu, National Organization for Women; and Annie Hightower, Idaho Coalition Against Sexual and Domestic Violence, spoke in opposition. They too stated the bill places intentional barriers between kids and factual information. They argued there are already adequate opportunities for parental involvement and the current system has shown beneficial results. They expressed concern about the reliability of kids returning permission slips and the delay this could cause in material being taught. They also expressed concern about the burden added to teachers to track which kids can receive what instruction. Ms. Hightower also expressed concern about the bill limiting information on how to report sexual assault.

Sara Fry, on behalf of herself and doctors from the Idaho Section of the American College of Obstetricians and Gynecologists; Reverend Sara LaWall, Boise Unitarian Universalist Fellowship; Janet Kaufman, Educator and Parent; and Carolyn Casey, Parent, spoke in opposition. They stated kids need multiple sources of information regarding sexual health and parents and schools should work together. They noted not all parents are available or comfortable discussing sex ed with their children and changing to opt-in penalizes the majority of families who already participate in the program.

Due to time constraints, H 120 will be carried over to the meeting of March 1, 2019 at 9:00 am.
ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:58 am.

___________________________  ___________________________
Representative Clow            Erica McGinnis
Chair                           Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Wednesday, February 27, 2019

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<tr>
<th>SUBJECT</th>
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<tr>
<td>RS26943</td>
<td>Rural teacher incentive program</td>
<td>Superintendent Ybarra</td>
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<td>Idaho Criminal Justice Commission</td>
<td>Eric Fredericksen, Chairman</td>
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<td></td>
<td>Discussion of Student-Based Funding Formula’s</td>
<td>Reps. Clow and Kerby</td>
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<td>Draft Status</td>
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"Ignorance is ultimately the worst enemy of a people who want to be free."
- Jonathan Hennessey

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie(Nash)
Rep Abernathy(Nye)
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, February 27, 2019
TIME: 9:00 A.M.
PLACE: Room EW41

MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie (Nash), Abernathy (Nye), Berch

ABSENT/EXCUSED: None

GUESTS: Monty Prow, Idaho Criminal Justice Commission; Tim Hill, Julie Oberle, Sherri Ybarra and Marilyn Whitney, SDE; Quinn Perry, ISBA; Harold Ott, IRSA/IASA; Rob Winslow, IASA; Tracie Bent, SBOE

Champion Clow called the meeting to order at 9:01 am.

RS 26943: Marilyn Whitney, Deputy Superintendent of Communications and Policy, State Department of Education, presented RS 26943, which creates a Rural Teacher Pipeline Initiative to help address the teacher shortage in rural schools. It includes three different programs: Grow Your Own, which would provide funding for a paraprofessional or classified staff member already working in a rural district to earn their teaching certificate; a Rural Teacher Fellowship, for teacher preparation students who commit to teach in a geographic or content area where shortages exist; and a Certification and Retention Bonus, which would provide a stipend for rural teachers or other professional providers who are pursuing additional education or another certification for a hard-to-fill need in a rural school. In consideration of budget constraints, the proposed legislation has an effective date of July 1, 2020. This will allow preparation for these programs to begin. The proposed legislation also includes a five year sunset clause to determine program effectiveness.

MOTION: Rep. Ehardt made a motion to introduce RS 26943.

Reps. Moon and Goesling spoke in opposition to the motion, due to concerns about funding another education program during this legislative session.

Reps. Kerby and Nash spoke in support of the motion because it will spur discussion about how to address the rural teacher shortage.

VOTE ON MOTION: Motion carried by voice vote. Reps. Moon and Goesling requested to be recorded as voting NAY.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

Chairman Clow updated the Committee on the legislation drafting process for the Student Based Funding Formula (SBFF). He addressed the definitions of: child with disability, special education, economically disadvantaged, English language learner, Local Education Agency, local salary schedule and remote school. He stated the first residential and professional rungs of the career ladder will be minimum salaries written into code.

In response to Committee questions, Chairman Clow stated there are currently 19 line items in the draft, but the Committee has the ability, during the drafting process, to designate whether expense categories will be rolled into the per-student formula calculation, or be listed as separate line items.
Chairman Clow discussed student weights and stated they will not increase automatically, because that takes money away from the base per-student allocation. If the legislature wants to increase a weight, the bill will have to be changed and designated funding appropriated. He stated the special education weight will take into account maintenance of state support and maintenance of effort funding. He stated the district economic weight, often called the wealth adjustment, will be written into the bill, but not assigned a weight. This will preserve the mechanism as an option in the future. He noted if a particular appropriation receives additional funding, the weights would need to be adjusted to reflect that.

In response to Committee questions regarding student mobility, Vice Chairman Kerby noted this is a problem with the current funding formula and 85% of funding is based on the first enrollment count of students. The new formula will have different count dates to better reflect mobility.

Chairman Clow stated the draft legislation uses a hold positive mechanism for three years to ensure schools will not receive less than the current funding. He noted Idaho Digital Learning Academy’s funding will be modified slightly and IDLA will receive a minimum appropriation of $1.6 million. He stated the Committee may choose to specify how much of the formula funding is intended for the career ladder. To move from cell to cell, student achievement will be the main driver.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:36 am.

___________________________  ____________________
Representative Kerby       Erica McGinnis
Chair                      Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Thursday, February 28, 2019

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<tr>
<td>S 1058</td>
<td>Charter school administrators</td>
<td>Rep. Boyle</td>
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<tr>
<td></td>
<td>Continuing Discussion of Student-Based Funding Formula's Draft Status</td>
<td>Rep. Clow</td>
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"Educating the mind without educating the heart is no education at all."
- Aristotle

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie(Nash)
Rep Abernathy(Nye)
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Thursday, February 28, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie (Nash), Abernathy (Nye), Berch
ABSENT/EXCUSED: None
GUESTS: Blake Youde, Idaho Charter School Network; Steve Lambert; Tamara Baysinger, Public Charter School Commission; Tim Hill and Julie Oberle, SDE; Mike Keckler and Tracie Bent, SBOE; Chloe Howe; Paul Stark and Matt Compton, Idaho Education Association; Rob Winslow; Greg Wilson, Governor's Office

Chairman Clow called the meeting to order at 9:01 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the February 20, 2019, February 21, 2019 and February 22, 2019, meetings. Motion carried by voice vote.

S 1058: Rep. Boyle presented S 1058, which would create a new charter school administrator certificate. This would allow charter schools to hire administrators that do not have the traditional certification required by public schools. She stated this legislation passed the House and Senate last year, but was vetoed by the governor. The new certificate requires administrators to hold a bachelor's degree, pass a criminal background check, receive training on teacher evaluation, demonstrate a charter school board of directors seeks to hire them and commits to overseeing their work, and have a minimum amount of professional experience. The professional experience requirement can be met by one or more of the following: five or more years experience administering a public charter school; a post-baccalaureate degree and minimum of five years experience in school, public, business or military administration; successful completion of a nationally recognized charter school leaders fellowship; or a minimum of five years teaching experience and a commitment from another charter school administrator to mentor the applicant for at least one year. The new certificate would be valid for five years and these administrators would be subject to oversight from the Professional Standards Commission.

In response to Committee questions, Rep. Boyle stated while these administrators may not have teaching experience, they have leadership and administrative experience. They will be able to utilize colleagues who have extensive education experience and the charter school's board will still have ultimate authority and responsibility for the administrator. She stated charter schools will still be able to hire candidates with the traditional certification if that person best fits the needs of their school.
Blake Youde, on behalf of Idaho Charter School Network, spoke in support of the bill. He stated it will provide options for local boards to choose the administrator who best fits their school. He noted other states do not require charter school administrators to hold a traditional certificate, so Idaho's current law makes it difficult for out-of-state individuals to be hired. He stated there was an effort to address this issue through an administrative rule, but the proposed alternative pathway to certification relied on someone holding a certificate from another state to begin with.

Paul Stark, General Counsel, Idaho Education Association, spoke in opposition to the bill. He stated this lowers the bar to become an administrator and noted three problem areas: ethics training is not required, "nationally recognized charter school leaders fellowship" is undefined, and there is nothing to limit an individual from getting this certificate for a charter school position and then transferring to a traditional public school. He stated there are already alternative routes for administrators to earn this certificate.

Steve Lambert, Treasure Valley Classical Academy, spoke in support of the bill and stated it applies directly to him. He served as a charter school teacher and administrator in Georgia, which does not require certification for these positions, but has been unable to be hired in Idaho.

Rob Winslow, Executive Director, Idaho Association of School Administrators (IASA), spoke in opposition. He stated IASA supports the current alternative route to certification, which is based on holding a teaching certificate. He noted administrators oversee teacher evaluations, legal and ethical training, school finance, special education and community engagement. He stated Idaho is already creative in helping people become teachers and administrators.

Tamara Baysinger, Director, Public Charter School Commission, spoke in opposition. She stated the Commission's decision boiled down to what is best for kids and noted individuals in an administrative role dramatically impact kids. She stated the Commission values the training and experience of those who have earned administrator certificates and desires additional training for charter school administrators.

Tracie Bent, Chief Planning and Policy Officer, State Board of Education, discussed the attempt to address this issue through the negotiated rulemaking process. She stated the stakeholders came to a consensus, with the exception of the Charter School Network (CSN). The CSN representative felt there were still too many requirements for candidates to meet.

Mike Keckler, Chief Communications and Legislative Affairs Officer, State Board of Education, spoke in opposition. He noted the State Board voted unanimously against the legislation. He expressed concern the standalone certificate for charter school administrators bypasses state standards, which are developed by local educators.

Rep. DeMordaunt noted state code designates ultimate financial, legal and student achievement responsibility to a charter school's board, who in turn, bear complete responsibility for the hiring, evaluation and retention of school administrators.

Rep. Boyle was recognized to close testimony on S 1058. She stated the legislation does not lower standards; it provides flexibility to innovative charter schools and follows the examples of other states with proven success.

MOTION: Rep. Mendive made a motion to send S 1058 to the floor with a DO PASS recommendation. He stated charters are meant to try new things and he sees this bill as giving them the additional latitude they need.
Rep. Marshall spoke to the motion, stating as a past administrator he does not have a problem allowing charters to hire people who have a different background than his.

**SUBSTITUTE MOTION:** Rep. Berch made a substitute motion to HOLD S 1058 for time certain, March 5, 2019. He stated he had requested an opinion from the Attorney General, which states the requirements laid out in the bill are not as rigorous as those for a traditional administrator and it remained unclear how the administrator would assess a certificated educator when they themselves are not certificated.

Rep. Ehardt spoke in support of the original motion.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** Roll call vote on the substitute motion was requested. Motion failed by a vote of 3 AYE and 12 NAY. Voting in favor of the motion: Reps. Nash, Nye and Berch. Voting in opposition to the motion: Chairman Clow, Vice Chairman Kerby, Reps. Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond and Wisniewski.

Reps. Berch, Kerby and Goesling spoke in opposition to the original motion.

**ROLL CALL VOTE ON ORIGINAL MOTION:** Roll call vote on the original motion was requested. Motion carried by a vote of 10 AYE and 5 NAY. Voting in favor of the motion: Chairman Clow, Reps. Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Marshall, Raymond and Wisniewski. Voting in opposition to the motion: Vice Chairman Kerby, Reps. Goesling, Nash, Nye and Berch. Rep. Boyle will sponsor the bill on the floor.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 10:33 am.

___________________________
Representative Clow
Chair

___________________________
Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Friday, March 01, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
<th>PRESENTER</th>
</tr>
</thead>
<tbody>
<tr>
<td>H 120</td>
<td>Sex ed, continuation of testimony No new sign-ups will be taken. Two minute time limit on testimony.</td>
<td>Rep. Ehardt</td>
</tr>
</tbody>
</table>

"The more that you read, the more things you will know. The more that you learn, the more places you'll go."
- Dr. Seuss

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy(Nye)
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Friday, March 01, 2019
TIME: 9:00 A.M.
PLACE: Room EW41

MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy (Nye), Berch

ABSENT/EXCUSED: None

GUESTS: Branden Durst; Sam Katana; Karyn Levin; Kari Overall, IEA; Emilie Jackson-Edney; Lori Burelle and Diane Jensen, NOW; Phylis King, Martha Lund, Gayle Wilde and Linda Andusan, AAUW; Susan Rudusky and Dusty Ginner, Planned Parenthood; Sheila and Darryl Ford, Canyon County Tea Party; Ann Joslin and Dylan Baker, Idaho Commission for Libraries; Sally Fong-Rocha; Quinn Perry, ISBA; Sara Fry; Kristin Reed; Hannah Gouyil; Marilyn Whitney, SDE; John Watts, Idaho Library Association

Chairman Clow called the meeting to order at 9:01 am.

H 120: Continuation of the meeting of February 26, 2019.

Kari Overall, President, Idaho Education Association (IEA), spoke in opposition to the bill. She stated IEA believes in age-appropriate sex education that includes parental involvement. She echoed concerns about the lack of definition for "sexuality" and the potential for this legislation to affect other subjects.

Rep. Ehardt was recognized to close testimony on H 120. She repeated the bill is about parental rights and involvement. She stated although parents have an opportunity to review content beforehand, there is too much information even for school boards to comprehensively review. She stated there is no need to worry about spillover to other subjects or schools' ability to distribute anti-bullying materials. She argued the current opt-out system does not work because it places responsibility in the hands of the student, when it rightfully belongs to the parents. She stated the comments as a whole were anti-parent and the fundamental job of education stakeholder groups is to support parents as they support their children.

In response to Committee questions, Rep. Ehardt stated teachers have many methods available to communicate with parents; if the opt-in forms have not been returned, the teacher should follow up with parents. She explained this legislation originated from concerns about outside speakers brought to supplement the sex ed curriculum, but another concern is educational materials coming from the Department of Health and Welfare and bypassing the Committee. She reiterated she is not against sex ed content, but wants parents to give their consent.

MOTION: Rep. Marshall made a motion to send H 120 to the floor with a DO PASS recommendation. He said changing to an opt-in system would not be a burden to school administrators or teachers and will better respect the traditional views held by many parents.

Rep. Kerby spoke in support of the motion and noted if this becomes a burden, it can be changed as needed.
Rep. Berch made a substitute motion to HOLD H 120 in committee. He related his local high school has very few students opt-out of sex ed, but this bill makes the exception the norm and does not create a good process.

Rep. McCrostie spoke in support of the substitute motion. He argued the current opt-out process does work and does not need to be changed, because parents can already make this choice for their children.

Motion failed by voice vote.

Roll call vote was requested. Original motion carried by a vote of 12 AYE and 3 NAY. Voting in favor of the motion: Chairman Clow, Vice Chairman Kerby, Reps. Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond and Wisniewski. Voting in opposition to the motion: Reps. McCrostie, Abernathy and Berch. Rep. Ehardt will sponsor the bill on the floor.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

Chairman Clow presented H 194, which adds terminology to ensure and clarify current law that requires filtration of pornographic and obscene materials from libraries to minors, also applies to Wi-Fi offered by the library.

John Watts, on behalf of the Idaho Library Association (ILA), spoke in opposition to the bill. He stated librarians across Idaho oppose pornography in any child's hands and wants to help fix the problem. However, he argued H 194 is only the shell of a fix and because it does not include any money, is an unfunded mandate. He stated there are 51 small rural libraries in Idaho, but the bill's Statement of Purpose claims there are only 25-35. He noted there is no methodology to determine which libraries would receive state assistance. He asked the Committee to hold the bill so all parties could agree on the best way to proceed.

Rep. Goesling made a motion to send H 194 to the floor with a DO PASS recommendation.

Chairman Clow was recognized to close testimony on H 194. He stated Mr. Watt's comments and request for a delay were not new to him. Chairman Clow stated the bill does not contain additional penalties, but said he believes libraries are already in violation of the current law. He spoke in support of the motion.

Motion carried by voice vote. Rep. Clow will sponsor the bill on the floor.

There being no further business to come before the Committee, the meeting adjourned at 10:25 am.

Representative Clow
Chair

Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room WW17
Monday, March 04, 2019

SUBJECT | DESCRIPTION | PRESENTER
---|---|---
Committee discussion only of SBFF draft legislation

"Five percent of the people think; ten percent of the people think they think; and the other eighty-five percent would rather die than think."
- Thomas A. Edison

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Monday, March 04, 2019
TIME: 8:30 A.M.
PLACE: Room WW17
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Marilyn Whitney, SDE

Chairman Clow called the meeting to order at 8:32 am.

Chairman Clow said the meeting would be a work session to discuss the funding formula draft legislation. The goal is to introduce an RS as soon as possible to allow public comment, but multiple RSs may be needed to make changes. He stated the discussion would not be about how much money to add to public school funding, but how the funding formula should be changed and the resulting effect on how money is distributed to schools across the state.

Rep. Goesling stated he would like the legislation to contain accountability measures.

Elizabeth Bowen, Principal Legislative Drafting Attorney, Legislative Services Office, explained the status of the career ladder in the draft legislation, which was based on stakeholder feedback. Each Local Education Agency (LEA) must develop a local salary schedule and the criteria necessary to move up. The starting compensation for the first residency (R1) and professional (P1) rungs must be no less than the minimum written into code, but beyond that the local schedule does not have to match the state career ladder compensation table. LEAs will report to the State Department of Education about staff placement if the career ladder was the mandatory statewide schedule; the state will allocate teacher salary funds based on the state compensation table placement.

Rep. Marshall expressed concern about the retention of quality, experienced teachers and suggested an experience adjustment should be built into the funding.

Vice Chairman Kerby explained the draft addresses this by removing any specification of how many teachers an LEA must hire and basing the state’s funding allocation on a weighted average, rather than a separate allocation for each individual. An LEA can decide to hire fewer teachers and increase salaries by stretching the state allocation, or they can hire the number of teachers at the salary provided for by the allocation. The weighted average counts the number of teachers at each experience level, multiplies that number by the state allocation, then divides by the total number of teachers. If a district hired less experienced teachers, they would receive less money, but the only required salaries are the two minimums for R1 and P1. How to distribute the state allocation beyond that is a district-level decision.

Rep. Goesling noted the draft does not contain definitions for alternative and charter schools. It was agreed to add the definition of charter schools.
Rep. Goesling suggested the definition of "child with a disability" should specify who evaluates them. Upon input from the Committee, it was decided not to further expand the definition.

Vice Chairman Kerby stated the draft allows for flexibility in low-revenue years by making the student weights adjustable, subject to appropriation. This prevents the weights from automatically increasing and drawing money away from the base per student amount.

Ms. Bowen and Vice Chairman Kerby stated there are specific criteria to determine if a student is homeless. That designation was added as a subset of economically disadvantaged.

Rep. Goesling suggested the standard for teacher advancement on the salary schedule/career ladder should be higher than a "majority" of students meeting student achievement targets. He stated this is an accountability issue and schools should be held to a higher standard to ensure return on state investment.

Chairman Clow and Rep. Mendive stated policy changes should be made separately and the draft legislation needs to remain completely focused on the funding formula.

Rep. Marshall raised three issues for the Committee to consider: student weighting, a comparison of line items with those included in the formula, and whether teacher salaries should be within the formula or funded separately.

Chairman Clow discussed the weights, as found in the draft, for economically disadvantaged, English language learners, and gifted and talented.

Reps. Moon and Goesling stated gifted and talented should not be included as a weight.

Reps. McCrostie and Berch stated gifted and talented should be included, particularly for grades K-6.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 10:21 am.
Committee discussion of SBFF draft legislation

"The illiterate of the 21st century will not be those who cannot read and write, but those who cannot learn, unlearn and relearn."
- Alvin Toffler
Quote submitted by Rep. Berch

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
e-mail: hedu@house.idaho.gov
DATE: Tuesday, March 05, 2019
TIME: 8:30 A.M.
PLACE: Room WW17
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. Moon
GUESTS: Quinn Perry, ISBA; Tim Hill, Julie Oberle and Marilyn Whitney, SDE; Greg Wilson, Governor’s Office; Rob Winslow, IASA; Paul Stark and Matt Compton, IEA; Jonathan Gillen, West Ada; Gideon Tolman, DFM

Chairman Clow called the meeting to order at 8:30 am.

The Committee continued discussion of the funding formula draft legislation.

Rep. Marshall stated the 2% weight for gifted and talented (GT) should be based on reported numbers, not on an assumption of 10% GT students.

Rep. DeMordaunt suggested funding gifted and talented subject to appropriation, rather than mandating funding.

Rep. Goesling said he supported funding GT as a line item.

Vice Chairman Kerby stated he preferred to fund a flat 2% of 10% of all students. This number would not fluctuate as much and limits the ability of districts to take advantage of the GT designation to receive more funding.

Rep. Ehardt stated she was not in favor of having a GT weight in any form.

Reps. Marshall and DeMordaunt said the Committee should not add line items. Rep. DeMordaunt stated GT should either be part of the formula or eliminated.

Rep. McCrostie said he did not think GT funding should be eliminated and that would be a major policy shift.

MOTION: Rep. Goesling made a motion to remove the gifted and talented weight from the draft formula and make it a line item.

SUBSTITUTE MOTION: Rep. Ehardt made a substitute motion to eliminate all gifted and talented funding.

AMENDED SUBSTITUTE MOTION: Vice Chairman Kerby made an amended substitute motion to leave the gifted and talented weighted in the formula for grades K-6, funded subject to appropriation, up to 2% of 10% of all students.

Elizabeth Bowen, Principal Legislative Drafting Attorney, Legislative Services Office, clarified making the GT weight subject to appropriation would leave it as part of the formula, but not a mandated component.

Rep. Berch spoke in opposition to all the motions because they conveyed gifted and talented students don’t need any extra help.
Roll call vote was requested. **Motion carried by a vote of 8 AYE, 5 NAY, 2 Absent/Excused. Voting in favor of the motion:** Chairman Clow, Vice Chairman Kerby, Reps. Shepherd, Mendive, Demordaunt, Wisniewski, McCrostie and Abernathy. Voting in opposition to the motion: Reps. Ehardt, Goesling, Marshall, Raymond and Berch. Reps. Boyle and Moon were absent/excused.

Ms. Bowen described the difference in minimum weights for economically disadvantaged, English language learner and special education between two different legislation drafts, 401 and 404 (see attachments 1 and 2). 401 mandates a minimum weight of 10% every year; 404 has a minimum weight of 10% for FY21, but no minimum weight beyond that.

**Motion:** Rep. DeMordaunt made a motion to adopt the language regarding student weights from 404, Section 7.a, b, and d.

**Substitute motion:** Rep. McCrostie made a substitute motion to adopt the language from 404, Section 7.a, b and d, with the exception of "additional" in 7.a.i, 7.b.i, and 7.d.i. He stated his intention was to establish a floor of 10% weight, with any increase left to the Committee's discretion.

**Motion withdrawn:** Rep. McCrostie withdrew his substitute motion.

**Motion on:** Motion carried by voice vote.

**Motion:** Rep. DeMordaunt made a motion to remove the economic adjustment, also known as the wealth adjustment, weight found on page 11, lines 1-25 of the 401 draft. **Motion carried by voice vote.**

**Motion:** Rep. DeMordaunt made a motion to replace Section 5 of 401 with Section 5 of 404, thereby setting the hold harmless increase at 3% minimum and 5% maximum.

Chairman Clow and Vice Chairman Kerby spoke in opposition to the motion, stating 2 and 7.5% were used in all prior discussions and those percentages smooth the transition to the new funding formula and better prepare districts for the end of the implementation period.

Rep. McCrostie said he felt it was important 401 be the working draft and would vote no on the motion.

Rep. Raymond requested an explanation of the changes between drafts.

Roll call vote was requested. **Motion failed by a vote of 5 AYE, 9 NAY, 1 Absent/Excused. Voting in favor of the motion:** Reps. Boyle, DeMordaunt, Ehardt, Goesling and Abernathy. Voting in opposition to the motion: Chairman Clow, Vice Chairman Kerby, Reps. Shepherd, Mendive, Marshall, Raymond, Wisniewski, McCrostie and Berch. Rep. Moon was absent/excused.

There being no further business to come before the Committee, the meeting adjourned at 10:23 am.

___________________________
Representative Clow  
Chair  
___________________________  
Erica McGinnis  
Secretary

HOUSE EDUCATION COMMITTEE  
Tuesday, March 05, 2019—Minutes—Page 2
LEGISLATURE OF THE STATE OF IDAHO
Sixty-fifth Legislature First Regular Session - 2019

This bill draft contains confidential and privileged information exempt from disclosure under Section 74-109(1), Idaho Code. If you have received this message by mistake, please notify us immediately by replying to this message or telephoning the Legislative Services Office at (208) 334-2475.

AN ACT

RELATING TO EDUCATION; AMENDING THE HEADING FOR CHAPTER 10, TITLE 33, IDAHO CODE, TO REVISE THE CHAPTER TITLE; AMENDING SECTION 33-1001, IDAHO CODE, TO REVISE DEFINITIONS; REPEALING SECTION 33-1002, IDAHO CODE, RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM AND STUDENT-BASED FOUNDATION FUNDING, TO PROVIDE FOR CALCULATION OF AN AVERAGE SALARY, AND TO PROVIDE FOR ADJUSTMENT OF THE FOUNDATION AMOUNT; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002A, IDAHO CODE, TO PROVIDE A TRANSITION TO STUDENT-BASED FUNDING, TO ESTABLISH A HOLD HARMLESS PROVISION AND PROVISIONS RELATING TO ANNUAL FUNDING INCREASES, AND TO PROVIDE A LIMITATION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002B, IDAHO CODE, TO PROVIDE FOR SPECIAL PROGRAMS SUPPORT; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002C, IDAHO CODE, TO PROVIDE FOR WEIGHTS AND RULEMAKING; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002D, IDAHO CODE, TO ESTABLISH PROVISIONS FOR STUDENT ENROLLMENT COUNTS AND RULEMAKING; REPEALING SECTION 33-1003, IDAHO CODE, RELATING TO SPECIAL APPLICATION OF EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1003, IDAHO CODE, TO PROVIDE FOR PAYMENTS TO LOCAL EDUCATION AGENCIES; REPEALING SECTION 33-1003A, IDAHO CODE, RELATING TO THE CALCULATION OF AVERAGE DAILY ATTENDANCE; REPEALING SECTION 33-1003C, IDAHO CODE, RELATING TO SPECIAL APPLICATION OF TECHNOLOGY INSTRUCTION; REPEALING SECTION 33-1004, IDAHO CODE, RELATING TO STAFF ALLOWANCE; REPEALING SECTION 33-1004A, IDAHO CODE, RELATING TO THE EXPERIENCE AND EDUCATION MULTIPLIER; AMENDING SECTION 33-1004B, IDAHO CODE, AS AMENDED BY SECTION 5, CHAPTER 169, LAWS OF 2018, TO REDESIGNATE THE SECTION, TO AMEND PROVISIONS REGARDING THE CAREER LADDER, AND TO ESTABLISH PROVISIONS REGARDING LOCAL SALARY SCHEDULES; REPEALING SECTION 33-1004C, IDAHO CODE, REGARDING BASE AND MINIMUM SALARIES, LEADERSHIP PREMIUMS, AND THE EDUCATION AND EXPERIENCE INDEX; AMENDING SECTION 33-1004E, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REMOVE PROVISIONS REGARDING SALARY-BASED APPORTIONMENT; AMENDING SECTION 33-1004F, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 92, LAWS OF 2017, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS REGARDING OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS, AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-1004J, IDAHO CODE, AS AMENDED BY SECTION 1, CHAPTER 92, LAWS OF 2017, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, AND TO REMOVE A DEFINITION; AMENDING SECTION 33-1004J, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING LEADERSHIP PREMIUMS; AMENDING SECTION 33-1002B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE REFERENCES TO SUPPORT UNIT AND AVERAGE DAILY ATTENDANCE, TO PROVIDE REFERENCES TO
THE FOUNDATION AND STUDENT ENROLLMENT COUNTS, AND TO MAKE TECHNICAL
CORRECTIONS; AMENDING SECTION 33-1002C, IDAHO CODE, TO REDESIGNATE
THE SECTION AND TO REVISE PROVISIONS REGARDING SUMMER SCHOOL PROGRAMS
AND JUVENILE DETENTION FACILITIES; AMENDING SECTION 33-1002F, IDAHO
CODE, TO REDESIGNATE THE SECTION, TO REMOVE PROVISIONS RELATING TO SUP-
PORT UNITS, AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION
33-1002E, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION
33-1003G, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REMOVE A CA-
REER TECHNICAL SCHOOL REQUIREMENT REGARDING SECONDARY SUPPORT UNITS;
AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SEC-
TION 33-1005E, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SCHOOL CLASSROOM
TECHNOLOGY PROGRAM; REPEALING SECTION 33-1009, IDAHO CODE, RELATING TO
PAyMENTS FROM THE PUBLIC SCHOOL INCOME FUND; AMENDING SECTION 33-1007A,
IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, AND TO
MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1010, IDAHO CODE,
TO PROVIDE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1005, IDAHO
CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, TO REMOVE A
REFERENCE TO AVERAGE DAILY ATTENDANCE, AND TO PROVIDE FOR STUDENT EN-
ROLLMENT COUNTS; REPEALING SECTION 33-1017, IDAHO CODE, RELATING TO
THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN AND GRANT FUND; AMENDING
SECTION 33-1018, IDAHO CODE, TO REMOVE REFERENCES TO DISCRETIONARY
FUNDING, TO PROVIDE FOR INFORMATION IN AN APPROPRIATION, TO PROVIDE
PUBLIC SCHOOL STUDENT-BASED FOUNDATION FUNDING VARIABILITY, AND TO
REVISE RELATED PROVISIONS; AMENDING SECTION 33-1020, IDAHO CODE, TO
REVISE PROVISIONS REGARDING A BASE AMOUNT AND A VARIABLE AMOUNT OF IDAHO
DIGITAL LEARNING ACADEMY FUNDING TO BE DISTRIBUTED; REPEALING SECTION
33-1021, IDAHO CODE, RELATING TO MATH AND SCIENCE REQUIREMENT; AMENDING
SECTION 33-1024, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MONEYS
FOR CERTAIN ONLINE PORTALS; AMENDING SECTION 33-309, IDAHO CODE, TO
REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE AND TO PROVIDE FOR STU-
DENT ENROLLMENT COUNT; AMENDING SECTION 33-317, IDAHO CODE, TO CORRECT
A CODE REFERENCE; AMENDING SECTION 33-507, IDAHO CODE, TO REMOVE A CODE
REFERENCE; AMENDING SECTION 33-515, IDAHO CODE, TO REVISE PROVISIONS
REGARDING RENEWABLE CONTRACTS; AMENDING SECTION 33-522, IDAHO CODE,
TO REVISE PROVISIONS REGARDING A FINANCIAL EMERGENCY; AMENDING SEC-
TION 33-701, IDAHO CODE, TO REVISE A DATE AND TO PROVIDE CORRECT CODE
REFERENCES; AMENDING SECTION 33-801A, IDAHO CODE, TO REMOVE A PROVI-
SION RELATING TO SUPPORT UNITS; AMENDING SECTION 33-804, IDAHO CODE,
TO REVISE QUALIFICATIONS FOR SUBMITTING A CERTAIN QUESTION TO ELEC-
TORS OF A SCHOOL DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING
SECTION 33-805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SCHOOL
EMERGENCY FUND LEVY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SEC-
TION 33-905, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SCHOOL
DISTRICT BUILDING ACCOUNT, AND TO PROVIDE A CORRECT CODE REFERENCE;
AMENDING SECTION 33-906, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMEND-
ING SECTION 33-906B, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE
VALUE INDEX CALCULATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING
SECTION 33-1405, IDAHO CODE, TO REVISE PROVISIONS REGARDING RATES OF
TUITION, TO PROVIDE CORRECT TERMINOLOGY, AND TO MAKE TECHNICAL COR-
RECTIONS; AMENDING SECTION 33-1406, IDAHO CODE, TO PROVIDE A CORRECT
CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1613, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN AND GRANT FUND; AMENDING SECTION 33-1619, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIRTUAL EDUCATION PROGRAMS AND TO CORRECT CODE REFERENCES; AMENDING SECTION 33-1627, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MONEYS APPROPRIATED FOR THE MATH INITIATIVE PROGRAM; AMENDING SECTION 33-2001, IDAHO CODE, TO PROVIDE A DEFINITION; AMENDING SECTION 33-2004, IDAHO CODE, TO REMOVE REFERENCES TO DAILY ATTENDANCE, TO ESTABLISH PROVISIONS REGARDING STUDENT ENROLLMENT, TO REVISE TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4602, IDAHO CODE, TO REVISE PROVISIONS REGARDING DUAL CREDIT COURSES AND TO REVISE TERMINOLOGY; AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS REGARDING PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5210, IDAHO CODE, TO REMOVE A CODE REFERENCE AND RELATED PROVISIONS; AMENDING SECTION 33-5214, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5215, IDAHO CODE, TO REMOVE A REFERENCE TO SALARY-BASED APPORTIONMENT, TO REMOVE REFERENCES TO ADA, AND TO ESTABLISH PROVISIONS FOR ENROLLMENT REPORTS; AMENDING SECTION 33-5217, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-2908, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 57-1303, IDAHO CODE, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE AND TO ESTABLISH PROVISIONS FOR AN UNWEIGHTED STUDENT ENROLLMENT COUNT; AMENDING SECTION 59-1115, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-315, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 63-805, IDAHO CODE, TO REMOVE REFERENCES TO AVERAGE DAILY ATTENDANCE AND TO ESTABLISH PROVISIONS REGARDING STUDENTS ENROLLED; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE.

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

SECTION 1. That the Heading for Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended to read as follows:

CHAPTER 10

FOUNDATION PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM -- STATE AID -- APPORTIONMENT STUDENT-BASED FOUNDATION FUNDING

SECTION 2. That Section 33-1001, Idaho Code, be, and the same is hereby amended to read as follows:

33-1001. DEFINITIONS. The following words and phrases as used in this chapter are defined as follows:

1. "Administrative schools" means and applies to all elementary schools and kindergartens within a district that are situated ten (10) miles or less from both the other elementary schools and the principal administrative office of the district and all secondary schools within a district that are situated fifteen (15) miles or less from other secondary schools of the district.
(2) "Administrative staff" means those who hold an administrator certificate and are employed as a superintendent, an elementary or secondary school principal, or are assigned administrative duties over and above those commonly assigned to teachers.

(3) "Average daily attendance" or "pupils in average daily attendance" means the aggregate number of days enrolled students are present, divided by the number of days of school in the reporting period, provided, however, that students for whom no Idaho school district is a home district shall not be considered in such computation.

(4) "Career ladder" means the specific performance criteria set forth in section 33-1004, Idaho Code, and the associated compensation table used by the state department of education for determining the allocations districts receive for placement of instructional staff and pupil service staff based on specific performance criteria and is made up of a on the table's residency compensation rung and a professional compensation rung.

(2) "Child with a disability" means a child evaluated as having an intellectual disability, a hearing impairment including deafness, a speech or language impairment, a visual impairment including blindness, an emotional behavioral disorder, an orthopedic impairment, autism, a traumatic brain injury, another health impairment, a specific learning disability, deaf-blindness, or multiple disabilities, and who, by reason thereof, needs special education and related services.

(4) "Compensation rung" means the rung on the career ladder that corresponds with the compensation level performance criteria.

(4) "Economically disadvantaged" means a student who:

(a) Is eligible for a free or reduced-price lunch under the Richard B. Russell national school lunch act (42 U.S.C. 1751 et seq.), excluding students who are only eligible through a school's community eligibility program;

(b) Resides with a family receiving assistance under the program of block grants to states for temporary assistance for needy families (TANF) established under part A of title IV of the social security act (42 U.S.C. 601 et seq.);

(c) Is eligible to receive medical assistance under the medicaid program under title XIX of the social security act (42 U.S.C. 1396 et seq.);

(d) Is considered homeless for purposes of the federal McKinney-Vento homeless assistance act (42 U.S.C. 11301 et seq.).

(4) "Elementary grades" or "elementary average daily attendance" means and applies to students enrolled in grades 1 through 6 inclusive, or any combination thereof.

(4) "Elementary schools" are schools that serve grades 1 through 6 inclusive, or any combination thereof.

(4) "Elementary/secondary schools" are schools that serve grades 1 through 12 inclusive, or any combination thereof.

(4) "English language learner" or "ELL" means a student who does not score proficient on the English language development assessment established by rule of the state board of education.

(9) "Gifted and talented" shall have the same meaning as provided in section 33-2001(4), Idaho Code.
(10) "Homebound student" means any student who would normally and regularly attend school, but is confined to home or hospital because of an illness or accident for a period of ten (10) or more consecutive days.

(11) "Instructional staff" means those who hold an Idaho certificate issued under section 33-1201, Idaho Code, and who are either involved in the direct instruction of a student or group of students or who serve in a mentor or teacher leader position for individuals who hold an Idaho certificate issued under section 33-1201, Idaho Code.

(12) "Kindergarten" or "kindergarten average daily attendance" means and applies to all students enrolled in a school year, less than a school year, or summer kindergarten program.

(13) "Local education agency" or "LEA" means:
(a) A public school district;
(b) A public charter school authorized by a chartering entity other than a school district board of trustees; or
(c) A public charter school authorized by a school district board of trustees, if designated as an LEA by the school district board of trustees with the concurrence of the public charter school's board of directors.

(14) "Local salary schedule" means a compensation table developed by each LEA that is not inconsistent with the provisions of section 33-1004, Idaho Code, and that is used by LEAs for determining amounts to be distributed for instructional staff and pupil service staff salaries.

(145) "Measurable student achievement" means the measurement of student academic achievement or growth within a given interval of instruction for those students who have been enrolled in and attended eighty percent (80%) of the interval of instruction. Measures and targets shall be chosen at the district level or school level in collaboration with the staff member impacted by the measures and applicable district staff. Assessment tools that may be used for measuring student achievement and growth include:
(a) Idaho standards achievement test;
(b) Student learning objectives;
(c) Formative assessments;
(d) Teacher-constructed assessments of student growth;
(e) Pre- and post-tests;
(f) Performance-based assessments;
(g) Idaho reading indicator;
(h) College entrance exams or preliminary college entrance exams such as PSAT, SAT and ACT;
(i) District-adopted assessment;
(j) End-of-course exams;
(k) Advanced placement exams; and
(l) Career technical exams.

(146) "Performance criteria" means the standards specified for instructional staff and pupil service staff to demonstrate teaching proficiency for a given compensation rung. Each element of the performance criteria, as identified in subsection (147) of this section, shall be reported for determining movement on the career ladder.

(147) "Professional compensation rung performance criteria" means:
(a) An overall rating of proficient, and no components rated as unsatisfactory on the state framework for teaching evaluation; and
(b) Demonstrating the majority of their students have met their measurable student achievement targets or student success indicator targets.

(148) "Public school district" or "school district" or "district" means any public school district organized under the laws of this state, including specially chartered school districts.

(149) "Pupil service staff" means those who provide services to students but are not involved in direct instruction of those students, and hold a pupil personnel services certificate.

(20) "Remote school" means:
(a) A school that is remote and isolated from the other schools of the state because of geographical or topographical conditions and that is approved as such by the state board of education;
(b) A kindergarten located more than ten (10) miles on an all-weather road from both the nearest kindergarten school within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools;
(c) An elementary school located more than ten (10) miles on an all-weather road from both the nearest elementary school and elementary/secondary school serving like grades within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools; or
(d) A secondary school located more than fifteen (15) miles on an all-weather road from any other secondary school and elementary/secondary school serving like grades operated by the district.

(1721) "Secondary grades" or "secondary average daily attendance" means and applies to students enrolled in grades 7 through 12 inclusive, or any combination thereof.

(1822) "Secondary schools" are schools that serve grades 7 through 12 inclusive, or any combination thereof.

(19) "Separate elementary school" means an elementary school located more than ten (10) miles on an all-weather road from both the nearest elementary school and elementary/secondary school serving like grades within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools.

(20) "Separate kindergarten" means a kindergarten located more than ten (10) miles on an all-weather road from both the nearest kindergarten school within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools.

(21) "Separate secondary school" means any secondary school located more than fifteen (15) miles on an all-weather road from any other secondary
school and elementary/secondary school serving like grades operated by the
district.

(23) "Special education" means specially designed instruction or
speech/language therapy at no cost to the parent to meet the unique needs
of a student who is a child with a disability, including instruction in the
classroom, the home, hospitals, institutions, and other settings; instruc-
tion in physical education; speech therapy and language therapy; transition
services; travel training; assistive technology services; and vocational
education.

(224) "Student success indicators" means measurable indicators of stu-
dent achievement or growth, other than academic, within a predefined inter-
val of time for a specified group of students. Measures and targets shall be
chosen at the district or school level in collaboration with the pupil ser-
vice staff member impacted by the measures and applicable district staff.
Student success indicators include:

(a) Quantifiable goals stated in a student's 504 plan or individualized
education plan.
(b) Quantifiable goals stated in a student's behavior improvement
plan.
(c) School or district identified measurable student objectives for a
specified student group or population.

(23) "Support program" means the educational support program as de-
scribed in section 33-1002, Idaho Code, the transportation support program
described in section 33-1006, Idaho Code, and the exceptional education
support program as described in section 33-1007, Idaho Code.

(24) "Support unit" means a function of average daily attendance used
in the calculations to determine financial support provided to the public
school districts.

(25) "Teacher" means any person employed in a teaching, instructional,
supervisory, educational administrative or educational and scientific ca-
pacity in any school district. In case of doubt, the state board of educa-
tion shall determine whether any person employed requires certification as a
teacher.

SECTION 3. That Section 33-1002, Idaho Code, be, and the same is hereby
repealed.

SECTION 4. That Chapter 10, Title 33, Idaho Code, be, and the same is
hereby amended by the addition thereto of a NEW SECTION, to be known and des-
ignated as Section 33-1002, Idaho Code, and to read as follows:

33-1002. PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM -- STUDENT-BASED
FOUNDATION FUNDING -- CALCULATION OF AVERAGE SALARY -- ADJUSTMENT OF FOUNDA-
TION AMOUNT. (1) The public schools educational support program and the stu-
dent-based foundation funding (the foundation) shall be calculated annually
by the legislature as follows:

(a) Add the state appropriation, including the moneys available in the
public school income fund, together with all appropriated miscella-
neous revenues to determine the total state funds for the public schools
educational support program.
(b) From the total state funds for the public schools educational support program, subtract the total amount needed for state support of special programs set forth in section 33-1002B, Idaho Code, to determine the total foundation moneys.
(c) Divide the total foundation moneys by the estimated total statewide weighted student enrollment count to determine the annual foundation amount per student.

(2) Each LEA's career ladder combined instructional and pupil service FTE-weighted average salary will be calculated based on the career ladder base allocations for the applicable fiscal year pursuant to section 33-1004, Idaho Code. Each LEA's annual foundation amount per student will be adjusted based on the variance of its career ladder combined instructional and pupil service weighted average salary to the statewide combined instructional and pupil service weighted average salary, applied to the percentage of the career ladder appropriation to the total foundation moneys.

SECTION 5. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1002A, Idaho Code, and to read as follows:

33-1002A. TRANSITION TO STUDENT-BASED FOUNDATION FUNDING -- HOLD HARMLESS -- ANNUAL FUNDING INCREASE -- LIMITATION. The legislature intends that LEAs are held financially harmless in totality of state funds during a three (3) year transition period to the new student-based foundation funding set forth in section 33-1002, Idaho Code.

(1) For the 2020-2021 school year, each LEA shall receive a funding increase of at least two percent (2%) of what it received in the 2019-2020 school year.

(2) For the 2021-2022 school year, each LEA shall receive a funding increase of at least two percent (2%) of what it received in the 2020-2021 school year.

(3) For the 2022-2023 school year, each LEA shall receive a funding increase of at least two percent (2%) of what it received in the 2021-2022 school year.

(4) No LEA shall receive an annual funding increase of more than seven and one half percent (7.5%) per enrolled student of what is calculated for the per student amount for the previous school year.

SECTION 6. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1002B, Idaho Code, and to read as follows:

33-1002B. SPECIAL PROGRAMS SUPPORT. Pursuant to section 33-1002(2), Idaho Code, the following amounts are needed for state support of special programs provided by LEAs:

(1) Transportation support program as provided in section 33-1006, Idaho Code;
(2) The approved costs for border district allowance as provided in section 33-1403, Idaho Code, as determined by the state superintendent of public instruction;
(3) The approved costs for exceptional child approved contract allowance provided in section 33-2004(1)(b), Idaho Code, as determined by the state superintendent of public instruction; and pupil tuition-equivalency allowances as provided in section 33-1005, Idaho Code;

(4) Bond levy equalization support program as provided in section 33-906, Idaho Code;

(5) For the support of provisions that provide a safe environment conducive to student learning and maintain classroom discipline, an allocation of fifteen dollars ($15.00) for each student enrolled in a school district or public charter school;

(6) Advanced opportunities as provided in chapter 46, title 33, Idaho Code;

(7) Instructional staff members certified by the national board for professional teaching standards as provided in section 33-1004A, Idaho Code; and education allocations pursuant to section 33-1004(5), Idaho Code;

(8) School district facilities funds as provided in sections 67-7434, 33-905, and 33-1019, Idaho Code;

(9) Charter school facilities funds and reimbursements paid pursuant to section 33-5208(2), Idaho Code;

(10) Master educator premiums as provided in section 33-1004C, Idaho Code;

(11) Leadership premiums as provided in section 33-1004E, Idaho Code;

(12) Mastery-based education as provided for in section 33-1632, Idaho Code;

(13) Expenditures as provided by the public school classroom technology program as provided in section 33-1005E, Idaho Code;

(14) Continuous improvement plans and training as provided in section 33-320, Idaho Code;

(15) Support for schools subject to special conditions, as determined by the legislature. Such schools may include, but are not limited to, schools with fewer than thirty (30) students; and

(16) Any additional amounts as required by statute to effect administrative adjustments or as specifically required by the provisions of any bill of appropriation including, but not limited to:

(a) Feasibility studies allowance as provided in section 33-1009, Idaho Code;

(b) Unemployment insurance benefit payments as provided in section 72-1349A, Idaho Code; and

(c) Employee severance payments as provided in section 33-521, Idaho Code.

SECTION 7. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1002C, Idaho Code, and to read as follows:

33-1002C. WEIGHTS -- RULEMAKING. (1) A weight shall be added to certain students' unweighted FTE enrollment counts for the LEAs in which such students attend as follows:

(a) For each student identified as economically disadvantaged:

(i) An additional ten percent (10%) for fiscal year 2021; and
(ii) In each subsequent fiscal year, subject to appropriation, an additional percentage of at least ten percent (10%), not to exceed a total of twenty-five percent (25%). The appropriation must cover the full amount of the additional percentage.

(b) For each student identified as an English language learner:
   (i) An additional ten percent (10%) for fiscal year 2021; and
   (ii) In each subsequent fiscal year, subject to appropriation, an additional percentage of at least ten percent (10%), not to exceed a total of twenty-five percent (25%). The appropriation must cover the full amount of the additional percentage.

(c) For each student who qualifies for special education:
   (i) An additional ten percent (10%) for fiscal year 2021; and
   (ii) In each subsequent fiscal year, subject to appropriation, an additional percentage of at least ten percent (10%), not to exceed a total of twenty-five percent (25%). The appropriation must cover the full amount of the additional percentage.

(d) For each student identified as gifted and talented, an additional two percent (2%).

(2) A weight shall be added to the official unweighted student enrollment counts for qualifying schools and districts as follows:

(a) Grade weight. For each student enrolled in grades K through 3, or in grades 9 through 12, an additional ten percent (10%) shall be added to the student enrollment count for the LEA in which such student attends.

(b) Remote school weight. The weight to be multiplied by the unweighted student enrollment count for qualifying remote schools to determine the additional weighted student count shall be as follows:

<table>
<thead>
<tr>
<th>UNWEIGHTED ENROLLMENT COUNT</th>
<th>WEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 or less</td>
<td>2.05</td>
</tr>
<tr>
<td>Between 31 and 164</td>
<td>$1.2625 + (.7875 - (enrollment \times .00477))$</td>
</tr>
<tr>
<td>Between 165 and 329</td>
<td>$.7375 + (.7875 - (enrollment \times .00159))</td>
</tr>
</tbody>
</table>

(c) Small LEA weight. The weight to be multiplied by the unweighted student enrollment count for small LEAs to determine the additional weighted student count shall be as follows:

<table>
<thead>
<tr>
<th>UNWEIGHTED ENROLLMENT COUNT</th>
<th>WEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindergarten through Elementary Grades:</td>
<td></td>
</tr>
<tr>
<td>30 or less</td>
<td>2.05</td>
</tr>
<tr>
<td>Between 30.01 and 164</td>
<td>$1.2625 + (.7875 - (enrollment \times .00477))$</td>
</tr>
<tr>
<td>Between 164.01 and 329</td>
<td>$.7375 + (.7875 - (enrollment \times .00159))</td>
</tr>
<tr>
<td>Secondary Grades:</td>
<td></td>
</tr>
<tr>
<td>30 or less</td>
<td>2.05</td>
</tr>
<tr>
<td>Between 30.01 and 434</td>
<td>$1.2625 + (.7875 - (enrollment \times .00181))$</td>
</tr>
<tr>
<td>Between 434.01 and 869</td>
<td>$.7375 + (.7875 - (enrollment \times .0006))</td>
</tr>
</tbody>
</table>

Friday March 01, 2019 2:33 PM
(d) School district economic weight. In each fiscal year, subject to appropriation, an economic weight may be applied at the discretion of the legislature. To determine the economic weight, the state department of education shall annually calculate for each school district: (i) the market value per unweighted enrolled student (MVUES) based on market values that would be used to calculate the value index pursuant to section 33-906B, Idaho Code; and (ii) the entire value index pursuant to section 33-906B, Idaho Code. The department shall also annually calculate the statewide average for both the MVUES and the value index. Each school district's MVUES shall then be divided by the statewide average for MVUES to determine each school district's MVUES index, and each school district's value index shall be divided by the statewide average for the value index to determine each school's alternative market value (AMV) index. To determine the weight to multiply by the district's unweighted student enrollment count, use the following table, provided that the weight shall not exceed 0.10. The MVUES index shall be used to determine the weight instead of the AMV index when using the MVUES index would result in more funding to the school district, and the AMV index shall be used to determine the weight instead of the MVUES index when using the AMV index would result in more funding to the school district.

<table>
<thead>
<tr>
<th>DISTRICT'S MVUES INDEX OR AMV</th>
<th>WEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than 1.0</td>
<td>(1.0 - MVUES index or AMV index) + 1.0</td>
</tr>
<tr>
<td>1.0 or greater</td>
<td>No economic equity weight shall be applied</td>
</tr>
</tbody>
</table>

(3) An LEA shall distribute the additional weighted foundation moneys allocated to it for the students identified in subsection (1) of this section to the school or district programs in which such students are enrolled.

(4) If a student is identified for more than one (1) weight set forth in subsection (1) of this section, then such weights shall be cumulative.

(5) The state board of education shall promulgate rules implementing the provisions of this section, which shall include, but not be limited to, procedures for determining weighted counts and a process for reporting such weighted counts.

SECTION 8. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1002D, Idaho Code, and to read as follows:

33-1002D. STUDENT ENROLLMENT COUNTS AND RULEMAKING. The state board of education shall promulgate rules that set forth the procedures for determining student enrollment counts and the process for reporting such counts. Such rules shall be consistent with the following:

(1) Full-time enrollment (FTE) shall be based on enrollment in any LEA;

(2) A student shall not exceed a total of one (1.0) unweighted FTE in a single school year, except as provided in subsection (4) of this section;

(3) A kindergarten student shall not exceed a total of one-half (0.5) unweighted enrollment in a single school year;
(4) A student attending a summer school program or a night school program shall not exceed a total of one-fourth (0.25) unweighted enrollment. Such student may be counted pursuant to both this subsection and subsection (2) of this section;

(5) A fractional enrollment count schedule shall be specified for any student enrolled less than one (1.0) FTE at a given LEA;

(6) FTE is based on the courses a student is enrolled in at the time of the official count, as specified in board rule;

(7) Each LEA shall conduct an official count of enrolled students in its LEA on the first day of October, the first day of December, the first day of February, and the first day of April, or the previous school day if those dates do not fall on a school day;

(8) An LEA may not count as enrolled any student who has unexcused absences totaling eleven (11) or more consecutive school days immediately prior to and including the official count date;

(9) Any elementary school having fewer than ten (10) enrolled students shall not be allowed to participate in the foundation for public schools unless such school has been approved for operation by the state board of education; and

(10) Effective July 1, 2020, the following shall apply to qualifying public school districts:

(a) If a public school district reports an unweighted student enrollment count of less than thirty (30), then an unweighted student enrollment count of thirty (30) shall be used for the purpose of determining the foundation amount per student pursuant to section 33-1002, Idaho Code, and for determining such school district’s allocation amounts pursuant to section 33-1003, Idaho Code.

(b) If a public school district reports an unweighted student enrollment count in secondary grades of less than one hundred (100), then an unweighted student enrollment count of one hundred (100) shall be used as the secondary grades enrollment count for the purpose of determining the foundation amount per student pursuant to section 33-1002, Idaho Code, and for determining such school district’s allocation amounts pursuant to section 33-1003, Idaho Code.

(c) A public school district may qualify under either paragraph (a) or (b) of this subsection, but not both. The provisions of this subsection do not apply to public charter schools.

SECTION 9. That Section 33-1003, Idaho Code, be, and the same is hereby repealed.

SECTION 10. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1003, Idaho Code, and to read as follows:

33-1003. PAYMENTS TO LOCAL EDUCATION AGENCIES. (1)(a) Payments of the moneys specified in the annual appropriation to the public schools educational support program shall be made each year by the state department of education to the LEAs in six (6) payments. Payments to the LEAs shall be made no later than the fifteenth day of August, October, December, February, April,
and June of each fiscal year. The August payment by the state department of
education shall be approximately thirty percent (30%) of the student-based
foundation funding appropriation for the fiscal year, while the October and
December payments shall be approximately twenty percent (20%) each, and the
February and April payments shall be approximately fifteen percent (15%)
each, except as provided in section 33-5209C, Idaho Code.

(b) Payments of moneys other than the state general account appropri-
ation that accrue to the public school income fund shall be made by the
state department of education to the LEAs no later than the fifteenth
day of February, April, and June each year. The total amount of such
payments shall be determined by the state department of education and
shall not exceed the amount of moneys available and on deposit in the
public school income fund at the time such payment is made.

(c) Amounts apportioned due to a special transfer to the public school
income fund to restore or reduce a deficiency in the prior year's trans-
fer pursuant to subsection (4) of this section shall not be subject to
the limitations imposed by paragraphs (a) and (b) of this subsection.

(2) Payments made to the LEAs in August and October are advance payments
for the current year and may be based on payments from the public school in-
come fund for the preceding school year. Each LEA may receive its propor-
tionate share of the advance payments in the same ratio that its total pay-
ment for the preceding year was to the total payments to all LEAs for the pre-
ceeding year.

(3) Payments made pursuant to this subsection shall be based on the
current fiscal year's annual foundation amount per student set forth in
section 33-1002, Idaho Code, and shall take into consideration all payments
distributed for the current fiscal year to the LEAs.

(a) December payments to LEAs will be based on the LEA's official
weighted student enrollment count from October.

(b) February payments to LEAs will be based on the higher of the LEA's
official weighted student enrollment count from October or the LEA's
average official weighted student enrollment count from October and
December.

(c) April payments to LEAs will be based on the higher of the LEA's official
weighted student enrollment count from October or the LEA's average
official weighted student enrollment count from October, December, and February.

(d) June payments to LEAs will be based on the higher of the LEA's official
weighted student enrollment count from October or the LEA's average
official weighted student enrollment count from October, December, February, and April. The June payments shall take into consideration:
    (i) All funds available in the public school income fund for the
        fiscal year ending June 30; and
    (ii) The adjustment based on the foundation amount per student re-
        quired by the provisions of section 33-1018, Idaho Code.

(4) Any apportionments in any year made to any LEA that may within the
succeeding one (1) year period be found to have been in error either of com-
putation or transmittal may be corrected during the current fiscal year by
reduction of apportionments to any LEA to which over-apportionments may have
been made or received and corresponding additions to apportionments to any
LEA to which under-apportionments may have been made or received.

SECTION 11. That Section 33-1003A, Idaho Code, be, and the same is
hereby repealed.

SECTION 12. That Section 33-1003C, Idaho Code, be, and the same is
hereby repealed.

SECTION 13. That Section 33-1004, Idaho Code, be, and the same is hereby
repealed.

SECTION 14. That Section 33-1004A, Idaho Code, be, and the same is
hereby repealed.

SECTION 15. That Section 33-1004B, Idaho Code, as amended by Section 5,
Chapter 169, Laws of 2018, be, and the same is hereby amended to read as fol-
lows:

33-1004B. LOCAL SALARY SCHEDULES -- CAREER LADDER. Each LEA shall,
subject to section 33-1271, Idaho Code, et seq. as applicable, develop a
local salary schedule. The schedule shall specify the criteria, including
relevant performance criteria set by the state or the LEA, necessary to
receive an increase in pay pursuant to the schedule. The minimum compen-
sation on a local salary schedule for instructional staff and pupil service
staff without a professional endorsement shall be equal to or greater than
the amount provided in the first cell of the residency compensation rung
in the compensation table provided in subsection (4) of this section. The
minimum compensation on a local salary schedule for instructional staff and
pupil service staff holding a professional endorsement shall be equal to or
greater than the amount provided in the first cell of the professional com-
ensation rung in the compensation table provided in subsection (4) of this
section.

(1) School districts. Each LEA shall receive an allocation for submit in-
formation required by the state department of education to place the LEA's
instructional staff and pupil service staff on the career ladder as follows:

(a) Instructional staff and pupil service staff who are in their first
year of holding an Idaho educator certificate shall be placed in the
first cell of the residency compensation rung and shall move one (1)
cell on the residency compensation rung for each year they hold an Idaho
educator certificate thereafter for up to three (3) years, at which
time they will remain in the third cell of the residency rung until they
earn a professional endorsement.

(b) Instructional staff and pupil service staff in their first year of
holding a professional endorsement shall be placed in the first cell of
the professional compensation rung.

(c) Instructional staff and pupil service staff on the professional
compensation rung with four (4) years of experience shall move one (1)
cell on the professional compensation rung unless they have failed to
meet the professional compensation rung performance criteria for three
(3) of the previous four (4) years. Instructional staff and pupil service staff on the professional compensation rung who meet the performance criteria for three (3) of the previous five (5) years, one (1) of which must be during the fourth or fifth year, shall move one (1) cell. Allocations for instructional staff and pupil service staff who do not meet the professional compensation rung performance criteria for three (3) of the previous five (5) years, one (1) of which must be during the fourth or fifth year, shall remain at the previous fiscal year allocation level. This also applies to the educational allocation their current position on the professional compensation rung.

(42) In addition to the allocation any amounts specified for the applicable cell on the career ladder, school districts a local salary schedule, LEAs shall receive distribute an additional allocation amount for to each career technical education instructional staff member holding an occupational specialist certificate in the area for which they are teaching the an amount of three thousand dollars ($3,000) to be determined by each LEA.

(43) In addition to the allocation amount specified for the applicable cell on the career ladder, school districts shall receive an additional allocation amount Pursuant to section 33-1002B, Idaho Code, a portion of the total state funds for the public schools educational support program shall be distributed to LEAs for instructional staff and pupil service staff holding a professional endorsement who have acquired additional education and meet the professional compensation rung performance criteria. In determining the additional education allocation amount, only transcripted credits and degrees on file with the teacher certification office of the state department of education, earned at an institution of higher education accredited by a body recognized by the state board of education or credits earned through an internship or work experience approved by the state board of education, shall be allowed. All credits and degrees earned must be in a relevant pedagogy or content area as determined by the state department of education. Additional Education allocation amounts are not cumulative. Instructional staff whose initial certificate is an occupational specialist certificate shall be treated as BA degree-prepared instructional staff. Credits earned by such occupational specialist instructional staff after initial certification shall be credited toward the education allocation. Additional Education allocations are:

(a) For instructional staff and pupil service staff holding a professional endorsement, a baccalaureate degree and twenty-four (24) or more credits, two thousand dollars ($2,000) per fiscal year.
(b) For instructional staff and pupil service staff holding a professional endorsement and a master's degree, three thousand five hundred dollars ($3,500) per fiscal year.

(e4) Effective July 1, 2020, the allocation following compensation table shall be associated with the career ladder described in subsection (1) of this section. The legislature shall annually identify the percentage of the foundation amount per student that would be associated with funding the career ladder pursuant to the following compensation table, if such table were mandatory statewide:
(5) A local salary schedule is not required to comply with the career 
ladder or to adopt the compensation table provided in subsection (4) of this 
section.

(46) A review of a sample of evaluations completed by administrators 
shall be conducted annually to verify such evaluations are being conducted 
with fidelity to the state framework for teaching evaluation, including 
each evaluation component as outlined in administrative rule and the rat-
ing given for each component. The state board of education shall randomly 
select a sample of administrators throughout the state. A portion of such 
administrators' instructional staff and pupil service staff employee eval-
uations shall be independently reviewed. The ratio of instructional staff 
evaluations to pupil service staff evaluations shall be equal to the ratio 
of the statewide instructional staff salary allowance to pupil service staff 
salary allowance. The state board of education with input from the Idaho-ap-
proved teacher educator preparation programs and the state department of 
education shall identify individuals and a process to conduct the reviews. 
Administrator certificate holders shall be required to participate in ongo-
ing evaluation training pursuant to section 33-1204, Idaho Code. The state 
board of education shall report annually the findings of such reviews to the 
state senate education committee, the house of representatives education commit-
tee, the state board of education and the deans of Idaho's approved teacher 
educator preparation programs. The state board of education shall promul-
gate rules implementing the provisions of this subsection.

(7) School districts LEAs shall submit annually to the state the data 
necessary to determine if an instructional staff or pupil service staff mem-
ber has met the performance criteria for movement on the applicable compens-
sation rung of the career ladder. The department of education shall calcu-
late whether or not instructional staff and pupil service staff have met the 
compensation rung performance criteria based on the data submitted during 
the previous five (5) years. Individually identifiable performance evaluation 
ratings submitted to the state remain part of the employee's personnel record and are exempt from public disclosure pursuant to section 74-106, 
Idaho Code.

SECTION 16. That Section 33-1004C, Idaho Code, be, and the same is 
hereby repealed.

SECTION 17. That Section 33-1004E, Idaho Code, be, and the same is 
hereby amended to read as follows:

33-1004E. DISTRICT'S SALARY-BASED APPORTIONMENT NATIONAL CERTIFI-
CATION PREMIUM. Each district shall be entitled to a salary-based apportion-
ment calculated as provided in this section.
(1) To determine the apportionment for instructional staff, take
the amounts indicated on the career ladder table plus the amounts associ-
ated with the additional education allocation amounts pursuant to section
33-1004B, Idaho Code, and calculate the weighted average. The amount so
determined shall be multiplied by the district staff allowance for instruc-
tional staff determined as provided in section 33-1004(2), Idaho Code.
Full-time instructional staff salaries shall be determined from a salary
schedule developed by each district and submitted to the state department of
education. No full-time instructional staff member shall be paid less than
the minimum dollar amount on the career ladder residency compensation rung
pursuant to section 33-1004B, Idaho Code, for the applicable fiscal year.

(2) If an instructional staff member has been certified by the national
board for professional teaching standards, the staff member shall receive
two thousand dollars ($2,000) per year for five (5) years from the year in
which national board certification was earned. The district staff allot-
ment shall be increased by two thousand dollars ($2,000) for each national
board-certified instructional staff member who earned national board cer-
tification, provided however, that no such awards shall be paid for the pe-
riod July 1, 2010, through June 30, 2011, nor shall any liabilities accrue
or payments be made pursuant to this section in the future to any individu-
als who would have otherwise qualified for a payment during this stated time
period. The resulting amount is the district's salary-based apportion-
ment for instructional staff. For purposes of this section, teachers qualifying
for the salary increase shall be those who have been recognized as national
board-certified teachers as of July 1 of each year.

(3) To determine the apportionment for pupil service staff, take
the amounts indicated on the career ladder table plus the amounts associ-
ated with the additional education allocation amounts pursuant to section
33-1004B, Idaho Code, and calculate the weighted average. If the district
does not employ any pupil service staff, the district's pupil service staff
average salary shall equal the district's instructional staff average
salary for purposes of calculating pupil service salary-based apportion-
ment. The amount so determined shall be multiplied by the district staff al-
lowance for pupil service staff determined pursuant to section 33-1004(2),
Idaho Code. Full-time pupil service staff salaries shall be determined from
a salary schedule developed by each district and submitted to the state de-
partment of education. The resulting amount is the district's salary-based
apportionment for pupil service staff. No full-time pupil service staff
member shall be paid less than the minimum dollar amount on the career ladder
residency compensation rung pursuant to section 33-1004B, Idaho Code, for
the applicable fiscal year.

(4) To determine the apportionment for district administrative staff,
first determine the district average experience and education index by plac-
ing all eligible certificated administrative employees on the statewide in-
dex provided in section 33-1004A, Idaho Code. The resulting average is the
district index. If the district does not employ any administrative staff,
the district administrative index shall equal the statewide average index
for purposes of calculating administrative salary-based apportionment. The
district administrative staff index shall be multiplied by the base salary
of thirty-six thousand one hundred eighty-six dollars ($36,186). The amount

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so determined shall be multiplied by the district staff allowance for admin-
ar isterative staff determined as provided in section 33-1004(2), Idaho Code.

The resulting amount is the district's salary-based apportionment for ad-
ministrative staff.

(5) To determine the apportionment for classified staff, multiply twenty-one thousand six hundred sixty-five dollars ($21,665) by the district classified staff allowance determined as provided in section 33-1004(5), Idaho Code. The amount so determined is the district's apportionment for classified staff.

(6) The district's salary-based apportionment shall be the sum of the apportionments calculated in subsections (1), (2), (3), (4) and (5) of this section, plus the benefit apportionment as provided in section 33-1004F, Idaho Code.

SECTION 18. That Section 33-1004F, Idaho Code, as amended by Section 2, Chapter 92, Laws of 2017, be, and the same is hereby amended to read as fol-
lows:

33-1004F.B. OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENE-
FITS. Based upon the actual salary-based apportionment, as determined in section 33-1004E, Idaho Code, there shall be allocated and distributed that amount required to meet the employer's obligations to the public employee retirement system and to social security for the master educator premiums distributed pursuant to section 33-1004C, Idaho Code, and the leadership premiums distributed pursuant to section 33-1004E, Idaho Code, there shall be allocated that amount required to meet the employer's obligations to the public employee retirement system and to social security.

SECTION 19. That Section 33-1004I, Idaho Code, as amended by Section 1, Chapter 92, Laws of 2017, be, and the same is hereby amended to read as fol-
lows:

33-1004I.C. MASTER EDUCATOR PREMIUMS. (1) A portion of the moneys available to the education total state funds for the public schools edu-
ucational support program shall be distributed per full-time equivalent instructional staff and pupil services staff positions employed by each school district LEA. Such moneys shall be paid to instructional staff and pupil service staff employees who have earned a master educator designation by meeting the minimum qualifications set forth in subsection (2) of this section and the additional qualifications developed or adopted by the em-
ploying school district LEA pursuant to subsection (3) of this section, in an amount set forth in subsection (4) of this section.

(2) The minimum qualifications for an instructional staff or a pupil service staff employee to earn a master educator designation shall be as fol-
lows:

(a) An instructional staff or pupil service staff employee must have eight (8) or more years of teaching experience provided that the three (3) years immediately preceding the award must be continuous and in
Idaho. The remainder of the teaching experience making up the eight (8)

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years must have been earned in Idaho or in a compact-member state pursuant to section 33-4101, Idaho Code;
(b) An instructional staff or pupil service staff employee must demonstrate mastery of instructional techniques for no fewer than three (3) of the previous five (5) years of instruction through:
   (i) Artifacts demonstrating evidence of effective teaching; and
   (ii) Successful completion of an annual individualized professional learning plan; and
(c) A majority of an instructional staff employee's students must meet measurable student achievement as defined in section 33-1001, Idaho Code, for no fewer than three (3) of the previous five (5) years.
(d) A majority of a pupil service staff employee's students must meet measurable student achievement or measurable student success indicators, as defined in section 33-1001, Idaho Code, for no fewer than three (3) of the previous five (5) years.
(3) In addition to the minimum qualifications for a master educator designation set forth in subsection (2) of this section:
   (a) Local school districts LEAs may develop and require additional qualifications showing demonstrated mastery of instructional techniques and professional practice through multiple measures, provided that such qualifications shall be developed by a committee consisting of teachers, administrators and other school district LEA stakeholders and shall first be approved by the state board of education;
   (b) Local school districts LEAs may develop plans that recognize groups of teachers based on measurable student achievement goals aligned with school district LEA approved continuous improvement plans. Groups may be school-wide or may be smaller groups such as grade levels or by subject matter. Each teacher in a master educator group shall receive a master educator premium if goals are met according to the district LEA plans. Plans shall be developed by a committee consisting of teachers, administrators and other school district LEA stakeholders and shall first be approved by the state board of education. Any school district LEA that does not follow their preapproved plan shall not receive future master educator premium dollars; or
   (c) If a local school district LEA has not developed qualifications pursuant to paragraph (a) or (b) of this subsection, then eligible school district LEA staff may apply to the state board of education by showing demonstrated mastery of instructional techniques and professional practice through multiple measures as developed by a committee facilitated by the state board of education consisting of teachers, administrators and other stakeholders, which measures shall be approved by the state board of education.
(4) The amount of the master educator premium paid to a qualified instructional staff employee shall be four thousand dollars ($4,000) each year for three (3) years starting with the initial award of the master educator premium. After the third year of receiving the master educator premium, the instructional staff employee must continue to demonstrate that he or she meets the master educator premium qualifications in each subsequent year. If the qualifications are not met, then the premium will be discontinued until such time as the qualifications are met.
Local school district LEA boards of trustees or boards of directors may provide master educator premiums to instructional staff employees consistent with the provisions of this section.

For the purposes of this section, the term "school district" also means "public charter school" and the term "board of trustees" also means "board of directors."

The state board of education may promulgate rules implementing the provisions of this section.

SECTION 20. That Section 33-1004J, Idaho Code, be, and the same is hereby amended to read as follows:

33-1004J. LEADERSHIP PREMIUMS. (1) Of the moneys available to the total state funds for the public schools educational support program, eight hundred fifty dollars ($850) shall be distributed per full-time equivalent instructional and pupil service staff position employed by each school district LEA. Such moneys shall be paid to instructional and pupil service staff employees for leadership activities as provided in paragraphs (a) through (h) of this subsection. Such premiums shall be valid only for the fiscal year for which the premiums are made and shall be made for one (1) or more of the following reasons identified as leadership priorities by a committee consisting of teachers, administrators and other school district LEA stakeholders and shall be approved by the board of trustees or board of directors:

(a) Teaching a course in which students earn both high school and college credit;
(b) Teaching a course to middle school students in which the students earn both middle school and high school credit;
(c) Holding and providing service in multiple nonadministrative certificate or subject endorsement areas;
(d) Serving or being hired to serve in an instructional or pupil service position designated as hard to fill by the board of trustees or board of directors;
(e) Serving or being hired to serve in a hard to fill instructional position in a career technical education program;
(f) Providing mentoring, peer assistance or professional development pursuant to section 33-512(17), Idaho Code;
(g) Having received professional development in career and academic counseling, and then providing career or academic counseling for students, with such services incorporated within or provided in addition to the teacher's regular classroom instructional or pupil service duties;
(h) Other leadership duties designated by the board of trustees or board of directors, exclusive of duties related to student activities or athletics. Such duties shall require that the employee work additional time as a condition of the receipt of a leadership premium.

(2) Local school district LEA boards of trustees or boards of directors shall provide leadership premiums to instructional or pupil service staff employees consistent with the provisions of this section and may not distribute moneys provided pursuant to this section unless employees meet one (1) of the criteria specified in subsection (1) of this section. The
decision as to whom and how many receive leadership premiums, and in what amounts, shall not be subject to collective bargaining, any other provision of law notwithstanding. A board may provide multiple leadership premiums to an instructional or pupil service staff employee. However, no such employee shall receive cumulative leadership premiums in excess of twenty-five percent (25%) of the minimum salary as designated on the career ladder a local salary schedule pursuant to section 33-1004B, Idaho Code, nor less than nine hundred dollars ($900), regardless of such employees full- or part-time status.

(3) The state department of education may require reports of information as needed to implement the provisions of this section. At a minimum, school districts LEAs shall report the information necessary for the department to fulfill the provisions of this section. The department shall report, on or before January 15 each year, to the governor, the senate education committee and the house of representatives education committee relevant information regarding leadership premiums, including the following:

(a) The number of instructional and pupil service staff employees in the district LEA;
(b) The number of instructional and pupil service staff employees that received a leadership premium;
(c) The number of leadership premiums issued, by district LEA;
(d) The average dollar amount of leadership premiums issued, by district LEA;
(e) The highest and lowest leadership premium issued, by district LEA;
(f) The percent of instructional and pupil service staff positions receiving leadership premiums and the cumulative amount of such premiums, by district LEA; and
(g) The reasons identified as leadership priorities approved by the board of trustees or board of directors as listed in subsection (1) of this section, including a description of the other leadership duties designated by the board of trustees or board of directors as provided in subsection (1)(h) of this section and the number of the premiums awarded per leadership activity as identified in subsection (1)(a) through (h) of this section.

(4) For the purposes of this section, the term "school district" also means "public charter school," and the term "board of trustees" also means "board of directors."

(5) The state board of education is hereby authorized to promulgate rules to implement the provisions of this section.

SECTION 21. That Section 33-1002B, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002B5. PUPIL TUITION-EQUIVALENCY ALLOWANCES. (1) Districts which educate pupils placed by Idaho court order in licensed homes, agencies, institutions or juvenile detention facilities shall be eligible for an allowance equivalent to forty-two percent (42%) of the previous year's gross per pupil cost calculated on a daily basis. This district allowance shall be in addition to support unit the foundation funding and included in district

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apportionment payments, subject to approval of district applications by the state superintendent of public instruction.

(2+) Districts which educate pupils placed by Idaho court order in a juvenile detention facility with a summer school program shall be eligible for an allowance equivalent to one-half (1/2) of forty-two percent (42%) of the previous year's gross per pupil cost calculated on a daily basis. This district allowance shall be in addition to support unit the foundation funding and included in district apportionment payments, subject to approval of district applications by the state superintendent of public instruction.

(3+) Districts which educate school age special education students who, due to the nature and severity of their disabilities, are residing in licensed public or private residential facilities or homes, and whose parents are not patrons of the district, shall be eligible for an allowance equivalent to forty-two percent (42%) of the previous year's gross per pupil cost per child plus the excess cost rate that is annually determined by the state superintendent of public instruction. This district allowance shall be in addition to exceptional the foundation funding and the special education support unit weight funding and included in district apportionment payments, subject to approval of district applications by the state superintendent of public instruction.

(4+) For school age special education students from outside the state of Idaho who, due to the nature and severity of their disabilities, are residing in licensed public or private residential facilities within the state of Idaho, the local school district shall provide education services to such students if requested by the licensed public or private residential facility, provided that the local school district has been given the opportunity to provide input on any federally required education plans for any such students. A local school district providing education services for such students shall sign a contract with any such licensed public or private residential facilities, which contract shall delineate the education services to be provided by the local school district and the amount to be paid by the licensed public or private residential facility. The amount paid shall be equal to the local school district's full cost of providing the education services delineated by the contract, as determined by the local school district. Such students shall be excluded from all average daily attendance student enrollment counts and other reports provided to the state that would result in the distribution of state funding to the local school district.

(5+) For school age nonspecial education students from outside the state of Idaho who are residing in licensed public or private residential facilities within the state of Idaho, the local school district may provide education services to such students if requested by the licensed public or private residential facility. A local school district providing education services for such students shall sign a contract with any such licensed public or private residential facilities, which contract shall delineate the education services to be provided by the local school district and the amount to be paid by the licensed public or private residential facility. The amount paid shall be equal to the local school district's full cost of providing the education services delineated by the contract, as determined by the local school district. Such students shall be excluded from all average daily attendance student enrollment counts and other reports provided to the state.
state that would result in the distribution of state funding to the local
school district.

SECTION 22. That Section 33-1002C, Idaho Code, be, and the same is
hereby amended to read as follows:

33-1002C5A. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE SCHOOL
FUNDING -- JUVENILE DETENTION FACILITY. (1) Alternative -- Summer school
programs for at-risk students, as defined by state board of education rule,
of not less than two hundred twenty-five (225) hours of instruction, which
shall be included in the educational support units enrollment totals cal-
culated as provided in section 33-1002D, Idaho Code, may be established
as approved by the state board of education. The average daily attendance
divided by forty (40) shall determine the number of allowable support units
which shall be included in the alternative school support units calculated
for the school district for the succeeding school term. Summer school enroll-
ment counts pursuant to section 33-1002D, Idaho Code, shall be added to the
first count of the ensuing school year.

(2) For any alternative school youth intervention program designated
pursuant to section 46-805, Idaho Code, full-term average daily attendance
enrollment shall be used to calculate support units enrollment for each
cohort of students that meets the minimum instructional hours requirement
provided for in section 33-512, Idaho Code. The support units enrollment
so calculated shall be used for all state funding formulas in which support
units are student enrollment is used.

(3) Districts which educate pupils students placed by court order in
a juvenile detention facility may establish a summer school program which
shall be included in the educational support units student enrollment calcu-
lated as provided in section 33-1002D, Idaho Code. The average daily atten-
dance divided by forty (40) shall determine the number of allowable support
units which shall be included in the exceptional education school support
units calculated for the school district for the succeeding school term.

(4) Average daily attendance and the support units so generated by this
section shall not be included in or subject to the provisions of section
33-1003, Idaho Code, and shall be included as an addition to any other sup-
port units generated pursuant to Idaho Code.

SECTION 23. That Section 33-1002F, Idaho Code, be, and the same is
hereby amended to read as follows:

33-1002F5B. ALTERNATIVE SCHOOL REPORT. Annually, prior to the tenth
legislative day, the department of education shall file with the legisla-
ture a report detailing the alternative school programs within the state. On
July 1 of each year, or as soon thereafter as feasible, each school district
receiving moneys pursuant to the alternative school support units factor in
section 33-1002, Idaho Code, or section 33-1002C5A, Idaho Code, shall file
with the state department a comprehensive report of the amount of money re-
ceived in the district, the expenditure on alternative school programs and
the programs provided. This information shall be compiled by the department
for transmission to the legislature.
SECTION 24. That Section 33-1002E, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002E(5c). PUPILS ATTENDING SCHOOL IN ANOTHER STATE. In any school district which abuts upon the border of another state, the resident pupils of said district may attend schools in the other state as provided in section 33-1403, Idaho Code.

SECTION 25. That Section 33-1002G, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002G(5d). CAREER TECHNICAL SCHOOL FUNDING AND ELIGIBILITY. (1) School districts may establish career technical schools that qualify for funding appropriated for the specific purpose of supporting the added cost of career technical schools. These funds will be appropriated to the state board for career technical education, to be expended by the division of career technical education. In order for a school to qualify for funding as a career technical school, it must make application to the division of career technical education on or before the fifteenth of April for the following fiscal year. This includes applicants for new schools and renewal applications. All career technical schools must meet all three (3) of the following criteria:

(a) The school serves students from two (2) or more high schools. No one high school can comprise more than eighty-five percent (85%) of the total enrolled career technical school students. In the event a student enrolled in the career technical school is not enrolled in a public high school, the eighty-five percent (85%) will be calculated based on the public high school attendance area where the student resides.

(b) The majority of the school's program offerings lead to some form of postsecondary credit, such as dual credit or other advanced opportunities, as defined by the state board of education, or include apprenticeship opportunities.

(c) All school programs offer at least one (1) supervised field experience for all students.

(2) All career technical schools must also meet at least one (1) of the following three (3) requirements:

(a) The school is funded separately from schools that qualify for computation using regular secondary support units.

(b) The school has a separate and distinct governing board.

(c) The majority of the school programs are provided at dedicated facilities that are separate from the regular high school facilities.

SECTION 26. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1005E, Idaho Code, and to read as follows:

33-1005E. PUBLIC SCHOOL CLASSROOM TECHNOLOGY PROGRAM. Technology program funding shall be distributed for classroom technology, classroom technology infrastructure, and instructional management systems that assist educators and students in effective and efficient instruction or
learning. Funding shall be distributed based on a formula prescribed by the superintendent of public instruction. Moneys so distributed shall be used to implement and operate an instructional management system of their choice that meets the individual learning needs and progress of all students. An instructional management system must include individual student learning plans, monitoring of interventions, integration with a district's student information system (SIS), and analysis of student and classroom levels of learning.

SECTION 27. That Section 33-1009, Idaho Code, be, and the same is hereby repealed.

SECTION 28. That Section 33-1007A, Idaho Code, be, and the same is hereby amended to read as follows:

33-1007A. FEASIBILITY STUDY AND PLAN FOR SCHOOL CLOSURES AND/OR SCHOOL DISTRICT CONSOLIDATION. (1) The state superintendent of public instruction shall determine the reimbursable costs to any school district which are incurred under the provisions of section 33-310B, Idaho Code. The school district shall be entitled to reimbursement of all allowable costs pursuant to rules and regulations promulgated by the state board of education.

(2) In school districts where the implementation of a school closure plan requires the consolidation of one (1) or more schools, the public schools educational support program allowance for the consolidated school for a seven (7) year period following school consolidation shall not be less than the combined public schools educational support program allowance of the component schools in the last year of operation.

SECTION 29. That Section 33-1010, Idaho Code, be, and the same is hereby amended to read as follows:

33-1010. APPORTIONMENTS WHEN MINES NET PROFITS CONSIDERED. (1) In any school district in which mines net profits are made a part of the total assessed value of taxable property, should the amount of such net profits certified as required by section 63-2803, Idaho Code, be lower in any year than for the immediately preceding year in an amount equaling five per cent (5%) or more of the total assessed value of taxable property of the district for the preceding year, then the state department of education shall compute the adjusted value of taxable property in the district for the purposes of section 33-1004, Idaho Code, by subtracting from the adjusted value of property in the district for the preceding year, the total of such decrease in mines net profits tax.

(2) The county auditor of each county in which the net profits of mines are made a part of the total assessed value of taxable property of any school district, shall annually examine the reports of mines net profits certified to the county assessor as required by section 63-2803, Idaho Code, and shall certify to the state department of education not later than the fifteenth day of June of each year, the net profits of mines creditable to each school district in said county.
SECTION 30. That Section 33-1005, Idaho Code, be, and the same is hereby amended to read as follows:

33-1005. DISTRICTS RECEIVING FEDERAL FUNDS. In school districts which receive moneys for the maintenance and operation of the schools from agencies of the federal government, the public schools educational support program shall be computed on the basis of the average daily attendance of pupil student enrollment counts as set forth in this chapter and without regard to the manner in which such allowance from the federal government may be computed.

SECTION 31. That Section 33-1017, Idaho Code, be, and the same is hereby repealed.

SECTION 32. That Section 33-1018, Idaho Code, be, and the same is hereby amended to read as follows:

33-1018. PUBLIC SCHOOL DISCRETIONARY STUDENT-BASED FOUNDATION FUNDING VARIABILITY -- INFORMATION IN APPROPRIATION. The legislature shall annually state in the appropriation for the public schools educational support program/division of operations the estimate of the total discretionary funding provided per support unit. The foundation amount per student pursuant to section 33-1002, Idaho Code. Before the end of each fiscal year, the department of education shall, before the end of each fiscal year, calculate the actual discretionary funding available per support unit foundation amount per student.  

(1) If the total estimated discretionary funding foundation amount per support unit student stated in the appropriation for the public schools educational support program/division of operations is less than the actual discretionary funding available foundation amount per support unit student, then the state controller shall multiply the difference by the number of actual support units statewide weighted student enrollment count, and transfer the result from the public school income fund to the public education stabilization fund and the final distributions to school districts LEAs from the department of education shall be reduced by a like amount.

(2) If the total estimated discretionary funding foundation amount per support unit student stated in the appropriation for the public schools educational support program/division of operations is greater than the actual discretionary funding available foundation amount per support unit student, then the state controller shall multiply the difference by the number of actual support units statewide weighted student enrollment count, and transfer the result from the public education stabilization fund to the public school income fund. This transfer shall be limited to moneys available in the public education stabilization fund. Moneys transferred from the public education stabilization fund to the public school income fund under the provisions of this section are hereby continuously appropriated for the public schools educational support program/division of operations.

SECTION 33. That Section 33-1020, Idaho Code, be, and the same is hereby amended to read as follows:
33-1020. IDAHO DIGITAL LEARNING ACADEMY FUNDING. Of the moneys appropriated for the educational support program, an amount shall be distributed to support the Idaho digital learning academy, created pursuant to chapter 55, title 33, Idaho Code. For the purposes of this section, an "enrollment" shall be counted each time an Idaho school age child enrolls in an Idaho digital learning academy class. A single child enrolled in multiple classes shall count as multiple enrollments. Summer enrollments shall be included in the fiscal year that begins that summer. The amount distributed shall be calculated determined as follows:

(1) A base amount no less than one million, six hundred thousand dollars ($1,600,000) shall be distributed, equal to the current fiscal year's statewide average salary-based apportionment funding per midterm support unit, multiplied by twenty-six (26).

(2) A variable amount shall be distributed, equal to the number of enrollments multiplied by the current fiscal year's appropriation of state funds for the educational support program per student reported in attendance for the first reporting period, divided by twenty-three (23) two hundred seventy-five (275).

The state department of education shall make an estimated distribution of funds to the Idaho digital learning academy by no later than July 31 of each fiscal year, consisting of eighty percent (80%) of the estimated funding for the fiscal year. The balance of all remaining funds to be distributed, pursuant to the calculations in this section, shall be distributed by no later than May 15 of the same fiscal year.

SECTION 34. That Section 33-1021, Idaho Code, be, and the same is hereby repealed.

SECTION 35. That Section 33-1024, Idaho Code, be, and the same is hereby amended to read as follows:

33-1024. ONLINE PORTALS. (1) Of the moneys appropriated to the educational support program superintendent of public instruction, up to one hundred fifty thousand dollars ($150,000) may be expended for the development and maintenance of an internet-based portal of available online, nonsectarian K-12 or dual credit courses; an adult education portal; and a parent resource portal.

(2) The nonsectarian K-12 or dual credit courses portal shall include any of the following:

(a) Idaho digital learning academy;
(b) Idaho public school districts;
(c) Idaho public charter schools;
(d) Idaho public colleges and universities;
(e) Idaho private colleges and universities accredited by the same organization that accredits Idaho's public colleges and universities; and
(f) Any provider of online courses; provided however, that the courses available on the portal have been verified and approved by the state department of education to meet state content standards.
(3) At a minimum, the nonsectarian K-12 or dual credit courses portal shall:
   (a) Include and display customer ratings from students and parents, based upon previous student enrollment with the online course, provider and instructor. Such ratings shall, at a minimum, evaluate the quality of content, instruction, communications and ease of use;
   (b) Include the capacity for parents to notify their student's home school of their desire to enroll their student in an online course listed on the portal; and
   (c) Facilitate communications between listed online course providers, students and parents and the home school in which the student is enrolled.

(4) At a minimum, the adult education or parent resource portal shall provide access to tools and resources focused on K-12 education.

SECTION 36. That Section 33-309, Idaho Code, be, and the same is hereby amended to read as follows:

33-309. LAPSED DISTRICTS -- ANNEXATION. (1) If the state board of education shall find any school district:
   (a) Has not operated its school for a period of one (1) school year;
   (b) In which the average daily attendance student enrollment count during each term of not less than seven (7) months in the two (2) school years last past has been less than five (5) pupils; or
   (c) For a period of not less than one (1) year last past has had an insufficient number of members on its board of trustees lawfully to conduct the business of the district;
the state board may enter its order declaring any such district to be lapsed, and which district shall lapse as of the first day of July next following the date of said order.

(2) Upon entering its order declaring a school district lapsed pursuant to subsection (1) of this section, the state board shall designate some proper person a hearing officer to conduct a public hearing or hearings on the matter of annexing the lapsed district to a school district or districts contiguous thereto. The state board shall cause notice of such hearing or hearings to be published in a newspaper of general circulation in the area and the notice shall state the time and place of the hearing or hearings and the subject matter involved.

(3) Upon concluding any hearing or hearings the hearing officer shall make his report and recommendation to the state board, and the state board shall thereafter order the lapsed area annexed to such contiguous district or districts as in the judgment of the state board seems equitable and just. Any such annexation shall be effective as of the fifteenth day of August next following the date of the order of annexation.

(4) Whenever there is any outstanding unpaid bonded debt owed by the lapsed district, the state board shall, in its order of annexation, require the district, or one (1) of the districts, to which the lapsed area is annexed, to keep and maintain the bond register and to pay the principal and interest, when the same are due, out of the proceeds of any levy made for that purpose. The said order of annexation shall also provide for the trans-
fer, or apportionment, to the annexing district or districts of the prop-
erty and current liabilities of the lapsed district as in the judgment of the
state board is equitable and just; provided however, that if the lapsed dis-

trict shall have excess of liquid assets over current liabilities, and if
such lapsed district shall have any outstanding unpaid bonded debt, then and
in that event such excess shall be ordered transferred to a fund for the pay-
ment of the principal of and interest on such debt.

(5) When annexation has been completed, as hereinabove authorized,
the state board shall give notice of such annexation to the officers of the
lapsed district, if any there be, and to the board of county commissioners
of any county in which shall lie any district, the boundaries of which have
been changed by the annexation of the lapsed area. The notice to any board
of county commissioners shall be accompanied by a legal description of the
boundaries of the district or districts as changed by the annexation.

SECTION 37. That Section 33-317, Idaho Code, be, and the same is hereby
amended to read as follows:

33-317. COOPERATIVE SERVICE AGENCY -- POWERS -- DUTIES -- LIMITA-
TIONS. (1) Two (2) or more school districts may join together for educational
purposes to form a service agency to purchase materials and/or provide
services for use individually or in combination. The cooperative service
agency thus formed shall be empowered to adopt bylaws, and act as a body cor-
porate and politic with such powers as are assigned through its bylaws but
limited to the powers and duties of local school districts. In its corporate
capacity, this agency may sue and be sued and may acquire, hold and convey
real and personal property necessary to its existence. The employees of the
service agency shall be extended the same general rights, privileges and
responsibilities as comparable employees of a school district. The cooper-
ative service agency may elect to be its own fiscal agent for the purposes of
providing an alternative school program, with the concurrence of the school
districts for which it provides such services. In doing so the educational
support program payments made pursuant to section 33-10023, Idaho Code,
that would have been distributed to the school district acting as the fiscal
agent, shall instead be distributed to the cooperative service agency.

(2) A properly constituted cooperative service agency may request from
its member school districts funding to be furnished by a tax levy not to
exceed one-tenth of one percent (.1%) for a period not to exceed ten (10)
years by such member school districts. Such levy must be authorized by an
election held subject to the provisions of section 34-106, Idaho Code, and
be conducted in each of the school districts pursuant to chapter 14, title
34, Idaho Code, and approved by a majority of the district electors voting
in such election. Moneys received by the member school districts from this
source shall be transferred to the cooperative service agency upon receipt
of billing from the agency. Excess revenue over billing must be kept in a
designated account by the district, with accrued interest, and may only be
spent as budgeted by the agency.

(3) For the purpose of constructing and maintaining facilities of a
cooperative service agency, in addition to the levy authorized in subsection
(2) of this section, a properly constituted cooperative service agency may

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request from its member school districts additional funding to be furnished by a tax levy not to exceed four-tenths of one percent (.4%) for a period not to exceed ten (10) years. Such levy must be authorized by an election held subject to the provisions of section 34-106, Idaho Code, and be conducted in each of the school districts pursuant to chapter 14, title 34, Idaho Code, and approved by sixty-six and two-thirds percent (66 2/3%) of the district electors voting in such election. If one (1) or more of the member districts fails to approve the tax levy in such election, the cooperative service agency may construct the facility through the support of the member districts approving the levy, but in no event shall the levy limits authorized in this subsection (3) be exceeded. Nothing shall prevent a member district that initially failed to approve the levy from conducting a subsequent election, held pursuant to section 34-106, Idaho Code, to authorize that district's participation in construction of the facility. Electors of the districts may approve continuation of such levy for an additional ten (10) years at an election held for that purpose. There is no limit on the number of elections which may be held for the purpose of continuing the levy authorized under this subsection (3) for an additional ten (10) years. The administration and accounting of moneys received by imposition of the levy shall be the same as provided in subsection (2) of this section.

SECTION 38. That Section 33-507, Idaho Code, be, and the same is hereby amended to read as follows:

33-507. LIMITATION UPON AUTHORITY OF TRUSTEES. (1) It shall be unlawful for any trustee to have pecuniary interest, directly or indirectly, in any contract or other transaction pertaining to the maintenance or conduct of the school district or to accept any reward or compensation for services rendered as a trustee except as may be otherwise provided in this section. The board of trustees of a school district may accept and award contracts involving the school district to businesses in which a trustee or a person related to him by blood or marriage within the second degree has a direct or indirect interest provided that the procedures set forth in section 18-1361 or 18-1361A, Idaho Code, are followed. The receiving, soliciting or acceptance of moneys of a school district for deposit in any bank or trust company, or the lending of money by any bank or trust company to any school district, shall not be deemed to be a contract pertaining to the maintenance or conduct of a school district within the meaning of this section; nor shall the payment by any school district board of trustees of compensation to any bank or trust company, for services rendered in the transaction of any banking business with such district board of trustees, be deemed the payment of any reward or compensation to any officer or director of any such bank or trust company within the meaning of this section.

(2) It shall be unlawful for the board of trustees of any class of school district to enter into or execute any contract with the spouse of any member of such board, the terms of which said contract requires or will require the payment or delivery of any school district funds, money or property to such spouse, except as provided in subsection (3) of this section or in section 18-1361 or 18-1361A, Idaho Code.
(3) No spouse of any trustee may be employed by a school district with a fall student enrollment population of greater than one thousand two hundred (1,200) in the prior school year. For school districts with a fall student enrollment population of one thousand two hundred (1,200) or less in the prior school year and for schools funded pursuant to the provisions of section 33-1003(2), Idaho Code, such spouse may be employed in a nonadministrative position for a school year if each of the following conditions has been met:

(a) The position has been listed as open for application on the school district website or in a local newspaper, whichever is consistent with the district's current practice, and the position shall be listed for at least sixty (60) days, unless the opening occurred during the school year, in which case the position shall be so listed for at least fifteen (15) days. If the position is listed in a newspaper, the listing shall be made in a manner consistent with the provisions of section 60-106, Idaho Code;

(b) No applications were received that met the minimum certification, endorsement, education or experience requirements of the position other than such spouse;

(c) The trustee abstained from voting in the employment of the spouse and was absent from the meeting while such employment was being considered and determined.

The school district or school may employ such spouse for further school years, provided that the conditions contained in this subsection are met for each school year in which such spouse is employed. The trustee shall abstain from voting in any decisions affecting the compensation, benefits, individual performance evaluation or disciplinary action related to the spouse and shall be absent from the meeting while such issues are being considered and determined. Such limitation shall include, but not be limited to: any matters relating to negotiations regarding compensation and benefits; discussion and negotiation with district benefits providers; and any matter relating to the spouse and letters of reprimand, direction, probation or termination. Such limitations shall not prohibit the trustee spouse from participating in deliberation and voting upon the district's annual fiscal budget or annual audit report. Any spouse of a trustee employed as a certificated employee pursuant to this subsection shall be employed under a category 1 contract pursuant to section 33-514A, Idaho Code.

(4) When any relative of any trustee or relative of the spouse of a trustee related by affinity or consanguinity within the second degree is considered for employment in a school district, such trustee shall abstain from voting in the election of such relative and shall be absent from the meeting while such employment is being considered and determined.

SECTION 39. That Section 33-515, Idaho Code, be, and the same is hereby amended to read as follows:

33-515. ISSUANCE OF RENEWABLE CONTRACTS. (1) During the third full year of continuous employment by the same school district, including any specially chartered district, each certificated employee named in subsection (25) of section 33-1001, Idaho Code, and each school nurse and school
librarian shall be evaluated for a renewable contract and shall, upon hav-
ing been offered a contract for the next ensuing year, and upon signing and
timely returning a contract for a fourth full year, be placed on a renewable
contract status with said school district entitling such individual to the
right to automatic renewal of contract, subject to the provisions included
in this chapter, provided that Instructional staff who have not obtained
a professional endorsement under section 33-1201A, Idaho Code, may not be
placed on a renewable contract status, provided however, that if the career
ladder table pursuant to section 33-1004B(4), Idaho Code, is not funded,
then a professional endorsement shall not be required.

(2) At least once annually, the performance of each renewable contract
certificated employee, school nurse, or school librarian shall be evaluated
according to criteria and procedures established by the board of trustees in
accordance with general guidelines approved by the state board of education.
Such an evaluation shall be completed no later than June 1 of each year. The
evaluation shall include a minimum of two (2) documented observations, one
(1) of which shall be completed prior to January 1 of each year.

(3) Any contract automatically renewed under the provisions of this
section may be renewed for a shorter term, longer term or the same length
of term as stated in the current contract and at a greater, lesser or equal
salary as that stated in the current contract. Absent the board's applica-
tion of a formal reduction in force, renewals of standard teacher contracts
may be for a shorter term, longer term or the same length of term as stated
in the current standard teacher contract and at a greater, lesser or equal
salary, and shall be uniformly applied to all employees based upon on the
district's adopted salary schedule to the extent allowable in section
33-1004E, Idaho Code.

(a) Contracts issued pursuant to this section shall be issued on or be-
fore the first day of July each year.

(b) At the discretion of the board, the district may issue letters of
intent for employment for the next ensuing school year to renewable
contract status employees during May of each school year. Such let-
er of intent shall not state a specific duration of the contract or
salary/benefits term for the next ensuing school year.

(c) Unless otherwise negotiated and ratified by both parties pur-
suant to sections 33-1271, et seq., Idaho Code, standard teacher
renewals for terms shorter in length than that stated in the current
standard contract of renewable certificated employees, should be con-
idered and implemented only after the district has determined that
the salary-based apportionment reimbursement that it estimates public
schools educational support program amount it will receive for paying
salaries for the ensuing school year is less than the sum the district
would otherwise be paying for the salaries for certificated profes-
sional employees.

(4) Nothing in this section shall prevent the board of trustees from of-
fering a renewed contract increasing the salary of any certificated person,
or from reassigning an administrative employee to a nonadministrative posi-
tion with appropriate reduction of salary from the preexisting salary level.
In the event the board of trustees reassigns an administrative employee to a
nonadministrative position, the board shall give written notice to the em-

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employee that contains a statement of the reasons for the reassignment. The employee, upon written request to the board, shall be entitled to an informal review of that decision. The process and procedure for the informal review shall be determined by the local board of trustees.

(5) Before a board of trustees can determine not to renew for reasons of an unsatisfactory report of the performance of any certificated person whose contract would otherwise be automatically renewed, such person shall be entitled to a reasonable period of probation. This period of probation shall be preceded by a written notice from the board of trustees with reasons for such probationary period and with provisions for adequate supervision and evaluation of the person's performance during the probationary period. Such period of probation shall not affect the person's renewable contract status. Consideration of probationary status for certificated personnel is consideration of the status of an employee within the meaning of section 74-206, Idaho Code, and may be held in executive session. If the consideration results in probationary status, the individual on probation shall not be named in the minutes of the meeting. A record of the decision shall be placed in the teacher's personnel file.

(6) If the board of trustees takes action to immediately discharge or discharge upon termination of the current contract a certificated person whose contract would otherwise be automatically renewed, the action of the board shall be consistent with the procedures specified in section 33-513(5), Idaho Code, and furthermore, the board shall notify the employee in writing whether there is just and reasonable cause not to renew the contract or to reduce the salary of the affected employee, and if so, what reasons it relied upon in that determination.

(7) If the board of trustees takes action after the declaration of a financial emergency pursuant to section 33-522, Idaho Code, and such action is directed at more than one (1) certificated employee, and if mutually agreed to by both parties, a single informal review shall be conducted. Without mutual consent of both parties, the board of trustees shall use the following procedure to conduct a single due process hearing. Notice of the hearing shall be given to all employees within sixty-seven (67) days of the declaration of financial emergency pursuant to section 33-522(2), Idaho Code, or on or before June 22, whichever shall occur first:

(a) The superintendent or any other duly authorized administrative officer of the school district may recommend the change in the length of the term stated in the current contract or reduce the salary of any certificated employee by filing with the board of trustees written notice specifying the purported reasons for such changes.
(b) Upon receipt of such notice, the board of trustees, acting through its duly authorized administrative official, shall give the affected employees written notice of the reductions and the recommendation of the change in the length of the term stated in the current contract or the reduction of salary, along with written notice of a hearing before the board of trustees prior to any determination by the board of trustees.
(c) The hearing shall be scheduled to take place not less than six (6) days nor more than fourteen (14) days after receipt of the notice by the employees. The date provided for the hearing may be changed by mutual consent.
(d) The hearing shall be open to the public.
(e) All testimony at the hearing shall be given under oath or affirmation. Any member of the board, or the clerk of the board of trustees, may administer oaths to witnesses or affirmations by witnesses.
(f) The employees may be represented by legal counsel and/or by a representative of a local or state education association.
(g) The chairman of the board of trustees or the designee of the chairman shall conduct the hearing.
(h) The board of trustees shall cause an electronic record of the hearing to be made or shall employ a competent reporter to take stenographic or stenotype notes of all the testimony at the hearing. A transcript of the hearing shall be provided at cost by the board of trustees upon request of the employee.
(i) At the hearing, the superintendent or other duly authorized administrative officer shall present evidence to substantiate the reduction contained in such notice.
(j) The employees may produce evidence to refute the reduction. Any witness presented by the superintendent or by the employees shall be subject to cross-examination. The board of trustees may also examine witnesses and be represented by counsel.
(k) The affected employees may file written briefs and arguments with the board of trustees within three (3) days after the close of the hearing or such other time as may be agreed upon by the affected employees and the board of trustees.
(l) Within seven (7) days following the close of the hearing, the board of trustees shall determine and, acting through its duly authorized administrative official, shall notify the employees in writing whether the evidence presented at the hearing established the need for the action taken.

The due process hearing pursuant to this subsection shall not be required if the board of trustees and the local education association reach an agreement on issues agreed upon pursuant to section 33-522(3), Idaho Code.

(8) If the board of trustees, for reasons other than unsatisfactory service, for the ensuing contract year, determines to change the length of the term stated in the current contract, reduce the salary or not renew the contract of a certificated person whose contract would otherwise be automatically renewed, nothing herein shall require a probationary period.

(9) If the board of trustees, for reasons other than unsatisfactory service, for the ensuing contract year, determines to change the length of the term stated in the current contract or reduce the salary of a certificated person whose contract would otherwise be automatically renewed, nothing herein shall require any individualized due process proceeding. In such circumstance, the board shall hold a single informal review for all impacted employees. The process and procedure for the single informal review shall be determined by the local board of trustees.

SECTION 40. That Section 33-522, Idaho Code, be, and the same is hereby amended to read as follows:
33-522. FINANCIAL EMERGENCY. (1) Prior to declaring a financial emergency, the board of trustees shall hold a public meeting for the purpose of receiving input concerning possible solutions to the financial problems facing the school district.

(2) If the state department of education certifies that one (1) or more of the conditions in paragraph (a), (b) or (c) of this subsection are met, then the board of trustees may declare a financial emergency if it determines that the condition in paragraph (d) of this subsection is also met. Alternatively, the board of trustees may declare a financial emergency if it determines that either of the conditions in paragraph (eb) or (ec) of this subsection are met and the state department of education certifies that the condition set forth in paragraph (fd) of this subsection is also met.

(a) Any of the base salary multipliers in section 33-1004E, Idaho Code, are reduced by one and one-half percent (1 1/2%) or more from any prior fiscal year.

(b) The minimum instructional salary provision in section 33-1004E, Idaho Code, is reduced by one and one-half percent (1 1/2%) or more from any prior fiscal year.

(c) The amount of total general fund money appropriated per support unit student-based foundation funding is reduced by greater than three percent (3%) from the original general fund appropriation per support unit of any prior fiscal year.

(eb) The amount of property tax revenue to be collected by the school district that may be used for any general fund purpose, with the exception of any emergency levy funds, is reduced from the prior fiscal year, and the amount of such reduction represents more than one and one-half percent (1 1/2%) of the school district's general fund budget for combined state and local revenues from the prior fiscal year.

(ec) The school district's general fund has decreased by at least one and one-half percent (1 1/2%) from the previous year's level due to a decrease in funding or natural disaster, but not as a result of a drop in the number of support units or the index multiplier calculated pursuant to section 33-1004A, Idaho Code, or a change in the emergency levy student enrollment count.

(fd) The school district's unrestricted general fund balance, which excludes funds restricted by state or federal law and considering both anticipated expenditures and revenue, is less than five and one-half percent (5 1/2%) of the school district's unrestricted general fund budget at the time the financial emergency is declared or for the fiscal year for which the financial emergency is declared.

(3) Upon its declaration of a financial emergency, the board of trustees shall:

(a) Have the power to reopen the salary and benefits compensation aspects of the negotiated agreement, including the length of the certificated employee contracts and the amount of compensation and benefits; and

(b) If the parties to the negotiated agreement mutually agree, reopen other matters contained within the negotiated agreement directly affecting the financial circumstances in the school district.
If the board of trustees exercises the power provided in this subsection con-
istent with the requirements of subsection (2) of this section, both the
board of trustees and the local education association shall meet and confer
in good faith for the purpose of reaching an agreement on such issues.

(4) If, after the declaration of a financial emergency pursuant to
subsection (2) of this section, both parties have met and conferred in good
faith and an agreement has not been reached, the board of trustees may impose
its last, best offer, following the outcome of the due process hearing held
pursuant to section 33-515(7), Idaho Code.

(5) A financial emergency declared pursuant to subsection (2) of this
section shall be effective for only one (1) fiscal year at a time and shall
not be declared by the board of trustees for a second consecutive year, un-
less so qualified by additional reductions pursuant to the conditions listed
in subsection (2) of this section.

(6) The time requirements of sections 33-514(2) and 33-515(2), Idaho
Code, shall not apply in the event a financial emergency is declared pursuant
to subsection (2) of this section.

SECTION 41. That Section 33-701, Idaho Code, be, and the same is hereby
amended to read as follows:

33-701. FISCAL YEAR -- PAYMENT AND ACCOUNTING OF FUNDS. The fiscal
year of each school district shall be a period of twelve (12) months commencing
on the first day of July in each year.

The board of trustees of each school district shall have the following
powers and duties:

1. To determine and order paid all lawful expenses for salaries, wages
and purchases, whether or not there be money in the treasury for payment of
warrants drawn against any fund of the district. Warrants shall be signed
by the treasurer of the district and countersigned by the chairman or vice-
chairman of the board of trustees.

Whenever any school district has sufficient funds on deposit to do so,
it may pay any allowed claim for salaries, wages or purchases by regular bank
check signed by the treasurer or assistant treasurer of the district and
countersigned by the chairman, or vice-chairman, of the board of trustees.

The total amount of warrants or orders for warrants drawn on any fund,
together with disbursements from such fund in any other manner made, shall
not exceed ninety-five percent (95%) of the estimated income and revenue ac-
crued or accruing to such fund for the same school year, until such income and
revenue shall have been paid into the treasury to the credit of the district;

2. To invest all or part of any plant facilities reserve fund, or any
fund accumulated for the payment of interest on, and the redemption of, out-
standing bonds, or other obligations of the district in bonds or certifi-
cates of indebtedness of the United States of America, or in bonds or invest-
ments permitted by sections 67-1210 and 67-1210A, Idaho Code, or warrants of
the state of Idaho, or in warrants or tax anticipation notes of any county or
school district of the state of Idaho, when such investments shall be due and
payable on or before the date any plant facilities reserve fund shall be re-
quired to be expended or any bonds or other obligations, or interest thereon,
of the investing district shall become payable.
Whenever in the judgment of the board of trustees, the proceeds of any
bond issue should be temporarily invested pending the expenditure of such
proceeds for the purposes for which such bonds were issued, the proceeds may
be invested in the manner and form hereinabove prescribed. Any interest, or
profits accruing from such investments shall be used for the purposes for
which the bonds were issued. Unless otherwise provided by law, any interest
or profits accruing from the investment of any funds shall be credited to the
general fund of the district;

3. To insure any schoolhouse and other property, and the district, 
against any loss by fire, casualty, or liability, and the board, its officers
and employees, and to preserve its property for the benefit of the district.
In case of loss of any insured property, any proceeds from insurance:
   (a) May be expended in constructing a temporary or permanent structure,
but no sum greater than the insurance proceeds shall be so expended ex-
cept upon approval of a majority of the school district electors voting
in an election called for that purpose; or
   (b) May be placed in and made a part of the school plant facilities re-
serve fund of the district, if the district has such a fund; or
   (c) May be placed in a separate account in the bond interest and redemp-
tion fund of the district to repay any kind of obligation incurred by the
district in replacing or restoring the property for which the insurance
proceeds were received, and shall not be included in the computations
of bond and bond interest levies as provided in section 33-802A, Idaho
Code.

If the proceeds of any insurance received by a school district by reason
of loss on real property shall be less than five thousand dollars ($5,000),
such proceeds may be credited to the general fund of the district;

4. To pay from the general fund of the district the expense of any mem-
ber of the board incurred while traveling on the business of the board, or
attending any meeting called by the state board of education or by the state
superintendent of public instruction, or attending any annual or special
meetings of the state school trustees association, and to pay the membership
fee of the board of trustees in said association. Whenever any member of
the board of trustees resides at such distance from the meeting place of the
board as to require, in the judgment of the board, such member to incur ex-
traordinary expense in traveling from his home to and from said meeting place,
the board may approve payment to such member of the extraordinary expense
incurred in attending any meeting of the board.

For the purpose of this paragraph, the term "expense" or "extraordinary
expense" shall include allowance for mileage or actual travel expense in-
curred;

5. To prepare, or cause to be prepared and published, in the manner
hereinafter prescribed, within one hundred twenty (120) days from the last
day of each fiscal year, an annual statement of financial condition and
report of the school district as of the end of such fiscal year in a form
prescribed by the state superintendent of public instruction. Such annual
statement shall include, but not be limited to, the amounts of money budgeted
and received and from what sources, and the amounts budgeted and expended for
salaries and other expenses by category. Salaries may be reported in gross
amount. Each school district shall have available at the administrative
office, upon request, a full and complete list of vendors and the amount paid
to each and a list of the number of teachers paid at each of the several stated
gross salary levels in effect in the district.

Nothing herein provided shall be construed as limiting any school dis-
trict as to any additional or supplementary statements and reports it may
elect to make for the purpose of informing the public of its financial oper-
ations, either as to form, content, method, or frequency; and if all the in-
formation required herein to be published shall have been published as pro-
vided herein at regular intervals during the fiscal year covering successive
portions of the fiscal year, then such information may be omitted from the
annual statement of financial condition and report for such portions of the
fiscal year as already have been reported.

The annual statement of financial condition and report shall be pub-
lished within the time above prescribed in one (1) issue of a newspaper
printed and published within the district, or, if there be none, then in a
newspaper as provided in section 60-106, Idaho Code, published within the
district, or, if there be none, then in a newspaper as provided in section
60-106, Idaho Code, in the county in which the school district is located, or,
if more than one (1) newspaper is published in said district or county,
then in the newspaper most likely to give best general notice of the contents
of such annual statement of financial condition and report to the residents
of said district; provided, that if no newspaper is published in the district
or county, then such statement of financial condition and report shall be
published in a newspaper as provided in section 60-106, Idaho Code, most
likely to give best general notice of the contents to the residents of said
district.

The chairman, clerk and treasurer of each school district shall certify
the annual statement of financial condition and report to be true and cor-
correct, and the certification shall be included in each published statement.

In the event the board of trustees of any school district shall fail to
prepare or cause to be prepared or to publish the annual statement of finan-
cial condition and report as herein required, the state superintendent of
public instruction shall cause the same to be prepared and published, and the
cost thereof shall be an obligation of the school district. One (1) copy of
the annual statement of financial condition and report shall be retained in
the office of the clerk of the board of school trustees, where the same shall
be open at all times to examination and inspection by any person;

6. To cause to be made a full and complete audit of the financial state-
ments of the district as required in section 67-450B, Idaho Code.

The auditor shall be employed on written contract.

One (1) copy of the audit report shall be filed with the state department
of education, after its acceptance by the board of trustees, but not later
than November 10. If the audit report is not received by the state department
of education by November 10, the department may withhold all or a portion
of the district's November December 15 distribution made pursuant to sec-
tion 33-10022, Idaho Code, for noncompliance with the audit report deadline.
Provided however, a district may appeal to the state board of education for
reconsideration, in which case the state board of education may reinstate or
adjust the funds withheld.

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In the event the state department of education requests further explanation or additional information regarding a school district's audit report, such school district shall provide a full and complete response to the state department of education within thirty (30) days of receipt of the state department's request. If a school district fails to respond within the thirty (30) day time limit, the state department of education may withhold all or a portion of the district's next scheduled distribution to be made pursuant to section 33-10043, Idaho Code. Provided however, a district may appeal to the state board of education for reconsideration, in which case the state board of education may reinstate or adjust the funds withheld;

7. To file annually with the state department of education such financial and statistical reports as said state superintendent of public instruction may require;

8. To order and have destroyed any canceled check or warrant, or any form of claim or voucher which has been paid, at any time after five (5) years from the date the same was canceled and paid;

9. To review the school district budget periodically and make appropriate budget adjustments to reflect the availability of funds and the requirements of the school district. Any person or persons proposing a budget adjustment under this section shall notify in writing each member of the board of trustees one (1) week prior to the meeting at which such proposal will be made. Prior to the final vote on such a proposal, notice shall be posted and published once, as prescribed in section 33-402, Idaho Code. A budget adjustment shall not be approved unless voted affirmatively by sixty percent (60%) of the members of the board of trustees. Such amended budgets shall be submitted to the state superintendent of public instruction;

10. To invest any money coming into the hands of the school district in investments permitted by section 67-1210, Idaho Code. Unless otherwise provided by law, any interest or profits accruing from the investment of any funds shall be credited to the general fund of the district.

SECTION 42. That Section 33-801A, Idaho Code, be, and the same is hereby amended to read as follows:

33-801A. GENERAL FUND CONTINGENCY RESERVE. The board of trustees of any school district may create and establish a general fund contingency reserve within the annual school district budget. Such general fund contingency reserve shall not exceed five per cent (5%) of the total general fund budget, or the equivalent value of one (1) support unit computed as required by section 33-1002, Idaho Code, whichever is greater. Disbursements from said fund may be made by resolution from time to time as the board of trustees determines necessary for contingencies that may arise. The balance of said fund shall not be accumulated beyond the budgeted fiscal year. If any money remains in the contingency reserve it shall be treated as an item of income in the following year's budget.

SECTION 43. That Section 33-804, Idaho Code, be, and the same is hereby amended to read as follows:
33-804. SCHOOL PLANT FACILITIES RESERVE FUND LEVY. In any school dist-
trict in which a school plant facilities reserve fund has been created, ei-
ther by resolution of the board of trustees or by apportionment to new dis-
tricts according to the provisions of section 33-901, Idaho Code, to provide
funds therefor the board of trustees shall submit to the qualified school
electors of the district the question of a levy not to exceed four-tenths of
one percent (.4%) of market value for assessment purposes in each year, as
such valuation existed on December 31 of the previous year, for a period not
to exceed ten (10) years.
The question of a levy to be submitted to the electors of the district
and the notice of such election shall state the dollar amount proposed to be
collected each year during the period of years in each of which the collec-
tion is proposed to be made, the percentage of votes in favor of the proposal
which are needed to approve the proposed dollar amount to be collected, and
the purposes for which such funds shall be used. Said notice shall be given,
the election shall be held subject to the provisions of section 34-106, Idaho
Code, and conducted and the returns canvassed as provided in title 34, Idaho
Code; and the dollar amount to be collected shall be approved only if:
(1 ) Fifty-five percent (55%) of the electors voting in such election
are in favor thereof if the levy will result in a total levy for school plant
facilities and bonded indebtedness of less than two-tenths of one percent
(.2%) of market value for assessment purposes as such valuation existed on
December 31 of the year immediately preceding the election;
(2 ) Sixty percent (60%) of the electors voting in such election are in
favor thereof if the levy will result in a total levy for school plant facil-
ities and bonded indebtedness of two-tenths of one percent (.2%) or more and
less than three-tenths of one percent (.3%) of market value for assessment
purposes as such valuation existed on December 31 of the year immediately
preceding the election; or
(3 ) Two-thirds (2/3) of the electors voting in such election are in fa-
vor thereof if the levy will result in a total levy for school plant facil-
ities and bonded indebtedness of three-tenths of one percent (.3%) or more of
market value for assessment purposes as such valuation existed on December
31 of the year immediately preceding the election.
If the question be approved, the board of trustees may make a levy, not
to exceed four-tenths of one percent (.4%) of market value for assessment
purposes as such valuation existed on December 31 of the previous year, in
each year for which the collection was approved, sufficient to collect the
dollar amount approved and may again submit the question at the expiration
of the period of such levy, for the dollar amount to be collected during each
year, and the number of years which the board may at that time determine. Or,
during the period approved at any such election, if such period be less than
ten (10) years or the levy be less than four-tenths of one percent (.4%) of
market value for assessment purposes as such valuation existed on December
31 of the previous year, the board of trustees may submit to the qualified
school electors in the same manner as before, the question whether the number
of years, or the levy, or both, be increased, but not to exceed the maximum
herein authorized. If such increase or increases be approved by the elec-
tors, the terms of such levy shall be in lieu of those approved in the first
instance, but disapproval shall not affect any terms theretofore in effect.
Any bonded indebtedness incurred in accordance with the provisions of section 33-1103, Idaho Code, subsequent to the approval of a plant facilities reserve fund levy shall not affect the terms of that levy for any time during which such levy is in effect.

(4-) In any fiscal year in which the state department of education certifies that the statewide per support unit funding for salary-based apportionment and discretionary funds student-based foundation funding has decreased, in the aggregate, from the prior fiscal year, the board of trustees of any school district with a previously approved plant facilities levy may submit to the qualified electors of the school district the question of converting a previously approved plant facilities levy to a supplemental levy, subject to the following:

(a) The term of the supplemental levy shall not exceed the lesser of two years or the remaining term on the previously approved plant facilities levy; and

(b) The first tax year of conversion shall be the one in which the revenues collected will accrue to the fiscal year in which the state department of education certifies that the condition stated in subsection (4-) of this section exists; and

(c) Up to one hundred percent (100%) of the previously approved plant facilities levy amount may be converted; and

(d) Conversion of a plant facilities levy to a supplemental levy shall not affect any other supplemental levy; and

(e) The question to be submitted to the electors of the district and the notice of such election shall state the dollar amount proposed to be converted each year, the number of years to be converted, the percentage of the plant facilities levy that is proposed for conversion, and the purposes for which such funds shall be used; and

(f) Prior to January 1, 2011, the election notice shall be given, the election shall be conducted and the returns canvassed as provided in chapter 4, title 33, Idaho Code. On and after January 1, 2011, the election notice shall be given, the election shall be held subject to the provisions of section 34-106, Idaho Code, and conducted and the returns canvassed as provided in title 34, Idaho Code; and

(g) The dollar amount to be converted and collected shall be approved only if a majority of the electors voting in the election are in favor; and

(h) Upon expiration of the term of conversion, the supplemental levy shall revert to the previously approved plant facilities levy for any approved years remaining on the balance of its term; and

(i) Any years in which a previously approved plant facilities levy is converted to a supplemental levy pursuant to this subsection shall count against the years for which the plant facilities levy was approved; and

(j) If a majority of the electors voting in the election fail to vote in favor, the previously approved plant facilities levy shall not be affected.

SECTION 44. That Section 33-805, Idaho Code, be, and the same is hereby amended to read as follows:
33-805. SCHOOL EMERGENCY FUND LEVY. (1) Before the second Monday of September in each year, the board of trustees of any school district which qualifies under the provisions of this section may certify its need hereunder to the board of county commissioners in each county in which the district may lie, and request a school emergency fund levy upon all taxable property in the district.

(2) The board of trustees shall compute the number of pupils in average daily attendance students enrolled in the schools of the district as of such date, and if there be pupils in average daily attendance students enrolled above the number in average daily attendance of students enrolled for the same period of the school year immediately preceding the board shall:

1. (a) Divide the total of the student-based foundation program allowance funding based on said last annual report by the total number of pupils in average daily attendance students enrolled shown thereon;

2. (b) Multiply the quotient so derived by the number of additional pupils in average daily attendance students enrolled.

(3) The number of pupils in average daily attendance students enrolled for each period and the amount so computed shall be certified to the board of county commissioners of the county in which the district lies.

(4) In the case of a joint district, the board of trustees shall certify to the board of county commissioners of each county in which the district lies, to each, that proportion of the amount computed, as hereinabove, as the assessed value of taxable property within the district situate in each such county bears to the total assessed value of all taxable property in the district.

(5) After receiving the amounts certified, as hereinabove provided, the board, or boards, of county commissioners shall determine the levy according to section 63-805(3), Idaho Code, as amended; and the proceeds of any such levy shall be credited to the general fund of the district.

(6) The school district shall advertise its intent to seek an emergency levy pursuant to this section by publishing in at least the newspaper of largest paid circulation published in the county of the district, or if there is no such newspaper, then in a newspaper published nearest to the district where the advertisement is required to be published. For purposes of this section, the definition of "newspaper" shall be as established in sections 60-106 and 60-107, Idaho Code; provided further that the newspaper of largest circulation shall be established by the statement of average annual paid weekday circulation listed on the newspaper's sworn statement of ownership that was filed with the United States post office on a date most recently preceding the date on which the advertisement required in this section is to be published. The advertisement shall be run when the school district ascertains that it will request an emergency school fund levy as provided in this section and shall be published once a week for two (2) weeks following action by the board of trustees.

(7) The form and content of the notice shall be substantially as follows:

NOTICE OF PROPERTY TAX INCREASE BY SCHOOL BOARD

The (name of the school district) has proposed to increase the amount of ad valorem tax dollars it collects by certifying a school emergency fund levy

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pursuant to section 33-805, Idaho Code, for the period .......... to .........
. The total amount of dollars to be collected pursuant to this levy is esti-
imated to be ............ . The amount of dollars to be collected pursuant to
this levy on a typical home of $50,000 taxable value of last year is estimated
to be ............ . The amount of dollars to be collected pursuant to this levy
on a typical farm of $100,000 taxable last year is estimated to be ............ .
The amount of dollars to be collected pursuant to this levy on a typical busi-
ness of $200,000 taxable value of last year is estimated to be ............ .

CAUTION TO TAXPAYER: The amounts shown in this schedule do NOT reflect
tax charges that are made because of voter approved bond levies, over-
ride levies, supplemental levies, or levies applicable to newly annexed
property. Also the amounts shown in this schedule are an estimate only
and can vary with the amount of dollars and the levy amount certified and
the taxable value of individual property.

SECTION 45. That Section 33-905, Idaho Code, be, and the same is hereby
amended to read as follows:

33-905. SCHOOL DISTRICT BUILDING ACCOUNT -- PAYMENTS TO ACCOUNT --
MONEYS APPROPRIATED TO STATE BOARD -- APPLICATION FOR MONEYS -- PAYMENTS
TO DISTRICTS -- REPORTS ON APPLICATIONS -- USES OF MONEYS. (1) The state of
Idaho, in order to fulfill its responsibility to establish and maintain a
general, uniform and thorough system of public, free common schools, hereby
creates and establishes the school district building account in the state
treasury. The school district building account shall have paid into it such
appropriations or revenues as may be provided by law.

(2) By not later than August 31, moneys in the account pursuant to
distribution from section 67-7434, Idaho Code, the lottery dividends and
interest earned thereon, shall be distributed to each of the several school
districts, in the proportion that the average daily attendance student en-
rollment count of that district for the previous school year bears to the
total average daily attendance student enrollment count of the state during
the previous school year. For the purposes of this subsection (2) only, the
Idaho school for the deaf and the blind shall be considered a school
district, and shall receive a distribution based upon the average daily
attendance student enrollment count of the school. Average daily atten-
dance Student enrollment counts shall be calculated determined as provided
in section 33-1002(4), Idaho Code, and rules promulgated pursuant to that
code section. For the purposes of this subsection (2) only, any school for
the deaf and the blind operated by the Idaho bureau of educational services
for the deaf and the blind shall be considered a school district, and shall
receive a distribution based upon the average daily attendance student en-
rollment count of the school.

(3) Any other state moneys that may be made available shall be dis-
tributed to meet the requirements of section 33-1019, Idaho Code. If the
amount of such funds exceeds the amount needed to meet the provisions of sec-
tion 33-1019, Idaho Code, then the excess balance shall be transferred to the
public education stabilization fund.

(4) All payments from the school district building account shall be
paid out directly to the school district in warrants drawn by the state
controller upon presentation of proper vouchers from the state board of edu-
cation. Pending payments out of the school district building account, the
moneys in the account shall be invested by the state treasurer in the same
manner as provided under section 67-1210, Idaho Code, with respect to other
idle moneys in the state treasury. Interest earned on the investments shall
be returned to the school district building account.

(5) Payments from the school district building account received by a
school district shall be used by the school district for the purposes autho-
rized in section 33-1019, Idaho Code, up to the level of the state match so
required. Any payments from the school district building account received
by a school district that are in excess of the state match requirements of
section 33-1019, Idaho Code, may be used by the school district for the pur-
poses authorized in section 33-1102, Idaho Code.

SECTION 46. That Section 33-906, Idaho Code, be, and the same is hereby
amended to read as follows:

33-906. BOND LEVY EQUALIZATION SUPPORT PROGRAM. (1) Pursuant to sec-
tion 33-906B, Idaho Code, school districts with a value index below one (1)
shall be eligible to receive additional state financial assistance for the
cost of annual bond interest and redemption payments made on bonds passed on
or after September 15, 2002. However, any school district with a value index
of less than one and one-half (1.5), shall receive no less than ten percent
(10%) of the interest cost portion of the annual bond interest and redemption
payment for bonds passed on or after September 15, 2002. The state depart-
ment of education shall disburse such funds to school districts from mon-
ey appropriated from the bond levy equalization fund. The department shall
disburse the funds by no later than September 1 of each year for school dis-
tricts in which voters have approved the issuance of qualifying bonds by no
later than January 1 of that calendar year, and which are certifying a qual-
ifying bond interest and redemption payment for the fiscal year in which the
disbursement is made. For districts with a value index below one (1), the
percentage of each annual bond interest and redemption payment that is paid
by the state shall be determined by dividing the difference between one (1)
and the school district's value index by one (1).

(2) For the purposes of this section, the annual bond interest and re-
demption payment shall be determined by dividing the total payment amounts
by the number of fiscal years in which payments are to be made. The inter-
est cost portion of the annual bond interest and redemption payment shall be
determined by dividing the total interest paid by the number of fiscal years
in which payments are to be made. For school districts not qualifying for
a state payment in the first year of the bond interest and redemption pay-
ment schedule, due solely to the January 1 eligibility deadline, the state
department of education shall distribute an additional payment in the next
fiscal year, in the amount of such funds that the school district would have
otherwise qualified for in the current fiscal year.

(3) The provisions of this section may not be utilized to refinance
existing debt or subsidize projects previously subsidized by state grants,
unless the existing debt being refinanced is a bond passed on or after
September 15, 2002; provided however, that any school district that has
issued qualifying bonds prior to June 30, 2004, in conformance with this sec-
tion shall not be deemed to be refinancing existing debt when the qualifying
bonds are utilized to finance the acquisition of public school facilities
previously leased or financed through means other than the issuance of gen-
eral obligation bonds approved by a two-thirds (2/3) vote at an election
called for that purpose subject to subsection (5) of this section.

(4) School districts shall annually report the status of all qualifying
bonds to the state department of education by January 1 of each year, includ-
ing bonds approved by the voters, but not yet issued. Information submitted
shall include the following:
(a) The actual or estimated bond interest and redemption payment sched-
ule;
(b) Any qualifying bond that has been paid off;
(c) Other information as may be required by the state department of edu-
cation.

(5) No school district project eligible for participation in the bond
levy equalization support program shall be deemed ineligible for participa-
tion due to that school district project's eligibility and prior participa-
tion in the safe school facilities loan and grant program or the Idaho safe
schools facilities program under section 33-804A, 33-1017 or 33-1613, Idaho
Code, provided that:
(a) Such school district notifies the state department of education of
its desire and eligibility to participate in the bond levy equalization
support program; and
(b) Such school district shall receive no state financial assistance
for the project under the bond levy equalization support program until
the amount to which it would otherwise have been entitled to receive
shall equal the amounts received by the school district under the safe
school facilities loan and grant program or the Idaho safe schools fa-
cilities program under section 33-804A, 33-1017 or 33-1613, Idaho Code.

(6) Any school district formed as a result of the consolidation of two
(2) or more school districts that passes an eligible bond within three (3)
years of the successful consolidation election shall participate in the bond
levy equalization support program at the district's actual value index minus
twenty-five hundredths (.25). This adjustment shall apply for the duration
of the bond interest and redemption payment schedule. If a school district
advantaged by this subsection (6) deconsolidates either during the applic-
cable bond interest and redemption payment schedule, or within a three (3)
year period thereafter, each deconsolidated district shall, upon deconso-
idation, repay to the bond levy equalization fund all additional subsidies
received pursuant to this subsection (6). The proportions owed by each de-
consolidated district shall be determined by the proportion that each dis-
trict's market value for assessment purposes bears to the whole.

SECTION 47. That Section 33-906B, Idaho Code, be, and the same is hereby
amended to read as follows:

33-906B. VALUE INDEX CALCULATION. (1) The state department of educa-
tion shall establish a value index for each school district, based on each
school district's market value per support unit average unweighted student
counts for equalization purposes, the average annual seasonally-adjusted
unemployment rate in the county in which a plurality of the school district's
market value for assessment purposes of taxable property is located and the
per capita income in the county in which a plurality of the school district's
market value for assessment purposes is located. The value index for each
school district shall be calculated as the sum of the following three (3)
components:

(a) The state department of education shall annually calculate each
school district's market value per support unit average unweighted stu-
dent counts, based on the market values that would be used to calculate a
bond levy, and the statewide average. The first portion of the value in-
dex shall be calculated by dividing the school district's figure by the
statewide average figure and dividing the result of this calculation by
two (2).

(b) The second portion of the value index shall be calculated by di-
viding the statewide unemployment rate by the unemployment rate in the
county in which a plurality of the school district's market value for
assessment purposes of taxable property is located, and dividing the
result of this calculation by four (4). For the purposes of this sub-
section, the statewide unemployment rate and county unemployment rates
shall be based on the most recent average annual seasonally-adjusted
unemployment rate data reported by the United States department of la-
bor, for which there is a complete calendar year of data.

(c) The third portion of the value index shall be calculated by divid-
ing the county per capita income in the county in which a plurality of
the school district's market value for assessment purposes of taxable
property is located by the statewide per capita income, and dividing the
result of this calculation by four (4). For the purposes of this sub-
section, the statewide per capita income and county per capita income shall
be based on the most recent data reported by the United States depart-
ment of commerce, for which there is a complete calendar year of data.

(2) If a bond is passed by a subdistrict created pursuant to section
33-351, Idaho Code, the index used shall be that of the school district. For
subdistricts created as a result of consolidation, for the purposes of re-
tiring prior bonded indebtedness, pursuant to section 33-311, Idaho Code,
the subdistrict shall retain the value index factor calculated in paragraph
(a) of subsection (1) of this section, as such factor was calculated in the
subdistrict's last fiscal year as a separate school district. The remaining
components of the subdistrict's value index calculation shall be that of the
consolidated school district, as calculated each year.

SECTION 48. That Section 33-1405, Idaho Code, be, and the same is hereby
amended to read as follows:

33-1405. RATES OF TUITION -- TUITION CERTIFICATES. (1) The state de-
partment of education shall prepare and distribute all necessary forms; and
shall issue to each school district, annually, a tuition certificate bearing
a serial number, which certificate shall authorize the receiving district to
charge and to bill for the tuition of its nonresident pupil students where
tuition has not been waived.
(2) In determining tuition rates to be charged by any creditor school district, the state department of education shall compute the sum of that district's maintenance and operation costs, depreciation on its buildings, equipment, and other property, and the interest, if any paid by it on bonded debt or registered warrants. The said state department of education shall then compute what proportion of the sum of said costs, depreciation and interest is allocable to elementary schools, and what proportion is allocable to secondary schools, in the district. The proportion allocable to elementary schools shall then be divided by the average daily attendance student enrollment count of elementary schools pupils, and the proportion allocable to secondary schools shall be divided by the average daily attendance student enrollment counts of secondary schools pupils, in the district, and the amount so determined shall be the gross per-pupil student cost, elementary or secondary, as the case may be. The net per-pupil student cost shall be the gross per-pupil student cost less the per-pupil student apportionment to the district of any student-based foundation program funds.

(3) Computations of tuition rates shall be made as of the school year next preceding the year for which tuition charges are determined and made.

(4) Charges for tuition made by any creditor school district shall be its net per-pupil student cost, as hereinabove defined; except that its gross per-pupil student cost shall be charged where any pupil student has transferred to the creditor district by transfer other than one prescribed by section 33-1403, Idaho Code, or where the home district of any pupil student attending school in the creditor district is without the state of Idaho.

(5) The board of trustees of a school district may request a waiver from the state board of education of any portion of the tuition rate determined pursuant to this section. A waiver request must be made for each individual student, and may be requested for up to four (4) years, subject to annual review by the local board of trustees. Waivers must be requested before April 1 of the year prior to the operative date.

SECTION 49. That Section 33-1406, Idaho Code, be, and the same is hereby amended to read as follows:

33-1406. BILLS OF TUITION. (1) Bills of tuition for nonresident pupils shall be rendered by each creditor district and for nonresident pupils attending any school of the creditor district under the provisions of section 33-1403 or 33-1404, Idaho Code, the bill of tuition shall be submitted to the home district of such pupils. In all other cases, the creditor district may submit to the parent of any nonresident pupil attending school in its district a bill of tuition of such pupil, and such parent shall be liable for the payment of said tuition, if so billed. Tuition reimbursement for nonresident pupils who are placed by court order under provisions of the Idaho juvenile corrections or child protective acts may be obtained by the creditor district through procedures established in section 33-10025, Idaho Code, for nonresident tuition-equivalency allowance.

(2) Each bill of tuition submitted to a home district shall show the serial number of the tuition certificate last issued to the creditor district by the state department of education and shall show also the number of pupils
for whom tuition is charged, which charge shall be as shown by the said tuition certificate.

(3) Bills of tuition, if submitted other than annually, shall be apportioned according to the number of school months for which any such bill is applicable. A fraction of a school month shall be deemed a school month.

SECTION 50. That Section 33-1613, Idaho Code, be, and the same is hereby amended to read as follows:

33-1613. SAFE PUBLIC SCHOOL FACILITIES REQUIRED. (1) Definition. As used in this section, "public school facilities" means the physical plant of improved or unimproved real property owned or operated by a school district, a charter school, or a school for children in any grades kindergarten through twelve (12) that is operated by the state of Idaho, including school buildings, administration buildings, playgrounds, athletic fields, etc., used by schoolchildren or school personnel in the normal course of providing a general, uniform and thorough system of public, free common schools, but does not include areas, buildings or parts of buildings closed from or not used in the normal course of providing a general, uniform and thorough system of public, free common schools. The aspects of a safe environment conducive to learning as provided by section 33-1612, Idaho Code, that pertain to the physical plant used to provide a general, uniform and thorough system of public, free common schools are hereby defined as those necessary to comply with the safety and health requirements set forth in this section.

(2) Inspection. It is the duty of the board of trustees of every school district and the governing body for other schools described in subsection (1) of this section at least once in every school year to require an independent inspection of the school district's or other entity's school facilities to determine whether those school facilities comply with codes addressing safety and health standards for facilities, including electrical, plumbing, mechanical, elevator, fire safety, boiler safety, life safety, structural, snow loading, and sanitary codes, adopted by or pursuant to the Idaho uniform school building safety act, chapter 80, title 39, Idaho Code, adopted by the state fire marshal, adopted by generally applicable local ordinances, or adopted by rule of the state board of education and applicable to school facilities. The inspection shall be done pursuant to chapter 80, title 39, Idaho Code, or by an independent inspector professionally qualified to conduct inspections under the applicable code. The results of the inspection shall be presented to the administrator of the division of building safety and the board of trustees or other governing body for its review and consideration.

(3) Abatement required -- Reporting. The board of trustees or other governing body shall require that the unsafe or unhealthy conditions be abated and shall instruct the school district's or other entity's personnel to take necessary steps to abate unsafe or unhealthy conditions. The board of trustees or other governing body must issue a report in the same school year in which the inspections are made declaring whether any unsafe or unhealthy conditions identified have not been abated. The state board of education shall, by rule, provide for uniform reporting of unsafe and unhealthy conditions and for uniform reporting of abatement or absence of

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abatement of unsafe and unhealthy conditions. Copies of such reports shall be provided to the administrator of the division of building safety and the board of trustees of the school district.

(4) Costs of and plan of abatement. If the school district or other entity described in subsection (1) of this section can abate all unsafe or unhealthy conditions identified with the funds available to the school district or other entity, it shall do so, and it need not separately account for the costs of abatement nor segregate funds expended for abatement. If the school district or other entity cannot abate all unsafe or unhealthy conditions identified with the funds available to it, the board of trustees or other governing body shall direct that a plan of abatement be prepared. The plan of abatement shall provide a timetable that shall begin no later than the following school year and that shall provide for abatement with all deliberate speed of unsafe and unhealthy conditions identified. The abatement plan shall be submitted to the administrator of the division of building safety. The school district or other entity shall immediately begin to implement its plan of abatement and must separately account for its costs of abatement of unsafe and unhealthy conditions and separately segregate funds for the abatement of unsafe and unhealthy conditions as required by subsection (5) of this section.

(5) Special provisions for implementation of plan of abatement.
(a) Notwithstanding any other provisions of law concerning expenditure of lottery moneys distributed to the school district or other entity, all lottery moneys provided to the school district or other entity for a school year in which the school district cannot abate unsafe or unhealthy conditions identified and not legally encumbered to other uses at the time and all lottery moneys for following school years shall be segregated and expended exclusively for abatement of unsafe and unhealthy conditions identified until all of the unhealthy and unsafe conditions identified are abated, provided, if the school district has obtained a loan from the safety and health revolving loan and grant fund, the provisions of section 33-1017, Idaho Code, and the conditions of the loan shall determine the use of the school district's lottery moneys during the term of the loan.
(b) If the lottery moneys referred to in paragraph (a) of this subsection will, in the board of trustees' or other governing bodies' estimation, be insufficient to abate the unsafe and unhealthy conditions identified, the plan of abatement shall identify additional sources of funds to complete the abatement of the unsafe and unhealthy conditions. The board of trustees may choose from among the following sources, or from other sources of its own identification, but the plan of abatement must identify sufficient sources of funds for abatement.

(i) If the school district is not levying under chapter 8, title 33, Idaho Code, at the maximum levies allowed by law for levies that may be imposed by a board of trustees without an election, the board of trustees may increase any of those levies as allowed by law for the school year following the school year in which it was unable to abate unsafe or unhealthy conditions identified.
(ii) If the school district is levying under chapter 8, title 33, Idaho Code, at the maximum levies allowed by law for levies that
may be imposed by the board of trustees without an election; or, if after increasing those levies to the maximum levies allowed by law for levies that may be imposed by the board of trustees without an election, there will still be insufficient funds to abate unsafe or unhealthy conditions identified, the school district, after giving notice and conducting a hearing, may declare a financial emergency and/or may apply for a loan or, if eligible, an interest grant from the safety and health revolving loan and grant fund as provided in section 33-1017, Idaho Code, to obtain funds to abate the unsafe or unhealthy conditions identified.

(iii) Upon the declaration of a financial emergency, the board of trustees shall have the power to impose a reduction in force, to freeze some or all salaries in the school district, and/or to suspend some or all contracts that may be legally suspended upon the declaration of a financial emergency; provided, that when a board of trustees declares a financial emergency, or when a declaration of a financial emergency is imposed by the state treasurer pursuant to section 33-1017, Idaho Code, and there is a reduction in force, some or all salaries are frozen, or some contracts are suspended, the payments to the school district under the foundation program of chapter 10, title 33, Idaho Code, and in particular the staff allowances under that chapter, shall not be reduced during the duration of the financial emergency as a result of a reduction in force, frozen salaries, or suspended salaries from what the staff allowance would be without the reduction in force, frozen salaries or suspended contracts.

(c) All costs of abatement for a program implementing plans of abatement under subsection (5) of this section must be separately accounted for and documented with regard to abatement of each unsafe or unhealthy condition identified. Funds obtained under section 33-1017, Idaho Code, must be used exclusively to abate unsafe or unhealthy conditions identified. Funds obtained pursuant to section 33-1017, Idaho Code, in excess of funds necessary to abate unsafe or unhealthy conditions identified must be returned as provided in section 33-1017, Idaho Code. Return of these funds shall be judicially enforceable as provided in section 33-1017, Idaho Code.

SECTION 51. That Section 33-1619, Idaho Code, be, and the same is hereby amended to read as follows:

33-1619. VIRTUAL EDUCATION PROGRAMS. School districts LEAs may offer instruction in the manner described for a virtual school in section 33-5202A, Idaho Code. For programs meeting such definition, the school district LEA may count and report the average daily attendance enrollment count of the program's students in the manner prescribed in section 33-5208(107), Idaho Code. School district LEAs may also offer instruction that is a blend of virtual and traditional instruction. For such blended programs, the school district LEA may count and report the average daily attendance enrollment count of the program's students in the manner prescribed in section 33-5208(107), Idaho Code. Alternatively, the school district LEA
may count and report the average daily attendance enrollment count of the
blended program's students in the same manner as provided for traditional
programs of instruction, for the days or portions of days in which such stu-
dents attend a physical public school. For the balance of days or portions
of days, average daily attendance student enrollment may be counted in the
manner prescribed in section 33-5208(47), Idaho Code.

SECTION 52. That Section 33-1627, Idaho Code, be, and the same is hereby
amended to read as follows:

33-1627. MATH INITIATIVE. (1) The legislature finds that mathematical
skills are increasingly important to the future academic and career success
of students. The legislature further finds that student mathematical skills
are not currently meeting the needs of Idaho's economy and must be improved.
To this end, the state department of education shall promote the improvement
of mathematical instruction and student achievement through one (1) or more
of the following activities:
(a) Provide high quality professional development for teachers that is
intensive, ongoing and connected to classroom practice, that focuses on
student learning, aligns with school improvement priorities and goals,
and builds strong working relationships among teachers;
(b) Provide statewide online mathematical instruction programs that
furnish mathematical tutoring, remedial instruction and advanced in-
struction;
(c) Provide formative assessments to assist teachers in identifying
student mathematical skill levels, areas of deficiency and areas of
advancement.
(2) The cost of math initiative activities provided for in this section
shall be paid by the state department of education from moneys appropriated
for this program in the educational support program superintendent of public
instruction's budget.

SECTION 53. That Section 33-2001, Idaho Code, be, and the same is hereby
amended to read as follows:

33-2001. DEFINITIONS. (1) "Ancillary personnel" means those persons
who render special services to exceptional children in regular or in addi-
tion to regular or special class instruction as defined by the state board of
education.
(2) "Children with disabilities" means those children with cognitive
impairments, hearing impairments, deafness, speech or language impair-
ments, visual impairments, blindness, deaf-blindness, serious emotional
disturbance, orthopedic impairments, severe or multiple disabilities,
autism, traumatic brain injury, developmental delay or specific learning
disabilities, and who by reason of the qualifying disability require special
education and related services. Children evaluated as having an intellectual
disability, a hearing impairment including deafness, a speech or language
impairment, a visual impairment including blindness, an emotional behav-
ioral disorder, an orthopedic impairment, autism, a traumatic brain injury,
another health impairment, a specific learning disability, deaf-blindness,
or multiple disabilities, and who, by reason thereof, need special education and related services.

(3) "Exceptional children" means both children with disabilities and gifted/talented children with regard to funding for school districts.

(4) "Gifted/talented children" means those students who are identified as possessing demonstrated or potential abilities that give evidence of high performing capabilities in intellectual, creative, specific academic or leadership areas, or ability in the performing or visual arts and who require services or activities not ordinarily provided by the school in order to fully develop such capabilities.

(5) "Special education" or "special instructional service" means specially designed instruction or a related service, at no cost to the parents, to meet the unique needs of an exceptional child.

SECTION 54. That Section 33-2004, Idaho Code, be, and the same is hereby amended to read as follows:

33-2004. CONTRACTING BY APPROVED FORM FOR EDUCATION BY ANOTHER SCHOOL DISTRICT, APPROVED REHABILITATION CENTER OR HOSPITAL, OR A CORPORATION. (1) The trustees of a school district may contract on a form adopted by the state superintendent of public instruction for the education of exceptional children by another school district or by any private or public rehabilitation center, hospital, corporation, or state agency approved by the state department of education and when the students are transferred from the school district to the institution, corporation or district, said school district shall agree to pay therefor to the institution, corporation or district contracting to educate the students, amounts computed as follows:

(a) For each resident student educated by another school district, the amount of the tuition rate certified for the receiving district under the provisions of section 33-1405, Idaho Code;

When public school districts contract for the education of exceptional children residing within the several districts, one (1) district shall be designated as the educating district for the purpose herein.

(b) For each resident student educated by contract by a rehabilitation center, hospital, corporation or state agency, the contract amount cannot be greater than the educational costs of the student.

When any rehabilitation center, hospital, corporation or state agency shall have contracted for the education of any exceptional children as defined in this chapter all such children shall be enrolled in the district of their residence; and the institution, hospital or corporation shall certify to the home school district the daily record of attendance enrollment of each such pupil student. The home district shall be eligible for reimbursement of costs approved by the state superintendent of public instruction as provided in this subsection and in section 33-1002B, Idaho Code.

(2) Reimbursement of approved costs shall be part of the district's exceptional child contract allowance and cannot exceed the amount of state support contracted students would generate if they were enrolled in an educational program for which average daily attendance a student enrollment count is computed.
SECTION 55. That Section 33-4602, Idaho Code, be, and the same is hereby amended to read as follows:

33-4602. ADVANCED OPPORTUNITIES -- RULEMAKING. (1) Students attending public schools in Idaho will be eligible for four thousand one hundred twenty-five dollars ($4,125) to use toward overload courses, dual credits, postsecondary credit-bearing examinations and career technical certificate examinations. Students may access these funds in grades 7 through 12 for:

(a) Overload courses, the distribution of which may not exceed two hundred twenty-five dollars ($225) per overload course. A student must take and successfully be completing a full credit load within a given school year to be eligible for funding of an overload course. An overload course must be taken for high school credit to be eligible for funding. To qualify as an eligible overload course for the program, the course must:

(i) Be offered by a provider accredited by the organization that accredits Idaho public schools; and
(ii) Be taught by an individual certified to teach the grade and subject area of the course in Idaho.

(b) Eligible dual credits, the distribution of which may not exceed seventy-five dollars ($75.00) per one (1) dual credit hour. Dual credit courses must be offered by a regionally accredited postsecondary institution. To qualify as an eligible dual credit course, the course must be a credit-bearing 100 level course or higher.

(c) Eligible postsecondary credit-bearing or career technical certificate examinations. The state department of education shall maintain a list of eligible exams and costs. Eligible examinations include:

(i) Advanced placement (AP);
(ii) International baccalaureate (IB);
(iii) College-level examination program (CLEP); and
(iv) Career technical examinations.

(d) Career technical education (CTE) including assessments that lead to a badge recognized by the division of career technical education. The division of career technical education shall maintain a list of eligible CTE examinations and costs.

(2) A student who has earned fifteen (15) postsecondary credits using the advanced opportunities program and who wishes to earn additional credits must first identify his postsecondary goals. Advisors shall counsel any student who wishes to take dual credit courses that the student should ascertain for himself whether the particular postsecondary institution that he desires to attend will accept the transfer of coursework credits under this section.

(3) These moneys may be used to pay an amount not to exceed the price to the student of such courses and examinations pursuant to the limitations stated in this section. Payments made under this section shall be made from the moneys appropriated for the educational support program. No later than January 15, the state department of education shall annually report to the education committees of the senate and the house of representatives details regarding the number of students benefiting from assistance with the cost of overload courses, dual credit courses and examinations, the number of cred-
its awarded and amounts paid pursuant to this section during the previous school year.

(4) The board of each public school may set forth criteria by which a student may challenge a course. If a student successfully meets the criteria set forth by the board of the public school, then the student shall be counted as having completed all required coursework for that course. The public school, with the exception of Idaho tribal schools, shall be funded for such students based upon either actual hours of attendance or the course that the student has successfully passed, whichever is more advantageous to the public school, up to the maximum of one (1) full-time student.

(5) Any student who successfully completes public school grades 1 through 12 curriculum at least one (1) year early shall be eligible for an advanced opportunities scholarship. The scholarship may be used for tuition and fees at any Idaho public postsecondary educational institution. The amount of the scholarship shall equal thirty-five percent (35%) of the statewide average daily attendance-driven funding per enrolled pupil student for each year of grades 1 through 12 curriculum avoided by the student’s early graduation. Each public school shall receive an amount equal to each awarded scholarship for each student that graduates early from that public school. Students must apply for the scholarship within two (2) years of graduating from a public school.

(6) The state department of education shall reimburse public schools or public postsecondary educational institutions, as applicable, for such costs, up to the stated limits, within one hundred twenty-five (125) days of receiving the necessary data upon which reimbursements may be paid. The submission method and timelines of reimbursement data shall be determined by the state department of education. Payments will be made only for activity occurring and reported within each fiscal year.

(7) For public funding purposes, average daily attendance student enrollment shall be counted as normal for students participating in dual credit courses the same for students participating in dual credit courses pursuant to this section as it is for students who are not participating in dual credit courses.

(8) If a student fails to earn credit for any course for which the department has paid a reimbursement, the student must pay for and successfully earn credit for one (1) like course before the state department of education may pay any further reimbursements for the student. If a student performs inadequately on an examination for which the state department of education has paid a reimbursement, the public school shall determine whether the student must pay for and successfully pass such examination to continue receiving state funding. Repeated and remedial courses or examinations are not eligible for funding through these programs.

(9) The state department of education shall reimburse community colleges or counties, as applicable, for any out-of-district county tuition pursuant to section 33-2110A, Idaho Code. Such reimbursements shall be in an amount not to exceed fifty dollars ($50.00) per credit hour and only for dual credit courses taken pursuant to this section.

(10) Public schools shall establish timelines and requirements for participation in the program, including implementing procedures for the appropriate transcription of credits, reporting of program participation.
and financial transaction requirements. Public schools shall make reasonable efforts to ensure that any student who considers participating in the program also considers the challenges and time necessary to succeed in the program, and schools shall make reasonable efforts to include guidance on how the student's participation in the program contributes to prospective college and career pathways. Such efforts by the district shall be performed prior to a student participating in the program and throughout the student's involvement in the program.

(11) Policies and procedures for participating in the program established by the public school must be such that students have an opportunity to participate in the program and meet district-established timelines and requirements for financial transactions, transcribing credits and state department of education reporting. Participation in this program requires parent and student agreement to program requirements and completion of the state department of education's participation form documenting the program requirements.

(12) Parents of participating students may enroll their child in any eligible course, with or without the permission of the public school in which the student is enrolled. Tribal school students must follow their schools' enrollment policies and procedures. Public school personnel shall assist parents in the process of enrolling students in such courses. Each participating student's high school transcript at the public school at which the student is enrolled shall include the credits earned and grades received by the student for any overload or dual credit courses taken pursuant to this section. For an eligible course to be transcribed as meeting the requirements of a core subject as identified in administrative rule, the course must meet the approved content standards for the applicable subject and grade level.

(13) Participating public schools shall collaborate with Idaho public postsecondary educational institutions to assist students who seek to participate in dual credit courses or graduate from high school early by enrolling in postsecondary courses. Participating school districts, charter schools and Idaho public postsecondary educational institutions shall report to the state board of education and the education committees of the senate and the house of representatives any difficulties or obstacles they experience in providing assistance to participating students.

(14) The state board of education may promulgate rules to implement the provisions of this chapter.

SECTION 56. That Section 33-5208, Idaho Code, be, and the same is hereby amended to read as follows:

33-5208. PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. (1) Except as provided in subsection (10) of this section, from the state educational support program the state department of education shall make the following apportionment to each public charter school for each fiscal year based on attendance figures submitted in a manner and time as required by the department of education: otherwise specifically provided in this section, public charter schools shall be funded in the same manner and time frame as all other
local education agencies pursuant to the provisions of chapter 10, title 33, Idaho Code.

(1) Per student support. Computation of support units for each public charter school shall be calculated as if it were a separate school according to the schedules in section 33-1002(4), Idaho Code, except that public charter schools with fewer than one hundred (100) secondary ADA shall use a divisor of twelve (12) and the minimum units shall not apply, and no public charter school shall receive an increase in support units that exceed the support units it received in the prior year by more than thirty (30). Funding from the state educational support program shall be equal to the total distribution factor, plus the salary based apportionment provided in chapter 10, title 33, Idaho Code. Provided however, any public charter school that is formed by the conversion of an existing traditional public school shall be assigned divisors, pursuant to section 33-1002, Idaho Code, that are no lower than the divisors of the school district in which the traditional public school is located, for each category of pupils listed.

(2) Special education. For each student enrolled in the public charter school who is entitled to special education services, the state and federal funds from the exceptional child education program for that student that would have been apportioned for that student to the school district in which the public charter school is located.

(3) Alternative school support. Public charter schools may qualify under the provisions of sections 33-1002 and 33-1002C, Idaho Code, provided the public charter school meets the necessary statutory requirements, and students qualify for attendance at an alternative school as provided by rule of the state board of education.

(4) Transportation support. Support shall be paid to the public charter school as provided in chapter 15, title 33, Idaho Code, and section 33-1006, Idaho Code. Each public charter school shall furnish the department with an enrollment count as of the first Friday in November, of public charter school students who are eligible for reimbursement of transportation costs under the provisions of this subsection and who reside more than one and one-half (1 1/2) miles from the school. The state department of education is authorized to include in the annual appropriation to the charter school sixty percent (60%) of the estimated transportation cost. The final appropriation payment in July shall reflect reimbursements of actual costs pursuant to section 33-1006, Idaho Code. To be eligible for state reimbursement under the provisions of section 33-1006, Idaho Code, the student to be transported must reside within the public charter school's primary attendance area, and must meet at least one (1) of the following two (2) criteria:

(a) The student resides within the school district in which the public charter school is physically located; or
(b) The student resides within fifteen (15) miles of the public charter school, by road.

The limitations placed by this subsection on the reimbursement of transportation costs for certain students shall not apply to public virtual schools.

(5) Facilities funds. The state department of education shall distribute facilities funds to public charter schools for each enrolled student in which a majority of the student's instruction is received at a facility.
that is owned or leased by the public charter school. Such funds shall be used to defray the purchase, fee, loan or lease costs associated with payments for real property used by the students or employees of the public charter school for educational or administrative purposes. Such funds shall be distributed from the moneys appropriated to the public schools educational support program, and shall be calculated as a percentage of the statewide average amount of bond and plant facility funds levied per student by Idaho school districts, as follows:

<table>
<thead>
<tr>
<th>Fiscal Year</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014</td>
<td>Twenty Percent (20%)</td>
</tr>
<tr>
<td>2015</td>
<td>Thirty Percent (30%)</td>
</tr>
</tbody>
</table>

For fiscal year 2016 and each fiscal year thereafter, this percentage shall increase by ten percent (10%) each time the total appropriation of state funds for the public schools educational support program increases by three percent (3%) or more over the prior fiscal year, and shall decrease by ten percent (10%) each time the total appropriation of state funds for the public schools educational support program decreases as compared to the prior fiscal year. Provided however, that the percentage shall be no less than twenty percent (20%) and no greater than fifty percent (50%), and that the average amount of funding received per public charter school shall not exceed the average amount of funding received by each school district pursuant to the provisions of section 33-906, Idaho Code.

For those public charter schools that do not receive facilities funds for all enrolled students, the school may submit to the state department of education a reimbursement claim for any costs for which facilities funds may be used. The state department of education shall reduce such claim by the greater of fifty percent (50%) or the percentage of the school's enrolled students for which the school receives facilities funds, and shall pay the balance. Provided however, that the total reimbursements paid to a public charter school, in combination with any facilities stipend received by the school, shall not exceed the amount of facilities funds that would have been received by the school had the school received facilities funds for all enrolled students. For the purposes of this subsection, the term "real property" shall be used as defined in section 63-201, Idaho Code.

(43) Payment schedule. The state department of education is authorized to make an advance payment of twenty-five percent (25%) of a public charter school's estimated annual apportionment for its first year of operation, and each year thereafter, provided the public charter school is serving more grades or at least ten percent (10%) more classes than the previous year, to assist the school with initial start-up costs or payroll obligations. For a public charter school entering its second or greater year of operations, the state department of education may require documentation establishing the need for such an advance payment, including comparative class schedules and proof of a commensurate increase in the number of employees.

(a) For a public charter school to receive the advance payment, the school shall submit its anticipated fall membership for each grade level to the state department of education by June 1.

(b) Using the figures provided by the public charter school, the state department of education shall determine an estimated annual apportion-
ment from which the amount of the advance payment shall be calculated. Advance payment shall be made to the school on or after July 1 but no later than July 31.

(c) All subsequent payments, taking into account the one-time advance payment made for the first year of operation, shall be made to the public charter school in the same manner as other traditional public schools in accordance with the provisions of section 33-10043, Idaho Code.

A public charter school shall comply with all applicable fiscal requirements of law, except that the following provisions shall not be applicable to public charter schools: that portion of section 33-1004, Idaho Code, relating to reduction of the administrative and instructional staff allowance and the pupil service staff allowance when there is a discrepancy between the number allowed and the number actually employed; and section 33-1004E, Idaho Code, for calculation of district staff indices.

(24) Nothing in this chapter shall be construed to prohibit any private person or organization from providing funding or other financial assistance to the establishment or operation of a public charter school.

(25) Each public charter school shall pay an authorizer fee to its authorized chartering entity, to defray the actual documented cost of monitoring, evaluation and oversight, which, in the case of public charter schools authorized by the public charter school commission, shall include each school's proportional fee share of moneys appropriated from the public charter school authorizers fund to the public charter school commission, plus fifteen percent (15%). Provided however, that each public charter school's board of directors may direct up to ten percent (10%) of the calculated fee to pay membership fees to an organization or association that provides technical assistance, training and advocacy for Idaho public charter schools. Unless the authorized chartering entity declines payment, such fee shall be paid by March 15 of each fiscal year and shall not exceed the greater of:

(a) All state funds distributed to public schools on a support unit basis based on student enrollment for the prior fiscal year, divided by the statewide number of public school students in average daily attendance enrolled in the first reporting period in the prior fiscal year; or

(b) The lesser of:

(i) The result of the calculation in subsection (2) paragraph (a) of this subsection, multiplied by four (4); or

(ii) One and one-half percent (1.5%) of the result of the calculation in subsection (2) paragraph (a) of this subsection, multiplied by the public charter school's average daily attendance student enrollment in the first reporting period in the current fiscal year.

(26) Nothing in this chapter shall prevent a public charter school from applying for federal grant moneys.

(27) (a) Each student in attendance enrolled at a public virtual school shall be funded based upon either the actual hours of attendance in the public virtual school on a flexible schedule, or the percentage of coursework completed, whichever is more advantageous to the school, up to the maximum of one (1) full-time equivalent student.
(b) All federal educational funds shall be administered and distributed to public charter schools, including public virtual schools, that have been designated as a local education agency (LEA), as provided in section 33-5203(8), Idaho Code.

(11) Nothing in this section prohibits separate face-to-face learning activities or services.

(12) The provisions of section 33-1021, Idaho Code, shall apply to public charter schools provided for in this chapter.

SECTION 57. That Section 33-5210, Idaho Code, be, and the same is hereby amended to read as follows:

33-5210. APPLICATION OF SCHOOL LAW -- ACCOUNTABILITY -- EXEMPTION FROM STATE RULES. (1) All public charter schools are under the general supervision of the state board of education.

(2) Every authorized chartering entity that approves a charter shall be responsible for ensuring that each public charter school program approved by that authorized chartering entity meets the terms of the charter, complies with the general education laws of the state unless specifically directed otherwise in this chapter, and operates in accordance with the state educational standards of thoroughness pursuant to section 33-1612, Idaho Code.

(3) Each public charter school shall comply with the financial reporting requirements of section 33-701, subsections 5. through 10., Idaho Code, in the same manner as those requirements are imposed upon school districts and with laws governing safety including, but not limited to, sections 33-122 and 33-130, Idaho Code, and chapter 2, title 33, Idaho Code, and rules promulgated thereunder.

(4) Other than as specified in this section, each public charter school is exempt from rules governing school districts, which rules have been promulgated by the state board of education, with the exception of state rules relating to:

(a) Teacher certification as necessitated by the provisions of section 33-5206(3) and (4), Idaho Code;

(b) Accreditation of the school as necessitated by the provisions of section 33-5206(12), Idaho Code;

(c) Qualifications of a student for attendance at an alternative school as necessitated by the provisions of section 33-5208(3), Idaho Code;

(d) Rules promulgated pursuant to section 33-1612, Idaho Code; and

(e) All rules that specifically pertain to public charter schools promulgated by the state board of education.

SECTION 58. That Section 33-5214, Idaho Code, be, and the same is hereby amended to read as follows:

33-5214. PUBLIC CHARTER SCHOOL AUTHORIZERS FUND. There is hereby created in the state treasury a fund to be known as the "Public Charter School Authorizers Fund," hereinafter referred to as "the fund." All authorizer fees paid pursuant to section 33-5208(45), Idaho Code, for public charter schools under the governance of the public charter school commission shall be deposited in the fund. Moneys in the fund shall be appropriated to defray...
the commission's cost of operations and the state department of education's
cost of reviewing, approving and overseeing any charter school authorizers
requiring department approval.

SECTION 59. That Section 33-5215, Idaho Code, be, and the same is hereby
amended to read as follows:

33-5215. CAREER TECHNICAL REGIONAL PUBLIC CHARTER SCHOOL. (1) A ca-
reer technical regional public charter school is hereby declared to be a pub-
lic charter school and as such, the provisions of chapter 52, title 33, Idaho
Code, shall apply to each career technical regional public charter school in
the same manner and to the same extent as the provisions of charter school law
apply to other public charter schools, with the exception of certain condi-
tions and applications as specifically provided in this section.
(2) In addition to the approval provisions of this chapter, approval of
a career technical regional public charter school by an authorized charter-
ing entity shall not be final until the petition has also been reviewed by the
division of career technical education.
(3) Funding for a career technical regional public charter school shall
be the same as provided in section 33-5208, Idaho Code, except that:
(a) The salary-based apportionment for a career technical regional
public charter school shall be the statewide average for public charter
schools. Such salary-based apportionment may be used for payment of
contracted services or for direct hire of staff;
(b) The board of directors may contract for the services of certifi-
cated and noncertificated personnel, to procure the use of facilities
and equipment, and to purchase materials and equipment, which in the
judgment of the board of directors is necessary or desirable for the
conduct of the business of the career technical regional public charter
school; and
(c) Transportation support shall be paid to the career technical re-
gional public charter school in accordance with the provisions of chap-
ter 15, title 33, Idaho Code.
(4) A career technical regional public charter school shall provide
assurances in state attendance reports that it has verified attendance
enrollment reports, which generate ADA with its participating school dis-
tricts, to make certain that the districts and the charter school do not
duplicate enrollment or ADA claims.

SECTION 60. That Section 33-5217, Idaho Code, be, and the same is hereby
amended to read as follows:

33-5217. PUBLIC CHARTER SCHOOL DEBT RESERVE. (1) There is hereby cre-
ated the public charter school debt reserve to assist qualifying charter
schools in obtaining favorable financing for facility improvements and con-
struction. A public charter school seeking to use the public charter school
debt reserve must receive approval from the Idaho housing and finance asso-
ciation pursuant to the criteria set forth in this section.
(2) A public charter school shall be qualified to use the public charter
school debt reserve only upon satisfaction of the following conditions:
(a) The public charter school must demonstrate it has obtained one (1) of the following:
   (i) A letter of commitment from a national or state chartered financial institution;
   (ii) A letter of commitment from a nonprofit corporation;
   (iii) A letter of commitment from a community development financial institution; or
   (iv) A letter of commitment from a qualified underwriter or an investment firm;

(b) The public charter school must provide annual budgets and cash flow statements and must demonstrate satisfaction of each of the following criteria:
   (i) Projected future budgets, cash flows and operating reserves greater than sixty (60) days of cash on hand to support a debt service coverage greater than 1.20x;
   (ii) Cost to operate facility, including debt service, occupancy cost and operating expenses, not to exceed twenty percent (20%) of revenue;
   (iii) Audited financial statements with unqualified opinions for the prior three (3) years; and
   (iv) Certification from a school administrator that projected future budgets and cash flows are based on reasonable assumptions related to level or increasing projected enrollment or waitlist and projected total income, including any matching funds and donations contingent on receipt of a loan under this section; and

(c) The public charter school must obtain approval for issuance by the Idaho housing and finance association to act as a conduit issuer.

(3) Public charter schools that satisfy the requirements set forth in subsection (2) of this section shall receive approval from the Idaho housing and finance association to rely on the public charter school debt reserve for assistance in obtaining favorable financing for facility improvements and construction, so long as sufficient moneys exist pursuant to subsection (4) of this section. Eligible schools shall receive approval on a first-come basis according to date of completed application, in an amount not to exceed twenty-four (24) months of principal and interest payments.

(4) There is hereby established in the state treasury the public charter school debt reserve fund that shall consist of moneys made available through appropriations, fees, grants, gifts or any other source to fulfill the purposes of this section. Moneys in the fund are hereby continuously appropriated for the purposes of this section, and shall only be expended for the purposes stated herein. Qualifying schools annually shall pay an amount equal to ten (10) basis points of the principal amount of the debt for which it qualified to use the public charter school debt reserve, which shall be deposited into the public charter school debt reserve fund.

(5) Subject to the limitations of subsection (3) of this section, if a qualified public charter school defaults on an outstanding debt for which the Idaho housing and finance association has made the debt reserve available, and there is no other money available to the charter school to make the payment, money shall be withdrawn from the public charter school debt reserve fund to pay the principal, redemption price or interest on the out-

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standing debt. Upon certification by the Idaho housing and finance associa-
tion to the superintendent of public instruction, payment shall be made from
the public charter school debt reserve fund toward the outstanding debt.

(6) If money has been withdrawn from the public charter school debt re-
serve fund for a public charter school pursuant to subsection (5) of this
section, then the superintendent of public instruction shall redirect the
money from such public charter school's allocation of facilities funds pur-
suant to section 33-5208(2), Idaho Code. Any money redirected shall be ac-
cording to a determined time and sequence of payments, over a period of years
until the amount so withdrawn has been repaid to the fund so long as the redi-
rection does not cause an event of default under the agreement(s) governing
the public charter school's obligation for which the debt reserve was made
available, excepting that any money withdrawn during any fiscal year shall
be repaid within ten (10) years.

SECTION 61. That Section 50-2908, Idaho Code, be, and the same is hereby
amended to read as follows:

50-2908. DETERMINATION OF TAX LEVIES -- CREATION OF SPECIAL FUND. (1)
For purposes of calculating the rate at which taxes shall be levied by or
for each taxing district in which a revenue allocation area is located, the
county commissioners shall, with respect to the taxable property located in
such revenue allocation area, use the equalized assessed value of such tax-
able property as shown on the base assessment roll rather than on the current
equalized assessed valuation of such taxable property, except the current
equalized assessed valuation shall be used for calculating the tax rate for:
(a) Levies for refunds and credits pursuant to section 63-1305, Idaho
Code, and any judgment pursuant to section 33-802(1), Idaho Code, cer-
tified after December 31, 2007;
(b) Levies permitted pursuant to section 63-802(3), Idaho Code, certi-

died after December 31, 2007;
(c) Levies for voter approved general obligation bonds of any taxing
district and plant facility reserve fund levies passed after December
31, 2007;
(d) Levies set forth in paragraphs (a) through (c) of this subsection, first certified prior to December 31, 2007, when the property affected
by said levies is included within the boundaries of a revenue allocation
area by a change in the boundaries of either the revenue allocation area
or any taxing district after December 31, 2007; and
(e) School levies for supplemental maintenance and operation pursuant
to section 33-802(3) and (4), Idaho Code, approved after December 31,
2007, and for emergency funds pursuant to section 33-805, Idaho Code,
approved after July 1, 2015.
(2) With respect to each such taxing district, the tax rate calculated
under subsection (1) of this section shall be applied to the current equal-
ized assessed valuation of all taxable property in the taxing district, in-
cluding the taxable property in the revenue allocation area. The tax rev-

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(i) All taxes levied by the taxing district or on its behalf on taxable property located within the taxing district but outside the revenue allocation area;
(ii) A portion of the taxes levied by the taxing district or on its behalf on the taxable property located within the revenue allocation area, which portion is the amount produced by applying the taxing district's tax rate determined under subsection (1) of this section to the equalized assessed valuation, as shown on the base assessment roll, of the taxable property located within the revenue allocation area; and
(iii) All taxes levied by the taxing district to satisfy obligations specified in subsection (1)(a) through (e) of this section.
(b) To the urban renewal agency shall be allocated the balance, if any, of the taxes levied on the taxable property located within the revenue allocation area.
(3) Upon enactment of an ordinance adopting a revenue allocation financing provision as part of an urban renewal plan, the urban renewal agency shall create a special fund or funds to be used for the purposes enumerated in this chapter. The revenues allocated to the urban renewal agency pursuant to this chapter shall be paid to the agency by the treasurer of the county in which the revenue allocation district is located and shall be deposited by the agency into one (1) or more of such special funds. The agency may, in addition, deposit into such special fund or funds such other income, proceeds, revenues and funds it may receive from sources other than the revenues allocated to it under subsection (2)(b) of this section.
(4) For the purposes of section 63-803, Idaho Code, during the period when revenue allocation under this chapter is in effect, and solely with respect to any taxing district in which a revenue allocation area is located, the county commissioners shall, in fixing any tax levy other than the levy specified in subsection (1)(a) through (e) of this section, take into consideration the equalized assessed valuation of the taxable property situated in the revenue allocation area as shown in the base assessment roll, rather than the current equalized assessed value of such taxable property.
(5) For all other purposes, including, without limitation, for purposes of sections 33-802, 33-1002 and 63-1313, Idaho Code, reference in the Idaho Code to the term "market value for assessment purposes" (or any other such similar term) shall mean market value for assessment purposes as defined in section 63-208, Idaho Code.

SECTION 62. That Section 57-1303, Idaho Code, be, and the same is hereby amended to read as follows:

57-1303. COUNTY APPORTIONMENT OF FOREST RESERVE FUNDS. The auditor of each county receiving a portion of this fund shall within ten (10) days of receipt of this money allot and distribute seventy per cent (70%) of this money to the county general road fund and to the treasurer of the highway districts and good road districts in the county in proportion to the mileage of each within the county, to be expended for the construction and repair of roads and bridges, and thirty per cent (30%) to the various school districts and joint county school districts within the county in proportion to the number of students resident and enrolled at the upper grade levels.
of pupils in average daily attendance total unweighted student enrollment
count in each district in the year immediately prior to this distribution.
The distribution of such moneys to the respective school districts entitled
thereof shall be in addition to and without regard to any assistance to such
school districts from any and all other sources in maintaining the minimum
educational program and minimum transportation program.

SECTION 63. That Section 59-1115, Idaho Code, be, and the same is hereby
amended to read as follows:

59-1115. EMPLOYER’S PORTION OF SOCIAL SECURITY TAX FOR SCHOOL DIS-
TRICT PERSONNEL. (1) The board of trustees of each class of school district,
shall pay the employer's social security tax for its personnel, as required
by federal law.
(2) The department of education shall transmit to the school districts
from the appropriation made for that purpose the amount determined in sec-
section 33-1004-8, Idaho Code.

SECTION 64. That Section 63-315, Idaho Code, be, and the same is hereby
amended to read as follows:

63-315. ASSESSMENT RATIOS AND THE DETERMINATION OF ADJUSTED MARKET
VALUE FOR ASSESSMENT PURPOSES FOR SCHOOL DISTRICTS. (1) The provisions of
this section shall apply only to charter districts levying a maintenance and
operation levy in the prior calendar year. For the purpose of this section,
adjusted market value for assessment purposes shall be the adjusted market
value for assessment purposes of all property assessed for property tax pur-
poses for the year referred to in sections 33-802 and 33-1002, Idaho Code.
(2) The state tax commission shall conduct a ratio study to annually as-
certain the ratio between the assessed value and the market value for assess-
ment purposes of all property assessed for property tax purposes. Said ratio
study shall be conducted in accordance with nationally accepted procedures.
From the ratio so ascertained the state tax commission shall compute the ad-
justed market value of all property assessed for property tax purposes.
(3) The ratio shall be computed in each school district and applied to
the market value for assessment purposes within each school district.
(4) Sales used in determining the ratio required by this section shall
be arm's length, market value property sales occurring in the year begin-
ing on October 1 of the year preceding the year for which the adjusted mar-
et value is to be determined. The state tax commission may, at its discre-
tion, modify the sales period when doing so produces provably better repre-
sentativeness of the actual ratio in any school district. The state tax com-
mission may also add independently conducted appraisals when the state tax
commission believes that this procedure will improve the representativeness
and reliability of the ratio.
(5) Whenever the state tax commission is unable to determine with rea-
sonable statistical certainty that the assessed value within any school dis-
trict differs from the market value for assessment purposes, the state tax
commission may certify the assessed value to be the adjusted market value of
any school district.
(6) The state tax commission shall certify the adjusted market value of each school district to the state department of education and each county auditor no later than the first Monday in April each year. The state tax commission shall prepare a report indicating procedures used in computing the adjusted market value and showing statistical measures computed in the ratio study. The report of the state tax commission shall be made available for public inspection in the office of the county auditor.

(7) The state tax commission shall promulgate rules to implement the ratio study described in this section.

SECTION 65. That Section 63-805, Idaho Code, be, and the same is hereby amended to read as follows:

63-805. ANNUAL LEVIES. (1) The county commissioners of each county in this state may levy annually upon all taxable property of said county, a property tax for general county purposes, including the provision of public defender services, to be collected and paid into the county treasury and apportioned to the county current expense fund which levy shall not exceed twenty-six hundredths percent (.26%) of market value for assessment purposes of such property, or a levy sufficient to raise two hundred fifty thousand dollars ($250,000), whichever is greater. If a county establishes the justice fund, as provided in section 31-4602, Idaho Code, the maximum current expense levy shall be reduced to twenty hundredths percent (.20%) of market value for assessment purposes, or a levy sufficient to raise two hundred fifty thousand dollars ($250,000), whichever is greater.

(2) The county commissioners of each county in this state may levy upon all taxable property of said county, a property tax for the purposes set forth in the statutes authorizing a county justice fund, to be collected and paid into the county treasury and apportioned to the county justice fund, if one has been established. Said levy shall not exceed twenty hundredths percent (.20%) of market value for assessment purposes of such property, or a levy sufficient to raise two hundred fifty thousand dollars ($250,000), whichever is greater.

The county commissioners shall have the right to make a "general reserve appropriation," said appropriation not to exceed five percent (5%) of the county justice fund budget as finally adopted. The total levy, however, for the county justice fund, including the "general reserve appropriation," shall be within the limitations imposed by chapter 8, title 63, Idaho Code, or by any statutes of the state of Idaho in force and effect.

(3) Annually, before the second Monday in September, the board of trustees of any school district within the county having determined the number, if any, of pupils in average daily attendance students enrolled above the number included in the last annual report thereof, and the amount of money required to provide the educational support programs and transportation support programs for such additional students enrolled, as defined in chapter 10, title 33, Idaho Code, the county commissioners shall determine the total of such new requirements within the county and upon the taxable property situate within the district requesting the same, and the county commissioners shall levy a tax sufficient to provide such amount, provided in no case shall the levy be more than six-hundredths
percent (.06%) of the taxable value of the property to be collected and paid to the requesting district.

(4) (a) The county commissioners of each county in this state may levy annually upon all taxable property of its county, a property tax for the acquisition, maintenance and operation of public parks or public recreational facilities, to be collected and paid into the county treasury and apportioned to a fund to be designated as the "parks and recreation fund," which is hereby created, and such county commissioners may appropriate otherwise unappropriated funds for such purposes. No levy made under this subsection shall exceed one-hundredth percent (.01%) of the market value for assessment purposes on all taxable property within the district.

(b) Any funds unexpended from the "parks and recreation fund," or any funds unexpended from the current year's certified parks and recreation budget may be retained in, or deposited to, the "parks and recreation fund" for the purpose of future land acquisition, park expansion or improvement, or the acquisition of operating equipment. The maximum accumulation of funds allowable shall not exceed twice the amount of money provided by the levy authorized in paragraph (a) of this subsection.

(5) Upon the same property and for the same year the county commissioners must also levy such other property taxes as may be necessary for the payment of the interest on county bonds or to provide a sinking fund for the redemption of county bonds or such other authorized taxes as may be necessary for any other or special purposes, to be collected and paid into the county treasury and apportioned as provided by the laws of this state.

SECTION 66. An emergency existing therefor, which emergency is hereby declared to exist, Section 8 of this act shall be in full force and effect on and after its passage and approval. All other sections of this act shall be in full force and effect on and after July 1, 2019.

SECTION 67. The provisions of Section 5 of this act shall be null, void, and of no force and effect on and after June 30, 2023.
RELATING TO EDUCATION; AMENDING THE HEADING FOR CHAPTER 10, TITLE 33, IDAHO CODE, TO REVISE THE CHAPTER TITLE; AMENDING SECTION 33-1001, IDAHO CODE, TO REMOVE DEFINITIONS, TO REVISE DEFINITIONS AND TO DEFINE TERMS; REPEALING SECTION 33-1002, IDAHO CODE, RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM AND STUDENT-BASED FOUNDATION FUNDING; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002A, IDAHO CODE, TO PROVIDE A TRANSITION TO STUDENT-BASED FUNDING, TO ESTABLISH A HOLD HARMLESS PROVISION AND PROVISIONS RELATING TO ANNUAL FUND INCREASES, AND TO PROVIDE A LIMITATION; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002B, IDAHO CODE, TO PROVIDE FOR SPECIAL PROGRAMS SUPPORT; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002C, IDAHO CODE, TO PROVIDE FOR WEIGHTS AND RULEMAKING; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1002D, IDAHO CODE, TO ESTABLISH PROVISIONS FOR STUDENT ENROLLMENT COUNTS AND RULEMAKING; REPEALING SECTION 33-1003, IDAHO CODE, RELATING TO SPECIAL APPLICATION OF EDUCATIONAL SUPPORT PROGRAM; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1003, IDAHO CODE, TO PROVIDE FOR PAYMENTS TO LOCAL EDUCATION AGENCIES; REPEALING SECTION 33-1003A, IDAHO CODE, RELATING TO THE CALCULATION OF AVERAGE DAILY ATTENDANCE; REPEALING SECTION 33-1003C, IDAHO CODE, RELATING TO SPECIAL APPLICATION OF TECHNOLOGY INSTRUCTION; REPEALING SECTION 33-1004, IDAHO CODE, RELATING TO STAFF ALLOWANCE; REPEALING SECTION 33-1004A, IDAHO CODE, RELATING TO THE EXPERIENCE AND EDUCATION MULTIPLIER; AMENDING SECTION 33-1004B, IDAHO CODE, AS AMENDED BY SECTION 5, CHAPTER 169, LAWS OF 2018, TO REDESIGNATE THE SECTION, TO AMEND PROVISIONS REGARDING THE CAREER LADDER, AND TO ESTABLISH PROVISIONS REGARDING LOCAL SALARY SCHEDULES; REPEALING SECTION 33-1004C, IDAHO CODE, REGARDING BASE AND MINIMUM SALARIES, LEADERSHIP PREMIUMS, AND THE EDUCATION AND EXPERIENCE INDEX; AMENDING SECTION 33-1004E, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REMOVE PROVISIONS REGARDING SALARY-BASED APPORTIONMENT; AMENDING SECTION 33-1004F, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER 92, LAWS OF 2017, TO REDESIGNATE THE SECTION, TO REVISE PROVISIONS REGARDING OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS, AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-1004I, IDAHO CODE, AS AMENDED BY SECTION 1, CHAPTER 92, LAWS OF 2017, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, AND TO REMOVE A DEFINITION; AMENDING SECTION 33-1004J, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE, TO REMOVE A DEFINITION, AND TO REQUIRE THAT CERTAIN PROVISIONS ARE REVIEWED BY THE LEGISLATURE; AMENDING SECTION 33-1002B, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE REFERENCES TO SUPPORT...
UNIT AND AVERAGE DAILY ATTENDANCE, TO PROVIDE REFERENCES TO THE FOUNDATION AND STUDENT ENROLLMENT COUNTS, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1002C, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE PROVISIONS REGARDING SUMMER SCHOOL PROGRAMS AND JUVENILE DETENTION FACILITIES; AMENDING SECTION 33-1002F, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REMOVE PROVISIONS RELATING TO SUPPORT UNITS, AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-1002E, IDAHO CODE, TO REDESIGNATE THE SECTION; AMENDING SECTION 33-1002G, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REMOVE A CAREER TECHNICAL SCHOOL REQUIREMENT REGARDING SECONDARY SUPPORT UNITS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1005E, IDAHO CODE, TO PROVIDE FOR THE PUBLIC SCHOOL CLASSROOM TECHNOLOGY PROGRAM; REPEALING SECTION 33-1009, IDAHO CODE, RELATING TO PAYMENTS FROM THE PUBLIC SCHOOL INCOME FUND; AMENDING SECTION 33-1007A, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 33-1010, IDAHO CODE, TO PROVIDE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1005, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE TERMINOLOGY, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE, AND TO PROVIDE FOR STUDENT ENROLLMENT COUNTS; REPEALING SECTION 33-1017, IDAHO CODE, RELATING TO THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN AND GRANT FUND; AMENDING SECTION 33-1018, IDAHO CODE, TO REMOVE REFERENCES TO DISCRETIONARY FUNDING, TO PROVIDE FOR PUBLIC SCHOOL STUDENT-BASED FOUNDATION FUNDING VARIABILITY, AND TO REVISE RELATED PROVISIONS; AMENDING SECTION 33-1020, IDAHO CODE, TO REVISE PROVISIONS REGARDING A BASE AMOUNT AND A VARIABLE AMOUNT OF IDAHO DIGITAL LEARNING ACADEMY FUNDING TO BE DISTRIBUTED; REPEALING SECTION 33-1021, IDAHO CODE, RELATING TO MATH AND SCIENCE REQUIREMENT; AMENDING SECTION 33-1024, IDAHO CODE, TO REVISE PROVISIONS RELATING TO MONEYS FOR CERTAIN ONLINE PORTALS; AMENDING SECTION 33-309, IDAHO CODE, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE AND TO PROVIDE FOR STUDENT ENROLLMENT COUNT; AMENDING SECTION 33-317, IDAHO CODE, TO CORRECT A CODE REFERENCE; AMENDING SECTION 33-507, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 33-515, IDAHO CODE, TO REMOVE AN EXCEPTION RELATING TO A REQUIREMENT FOR RENEWABLE CONTRACT STATUS AND TO REMOVE PROVISIONS RELATING TO SALARY-BASED APPOINTMENT; AMENDING SECTION 33-522, IDAHO CODE, TO REVISE PROVISIONS REGARDING A FINANCIAL EMERGENCY; AMENDING SECTION 33-701, IDAHO CODE, TO REVISE A DATE AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING SECTION 33-801A, IDAHO CODE, TO REMOVE A PROVISION RELATING TO SUPPORT UNITS; AMENDING SECTION 33-804, IDAHO CODE, TO REVISE QUALIFICATIONS FOR SUBMITTING A CERTAIN QUESTION TO ELECTORS OF A SCHOOL DISTRICT AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-805, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SCHOOL EMERGENCY FUND LEVY AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-905, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE SCHOOL DISTRICT BUILDING ACCOUNT, AND TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-906, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 33-906E, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE VALUE INDEX CALCULATION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1405, IDAHO CODE, TO REVISE PROVISIONS REGARDING RATES OF TUITION, TO PROVIDE CORRECT TERMINOLOGY, AND

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TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1406, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1613, IDAHO CODE, TO REMOVE PROVISIONS REGARDING THE SCHOOL SAFETY AND HEALTH REVOLVING LOAN AND GRANT FUND; AMENDING SECTION 33-1619, IDAHO CODE, TO REVISE PROVISIONS REGARDING VIRTUAL EDUCATION PROGRAMS AND TO CORRECT CODE REFERENCES; AMENDING SECTION 33-1627, IDAHO CODE, TO REVISE PROVISIONS REGARDING THE MONEYS APPROPRIATED FOR THE MATH INITIATIVE PROGRAM; AMENDING SECTION 33-2001, IDAHO CODE, TO PROVIDE A DEFINITION; AMENDING SECTION 33-2004, IDAHO CODE, TO REMOVE REFERENCES TO DAILY ATTENDANCE, TO ESTABLISH PROVISIONS REGARDING STUDENT ENROLLMENT, TO REVISE TERMINOLOGY, TO PROVIDE A CORRECT CODE REFERENCE, AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-4602, IDAHO CODE, TO REVISE PROVISIONS REGARDING DUAL CREDIT COURSES AND TO REVISE TERMINOLOGY; AMENDING SECTION 33-5208, IDAHO CODE, TO REVISE PROVISIONS REGARDING PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT; AMENDING SECTION 33-5210, IDAHO CODE, TO REMOVE A CODE REFERENCE AND RELATED PROVISIONS; AMENDING SECTION 33-5214, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 33-5215, IDAHO CODE, TO REMOVE A REFERENCE TO SALARY-BASED APPOINTMENT, TO REMOVE REFERENCES TO ADA, AND TO ESTABLISH PROVISIONS FOR ENROLLMENT REPORTS; AMENDING SECTION 33-5217, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 50-2908, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 57-1303, IDAHO CODE, TO REMOVE A REFERENCE TO AVERAGE DAILY ATTENDANCE AND TO ESTABLISH PROVISIONS FOR AN UNWEIGHTED STUDENT ENROLLMENT COUNT; AMENDING SECTION 59-1115, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 63-315, IDAHO CODE, TO REMOVE A CODE REFERENCE; AMENDING SECTION 63-805, IDAHO CODE, TO REMOVE REFERENCES TO AVERAGE DAILY ATTENDANCE AND TO ESTABLISH PROVISIONS REGARDING STUDENTS ENROLLED; DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE; AND PROVIDING A SUNSET DATE.

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

SECTION 1. That the Heading for Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended to read as follows:

CHAPTER 10

FOUNDATION PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM -- STATE AID -- APPORTIONMENT STUDENT-BASED FOUNDATION FUNDING

SECTION 2. That Section 33-1001, Idaho Code, be, and the same is hereby amended to read as follows:

33-1001. DEFINITIONS. The following words and phrases as used in this chapter are defined as follows:

(1) "Administrative schools" means and applies to all elementary schools and kindergartens within a district that are situated ten (10) miles or less from both the other elementary schools and the principal administrative office of the district and all secondary schools within a district that
are situated fifteen (15) miles or less from other secondary schools of the
district.
(2) "Administrative staff" means those who hold an administrator cer-
tificate and are employed as a superintendent, an elementary or secondary
school principal, or are assigned administrative duties over and above those
commonly assigned to teachers.
(3) "Average daily attendance" or "pupils in average daily attendance"
means the aggregate number of days enrolled students are present, divided by
the number of days of school in the reporting period, provided, however, that
students for whom no Idaho school district is a home district shall not be
considered in such computation.
(4) "Career ladder" means the compensation table specific performance
criteria set forth in section 33-1004, Idaho Code, used by local education
agencies for determining the allocations districts receive for placement of
instructional staff and pupil service staff based on specific performance
criteria and is made up of a residency compensation rung and a professional
compensation rung on their local salary schedules.
(2) "Child with a disability" means a child evaluated as having an in-
tellectual disability, a hearing impairment including deafness, a speech or
language impairment, a visual impairment including blindness, an emotional
behavioral disorder, an orthopedic impairment, autism, a traumatic brain
injury, another health impairment, a specific learning disability, deaf-
blindness, or multiple disabilities, and who, by reason thereof, needs spe-
cial education and related services.
(63) "Compensation rung" means the rung on the career ladder a local
salary schedule that corresponds with the compensation level performance
criteria.
(4) "Economically disadvantaged" means a student who;
(a) Is eligible for a free or reduced-price lunch under the Richard B.
Russell national school lunch act (42 U.S.C. 1751 et seq.), excluding
students who are only eligible through a school’s community eligibility
program;
(b) Resides with a family receiving assistance under the program of
block grants to states for temporary assistance for needy families
(TANF) established under part A of title IV of the social security act
(42 U.S.C. 601 et seq.);
(c) Is eligible to receive medical assistance under the medicaid pro-
gram under title XIX of the social security act (42 U.S.C. 1396 et seq.);
or
(d) Is considered homeless for purposes of the federal McKinney-Vento
homeless assistance act (42 U.S.C. 11301 et seq.).
For purposes of section 33-1002C, Idaho Code, a student identified as
economically disadvantaged may be weighted only once, even if the student
meets more than one (1) of the criteria provided in this subsection.
(65) "Elementary grades" or "elementary average daily attendance"
means and applies to students enrolled in grades 1 through 6 inclusive, or
any combination thereof.
(76) "Elementary schools" are schools that serve grades 1 through 6 in-
clusive, or any combination thereof.
(87) "Elementary/secondary schools" are schools that serve grades 1 through 12 inclusive, or any combination thereof.
(98) "English language learner" or "ELL" means a student who does not score proficient on the English language development assessment established by rule of the state board of education.
(9) "Gifted and talented" shall have the same meaning as provided in section 33-2001(4), Idaho Code.
(10) "Homebound student" means any student who would normally and regularly attend school, but is confined to home or hospital because of an illness or accident for a period of ten (10) or more consecutive days.
(101) "Instructional staff" means those who hold an Idaho certificate issued under section 33-1201, Idaho Code, and who are either involved in the direct instruction of a student or group of students or who serve in a mentor or teacher leader position for individuals who hold an Idaho certificate issued under section 33-1201, Idaho Code.
(142) "Kindergarten" or "kindergarten average daily attendance" means and applies to all students enrolled in a school year, less than a school year, or summer kindergarten program.
(13) "Local education agency" or "LEA" means:
(a) A public school district;
(b) A public charter school authorized by a chartering entity other than a school district board of trustees; or
(c) A public charter school authorized by a school district board of trustees, if designated as an LEA by the school district board of trustees with the concurrence of the public charter school's board of directors.
(14) "Local salary schedule" means a compensation table developed by each LEA that is consistent with the provisions of section 33-1004, Idaho Code, and that, at a minimum, is made up of a residency compensation rung with three (3) cells and a professional compensation rung with five (5) cells, and is used by LEAs for determining amounts to be distributed for instructional staff and pupil service staff salaries.
(125) "Measurable student achievement" means the measurement of student academic achievement or growth within a given interval of instruction for those students who have been enrolled in and attended eighty percent (80%) of the interval of instruction. Measures and targets shall be chosen at the district level or school level in collaboration with the staff member impacted by the measures and applicable district staff. Assessment tools that may be used for measuring student achievement and growth include:
(a) Idaho standards achievement test;
(b) Student learning objectives;
(c) Formative assessments;
(d) Teacher-constructed assessments of student growth;
(e) Pre- and post-tests;
(f) Performance-based assessments;
(g) Idaho reading indicator;
(h) College entrance exams or preliminary college entrance exams such as PSAT, SAT and ACT;
(i) District-adopted assessment;
(j) End-of-course exams;
(k) Advanced placement exams; and

(1) Career technical exams.

(136) "Performance criteria" means the standards specified for instructional staff and pupil service staff to demonstrate teaching proficiency for a given compensation rung. Each element of the performance criteria, as identified in subsection (147) of this section, shall be reported for determining movement on the career ladder a local salary schedule.

(147) "Professional compensation rung performance criteria" means:
(a) An overall rating of proficient, and no components rated as unsatisfactory on the state framework for teaching evaluation; and
(b) Demonstrating the majority of their students have met their measurable student achievement targets or student success indicator targets.

(158) "Public school district" or "school district" or "district" means any public school district organized under the laws of this state, including specially chartered school districts.

(169) "Pupil service staff" means those who provide services to students but are not involved in direct instruction of those students, and hold a pupil personnel services certificate.

(20) "Remote school" means:
(a) A school that is remote and isolated from the other schools of the state because of geographical or topographical conditions and that is approved as such by the state board of education;
(b) A kindergarten located more than ten (10) miles on an all-weather road from both the nearest kindergarten school within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools;
(c) An elementary school located more than ten (10) miles on an all-weather road from both the nearest elementary school and elementary/secondary school serving like grades within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools; or
(d) A secondary school located more than fifteen (15) miles on an all-weather road from any other secondary school and elementary/secondary school serving like grades operated by the district.

(1721) "Secondary grades" or "secondary average daily attendance means and applies to students enrolled in grades 7 through 12 inclusive, or any combination thereof.

(1722) "Secondary schools" are schools that serve grades 7 through 12 inclusive, or any combination thereof.

(19) "Separate elementary school" means an elementary school located more than ten (10) miles on an all-weather road from both the nearest elementary school and elementary/secondary school serving like grades within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools.
(20) "Separate kindergarten" means a kindergarten located more than ten miles on an all-weather road from both the nearest kindergarten school within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools.

(21) "Separate secondary school" means any secondary school located more than fifteen (15) miles on an all-weather road from any other secondary school and elementary/secondary school serving like grades operated by the district.

(22) "Special education" means specially designed instruction or speech/language therapy at no cost to the parent to meet the unique needs of a student who is a child with a disability, including instruction in the classroom, the home, hospitals, institutions, and other settings; instruction in physical education; speech therapy and language therapy; transition services; travel training; assistive technology services; and vocational education.

(23) "Student success indicators" means measurable indicators of student achievement or growth, other than academic, within a predefined interval of time for a specified group of students. Measures and targets shall be chosen at the district or school level in collaboration with the pupil service staff member impacted by the measures and applicable district staff.

Student success indicators include:

(a) Quantifiable goals stated in a student's 504 plan or individualized education plan.

(b) Quantifiable goals stated in a student's behavior improvement plan.

(c) School or district identified measurable student objectives for a specified student group or population.

(24) "Support program" means the educational support program as described in section 33-1002, Idaho Code, the transportation support program described in section 33-1006, Idaho Code, and the exceptional education support program as described in section 33-1007, Idaho Code.

(25) "Teacher" means any person employed in a teaching, instructional, supervisory, educational administrative or educational and scientific capacity in any school district. In case of doubt, the state board of education shall determine whether any person employed requires certification as a teacher.

SECTION 3. That Section 33-1002, Idaho Code, be, and the same is hereby repealed.

SECTION 4. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1002, Idaho Code, and to read as follows:
33-1002. PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM -- STUDENT-BASED FOUNDATION FUNDING. The public schools educational support program and the student-based foundation funding (the foundation) shall be calculated annually by the legislature as follows:

(1) Add the state appropriation, including the moneys available in the public school income fund, together with all appropriated miscellaneous revenues to determine the total state funds for the public schools educational support program.

(2) From the total state funds for the public schools educational support program, subtract the total amount needed for state support of special programs set forth in section 33-1002B, Idaho Code, to determine the total foundation moneys.

(3) Divide the total foundation moneys by the estimated total statewide weighted student enrollment count to determine the annual foundation amount per student.

SECTION 5. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1002A, Idaho Code, and to read as follows:

33-1002A. TRANSITION TO STUDENT-BASED FOUNDATION FUNDING -- HOLD HARMLESS -- ANNUAL FUNDING INCREASE -- LIMITATION. The legislature intends that LEAs are held financially harmless in totality of state funds during a three (3) year transition period to the new student-based foundation funding set forth in section 33-1002, Idaho Code.

(1) For the 2020-2021 school year, each LEA shall receive a funding increase of at least three percent (3%) of what it received in the 2019-2020 school year.

(2) For the 2021-2022 school year, each LEA shall receive a funding increase of at least three percent (3%) of what it received in the 2020-2021 school year.

(3) For the 2022-2023 school year, each LEA shall receive a funding increase of at least three percent (3%) of what it received in the 2021-2022 school year.

(4) No LEA shall receive an annual funding increase of more than five percent (5%) per enrolled student of what is calculated for the per student amount for the previous school year.

SECTION 6. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1002B, Idaho Code, and to read as follows:

33-1002B. SPECIAL PROGRAMS SUPPORT. Pursuant to section 33-1002(2), Idaho Code, the following amounts are needed for state support of special programs provided by LEAs:

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

(2) The approved costs for border district allowance as provided in section 33-1403, Idaho Code, as determined by the state superintendent of public instruction;

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(3) The approved costs for exceptional child approved contract allowance provided in section 33-2004(1)(b), Idaho Code, as determined by the state superintendent of public instruction; and pupil tuition-equivalency allowances as provided in section 33-1005, Idaho Code;

(4) Bond levy equalization support program as provided in section 33-906, Idaho Code;

(5) For the support of provisions that provide a safe environment conducive to student learning and maintain classroom discipline, an allocation of fifteen dollars ($15.00) for each student enrolled in a school district or public charter school;

(6) Advanced opportunities as provided in chapter 46, title 33, Idaho Code;

(7) Instructional staff members certified by the national board for professional teaching standards as provided in section 33-1004A, Idaho Code;

(8) School district facilities funds as provided in sections 67-7434, 33-905, and 33-1019, Idaho Code;

(9) Charter school facilities funds and reimbursements paid pursuant to section 33-5208(2), Idaho Code;

(10) Master educator premiums as provided in section 33-1004C, Idaho Code;

(11) Leadership premiums as provided in section 33-1004E, Idaho Code;

(12) Mastery-based education as provided for in section 33-1632, Idaho Code;

(13) Expenditures as provided by the public school classroom technology program as provided in section 33-1005E, Idaho Code;

(14) Continuous improvement plans and training as provided in section 33-320, Idaho Code; and

(15) Any additional amounts as required by statute to effect administrative adjustments or as specifically required by the provisions of any bill of appropriation including, but not limited to:

(a) Feasibility studies allowance as provided in section 33-1009, Idaho Code;

(b) Unemployment insurance benefit payments as provided in section 72-1349A, Idaho Code; and

(c) Employee severance payments as provided in section 33-521, Idaho Code.

SECTION 7. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1002C, Idaho Code, and to read as follows:

33-1002C. WEIGHTS -- RULEMAKING. (1) An additional percentage shall be added to certain students' unweighted FTE enrollment counts for the LEAs in which such students attend as follows:

(a) For each student identified as economically disadvantaged:

(i) An additional ten percent (10%) for fiscal year 2021; and

(ii) In each subsequent fiscal year, subject to appropriation, an additional percentage not to exceed twenty-five percent (25%) may be determined by the legislature.
(b) For each student identified as an English language learner:
  (i) An additional ten percent (10%) for fiscal year 2021; and
  (ii) In each subsequent fiscal year, subject to appropriation, an
       additional percentage not to exceed twenty-five percent (25%) may
       be determined by the legislature.
(c) For each student identified as gifted and talented, subject to ap-
      propriation, an additional two percent (2%).
(d) For each student who qualifies for special education:
  (i) An additional ten percent (10%) for fiscal year 2021; and
  (ii) In each subsequent fiscal year, subject to appropriation, an
       additional percentage not to exceed twenty-five percent (25%) may
       be determined by the legislature.
(2) An additional percentage shall be added to the official unweighted
    student enrollment counts for qualifying schools and districts as follows:
    (a) Grade weight. For each student enrolled in grades K through 3, or
        in grades 9 through 12, an additional ten percent (10%) shall be added to
        the student enrollment count for the LEA in which such student attends.
    (b) Remote school weight. The weight to be multiplied by the unweighted
        student enrollment count for qualifying remote schools to determine the
        additional weighted student count shall be as follows:

<table>
<thead>
<tr>
<th>UNWEIGHTED ENROLLMENT COUNT</th>
<th>WEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 or less</td>
<td>2.05</td>
</tr>
<tr>
<td>Between 31 and 164</td>
<td>1.2625 + (.7875 - (enrollment x .00477))</td>
</tr>
<tr>
<td>Between 165 and 329</td>
<td>.7375 + (.7875 - (enrollment x .00159))</td>
</tr>
</tbody>
</table>

(c) Small LEA weight. The weight to be multiplied by the unweighted
    student enrollment count for small LEAs to determine the additional
    weighted student count shall be as follows:

<table>
<thead>
<tr>
<th>UNWEIGHTED ENROLLMENT COUNT</th>
<th>WEIGHT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kindergarten through Elementary Grades:</td>
<td></td>
</tr>
<tr>
<td>30 or less</td>
<td>2.05</td>
</tr>
<tr>
<td>Between 30.01 and 164</td>
<td>1.2625 + (.7875 - (enrollment x .00477))</td>
</tr>
<tr>
<td>Between 164.01 and 329</td>
<td>.7375 + (.7875 - (enrollment x .00159))</td>
</tr>
<tr>
<td>Secondary Grades:</td>
<td></td>
</tr>
<tr>
<td>30 or less</td>
<td>2.05</td>
</tr>
<tr>
<td>Between 30.01 and 434</td>
<td>1.2625 + (.7875 - (enrollment x .00181))</td>
</tr>
<tr>
<td>Between 434.01 and 869</td>
<td>.7375 + (.7875 - (enrollment x .0006))</td>
</tr>
</tbody>
</table>

(3) An LEA shall distribute the additional weighted foundation moneys
    allocated to it for the students identified in subsection (1) of this section
    to the programs in which such students are enrolled.
(4) If a student is identified for more than one (1) weight set forth in
    subsection (1) of this section, then such weights shall be cumulative.
(5) The state board of education shall promulgate rules implementing
the provisions of this section, which shall include, but not be limited to,
procedures for determining weighted counts and a process for reporting such
weighted counts.

SECTION 8. That Chapter 10, Title 33, Idaho Code, be, and the same is
hereby amended by the addition thereto of a NEW SECTION, to be known and des-
gnated as Section 33-1002D, Idaho Code, and to read as follows:

33-1002D. STUDENT ENROLLMENT COUNTS AND RULEMAKING. The state board
of education shall promulgate rules that set forth the procedures for deter-
mining student enrollment counts and the process for reporting such counts.
Such rules shall be consistent with the following:
(1) Full-time enrollment (FTE) shall be based on enrollment in any LEA;
(2) A student shall not exceed a total of one (1.0) unweighted FTE in a
single school year, except as provided in subsection (4) of this section;
(3) A kindergarten student shall not exceed a total of one-half (0.5)
unweighted enrollment in a single school year;
(4) A student attending a summer school or night school program shall
not exceed a total of one-fourth (0.25) unweighted enrollment. Such student
may be counted pursuant to both this subsection and subsection (2) of this
section;
(5) A fractional enrollment count schedule shall be specified for any
student enrolled less than one (1.0) FTE at a given LEA;
(6) FTE is based on the courses a student is enrolled in at the time of
the official count, as specified in board rule;
(7) Each LEA shall conduct an official count of enrolled students in
its LEA on the first day of October, the first day of December, the first day
of February, and the first day of April, or the previous school day if those
dates do not fall on a school day;
(8) An LEA may not count as enrolled any student who has unexcused
absences totaling eleven (11) or more consecutive school days immediately
prior to and including the official count date;
(9) Any elementary school having fewer than ten (10) enrolled students
shall not be allowed to participate in the foundation for public schools un-
less such school has been approved for operation by the state board of educa-
tion; and
(10) Effective July 1, 2020, the following shall apply to qualifying
public school districts:
(a) If a public school district reports an unweighted student enroll-
ment count of less than thirty (30), then an unweighted student enroll-
ment count of thirty (30) shall be used for the purpose of determining
the foundation amount per student pursuant to section 33-1002, Idaho
Code, and for determining such school district's allocation amounts
pursuant to section 33-1003, Idaho Code.
(b) If a public school district reports an unweighted student enroll-
ment count in secondary grades of less than one hundred (100), then an
unweighted student enrollment count of one hundred (100) shall be used
as the secondary grades enrollment count for the purpose of determining
the foundation amount per student pursuant to section 33-1002, Idaho
Code, and for determining such school district's allocation amounts pursuant to section 33-1003, Idaho Code.

(c) A public school district may qualify under either paragraph (a) or (b) of this subsection, but not both. The provisions of this subsection do not apply to public charter schools.

SECTION 9. That Section 33-1003, Idaho Code, be, and the same is hereby repealed.

SECTION 10. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1003, Idaho Code, and to read as follows:

33-1003. PAYMENTS TO LOCAL EDUCATION AGENCIES. (1) (a) Payments of the moneys specified in the annual appropriation to the public schools educational support program shall be made each year by the state department of education to the LEAs in six (6) payments. Payments to the LEAs shall be made no later than the fifteenth day of August, October, December, February, April, and June of each fiscal year. The August payment by the state department of education shall be approximately thirty percent (30%) of the student-based foundation funding appropriation for the fiscal year, while the October and December payments shall be approximately twenty percent (20%) each, and the February and April payments shall be approximately fifteen percent (15%) each, except as provided in section 33-5209C, Idaho Code.

(b) Payments of moneys other than the state general account appropriation that accrue to the public school income fund shall be made by the state department of education to the LEAs no later than the fifteenth day of February, April, and June each year. The total amount of such payments shall be determined by the state department of education and shall not exceed the amount of moneys available and on deposit in the public school income fund at the time such payment is made.

(c) Amounts apportioned due to a special transfer to the public school income fund to restore or reduce a deficiency in the prior year's transfer pursuant to subsection (4) of this section shall not be subject to the limitations imposed by paragraphs (a) and (b) of this subsection.

(2) Payments made to the LEAs in August and October are advance payments for the current year and may be based on payments from the public school income fund for the preceding school year. Each LEA may receive its proportionate share of the advance payments in the same ratio that its total payment for the preceding year was to the total payments to all LEAs for the preceding year.

(3) Payments made pursuant to this subsection shall be based on the current fiscal year's annual foundation amount per student set forth in section 33-1002, Idaho Code, and shall take into consideration all payments distributed for the current fiscal year to the LEAs.

(a) December payments to LEAs will be based on the LEA's official weighted student enrollment count from October.

(b) February payments to LEAs will be based on the LEA's official weighted student enrollment count from December.
(c) April payments to LEAs will be based on the LEA's official weighted student enrollment count from February.
(d) June payments to LEAs will be based on the LEA's official weighted student enrollment count from April. The June payments shall take into consideration:
   (i) All funds available in the public school income fund for the fiscal year ending June 30; and
   (ii) The adjustment based on the foundation amount per student required by the provisions of section 33-1018, Idaho Code.
(4) Any apportionments in any year made to any LEA that may within the succeeding one (1) year period be found to have been in error either of computation or transmittal may be corrected during the current fiscal year by reduction of apportionments to any LEA to which over-apportionments may have been made or received and corresponding additions to apportionments to any LEA to which under-apportionments may have been made or received.

SECTION 11. That Section 33-1003A, Idaho Code, be, and the same is hereby repealed.

SECTION 12. That Section 33-1003C, Idaho Code, be, and the same is hereby repealed.

SECTION 13. That Section 33-1004, Idaho Code, be, and the same is hereby repealed.

SECTION 14. That Section 33-1004A, Idaho Code, be, and the same is hereby repealed.

SECTION 15. That Section 33-1004B, Idaho Code, as amended by Section 5, Chapter 169, Laws of 2018, be, and the same is hereby amended to read as follows:

33-1004B. CAREER LADDER -- LOCAL SALARY SCHEDULES. School districts shall receive an allocation for instructional staff and pupil service staff based on their staffs' position on the career ladder as follows: Each LEA shall develop a local salary schedule that is consistent with the career ladder set forth in this section.
(1) Instructional staff and pupil service staff who are in their first year of holding an Idaho educator certificate shall be placed in the first cell of their local residency compensation rung and shall move one (1) cell on the their local residency compensation rung for each year they hold an Idaho educator certificate thereafter for up to three (3) years, at which point they will remain in the third cell of their local residency rung until they earn a professional endorsement.
(2) Instructional staff and pupil service staff in their first year of holding a professional endorsement shall be placed in the first cell of the their local professional compensation rung.
(3) Instructional staff and pupil service staff on the their local professional compensation rung with four (4) years of experience shall move one (1) cell on the their local professional compensation rung unless they have failed to meet the professional compensation rung performance criteria for
three (3) of the previous four (4) years. Instructional staff and pupil service
staff on the their local professional compensation rung who meet the
performance criteria for three (3) of the previous five (5) years, one (1)
of which must be during the fourth or fifth year, shall move one (1) cell.
Allocations for Instructional staff and pupil service staff who do not meet
the professional compensation rung performance criteria for three (3) of the
previous five (5) years, one (1) of which must be during the fourth or fifth
year, shall remain at the previous fiscal year allocation level. This also
applies to the educational allocation their current position on their local
professional compensation rung.

(4) In addition to the allocation amount specified for the applicable
cell on the career ladder a local salary schedule, school districts shall
receive distribute an additional allocation amount for to each career tech-

erical education instructional staff member holding an occupational special-
ist certificate in the area for which they are teaching in the an amount of
three thousand dollars ($3,000) to be determined by each LEA.

(5) In addition to the allocation amount specified for the applicable
cell on the career ladder, school districts LEAs shall receive an additional
distribution amounts for instructional staff and pupil service
staff holding a professional endorsement who have acquired additional edu-
cation and meet the professional compensation rung performance criteria. In
determining the additional education allocation distribution amount, only
transcribed credits and degrees on file with the teacher certification office
of the state department of education, earned at an institution of higher
education accredited by a body recognized by the state board of education
or credits earned through an internship or work experience approved by the
state board of education, shall be allowed. All credits and degrees earned
must be in a relevant pedagogy or content area as determined by the state
department of education. Additional education allocation distribution
amounts are not cumulative. Instructional staff whose initial certificate
is an occupational specialist certificate shall be treated as BA degree-pre-
pared instructional staff. Credits earned by such occupational specialist
instructional staff after initial certification shall be credited toward
the education allocation. Additional allocations are distribution. LEAs
shall pay the following staff an amount as specified in their local salary
schedules:

(a) For instructional staff and pupil service staff holding a profes-
sional endorsement, a baccalaureate degree and twenty-four (24) or more
credits, two thousand dollars ($2,000) per fiscal year.

(b) For instructional staff and pupil service staff holding a profes-
sional endorsement and a master's degree, three thousand five hundred
dollars ($3,500) per fiscal year.

(e) Effective July 1, 2020, the allocation minimum compensation on a
local salary schedule shall be equal to or greater than the amount provided
in the first cell of the residency compensation rung on the following sched-
ule. For instructional staff and pupil service staff holding a professional
endorsement, the minimum compensation on a local salary schedule shall be
equal to or greater than the amount provided in the first cell of the profes-
sional compensation rung on the following schedule:
An LEA may but is not required to use the full schedule provided in this subsection. An LEA must satisfy the minimum compensation requirements described in this subsection.

(67) A review of a sample of evaluations completed by administrators shall be conducted annually to verify such evaluations are being conducted with fidelity to the state framework for teaching evaluation, including each evaluation component as outlined in administrative rule and the rating given for each component. The state board of education shall randomly select a sample of administrators throughout the state. A portion of such administrators' instructional staff and pupil service staff employee evaluations shall be independently reviewed. The ratio of instructional staff evaluations to pupil service staff evaluations shall be equal to the ratio of the statewide instructional staff salary allowance to pupil service staff salary allowance. The state board of education with input from the Idaho-approved teacher educator preparation programs and the state department of education shall identify individuals and a process to conduct the reviews. Administrator certificate holders shall be required to participate in ongoing evaluation training pursuant to section 33-1204, Idaho Code. The state board of education shall report annually the findings of such reviews to the senate education committee, the house of representatives education committee, the state board of education and the deans of Idaho's approved teacher educator preparation programs. The state board of education shall promulgate rules implementing the provisions of this subsection.

(78) School districts shall submit annually to the state the data necessary to determine if an instructional staff or pupil service staff member has met the performance criteria for movement on the applicable compensation rung. The department of education shall calculate whether or not instructional staff and pupil service staff have met the compensation rung performance criteria based on the data submitted during the previous five (5) years their local salary schedule. Individually identifiable performance evaluation ratings submitted to the state remain part of the employee's personnel record and are exempt from public disclosure pursuant to section 74-106, Idaho Code.

SECTION 16. That Section 33-1004C, Idaho Code, be, and the same is hereby repealed.

SECTION 17. That Section 33-1004E, Idaho Code, be, and the same is hereby amended to read as follows:

33-1004EA. DISTRICT'S SALARY-BASED APPORTIONMENT NATIONAL CERTIFICATION PREMIUM. Each district shall be entitled to a salary-based apportionment calculated as provided in this section.
(1) To determine the apportionment for instructional staff, take the amounts indicated on the career ladder table plus the amounts associated with the additional education allocation amounts pursuant to section 33-1004B, Idaho Code, and calculate the weighted average. The amount so determined shall be multiplied by the district staff allowance for instructional staff determined as provided in section 33-1004(2), Idaho Code. Full-time instructional staff salaries shall be determined from a salary schedule developed by each district and submitted to the state department of education. No full-time instructional staff member shall be paid less than the minimum dollar amount on the career ladder residency compensation rung pursuant to section 33-1004B, Idaho Code, for the applicable fiscal year.

(2) If an instructional staff member has been certified by the national board for professional teaching standards, the staff member shall receive two thousand dollars ($2,000) per year for five (5) years from the year in which national board certification was earned. The district staff allotment shall be increased by two thousand dollars ($2,000) for each national board-certified instructional staff member who earned national board certification; provided, however, that no such awards shall be paid for the period July 1, 2010, through June 30, 2011, nor shall any liabilities accrue or payments be made pursuant to this section in the future to any individual who would have otherwise qualified for a payment during this stated time period. The resulting amount is the district's salary-based apportionment for instructional staff. For purposes of this section, teachers qualifying for the salary increase shall be those who have been recognized as national board-certified teachers as of July 1 of each year.

(3) To determine the apportionment for pupil service staff, take the amounts indicated on the career ladder table plus the amounts associated with the additional education allocation amounts pursuant to section 33-1004B, Idaho Code, and calculate the weighted average. If the district does not employ any pupil service staff, the district's pupil service staff average salary shall equal the district's instructional staff average salary for purposes of calculating pupil service salary-based apportionment. The amount so determined shall be multiplied by the district staff allowance for pupil service staff determined pursuant to section 33-1004(3), Idaho Code. Full-time pupil service staff salaries shall be determined from a salary schedule developed by each district and submitted to the state department of education. The resulting amount is the district's salary-based apportionment for pupil service staff. No full-time pupil service staff member shall be paid less than the minimum dollar amount on the career ladder residency compensation rung pursuant to section 33-1004B, Idaho Code, for the applicable fiscal year.

(4) To determine the apportionment for district administrative staff, first determine the district average experience and education index by placing all eligible certificated administrative employees on the statewide index provided in section 33-1004A, Idaho Code. The resulting average is the district index. If the district does not employ any administrative staff, the district administrative index shall equal the statewide average index for purposes of calculating administrative salary-based apportionment. The district administrative staff index shall be multiplied by the base salary of thirty-six thousand one hundred eighty-six dollars ($36,186). The amount

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so determined shall be multiplied by the district staff allowance for admin-
istrative staff determined as provided in section 33-1004(4), Idaho Code.
The resulting amount is the district's salary-based apportionment for ad-
mnistrative staff.

(5) To determine the apportionment for classified staff, multiply twenty-
one thousand six hundred sixty-five dollars ($21,665) by the district clas-
sified staff allowance determined as provided in section 33-1004(5), Idaho Code. The amount so determined is the district’s ap-
portionment for classified staff.

(6) The district’s salary-based apportionment shall be the sum of the apportionments calculated in subsections (1), (2), (3), (4) and (5) of this section, plus the benefit apportionment as provided in section 33-1004F, Idaho Code.

SECTION 18. That Section 33-1004F, Idaho Code, as amended by Section 2, Chapter 92, Laws of 2017, be, and the same is hereby amended to read as fol-

33-1004FB. OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS. Based upon the actual salary based apportionment, as determined in section 33-1004B, Idaho Code. There shall be allocated and distributed that amount required to meet the employer’s obligations to the public employee retirement system and to social security for the national certification pre-
miums distributed pursuant to section 33-1004A, Idaho Code, the master edu-
cator premiums distributed pursuant to section 33-1004C, Idaho Code, and the leadership premiums distributed pursuant to section 33-1004E, Idaho Code, there shall be allocated that amount required to meet the employer’s obligations to the public employee retirement system and to social security.

SECTION 19. That Section 33-1004I, Idaho Code, as amended by Section 1, Chapter 92, Laws of 2017, be, and the same is hereby amended to read as fol-

33-1004IC. MASTER EDUCATOR PREMIUMS. (1) A portion of the moneys available to the education total state funds for the public schools edu-
cational support program shall be distributed per full-time equivalent instructional staff and pupil services staff positions employed by each school district LEA. Such moneys shall be paid to instructional staff and pupil service staff employees who have earned a master educator designation by meeting the minimum qualifications set forth in subsection (2) of this section and the additional qualifications developed or adopted by the em-
ploying school district LEA pursuant to subsection (3) of this section, in an amount set forth in subsection (4) of this section.

(2) The minimum qualifications for an instructional staff or a pupil service staff employee to earn a master educator designation shall be as fol-

(a) An instructional staff or pupil service staff employee must have eight (8) or more years of teaching experience provided that the three
(3) years immediately preceding the award must be continuous and in
Idaho. The remainder of the teaching experience making up the eight (8)
years must have been earned in Idaho or in a compact-member state pursuant to section 33-4101, Idaho Code;
(b) An instructional staff or pupil service staff employee must demonstrate mastery of instructional techniques for no fewer than three (3) of the previous five (5) years of instruction through:
   (i) Artifacts demonstrating evidence of effective teaching; and
   (ii) Successful completion of an annual individualized professional learning plan; and
(c) A majority of an instructional staff employee's students must meet measurable student achievement as defined in section 33-1001, Idaho Code, for no fewer than three (3) of the previous five (5) years.
(d) A majority of a pupil service staff employee's students must meet measurable student achievement or measurable student success indicators, as defined in section 33-1001, Idaho Code, for no fewer than three (3) of the previous five (5) years.
(3) In addition to the minimum qualifications for a master educator designation set forth in subsection (2) of this section:
   (a) Local school districts LEAs may develop and require additional qualifications showing demonstrated mastery of instructional techniques and professional practice through multiple measures, provided that such qualifications shall be developed by a committee consisting of teachers, administrators and other school district LEA stakeholders and shall first be approved by the state board of education;
   (b) Local school districts LEAs may develop plans that recognize groups of teachers based on measurable student achievement goals aligned with school district LEA approved continuous improvement plans. Groups may be school-wide or may be smaller groups such as grade levels or by subject matter. Each teacher in a master educator group shall receive a master educator premium if goals are met according to the district LEA plans. Plans shall be developed by a committee consisting of teachers, administrators and other school district LEA stakeholders and shall first be approved by the state board of education. Any school district LEA that does not follow their preapproved plan shall not receive future master educator premium dollars; or
   (c) If a local school district LEA has not developed qualifications pursuant to paragraph (a) or (b) of this subsection, then eligible school district LEA staff may apply to the state board of education by showing demonstrated mastery of instructional techniques and professional practice through multiple measures as developed by a committee facilitated by the state board of education consisting of teachers, administrators and other stakeholders, which measures shall be approved by the state board of education.
(4) The amount of the master educator premium paid to a qualified instructional staff employee shall be four thousand dollars ($4,000) each year for three (3) years starting with the initial award of the master educator premium. After the third year of receiving the master educator premium, the instructional staff employee must continue to demonstrate that he or she meets the master educator premium qualifications in each subsequent year. If the qualifications are not met, then the premium will be discontinued until such time as the qualifications are met.
(5) Local school district LEA boards of trustees or boards of directors may provide master educator premiums to instructional staff employees consistent with the provisions of this section.

(6) For the purposes of this section, the term "school district" also means "public charter school" and the term "board of trustees" also means "board of directors."

(7) The state board of education may promulgate rules implementing the provisions of this section.

SECTION 20. That Section 33-1004J, Idaho Code, be, and the same is hereby amended to read as follows:

33-1004JE. LEADERSHIP PREMIUMS. (1) Of the moneys available to the total state funds for the public schools educational support program, eight hundred fifty dollars ($850) shall be distributed per full-time equivalent instructional and pupil service staff position employed by each school district LEA. Such moneys shall be paid to instructional and pupil service staff employees for leadership activities as provided in paragraphs (a) through (h) of this subsection. Such premiums shall be valid only for the fiscal year for which the premiums are made and shall be made for one (1) or more of the following reasons identified as leadership priorities by a committee consisting of teachers, administrators and other school district LEA stakeholders and shall be approved by the board of trustees or board of directors:

(a) Teaching a course in which students earn both high school and college credit;
(b) Teaching a course to middle school students in which the students earn both middle school and high school credit;
(c) Holding and providing service in multiple nonadministrative certificate or subject endorsement areas;
(d) Serving or being hired to serve in an instructional or pupil service position designated as hard to fill by the board of trustees or board of directors;
(e) Serving or being hired to serve in a hard to fill instructional position in a career technical education program;
(f) Providing mentoring, peer assistance or professional development pursuant to section 33-512(17), Idaho Code;
(g) Having received professional development in career and academic counseling, and then providing career or academic counseling for students, with such services incorporated within or provided in addition to the teacher's regular classroom instructional or pupil service duties;
(h) Other leadership duties designated by the board of trustees or board of directors, exclusive of duties related to student activities or athletics. Such duties shall require that the employee work additional time as a condition of the receipt of a leadership premium.

(2) Local school district LEA boards of trustees or boards of directors shall provide leadership premiums to instructional or pupil service staff employees consistent with the provisions of this section and may not distribute moneys provided pursuant to this section unless employees meet one (1) of the criteria specified in subsection (1) of this section. The
decision as to whom and how many receive leadership premiums, and in what amounts, shall not be subject to collective bargaining, any other provision of law notwithstanding. A board may provide multiple leadership premiums to an instructional or pupil service staff employee. However, no such employee shall receive cumulative leadership premiums in excess of twenty-five percent (25%) of the minimum salary as designated on the career ladder a local salary schedule pursuant to section 33-1004B, Idaho Code, nor less than nine hundred dollars ($900), regardless of such employees full- or part-time status.

(3) The state department of education may require reports of information as needed to implement the provisions of this section. At a minimum, school districts LEAs shall report the information necessary for the department to fulfill the provisions of this section. The department shall report, on or before January 15 each year, to the governor, the senate education committee and the house of representatives education committee relevant information regarding leadership premiums, including the following:

(a) The number of instructional and pupil service staff employees in the district LEA;
(b) The number of instructional and pupil service staff employees that received a leadership premium;
(c) The number of leadership premiums issued, by district LEA;
(d) The average dollar amount of leadership premiums issued, by district LEA;
(e) The highest and lowest leadership premium issued, by district LEA;
(f) The percent of instructional and pupil service staff positions receiving leadership premiums and the cumulative amount of such premiums, by district LEA; and
(g) The reasons identified as leadership priorities approved by the board of trustees or board of directors as listed in subsection (1) of this section, including a description of the other leadership duties designated by the board of trustees or board of directors as provided in subsection (1)(h) of this section and the number of the premiums awarded per leadership activity as identified in subsection (1)(a) through (h) of this section.

(4) For the purposes of this section, the term "school district" also means "public charter school," and the term "board of trustees" also means "board of directors." Subsections (1) and (2) of this section shall be reviewed annually by the legislature.

(5) The state board of education is hereby authorized to promulgate rules to implement the provisions of this section.

SECTION 21. That Section 33-1002B, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002B5. PUPIL TUITION-EQUIVALENCY ALLOWANCES. (1) Districts which educate pupils placed by Idaho court order in licensed homes, agencies, institutions or juvenile detention facilities shall be eligible for an allowance equivalent to forty-two percent (42%) of the previous year's gross per pupil cost calculated on a daily basis. This district allowance shall be in addition to support unit the foundation funding and included in district

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apportionment payments, subject to approval of district applications by the
state superintendent of public instruction.
(2+) Districts which educate pupils placed by Idaho court order in a juvenile
detention facility with a summer school program shall be eligible for an
allowance equivalent to one-half (1/2) of forty-two percent (42%) of the
previous year's gross per pupil cost calculated on a daily basis. This district
allowance shall be in addition to support unit the foundation funding
and included in district apportionment payments, subject to approval of dis-
trict applications by the state superintendent of public instruction.
(3+) Districts which educate school age special education students
who, due to the nature and severity of their disabilities, are residing
in licensed public or private residential facilities or homes, and whose
parents are not patrons of the district, shall be eligible for an allowance
equivalent to forty-two percent (42%) of the previous year's gross per pupil
cost per child plus the excess cost rate that is annually determined by the
state superintendent of public instruction. This district allowance shall
be in addition to exceptional the foundation funding and the special edu-
cation support unit weight funding and included in district apportionment
payments, subject to approval of district applications by the state superin-
tendent of public instruction.
(4+) For school age special education students from outside the state
of Idaho who, due to the nature and severity of their disabilities, are resi-
ding in licensed public or private residential facilities within the state
of Idaho, the local school district shall provide education services to such
students if requested by the licensed public or private residential facil-
ity, provided that the local school district has been given the opportunity
to provide input on any federally required education plans for any such stu-
dents. A local school district providing education services for such stu-
dents shall sign a contract with any such licensed public or private resi-
dential facilities, which contract shall delineate the education services
to be provided by the local school district and the amount to be paid by the
licensed public or private residential facility. The amount paid shall be
equal to the local school district's full cost of providing the education
services delineated by the contract, as determined by the local school dis-
trict. Such students shall be excluded from all average daily attendance
student enrollment counts and other reports provided to the state that would
result in the distribution of state funding to the local school district.
(5+) For school age nonspecial education students from outside the
state of Idaho who are residing in licensed public or private residential
facilities within the state of Idaho, the local school district may provide
education services to such students if requested by the licensed public or
private residential facility. A local school district providing education
services for such students shall sign a contract with any such licensed pub-
lic or private residential facilities, which contract shall delineate the
education services to be provided by the local school district and the amount
to be paid by the licensed public or private residential facility. The
amount paid shall be equal to the local school district's full cost of pro-
viding the education services delineated by the contract, as determined by
the local school district. Such students shall be excluded from all average
daily attendance student enrollment counts and other reports provided to the
state that would result in the distribution of state funding to the local
school district.

SECTION 22. That Section 33-1002C, Idaho Code, be, and the same is
hereby amended to read as follows:

33-1002G5A. SUMMER AND NIGHT SCHOOL PROGRAM SUPPORT UNITS — ALTERNATIVE
SCHOOL FUNDING — JUVENILE DETENTION FACILITY. (1) Alternative summer
and night school programs for at-risk students, as defined by state board
of education rule, of not less than two hundred twenty-five (225) hours
of instruction, which shall be included in the educational support unit
enrollment totals calculated as provided in section 33-1002D, Idaho Code,
may be established as approved by the state board of education. The aver-
age daily attendance divided by forty (40) shall determine the number of
allowable support units which shall be included in the alternative school
support units calculated for the school district for the succeeding school
year. Summer and night school enrollment counts pursuant to section 33-1002D,
Idaho Code, shall be added to the first count of the ensuing school year.

(2) For any alternative school youth intervention program designated
pursuant to section 46-805, Idaho Code, full-term average daily attendance
enrollment shall be used to calculate support unit enrollment for each
cohort of students that meets the minimum instructional hours require-
ment provided for in section 33-512, Idaho Code. The support unit enrollment
so calculated shall be used for all state funding formulas in which support
units are student enrollment is used.

(3) Districts which educate pupils placed by court order in
a juvenile detention facility may establish a summer school program which
shall be included in the educational support unit student enrollment calcu-
lated as provided in section 33-1002D, Idaho Code. The average daily atten-
dance divided by forty (40) shall determine the number of allowable support
units which shall be included in the exceptional education school support
unit calculated for the school district for the succeeding school term.

(4) Average daily attendance and the support units so generated by this
section shall not be included in or subject to the provisions of section
33-1003, Idaho Code, and shall be included as an addition to any other sup-
port units generated pursuant to Idaho Code.

SECTION 23. That Section 33-1002F, Idaho Code, be, and the same is
hereby amended to read as follows:

33-1002F5B. ALTERNATIVE SCHOOL REPORT. Annually, prior to the tenth
legislative day, the department of education shall file with the legisla-
ture a report detailing the alternative school programs within the state. On
July 1 of each year, or as soon thereafter as feasible, each school district
receiving monies pursuant to the alternative school support unit factor in
section 33-1002, Idaho Code, or section 33-1002G5A, Idaho Code, shall file
with the state department a comprehensive report of the amount of money re-
ceived in the district, the expenditure on alternative school programs, and
the programs provided. This information shall be compiled by the department
for transmission to the legislature.
SECTION 24. That Section 33-1002E, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002E5C. PUPILS ATTENDING SCHOOL IN ANOTHER STATE. In any school district which abuts upon the border of another state, the resident pupils of said district may attend schools in the other state as provided in section 33-1403, Idaho Code.

SECTION 25. That Section 33-1002G, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002G5D. CAREER TECHNICAL SCHOOL FUNDING AND ELIGIBILITY. (1) School districts may establish career technical schools that qualify for funding appropriated for the specific purpose of supporting the added cost of career technical schools. These funds will be appropriated to the state board for career technical education, to be expended by the division of career technical education. In order for a school to qualify for funding as a career technical school, it must make application to the division of career technical education on or before the fifteenth of April for the following fiscal year. This includes applicants for new schools and renewal applications. All career technical schools must meet all three (3) of the following criteria:

(a) The school serves students from two (2) or more high schools. No one high school can comprise more than eighty-five percent (85%) of the total enrolled career technical school students. In the event a student enrolled in the career technical school is not enrolled in a public high school, the eighty-five percent (85%) will be calculated based on the public high school attendance area where the student resides.

(b) The majority of the school’s program offerings lead to some form of postsecondary credit, such as dual credit or other advanced opportunities, as defined by the state board of education, or include apprenticeship opportunities.

(c) All school programs offer at least one (1) supervised field experience for all students.

(2) All career technical schools must also meet at least one (1) of the following three (3) requirements:

(a) The school is funded separately from schools that qualify for computation using regular secondary support units.

(b) The school has a separate and distinct governing board.

(c) The majority of the school programs are provided at dedicated facilities that are separate from the regular high school facilities.

SECTION 26. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1005E, Idaho Code, and to read as follows:

33-1005E. PUBLIC SCHOOL CLASSROOM TECHNOLOGY PROGRAM. Technology program funding shall be distributed for classroom technology, classroom technology infrastructure, and instructional management systems that assist educators and students in effective and efficient instruction or
learning. Funding shall be distributed based on a formula prescribed by the superintendent of public instruction. Moneys so distributed shall be used to implement and operate an instructional management system of their choice that meets the individual learning needs and progress of all students. An instructional management system must include individual student learning plans, monitoring of interventions, integration with a district's student information system (SIS), and analysis of student and classroom levels of learning.

SECTION 27. That Section 33-1009, Idaho Code, be, and the same is hereby repealed.

SECTION 28. That Section 33-1007A, Idaho Code, be, and the same is hereby amended to read as follows:

33-1007A9. FEASIBILITY STUDY AND PLAN FOR SCHOOL CLOSURES AND/OR SCHOOL DISTRICT CONSOLIDATION. (1) The state superintendent of public instruction shall determine the reimbursable costs to any school district which are incurred under the provisions of section 33-310B, Idaho Code. The school district shall be entitled to reimbursement of all allowable costs pursuant to rules and regulations promulgated by the state board of education.

(2) In school districts where the implementation of a school closure plan requires the consolidation of one (1) or more schools, the public schools educational support program allowance for the consolidated school for a seven (7) year period following school consolidation shall not be less than the combined public schools educational support program allowance of the component schools in the last year of operation.

SECTION 29. That Section 33-1010, Idaho Code, be, and the same is hereby amended to read as follows:

33-1010. APPORTIONMENTS WHEN MINES NET PROFITS CONSIDERED. (1) In any school district in which mines net profits are made a part of the total assessed value of taxable property, should the amount of such net profits certified as required by section 63-2803, Idaho Code, be lower in any year than for the immediately preceding year in an amount equaling five percent (5%) or more of the total assessed value of taxable property of the district for the preceding year, then the state department of education shall compute the adjusted value of taxable property in the district for the purposes of section 33-10093, Idaho Code, by subtracting from the adjusted value of property in the district for the preceding year, the total of such decrease in mines net profits tax.

(2) The county auditor of each county in which the net profits of mines are made a part of the total assessed value of taxable property of any school district, shall annually examine the reports of mines net profits certified to the county assessor as required by section 63-2803, Idaho Code, and shall certify to the state department of education not later than the fifteenth day of June of each year, the net profits of mines creditable to each school district in said county.
SECTION 30. That Section 33-1005, Idaho Code, be, and the same is hereby amended to read as follows:

33-100614. DISTRICTS RECEIVING FEDERAL FUNDS. In school districts which receive moneys for the maintenance and operation of the schools from agencies of the federal government, the public schools educational support program shall be computed on the basis of the average daily attendance of pupil student enrollment counts as set forth in this chapter and without regard to the manner in which such allowance from the federal government may be computed.

SECTION 31. That Section 33-1017, Idaho Code, be, and the same is hereby repealed.

SECTION 32. That Section 33-1018. Idaho Code, be, and the same is hereby amended to read as follows:

33-1018. PUBLIC SCHOOL DISCRETIONARY STUDENT-BASED FOUNDATION FUNDING VARIABILITY. The legislature shall annually state in the appropriation for the public schools educational support program/division of operations the estimate of the total discretionary funding provided per support unit. The foundation amount per student pursuant to section 33-1002, Idaho Code. Before the end of each fiscal year, the department of education shall, before the end of each fiscal year, calculate the actual discretionary funding available per support unit foundation amount per student.

(1) If the total estimated discretionary funding foundation amount per support unit student stated in the appropriation for the public schools educational support program/division of operations is lower than the actual discretionary funding available foundation amount per support unit student, then the state controller shall multiply the difference by the number of actual support units statewide weighted student enrollment count, and transfer the result from the public school income fund to the public education stabilization fund and the final distributions to school districts LEAs from the department of education shall be reduced by a like amount.

(2) If the total estimated discretionary funding foundation amount per support unit student stated in the appropriation for the public schools educational support program/division of operations is greater than the actual discretionary funding available foundation amount per support unit student, then the state controller shall multiply the difference by the number of actual support units statewide weighted student enrollment count, and transfer the result from the public education stabilization fund to the public school income fund. This transfer shall be limited to moneys available in the public education stabilization fund. Moneys transferred from the public education stabilization fund to the public school income fund under the provisions of this section are hereby continuously appropriated for the public schools educational support program/division of operations.

SECTION 33. That Section 33-1020, Idaho Code, be, and the same is hereby amended to read as follows:
33-1020. IDAHO DIGITAL LEARNING ACADEMY FUNDING. Of the moneys appropriated for the educational support program, an amount shall be distributed to support the Idaho digital learning academy, created pursuant to chapter 55, title 33, Idaho Code. For the purposes of this section, an "enrollment" shall be counted each time an Idaho school age child enrolls in an Idaho digital learning academy class. A single child enrolled in multiple classes shall count as multiple enrollments. Summer enrollments shall be included in the fiscal year that begins that summer. The amount distributed shall be calculated determined as follows:

(1) A base amount no less than one million, six hundred thousand dollars ($1,600,000) shall be distributed, equal to the current fiscal year's statewide average salary-based apportionment funding per midterm support unit, multiplied by twenty-six (26).

(2) A variable amount shall be distributed, equal to the number of enrollments multiplied by the current fiscal year's appropriation of state funds for the educational support program per student reported in attendance for the first reporting period, divided by twenty-three (23) two hundred seventy-five (275).

The state department of education shall make an estimated distribution of funds to the Idaho digital learning academy by no later than July 31 of each fiscal year, consisting of eighty percent (80%) of the estimated funding for the fiscal year. The balance of all remaining funds to be distributed, pursuant to the calculations in this section, shall be distributed by no later than May 15 of the same fiscal year.

SECTION 34. That Section 33-1021, Idaho Code, be, and the same is hereby repealed.

SECTION 35. That Section 33-1024, Idaho Code, be, and the same is hereby amended to read as follows:

33-1024. ONLINE PORTALS. (1) Of the moneys appropriated to the educational support program state department of education, up to one hundred fifty thousand dollars ($150,000) may be expended for the development and maintenance of an internet-based portal of available online, nonsectarian K-12 or dual credit courses; an adult education portal; and a parent resource portal.

(2) The nonsectarian K-12 or dual credit courses portal shall include any of the following:

(a) Idaho digital learning academy;
(b) Idaho public school districts;
(c) Idaho public charter schools;
(d) Idaho public colleges and universities;
(e) Idaho private colleges and universities accredited by the same organization that accredits Idaho's public colleges and universities; and
(f) Any provider of online courses; provided however, that the courses available on the portal have been verified and approved by the state department of education to meet state content standards.
(3) At a minimum, the nonsectarian K-12 or dual credit courses portal shall:

(a) Include and display customer ratings from students and parents, based upon previous student enrollment with the online course, provider and instructor. Such ratings shall, at a minimum, evaluate the quality of content, instruction, communications and ease of use;
(b) Include the capacity for parents to notify their student's home school of their desire to enroll their student in an online course listed on the portal; and
(c) Facilitate communications between listed online course providers, students and parents and the home school in which the student is enrolled.

(4) At a minimum, the adult education or parent resource portal shall provide access to tools and resources focused on K-12 education.

SECTION 36. That Section 33-309, Idaho Code, be, and the same is hereby amended to read as follows:

33-309. LAPSED DISTRICTS -- ANNEXATION. (1) If the state board of education shall find any school district:

(a) Has not operated its school for a period of one (1) school year;
(b) In which the average daily attendance student enrollment count during each term of not less than seven (7) months in the two (2) school years last past has been less than five (5) pupils; or
(c) For a period of not less than one (1) year last past has had an insufficient number of members on its board of trustees lawfully to conduct the business of the district;

the state board may enter its order declaring any such district to be lapsed, and which district shall lapse as of the first day of July next following the date of said order.

(2) Upon entering its order declaring a school district lapsed pursuant to subsection (1) of this section, the state board shall designate some proper person a hearing officer to conduct a public hearing or hearings on the matter of annexing the lapsed district to a school district or districts contiguous thereto. The state board shall cause notice of such hearing or hearings to be published in a newspaper of general circulation in the area and the notice shall state the time and place of the hearing or hearings and the subject matter involved.

(3) Upon concluding any hearing or hearings the hearing officer shall make his report and recommendation to the state board, and the state board shall thereafter order the lapsed area annexed to such contiguous district or districts as in the judgment of the state board seems equitable and just. Any such annexation shall be effective as of the fifteenth day of August next following the date of order of annexation.

(4) Whenever there is any outstanding unpaid bonded debt owed by the lapsed district, the state board shall, in its order of annexation, require the district, or one (1) of the districts, to which the lapsed area is annexed, to keep and maintain the bond register and to pay the principal and interest, when the same are due, out of the proceeds of any levy made for that purpose. The said order of annexation shall also provide for the trans-
fer, or apportionment, to the annexing district or districts of the prop-
erty and current liabilities of the lapsed district as in the judgment of the
state board is equitable and just; provided however, that if the lapsed dis-
trict shall have excess of liquid assets over current liabilities, and if
such lapsed district shall have any outstanding unpaid bonded debt, then and
in that event such excess shall be ordered transferred to a fund for the pay-
ment of the principal of and interest on such debt.

(5) When annexation has been completed, as hereinabove authorized,
the state board shall give notice of such annexation to the officers of the
lapsed district, if any there be, and to the board of county commissioners
of any county in which shall lie any district, the boundaries of which have
been changed by the annexation of the lapsed area. The notice to any board
of county commissioners shall be accompanied by a legal description of the
boundaries of the district or districts as changed by the annexation.

SECTION 37. That Section 33-317, Idaho Code, be, and the same is hereby
amended to read as follows:

33-317. COOPERATIVE SERVICE AGENCY -- POWERS -- DUTIES -- LIMITA-
TIONS. (1) Two (2) or more school districts may join together for educational
purposes to form a service agency to purchase materials and/or provide
services for use individually or in combination. The cooperative service
agency thus formed shall be empowered to adopt bylaws, and act as a body cor-
porate and politic with such powers as are assigned through its bylaws but
limited to the powers and duties of local school districts. In its corporate
capacity, this agency may sue and be sued and may acquire, hold and convey
real and personal property necessary to its existence. The employees of the
service agency shall be extended the same general rights, privileges and
responsibilities as comparable employees of a school district. The cooper-
ative service agency may elect to be its own fiscal agent for the purposes of
providing an alternative school program, with the concurrence of the school
districts for which it provides such services. In doing so the educational
support program payments made pursuant to section 33-10023, Idaho Code,
that would have been distributed to the school district acting as the fiscal
agent, shall instead be distributed to the cooperative service agency.

(2) A properly constituted cooperative service agency may request from
its member school districts funding to be furnished by a tax levy not to
exceed one-tenth of one percent (.1%) for a period not to exceed ten (10)
years by such member school districts. Such levy must be authorized by an
election held subject to the provisions of section 34-106, Idaho Code, and
be conducted in each of the school districts pursuant to chapter 14, title
34, Idaho Code, and approved by a majority of the district electors voting
in such election. Moneys received by the member school districts from this
source shall be transferred to the cooperative service agency upon receipt
of billing from the agency. Excess revenue over billing must be kept in a
designated account by the district, with accrued interest, and may only be
spent as budgeted by the agency.

(3) For the purpose of constructing and maintaining facilities of a
cooperative service agency, in addition to the levy authorized in subsection
(2) of this section, a properly constituted cooperative service agency may

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request from its member school districts additional funding to be furnished by a tax levy not to exceed four-tenths of one percent (.4%) for a period not to exceed ten (10) years. Such levy must be authorized by an election held subject to the provisions of section 34-106, Idaho Code, and be conducted in each of the school districts pursuant to chapter 14, title 34, Idaho Code, and approved by sixty-six and two-thirds percent (66 2/3%) of the district electors voting in such election. If one (1) or more of the member districts fails to approve the tax levy in such election, the cooperative service agency may construct the facility through the support of the member districts approving the levy, but in no event shall the levy limits authorized in this subsection (3) be exceeded. Nothing shall prevent a member district that initially failed to approve the levy from conducting a subsequent election, held pursuant to section 34-106, Idaho Code, to authorize that district's participation in construction of the facility. Electors of the districts may approve continuation of such levy for an additional ten (10) years at an election held for that purpose. There is no limit on the number of elections which may be held for the purpose of continuing the levy authorized under this subsection (3) for an additional ten (10) years. The administration and accounting of moneys received by imposition of the levy shall be the same as provided in subsection (2) of this section.

SECTION 38. That Section 33-507, Idaho Code, be, and the same is hereby amended to read as follows:

33-507. LIMITATION UPON AUTHORITY OF TRUSTEES. (1) It shall be unlawful for any trustee to have pecuniary interest, directly or indirectly, in any contract or other transaction pertaining to the maintenance or conduct of the school district or to accept any reward or compensation for services rendered as a trustee except as may be otherwise provided in this section. The board of trustees of a school district may accept and award contracts involving the school district to businesses in which a trustee or a person related to him by blood or marriage within the second degree has a direct or indirect interest provided that the procedures set forth in section 18-1361 or 18-1361A, Idaho Code, are followed. The receiving, soliciting or acceptance of moneys of a school district for deposit in any bank or trust company, or the lending of money by any bank or trust company to any school district, shall not be deemed to be a contract pertaining to the maintenance or conduct of a school district within the meaning of this section; nor shall the payment by any school district board of trustees of compensation to any bank or trust company, for services rendered in the transaction of any banking business with such district board of trustees, be deemed the payment of any reward or compensation to any officer or director of any such bank or trust company within the meaning of this section.

(2) It shall be unlawful for the board of trustees of any class of school district to enter into or execute any contract with the spouse of any member of such board, the terms of which said contract requires or will require the payment or delivery of any school district funds, money or property to such spouse, except as provided in subsection (3) of this section or in section 18-1361 or 18-1361A, Idaho Code.
(3) No spouse of any trustee may be employed by a school district with a fall student enrollment population of greater than one thousand two hundred (1,200) in the prior school year. For school districts with a fall student enrollment population of one thousand two hundred (1,200) or less in the prior school year and for schools funded pursuant to the provisions of section 33-1003(2), Idaho Code, such spouse may be employed in a nonadministrative position for a school year if each of the following conditions has been met:

(a) The position has been listed as open for application on the school district website or in a local newspaper, whichever is consistent with the district's current practice, and the position shall be listed for at least sixty (60) days, unless the opening occurred during the school year, in which case the position shall be so listed for at least fifteen (15) days. If the position is listed in a newspaper, the listing shall be made in a manner consistent with the provisions of section 60-106, Idaho Code;

(b) No applications were received that met the minimum certification, endorsement, education or experience requirements of the position other than such spouse;

(c) The trustee abstained from voting in the employment of the spouse and was absent from the meeting while such employment was being considered and determined.

The school district or school may employ such spouse for further school years, provided that the conditions contained in this subsection are met for each school year in which such spouse is employed. The trustee shall abstain from voting in any decisions affecting the compensation, benefits, individual performance evaluation or disciplinary action related to the spouse and shall be absent from the meeting while such issues are being considered and determined. Such limitation shall include, but not be limited to: any matters relating to negotiations regarding compensation and benefits; discussion and negotiation with district benefits providers; and any matter relating to the spouse and letters of reprimand, direction, probation or termination. Such limitations shall not prohibit the trustee spouse from participating in deliberation and voting upon the district's annual fiscal budget or annual audit report. Any spouse of a trustee employed as a certificated employee pursuant to this subsection shall be employed under a category 1 contract pursuant to section 33-514A, Idaho Code.

(4) When any relative of any trustee or relative of the spouse of a trustee related by affinity or consanguinity within the second degree is considered for employment in a school district, such trustee shall abstain from voting in the election of such relative and shall be absent from the meeting while such employment is being considered and determined.

SECTION 39. That Section 33-515, Idaho Code, be, and the same is hereby amended to read as follows:

33-515. ISSUANCE OF RENEWABLE CONTRACTS. (1) During the third full year of continuous employment by the same school district, including any specially chartered district, each certificated employee named in subsection (25) of section 33-1001, Idaho Code, and each school nurse and school
librarian shall be evaluated for a renewable contract and shall, upon hav-
ing been offered a contract for the next ensuing year, and upon signing and
timely returning a contract for a fourth full year, be placed on a renewable
contact status with said school district entitling such individual to the
right to automatic renewal of contract, subject to the provisions included
in this chapter, provided that instructional staff who have not obtained
a professional endorsement under section 33-1201A, Idaho Code, may not
be placed on a renewable contract status, provided however, if the career
ladder pursuant to section 33-1004B, Idaho Code, is not funded, then a pro-
fessional endorsement shall be required.

(2) At least once annually, the performance of each renewable contract
certificated employee, school nurse, or school librarian shall be evaluated
according to criteria and procedures established by the board of trustees in
accordance with general guidelines approved by the state board of education.
Such an evaluation shall be completed no later than June 1 of each year. The
evaluation shall include a minimum of two (2) documented observations, one
(1) of which shall be completed prior to January 1 of each year.

(3) Any contract automatically renewed under the provisions of this
section may be renewed for a shorter term, longer term or the same length
of term as stated in the current contract and at a greater, lesser or equal
salary as that stated in the current contract. Absent the board’s applica-
tion of a formal reduction in force, renewals of standard teacher contracts
may be for a shorter term, longer term or the same length of term as stated
in the current standard teacher contract and at a greater, lesser or equal
salary, and shall be uniformly applied to all employees based upon the dis-
trict’s adopted salary schedule to the extent allowable in section 33-1004E,
Idaho Code.

(a) Contracts issued pursuant to this section shall be issued on or be-
fore the first day of July each year.
(b) At the discretion of the board, the district may issue letters of
intent for employment for the next ensuing school year to renewable
contract status employees during May of each school year. Such let-
ter of intent shall not state a specific duration of the contract or
salary/benefits term for the next ensuing school year.
(c) Unless otherwise negotiated and ratified by both parties pursuant
to sections 33-1271, et seq., Idaho Code, standard teacher renewals for
terms shorter in length than that stated in the current standard con-
tract of renewable certificated employees, should be considered and im-
plemented only after the district has determined that the salary-based
apportionment reimbursement that it estimates it will receive for the
ensuing school year is less than the sum the district would otherwise be
paying for salaries for certificated professional employees.

(4) Nothing in this section shall prevent the board of trustees from of-
fering a renewed contract increasing the salary of any certificated person,
or from reassigning an administrative employee to a nonadministrative posi-
tion with appropriate reduction of salary from the preexisting salary level.
In the event the board of trustees reassigns an administrative employee to a
nonadministrative position, the board shall give written notice to the em-
ployee that contains a statement of the reasons for the reassignment. The
employee, upon written request to the board, shall be entitled to an informal
review of that decision. The process and procedure for the informal review shall be determined by the local board of trustees.

(5) Before a board of trustees can determine not to renew for reasons of an unsatisfactory report of the performance of any certificated person whose contract would otherwise be automatically renewed, such person shall be entitled to a reasonable period of probation. This period of probation shall be preceded by a written notice from the board of trustees with reasons for such probationary period and with provisions for adequate supervision and evaluation of the person’s performance during the probationary period. Such period of probation shall not affect the person’s renewable contract status. Consideration of probationary status for certificated personnel is consideration of the status of an employee within the meaning of section 74-206, Idaho Code, and may be held in executive session. If the consideration results in probationary status, the individual on probation shall not be named in the minutes of the meeting. A record of the decision shall be placed in the teacher’s personnel file.

(6) If the board of trustees takes action to immediately discharge or discharge upon termination of the current contract a certificated person whose contract would otherwise be automatically renewed, the action of the board shall be consistent with the procedures specified in section 33-513(5), Idaho Code, and furthermore, the board shall notify the employee in writing whether there is just and reasonable cause not to renew the contract or to reduce the salary of the affected employee, and if so, what reasons it relied upon in that determination.

(7) If the board of trustees takes action after the declaration of a financial emergency pursuant to section 33-522, Idaho Code, and such action is directed at more than one (1) certificated employee, and if mutually agreed to by both parties, a single informal review shall be conducted. Without mutual consent of both parties, the board of trustees shall use the following procedure to conduct a single due process hearing within sixty-seven (67) days or before June 22, whichever shall occur first:

(a) The superintendent or any other duly authorized administrative officer of the school district may recommend the change in the length of the term stated in the current contract or reduce the salary of any certificated employee by filing with the board of trustees written notice specifying the purported reasons for such changes.

(b) Upon receipt of such notice, the board of trustees, acting through its duly authorized administrative official, shall give the affected employees written notice of the reductions and the recommendation of the change in the length of the term stated in the current contract or the reduction of salary, along with written notice of a hearing before the board of trustees prior to any determination by the board of trustees.

(c) The hearing shall be scheduled to take place not less than six (6) days nor more than fourteen (14) days after receipt of the notice by the employees. The date provided for the hearing may be changed by mutual consent.

(d) The hearing shall be open to the public.
(e) All testimony at the hearing shall be given under oath or affirmation. Any member of the board, or the clerk of the board of trustees, may administer oaths to witnesses or affirmations by witnesses.

(f) The employees may be represented by legal counsel and/or by a representative of a local or state education association.

(g) The chairman of the board of trustees or the designee of the chairman shall conduct the hearing.

(h) The board of trustees shall cause an electronic record of the hearing to be made or shall employ a competent reporter to take stenographic or stenotype notes of all the testimony at the hearing. A transcript of the hearing shall be provided at cost by the board of trustees upon request of the employee.

(i) At the hearing, the superintendent or other duly authorized administrative officer shall present evidence to substantiate the reduction contained in such notice.

(j) The employees may produce evidence to refute the reduction. Any witness presented by the superintendent or by the employees shall be subject to cross-examination. The board of trustees may also examine witnesses and be represented by counsel.

(k) The affected employees may file written briefs and arguments with the board of trustees within three (3) days after the close of the hearing or such other time as may be agreed upon by the affected employees and the board of trustees.

(l) Within seven (7) days following the close of the hearing, the board of trustees shall determine and, acting through its duly authorized administrative official, shall notify the employees in writing whether the evidence presented at the hearing established the need for the action taken.

The due process hearing pursuant to this subsection shall not be required if the board of trustees and the local education association reach an agreement on issues agreed upon pursuant to section 33-522(3), Idaho Code.

(8) If the board of trustees, for reasons other than unsatisfactory service, for the ensuing contract year, determines to change the length of the term stated in the current contract, reduce the salary or not renew the contract of a certificated person whose contract would otherwise be automatically renewed, nothing herein shall require a probationary period.

(9) If the board of trustees, for reasons other than unsatisfactory service, for the ensuing contract year, determines to change the length of the term stated in the current contract or reduce the salary of a certificated person whose contract would otherwise be automatically renewed, nothing herein shall require any individualized due process proceeding. In such circumstance, the board shall hold a single informal review for all impacted employees. The process and procedure for the single informal review shall be determined by the local board of trustees.

SECTION 40. That Section 33-522, Idaho Code, be, and the same is hereby amended to read as follows:

33-522. FINANCIAL EMERGENCY. (1) Prior to declaring a financial emergency, the board of trustees shall hold a public meeting for the purpose of
receiving input concerning possible solutions to the financial problems facing the school district.

(2) If the state department of education certifies that one (1) or more of the conditions in paragraph (a), (b) or (c) of this subsection are is met, then the board of trustees may declare a financial emergency if it determines that the condition in paragraph (d) of this subsection is also met. Alternatively, the board of trustees may declare a financial emergency if it determines that either of the conditions in paragraph (eb) or (ec) of this subsection are met and the state department of education certifies that the condition set forth in paragraph (f) of this subsection is also met.

(a) Any of the base salary multipliers in section 33-1004E, Idaho Code, are reduced by one and one-half percent (1 1/2%) or more from any prior fiscal year.

(b) The minimum instructional salary provision in section 33-1004E, Idaho Code, is reduced by one and one-half percent (1 1/2%) or more from any prior fiscal year.

(c) The amount of total general fund money appropriated per support unit student-based foundation funding is reduced by greater than three percent (3%) from the original general fund appropriation per support unit of any prior fiscal year.

(eb) The amount of property tax revenue to be collected by the school district that may be used for any general fund purpose, with the exception of any emergency levy funds, is reduced from the prior fiscal year, and the amount of said reduction represents more than one and one-half percent (1 1/2%) of the school district's general fund budget for combined state and local revenues from the prior fiscal year.

(ec) The school district's general fund has decreased by at least one and one-half percent (1 1/2%) from the previous year's level due to a decrease in funding or natural disaster, but not as a result of a drop in the number of support units or the index multiplier calculated pursuant to section 33-1004A, Idaho Code, or a change in the emergency levy.

(fd) The school district's unrestricted general fund balance, which excludes funds restricted by state or federal law and considering both anticipated expenditures and revenue, is less than five and one-half percent (5 1/2%) of the school district's unrestricted general fund budget at the time the financial emergency is declared or for the fiscal year for which the financial emergency is declared.

(3) Upon its declaration of a financial emergency, the board of trustees shall:

(a) Have the power to reopen the salary and benefits compensation aspects of the negotiated agreement, including the length of the certificated employee contracts and the amount of compensation and benefits; and

(b) If the parties to the negotiated agreement mutually agree, reopen other matters contained within the negotiated agreement directly affecting the financial circumstances in the school district.

If the board of trustees exercises the power provided in this subsection consistent with the requirements of subsection (2) of this section, both the board of trustees and the local education association shall meet and confer in good faith for the purpose of reaching an agreement on such issues.

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(4) If, after the declaration of a financial emergency pursuant to subsection (2) of this section, both parties have met and conferred in good faith and an agreement has not been reached, the board of trustees may impose its last, best offer, following the outcome of the due process hearing held pursuant to section 33-515(7), Idaho Code.

(5) A financial emergency declared pursuant to subsection (2) of this section shall be effective for only one (1) fiscal year at a time and shall not be declared by the board of trustees for a second consecutive year, unless so qualified by additional reductions pursuant to the conditions listed in subsection (2) of this section.

(6) The time requirements of sections 33-514(2) and 33-515(2), Idaho Code, shall not apply in the event a financial emergency is declared pursuant to subsection (2) of this section.

SECTION 41. That Section 33-701, Idaho Code, be, and the same is hereby amended to read as follows:

33-701. FISCAL YEAR -- PAYMENT AND ACCOUNTING OF FUNDS. The fiscal year of each school district shall be a period of twelve (12) months commencing on the first day of July in each year.

The board of trustees of each school district shall have the following powers and duties:

1. To determine and order paid all lawful expenses for salaries, wages and purchases, whether or not there be money in the treasury for payment of warrants drawn against any fund of the district. Warrants shall be signed by the treasurer of the district and countersigned by the chairman or vice-chairman of the board of trustees.

Whenever any school district has sufficient funds on deposit to do so, it may pay any allowed claim for salaries, wages or purchases by regular bank check signed by the treasurer or assistant treasurer of the district and countersigned by the chairman, or vice-chairman, of the board of trustees.

The total amount of warrants or orders for warrants drawn on any fund, together with disbursements from such fund in any other manner made, shall not exceed ninety-five percent (95%) of the estimated income and revenue accrued or accruing to such fund for the same school year, until such income and revenue shall have been paid into the treasury to the credit of the district;

2. To invest all or part of any plant facilities reserve fund, or any fund accumulated for the payment of interest on, and the redemption of, outstanding bonds, or other obligations of the district in bonds or certificates of indebtedness of the United States of America, or in bonds or investments permitted by sections 67-1210 and 67-1210A, Idaho Code, or warrants of the state of Idaho, or in warrants or tax anticipation notes of any county or school district of the state of Idaho, when such investments shall be due and payable on or before the date any plant facilities reserve fund shall be required to be expended or any bonds or other obligations, or interest thereon, of the investing district shall become payable.

Whenever in the judgment of the board of trustees, the proceeds of any bond issue should be temporarily invested pending the expenditure of such proceeds for the purposes for which such bonds were issued, the proceeds may be invested in the manner and form hereinabove prescribed. Any interest, or
profits accruing from such investments shall be used for the purposes for
which the bonds were issued. Unless otherwise provided by law, any interest
or profits accruing from the investment of any funds shall be credited to the
general fund of the district;
3. To insure any schoolhouse and other property, and the district, against any loss by fire, casualty, or liability, and the board, its officers
and employees, and to preserve its property for the benefit of the district.
In case of loss of any insured property, any proceeds from insurance:
(a) May be expended in constructing a temporary or permanent structure,
but no sum greater than the insurance proceeds shall be so expended ex-
cept upon approval of a majority of the school district electors voting
in an election called for that purpose; or
(b) May be placed in and made a part of the school plant facilities re-
serve fund of the district, if the district has such a fund; or
(c) May be placed in a separate account in the bond interest and rede-
pensation fund of the district to repay any kind of obligation incurred by the
district in replacing or restoring the property for which the insurance
proceeds were received, and shall not be included in the computations
of bond and bond interest levies as provided in section 33-802A, Idaho
Code.
If the proceeds of any insurance received by a school district by reason
of loss on real property shall be less than five thousand dollars ($5,000),
such proceeds may be credited to the general fund of the district;
4. To pay from the general fund of the district the expense of any mem-
er of the board incurred while traveling on the business of the board, or
attending any meeting called by the state board of education or by the state
superintendent of public instruction, or attending any annual or special
meetings of the state school trustees association, and to pay the membership
fee of the board of trustees in said association. Whenever any member of
the board of trustees resides at such distance from the meeting place of the
board as to require, in the judgment of the board, such member to incur extra-
ordinary expense in traveling from his home to and from said meeting place,
the board may approve payment to such member of the extraordinary expense
incurred in attending any meeting of the board.
For the purpose of this paragraph, the term "expense" or "extraordinary
expense" shall include allowance for mileage or actual travel expense in-
curred;
5. To prepare, or cause to be prepared and published, in the manner
hereinafter prescribed, within one hundred twenty (120) days from the last
day of each fiscal year, an annual statement of financial condition and
report of the school district as of the end of such fiscal year in a form
prescribed by the state superintendent of public instruction. Such annual
statement shall include, but not be limited to, the amounts of money budgeted
and received and from what sources, and the amounts budgeted and expended for
salaries and other expenses by category. Salaries may be reported in gross
amount. Each school district shall have available at the administrative
office, upon request, a full and complete list of vendors and the amount paid
to each and a list of the number of teachers paid at each of the several stated
gross salary levels in effect in the district.
Nothing herein provided shall be construed as limiting any school district as to any additional or supplementary statements and reports it may elect to make for the purpose of informing the public of its financial operations, either as to form, content, method, or frequency; and if all the information required herein to be published shall have been published as provided herein at regular intervals during the fiscal year covering successive portions of the fiscal year, then such information may be omitted from the annual statement of financial condition and report for such portions of the fiscal year as already have been reported.

The annual statement of financial condition and report shall be published within the time above prescribed in one (1) issue of a newspaper printed and published within the district, or, if there be none, then in a newspaper as provided in section 60-106, Idaho Code, published within the district, or, if there be none, then in a newspaper as provided in section 60-106, Idaho Code, in the county in which the school district is located, or, if more than one (1) newspaper is published in said district or county, then in the newspaper most likely to give best general notice of the contents of such annual statement of financial condition and report to the residents of said district; provided, that if no newspaper is published in the district or county, then such statement of financial condition and report shall be published in a newspaper as provided in section 60-106, Idaho Code, most likely to give best general notice of the contents to the residents of said district.

The chairman, clerk and treasurer of each school district shall certify the annual statement of financial condition and report to be true and correct, and the certification shall be included in each published statement.

In the event the board of trustees of any school district shall fail to prepare or cause to be prepared or to publish the annual statement of financial condition and report as herein required, the state superintendent of public instruction shall cause the same to be prepared and published, and the cost thereof shall be an obligation of the school district. One (1) copy of the annual statement of financial condition and report shall be retained in the office of the clerk of the board of school trustees, where the same shall be open at all times to examination and inspection by any person;

6. To cause to be made a full and complete audit of the financial statements of the district as required in section 67-4508, Idaho Code.

The auditor shall be employed on written contract.

One (1) copy of the audit report shall be filed with the state department of education, after its acceptance by the board of trustees, but not later than November 10. If the audit report is not received by the state department of education by November 10, the department may withhold all or a portion of the district's November December 15 distribution made pursuant to section 33-10093, Idaho Code, for noncompliance with the audit report deadline. Provided however, a district may appeal to the state board of education for reconsideration, in which case the state board of education may reinstate or adjust the funds withheld.

In the event the state department of education requests further explanation or additional information regarding a school district's audit report, such school district shall provide a full and complete response to the state department of education within thirty (30) days of receipt of the
state department's request. If a school district fails to respond within the thirty (30) day time limit, the state department of education may withhold all or a portion of the district's next scheduled distribution to be made pursuant to section 33-10093, Idaho Code. Provided however, a district may appeal to the state board of education for reconsideration, in which case the state board of education may reinstate or adjust the funds withheld;

7. To file annually with the state department of education such financial and statistical reports as said state superintendent of public instruction may require;

8. To order and have destroyed any canceled check or warrant, or any form of claim or voucher which has been paid, at any time after five (5) years from the date the same was canceled and paid;

9. To review the school district budget periodically and make appropriate budget adjustments to reflect the availability of funds and the requirements of the school district. Any person or persons proposing a budget adjustment under this section shall notify in writing each member of the board of trustees one (1) week prior to the meeting at which such proposal will be made. Prior to the final vote on such a proposal, notice shall be posted and published once, as prescribed in section 33-402, Idaho Code. A budget adjustment shall not be approved unless voted affirmatively by sixty percent (60%) of the members of the board of trustees. Such amended budgets shall be submitted to the state superintendent of public instruction;

10. To invest any money coming into the hands of the school district in investments permitted by section 67-1210, Idaho Code. Unless otherwise provided by law, any interest or profits accruing from the investment of any funds shall be credited to the general fund of the district.

SECTION 42. That Section 33-801A, Idaho Code, be, and the same is hereby amended to read as follows:

33-801A. GENERAL FUND CONTINGENCY RESERVE. The board of trustees of any school district may create and establish a general fund contingency reserve within the annual school district budget. Such general fund contingency reserve shall not exceed five per cent (5%) of the total general fund budget, or the equivalent value of one (1) support unit computed as required by section 33-1002, Idaho Code, whichever is greater. Disbursements from said fund may be made by resolution from time to time as the board of trustees determines necessary for contingencies that may arise. The balance of said fund shall not be accumulated beyond the budgeted fiscal year. If any money remains in the contingency reserve it shall be treated as an item of income in the following year's budget.

SECTION 43. That Section 33-804, Idaho Code, be, and the same is hereby amended to read as follows:

33-804. SCHOOL PLANT FACILITIES RESERVE FUND LEVY. In any school district in which a school plant facilities reserve fund has been created, either by resolution of the board of trustees or by apportionment to new districts according to the provisions of section 33-901, Idaho Code, to provide funds therefor the board of trustees shall submit to the qualified school

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electors of the district the question of a levy not to exceed four-tenths of
one percent (.4%) of market value for assessment purposes in each year, as
such valuation existed on December 31 of the previous year, for a period not
to exceed ten (10) years.

The question of a levy to be submitted to the electors of the district
and the notice of such election shall state the dollar amount proposed to be
collected each year during the period of years in each of which the collect-
on is proposed to be made, the percentage or votes in favor or the proposal
which are needed to approve the proposed dollar amount to be collected, and
the purposes for which such funds shall be used. Said notice shall be given,
the election shall be held subject to the provisions of section 34-106, Idaho
Code, and conducted and the returns canvassed as provided in title 34, Idaho
Code; and the dollar amount to be collected shall be approved only if:

(1-) Fifty-five percent (55%) of the electors voting in such election
are in favor thereof if the levy will result in a total levy for school plant
facilities and bonded indebtedness of less than two-tenths of one percent
(.2%) of market value for assessment purposes as such valuation existed on
December 31 of the year immediately preceding the election;

(2-) Sixty percent (60%) of the electors voting in such election are in
favor thereof if the levy will result in a total levy for school plant facil-
ities and bonded indebtedness of two-tenths of one percent (.2%) or more and
less than three-tenths of one percent (.3%) of market value for assessment
purposes as such valuation existed on December 31 of the year immediately
preceding the election; or

(3-) Two-thirds (2/3) of the electors voting in such election are in fa-
vor thereof if the levy will result in a total levy for school plant facili-
ties and bonded indebtedness of three-tenths of one percent (.3%) or more of
market value for assessment purposes as such valuation existed on December
31 of the year immediately preceding the election.

If the question be approved, the board of trustees may make a levy, not
to exceed four-tenths of one percent (.4%) of market value for assessment
purposes as such valuation existed on December 31 of the previous year, in
each year for which the collection was approved, sufficient to collect the
dollar amount approved and may again submit the question at the expiration
of the period of such levy, for the dollar amount to be collected during each
year, and the number of years which the board may at that time determine. Or,
during the period approved at any such election, if such period be less than
ten (10) years or the levy be less than four-tenths of one percent (.4%) of
market value for assessment purposes as such valuation existed on December
31 of the previous year, the board of trustees may submit to the qualified
school electors in the same manner as before, the question whether the number
of years, or the levy, or both, be increased, but not to exceed the maximum
herein authorized. If such increase or increases be approved by the elect-
ors, the terms of such levy shall be in lieu of those approved in the first
instance, but disapproval shall not affect any terms theretofore in effect.

Any bonded indebtedness incurred in accordance with the provisions of
section 33-1103, Idaho Code, subsequent to the approval of a plant facili-
ties reserve fund levy shall not affect the terms of that levy for any time
during which such levy is in effect.
(4-) In any fiscal year in which the state department of education certifies that the state-wide per support unit funding for salary-based apportionment and discretionary funds student-based foundation funding has decreased, in the aggregate, from the prior fiscal year, the board of trustees of any school district with a previously approved plant facilities levy may submit to the qualified electors of the school district the question of converting a previously approved plant facilities levy to a supplemental levy, subject to the following:

(a) The term of the supplemental levy shall not exceed the lesser of two (2) years or the remaining term on the previously approved plant facilities levy; and

(b) The first tax year of conversion shall be the one in which the revenues collected will accrue to the fiscal year in which the state department of education certifies that the condition stated in subsection (4-) of this section exists; and

(c) Up to one hundred percent (100%) of the previously approved plant facilities levy amount may be converted; and

(d) Conversion of a plant facilities levy to a supplemental levy shall not affect any other supplemental levy; and

(e) The question to be submitted to the electors of the district and the notice of such election shall state the dollar amount proposed to be converted each year, the number of years to be converted, the percentage of the plant facilities levy that is proposed for conversion, and the purposes for which such funds shall be used; and

(f) Prior to January 1, 2011, the election notice shall be given, the election shall be conducted and the returns canvassed as provided in chapter 4, title 33, Idaho Code. On and after January 1, 2011, the election notice shall be given, the election shall be held subject to the provisions of section 34-106, Idaho Code, and conducted and the returns canvassed as provided in title 34, Idaho Code; and

(g) The dollar amount to be converted and collected shall be approved only if a majority of the electors voting in the election are in favor; and

(h) Upon expiration of the term of conversion, the supplemental levy shall revert to the previously approved plant facilities levy for any approved years remaining on the balance of its term; and

(i) Any years in which a previously approved plant facilities levy is converted to a supplemental levy pursuant to this subsection shall count against the years for which the plant facilities levy was approved; and

(j) If a majority of the electors voting in the election fail to vote in favor, the previously approved plant facilities levy shall not be affected.

SECTION 44. That Section 33-805, Idaho Code, be, and the same is hereby amended to read as follows:

33-805. SCHOOL EMERGENCY FUND LEVY. (1) Before the second Monday of September in each year, the board of trustees of any school district which qualifies under the provisions of this section may certify its need hereun-
order to the board of county commissioners in each county in which the district
may lie, and request a school emergency fund levy upon all taxable property
in the district.

(2) The board of trustees shall compute the number of pupils in aver-
age daily attendance students enrolled in the schools of the district as of
such date, and if there be pupils in average daily attendance students en-
rrolled above the number in average daily attendance of students enrolled for
the same period of the school year immediately preceding the board shall:

1. (a) Divide the total of the student-based foundation program al-
    lowance funding based on said last annual report by the total number of
    pupils in average daily attendance students enrolled shown thereon;
    2. (b) Multiply the quotient so derived by the number of additional
    pupils in average daily attendance students enrolled.

(3) The number of pupils in average daily attendance students enrolled
for each period and the amount so computed shall be certified to the board of
county commissioners of the county in which the district lies.

(4) In the case of a joint district, the board of trustees shall cer-
tify to the board of county commissioners of each county in which the dis-
trict lies, to each, that proportion of the amount computed, as hereinabove,
and the assessed value of taxable property within the district situate in each
such county bears to the total assessed value of all taxable property in the
district.

(5) After receiving the amounts certified, as hereinabove provided,
the board, or boards, of county commissioners shall determine the levy ac-
cording to section 63-805(3), Idaho Code, as amended; and the proceeds of any
such levy shall be credited to the general fund of the district.

(6) The school district shall advertise its intent to seek an emer-
gency levy pursuant to this section by publishing in at least the newspaper
of largest paid circulation published in the county of the district, or if
there is no such newspaper, then in a newspaper published nearest to the dis-
trict where the advertisement is required to be published. For purposes of
this section, the definition of "newspaper" shall be as established in sec-
tions 60-106 and 60-107, Idaho Code; provided further that the newspaper of
largest circulation shall be established by the statement of average annual
paid weekday circulation listed on the newspaper's sworn statement of own-
ership that was filed with the United States post office on a date most recently
preceding the date on which the advertisement required in this section is to
be published. The advertisement shall be run when the school district ascer-
tains that it will request an emergency school fund levy as provided in this
section and shall be published once a week for two (2) weeks following action
by the board of trustees.

(7) The form and content of the notice shall be substantially as fol-

NOTICE OF PROPERTY TAX INCREASE BY SCHOOL BOARD

The (name of the school district) has proposed to increase the amount of
ad valorem tax dollars it collects by certifying a school emergency fund levy
pursuant to section 33-805, Idaho Code, for the period ........... to ..........
. The total amount of dollars to be collected pursuant to this levy is esti-
mated to be ............ . The amount of dollars to be collected pursuant to

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this levy on a typical home of $50,000 taxable value of last year is estimated to be ......... . The amount of dollars to be collected pursuant to this levy on a typical farm of $100,000 taxable last year is estimated to be ......... . The amount of dollars to be collected pursuant to this levy on a typical business of $200,000 taxable value of last year is estimated to be ......... .

CAUTION TO TAXPAYER: The amounts shown in this schedule do NOT reflect tax charges that are made because of voter approved bond levies, override levies, supplemental levies, or levies applicable to newly annexed property. Also the amounts shown in this schedule are an estimate only and can vary with the amount of dollars and the levy amount certified and the taxable value of individual property.

SECTION 45. That Section 33-905, Idaho Code, be, and the same is hereby amended to read as follows:

33-905. SCHOOL DISTRICT BUILDING ACCOUNT -- PAYMENTS TO ACCOUNT -- MONEYS APPROPRIATED TO STATE BOARD -- APPLICATION FOR MONEYS -- PAYMENTS TO DISTRICTS -- REPORTS ON APPLICATIONS -- USES OF MONEYS. (1) The state of Idaho, in order to fulfill its responsibility to establish and maintain a general, uniform and thorough system of public, free common schools, hereby creates and establishes the school district building account in the state treasury. The school district building account shall have paid into it such appropriations or revenues as may be provided by law.

(2) By not later than August 31, moneys in the account pursuant to distribution from section 67-7434, Idaho Code, the lottery dividends and interest earned thereon, shall be distributed to each of the several school districts, in the proportion that the average daily attendance student enrollment count of that district for the previous school year bears to the total average daily attendance enrollment count of the state during the previous school year. For the purposes of this subsection (2) only, the Idaho school for the deaf and the blind shall be considered a school district, and shall receive a distribution based upon the average daily attendance student enrollment count of the school. Average daily attendance student enrollment counts shall be calculated determined as provided in section 33-1002(3), Idaho Code, and rules promulgated pursuant to that code section. For the purposes of this subsection (2) only, any school for the deaf and the blind operated by the Idaho bureau of educational services for the deaf and the blind shall be considered a school district, and shall receive a distribution based upon the average daily attendance student enrollment count of the school.

(3) Any other state moneys that may be made available shall be distributed to meet the requirements of section 33-1019, Idaho Code. If the amount of such funds exceeds the amount needed to meet the provisions of section 33-1019, Idaho Code, then the excess balance shall be transferred to the public education stabilization fund.

(4) All payments from the school district building account shall be paid out directly to the school district in warrants drawn by the state controller upon presentation of proper vouchers from the state board of education. Pending payments out of the school district building account, the moneys in the account shall be invested by the state treasurer in the same
manner as provided under section 67-1210, Idaho Code, with respect to other
idle moneys in the state treasury. Interest earned on the investments shall
be returned to the school district building account.
(5) Payments from the school district building account received by a
school district shall be used by the school district for the purposes autho-
rized in section 33-1019, Idaho Code, up to the level of the state match so
required. Any payments from the school district building account received
by a school district that are in excess of the state match requirements of
section 33-1019, Idaho Code, may be used by the school district for the pur-
poses authorized in section 33-1102, Idaho Code.

SECTION 46. That Section 33-906, Idaho Code, be, and the same is hereby
amended to read as follows:

33-906. BOND LEVY EQUALIZATION SUPPORT PROGRAM. (1) Pursuant to sec-
tion 33-906B, Idaho Code, school districts with a value index below one (1)
shall be eligible to receive additional state financial assistance for the
cost of annual bond interest and redemption payments made on bonds passed on
or after September 15, 2002. However, any school district with a value index
of less than one and one-half (1.5), shall receive no less than ten percent
(10%) of the interest cost portion of the annual bond interest and redemption
payment for bonds passed on or after September 15, 2002. The state depart-
ment of education shall disburse such funds to school districts from mon-
eys appropriated from the bond levy equalization fund. The department shall
disburse the funds by no later than September 1 of each year for school dis-
tricts in which voters have approved the issuance of qualifying bonds by no
later than January 1 of that calendar year, and which are certifying a qual-
ifying bond interest and redemption payment for the fiscal year in which the
disbursement is made. For districts with a value index below one (1), the
percentage of each annual bond interest and redemption payment that is paid
by the state shall be determined by dividing the difference between one (1)
and the school district's value index by one (1).

(2) For the purposes of this section, the annual bond interest and re-
demption payment shall be determined by dividing the total payment amounts
by the number of fiscal years in which payments are to be made. The inter-
est cost portion of the annual bond interest and redemption payment shall be
determined by dividing the total interest paid by the number of fiscal years
in which payments are to be made. For school districts not qualifying for
a state payment in the first year of the bond interest and redemption pay-
ment schedule, due solely to the January 1 eligibility deadline, the state
department of education shall distribute an additional payment in the next
fiscal year, in the amount of such funds that the school district would have
otherwise qualified for in the current fiscal year.

(3) The provisions of this section may not be utilized to refinance
existing debt or subsidize projects previously subsidized by state grants,
unless the existing debt being refinanced is a bond passed on or after
September 15, 2002; provided however, that any school district that has
issued qualifying bonds prior to June 30, 2004, in conformance with this sec-
tion shall not be deemed to be refinancing existing debt when the qualifying
bonds are utilized to finance the acquisition of public school facilities

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previously leased or financed through means other than the issuance of general obligation bonds approved by a two-thirds (2/3) vote at an election called for that purpose subject to subsection (5) of this section.

(4) School districts shall annually report the status of all qualifying bonds to the state department of education by January 1 of each year, including bonds approved by the voters, but not yet issued. Information submitted shall include the following:
   (a) The actual or estimated bond interest and redemption payment schedule;
   (b) Any qualifying bond that has been paid off;
   (c) Other information as may be required by the state department of education.

(5) No school district project eligible for participation in the bond levy equalization support program shall be deemed ineligible for participation due to that school district project’s eligibility and prior participation in the safe school facilities loan and grant program or the Idaho safe schools facilities program under section 33-804A, 33-1017 or 33-1613, Idaho Code, provided that:
   (a) Such school district notifies the state department of education of its desire and eligibility to participate in the bond levy equalization support program; and
   (b) Such school district shall receive no state financial assistance for the project under the bond levy equalization support program until the amount to which it would otherwise have been entitled to receive shall equal the amounts received by the school district under the safe school facilities loan and grant program or the Idaho safe schools facilities program under section 33-804A, 33-1017 or 33-1613, Idaho Code.

(6) Any school district formed as a result of the consolidation of two or more school districts that passes an eligible bond within three (3) years of the successful consolidation election shall participate in the bond levy equalization support program at the district’s actual value index minus twenty-five hundredths (.25). This adjustment shall apply for the duration of the bond interest and redemption payment schedule. If a school district advantaged by this subsection (6) deconsolidates either during the applicable bond interest and redemption payment schedule, or within a three (3) year period thereafter, each deconsolidated district shall, upon deconsolidation, repay to the bond levy equalization fund all additional subsidies received pursuant to this subsection (6). The proportions owed by each deconsolidated district shall be determined by the proportion that each district’s market value for assessment purposes bears to the whole.

SECTION 47. That Section 33-906B, Idaho Code, be, and the same is hereby amended to read as follows:

33-906B. VALUE INDEX CALCULATION. (1) The state department of education shall establish a value index for each school district, based on each school district’s market value per support unit average unweighted student counts for equalization purposes, the average annual seasonally-adjusted unemployment rate in the county in which a plurality of the school district’s market value for assessment purposes of taxable property is located and the

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per capita income in the county in which a plurality of the school district's market value for assessment purposes is located. The value index for each school district shall be calculated as the sum of the following three (3) components:

(i) The state department of education shall annually calculate each school district's market value per support unit average unweighted student counts, based on the market values that would be used to calculate a bond levy, and the statewide average. The first portion of the value index shall be calculated by dividing the school district's figure by the statewide average figure and dividing the result of this calculation by two (2).

(ii) The second portion of the value index shall be calculated by dividing the statewide unemployment rate by the unemployment rate in the county in which a plurality of the school district's market value for assessment purposes of taxable property is located, and dividing the result of this calculation by four (4). For the purposes of this subsection paragraph, the statewide unemployment rate and county unemployment rates shall be based on the most recent average annual seasonally-adjusted unemployment rate data reported by the United States department of labor, for which there is a complete calendar year of data.

(iii) The third portion of the value index shall be calculated by dividing the county per capita income in the county in which a plurality of the school district's market value for assessment purposes of taxable property is located by the statewide per capita income, and dividing the result of this calculation by four (4). For the purposes of this subsection paragraph, the statewide per capita income and county per capita income shall be based on the most recent data reported by the United States department of commerce, for which there is a complete calendar year of data.

(2) If a bond is passed by a subdistrict created pursuant to section 33-351, Idaho Code, the index used shall be that of the school district. For subdistricts created as a result of consolidation, for the purposes of retiring prior bonded indebtedness, pursuant to section 33-311, Idaho Code, the subdistrict shall retain the value index factor calculated in paragraph (a) of subsection (1) of this section, as such factor was calculated in the subdistrict's last fiscal year as a separate school district. The remaining components of the subdistrict's value index calculation shall be that of the consolidated school district, as calculated each year.

SECTION 48. That Section 33-1405, Idaho Code, be, and the same is hereby amended to read as follows:

33-1405. RATES OF TUITION -- TUITION CERTIFICATES. (1) The state department of education shall prepare and distribute all necessary forms; and shall issue to each school district, annually, a tuition certificate bearing a serial number, which certificate shall authorize the receiving district to charge and to bill for the tuition of its nonresident pupil students where tuition has not been waived.

(2) In determining tuition rates to be charged by any creditor school district, the state department of education shall compute the sum of that
district's maintenance and operation costs, depreciation on its buildings, equipment, and other property, and the interest, if any paid by it on bonded debt or registered warrants. The said state department of education shall then compute what proportion of the sum of said costs, depreciation and interest is allocable to elementary schools, and what proportion is allocable to secondary schools, in the district. The proportion allocable to elementary schools shall then be divided by the average daily attendance student enrollment count of elementary schools pupils, and the proportion allocable to secondary schools shall be divided by the average daily attendance student enrollment counts of secondary schools pupils, in the district, and the amount so determined shall be the gross per-pupilstudent cost, elementary or secondary, as the case may be. The net per-pupilstudent cost shall be the gross per-pupilstudent cost less the per-pupilstudent apportionment to the district of any student-based foundation program funds.

(3) Computations of tuition rates shall be made as of the school year next preceding the year for which tuition charges are determined and made.

(4) Charges for tuition made by any creditor school district shall be its net per-pupilstudent cost, as hereinabove defined; except that its gross per-pupilstudent cost shall be charged where any pupil student has transferred to the creditor district by transfer other than one prescribed by section 33-1403, Idaho Code, or where the home district of any pupil student attending school in the creditor district is without the state of Idaho.

(5) The board of trustees of a school district may request a waiver from the state board of education of any portion of the tuition rate determined pursuant to this section. A waiver request must be made for each individual student, and may be requested for up to four (4) years, subject to annual review by the local board of trustees. Waivers must be requested before April 1 of the year prior to the operative date.

SECTION 49. That Section 33-1406, Idaho Code, be, and the same is hereby amended to read as follows:

33-1406. BILLS OF TUITION. (1) Bills of tuition for nonresident pupils shall be rendered by each creditor district and for nonresident pupils attending any school of the creditor district under the provisions of section 33-1403 or 33-1404, Idaho Code, the bill of tuition shall be submitted to the home district of such pupils. In all other cases, the creditor district may submit to the parent of any nonresident pupil attending school in its district a bill of tuition of such pupil, and such parent shall be liable for the payment of said tuition, if so billed. Tuition reimbursement for nonresident pupils who are placed by court order under provisions of the Idaho juvenile corrections or child protective acts may be obtained by the creditor district through procedures established in section 33-10025, Idaho Code, for nonresident tuition-equivalency allowance.

(2) Each bill of tuition submitted to a home district shall show the serial number of the tuition certificate last issued to the creditor district by the state department of education and shall show also the number of pupils for whom tuition is charged, which charge shall be as shown by the said tuition certificate.
(3) Bills of tuition, if submitted other than annually, shall be apportioned according to the number of school months for which any such bill is applicable. A fraction of a school month shall be deemed a school month.

SECTION 50. That Section 33-1613, Idaho Code, be, and the same is hereby amended to read as follows:

33-1613. SAFE PUBLIC SCHOOL FACILITIES REQUIRED. (1) Definition. As used in this section, "public school facilities" means the physical plant of improved or unimproved real property owned or operated by a school district, a charter school, or a school for children in any grades kindergarten through twelve (12) that is operated by the state of Idaho, including school buildings, administration buildings, playgrounds, athletic fields, etc., used by schoolchildren or school personnel in the normal course of providing a general, uniform and thorough system of public, free common schools, but does not include areas, buildings or parts of buildings closed from or not used in the normal course of providing a general, uniform and thorough system of public, free common schools. The aspects of a safe environment conducive to learning as provided by section 33-1612, Idaho Code, that pertain to the physical plant used to provide a general, uniform and thorough system of public, free common schools are hereby defined as those necessary to comply with the safety and health requirements set forth in this section.

(2) Inspection. It is the duty of the board of trustees of every school district and the governing body for other schools described in subsection (1) of this section at least once in every school year to require an independent inspection of the school district's or other entity's school facilities to determine whether those school facilities comply with codes addressing safety and health standards for facilities, including electrical, plumbing, mechanical, elevator, fire safety, boiler safety, life safety, structural, snow loading, and sanitary codes, adopted by or pursuant to the Idaho uniform school building safety act, chapter 80, title 39, Idaho Code, adopted by the state fire marshal, adopted by generally applicable local ordinances, or adopted by rule of the state board of education and applicable to school facilities. The inspection shall be done pursuant to chapter 80, title 39, Idaho Code, or by an independent inspector professionally qualified to conduct inspections under the applicable code. The results of the inspection shall be presented to the administrator of the division of building safety and the board of trustees or other governing body for its review and consideration.

(3) Abatement required -- Reporting. The board of trustees or other governing body shall require that the unsafe or unhealthy conditions be abated and shall instruct the school district's or other entity's personnel to take necessary steps to abate unsafe or unhealthy conditions. The board of trustees or other governing body must issue a report in the same school year in which the inspections are made declaring whether any unsafe or unhealthy conditions identified have not been abated. The state board of education shall, by rule, provide for uniform reporting of unsafe and unhealthy conditions and for uniform reporting of abatement or absence of abatement of unsafe and unhealthy conditions. Copies of such reports shall
be provided to the administrator of the division of building safety and the
board of trustees of the school district.

(4) Costs of and plan of abatement. If the school district or other ent-
ity described in subsection (1) of this section can abate all unsafe or un-
healthy conditions identified with the funds available to the school dis-
trict or other entity, it shall do so, and it need not separately account for
the costs of abatement nor segregate funds expended for abatement. If the
school district or other entity cannot abate all unsafe or unhealthy condi-
tions identified with the funds available to it, the board of trustees or
other governing body shall direct that a plan of abatement be prepared. The
plan of abatement shall provide a timetable that shall begin no later than
the following school year and that shall provide for abatement with all de-
liberate speed of unsafe and unhealthy conditions identified. The abate-
ment plan shall be submitted to the administrator of the division of build-
ing safety. The school district or other entity shall immediately begin to
implement its plan of abatement and must separately account for its costs of
abatement of unsafe and unhealthy conditions and separately segregate funds
for the abatement of unsafe and unhealthy conditions as required by subsec-
tion (5) of this section.

(5) Special provisions for implementation of plan of abatement.
(a) Notwithstanding any other provisions of law concerning expenditure
of lottery moneys distributed to the school district or other entity,
all lottery moneys provided to the school district or other entity for
a school year in which the school district cannot abate unsafe or un-
healthy conditions identified and not legally encumbered to other uses
at the time and all lottery moneys for following school years shall be
segregated and expended exclusively for abatement of unsafe and un-
healthy conditions identified until all of the unhealthy and unsafe
conditions identified are abated, provided, if the school district has
obtained a loan from the safety and health revolving loan and grant
fund, the provisions of section 33-1017, Idaho Code, and the conditions
of the loan shall determine the use of the school district's lottery
moneys during the term of the loan.

(b) If the lottery moneys referred to in paragraph (a) of this subsec-
tion will, in the board of trustees' or other governing bodies' esti-
mation, be insufficient to abate the unsafe and unhealthy conditions
identified, the plan of abatement shall identify additional sources of
funds to complete the abatement of the unsafe and unhealthy conditions.
The board of trustees may choose from among the following sources, or
from other sources of its own identification, but the plan of abatement
must identify sufficient sources of funds for abatement.

(i) If the school district is not levying under chapter 8, ti-
tle 33, Idaho Code, at the maximum levies allowed by law for levies
that may be imposed by a board of trustees without an election, the
board of trustees may increase any of those levies as allowed by
law for the school year following the school year in which it was
unable to abate unsafe or unhealthy conditions identified.

(ii) If the school district is levying under chapter 8, title 33,
Idaho Code, at the maximum levies allowed by law for levies that
may be imposed by the board of trustees without an election; or,
if after increasing those levies to the maximum levies allowed by
law for levies that may be imposed by the board of trustees with-
out an election, there will still be insufficient funds to abate
unsafe or unhealthy conditions identified, the school district,
after giving notice and conducting a hearing, may declare a finan-
cial emergency and/or may apply for a loan or, if eligible, an in-
terest grant from the safety and health revolving loan and grant
fund as provided in section 33-1017, Idaho Code, to obtain funds to
abate the unsafe or unhealthy conditions identified.

(iii) Upon the declaration of a financial emergency, the board of
trustees shall have the power to impose a reduction in force, to
freeze some or all salaries in the school district, and/or to sus-
pend some or all contracts that may be legally suspended upon the
declaration of a financial emergency; provided, that when a board
of trustees declares a financial emergency, or when a declaration
of a financial emergency is imposed by the state treasurer pur-
suant to section 33-1017, Idaho Code, and there is a reduction in
force, some or all salaries are frozen, or some contracts are sus-
pended, the payments to the school district under the foundation
program of chapter 10, title 33, Idaho Code, and in particular the
staff allowances under that chapter, shall not be reduced during
the duration of the financial emergency as a result of a reduction
in force, frozen salaries, or suspended salaries from what the
staff allowance would be without the reduction in force, frozen
salaries or suspended contracts.

(c) All costs of abatement for a program implementing plans of abate-
ment under subsection (5) of this section must be separately accounted
for and documented with regard to abatement of each unsafe or unhealthy
condition identified. Funds obtained under section 33-1017, Idaho
Code, must be used exclusively to abate unsafe or unhealthy conditions
identified. Funds obtained pursuant to section 33-1017, Idaho Code,
in excess of funds necessary to abate unsafe or unhealthy conditions
identified must be returned as provided in section 33-1017, Idaho Code.

Return of these funds shall be judicially enforceable as provided in
section 33-1017, Idaho Code.

SECTION 51. That Section 33-1619, Idaho Code, be, and the same is hereby
amended to read as follows:

33-1619. VIRTUAL EDUCATION PROGRAMS. School districts LEAs may of-
fer instruction in the manner described for a virtual school in section
33-5202A, Idaho Code. For programs meeting such definition, the school dis-

triet LEA may count and report the average daily attendance enrollment count
of the program's students in the manner prescribed in section 33-5208(107),
Idaho Code. School districts LEAs may also offer instruction that is a
blend of virtual and traditional instruction. For such blended programs,
the school district LEA may count and report the average daily attendance
enrollment count of the program's students in the manner prescribed in
section 33-5208(107), Idaho Code. Alternatively, the school district LEA
may count and report the average daily attendance enrollment count of the

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blended program's students in the same manner as provided for traditional
programs of instruction, for the days or portions of days in which such stu-
dents attend a physical public school. For the balance of days or portions
of days, average daily attendance student enrollment may be counted in the
manner prescribed in section 33-5208(107), Idaho Code.

SECTION 52. That Section 33-1627, Idaho Code, be, and the same is hereby
amended to read as follows:

33-1627. MATH INITIATIVE. (1) The legislature finds that mathematical
skills are increasingly important to the future academic and career success
of students. The legislature further finds that student mathematical skills
are not currently meeting the needs of Idaho's economy and must be improved.
To this end, the state department of education shall promote the improvement
of mathematical instruction and student achievement through one (1) or more
of the following activities:
(a) Provide high quality professional development for teachers that is
intensive, ongoing and connected to classroom practice, that focuses on
student learning, aligns with school improvement priorities and goals,
and builds strong working relationships among teachers;
(b) Provide statewide online mathematical instruction programs that
furnish mathematical tutoring, remedial instruction and advanced in-
struction;
(c) Provide formative assessments to assist teachers in identifying
student mathematical skill levels, areas of deficiency and areas of
advancement.
(2) The cost of math initiative activities provided for in this section
shall be paid by the state department of education from moneys appropriated
for this program in the educational support program department's budget.

SECTION 53. That Section 33-2001, Idaho Code, be, and the same is hereby
amended to read as follows:

33-2001. DEFINITIONS. (1) "Ancillary personnel" means those persons
who render special services to exceptional children in regular or in addition
to regular or special class instruction as defined by the state board of
education.
(2) "Children with disabilities" means those children with cognitive
impairments, hearing impairments, deafness, speech or language impair-
ments, visual impairments, blindness, deaf-blindness, serious emotional
disturbance, orthopedic impairments, severe or multiple disabilities,
atlas, traumatic brain injury, developmental delay or specific learning
disabilities, and who by reason of the qualifying disability require special
education and related services. Children evaluated as having an intellectual
disability, a hearing impairment including deafness, a speech or language
impairment, a visual impairment including blindness, an emotional behav-
ioral disorder, an orthopedic impairment, autism, a traumatic brain injury,
another health impairment, a specific learning disability, deaf-blindness,
or multiple disabilities, and who, by reason thereof, need special education
or related services.
(3) "Exceptional children" means both children with disabilities and
gifted/talented children with regard to funding for school districts.
(4) "Gifted/talented children" means those students who are identified
as possessing demonstrated or potential abilities that give evidence of high
performing capabilities in intellectual, creative, specific academic or
leadership areas, or ability in the performing or visual arts and who require
services or activities not ordinarily provided by the school in order to
fully develop such capabilities.
(5) "Special education" or "special instructional service" means spe-
cially designed instruction or a related service, at no cost to the parents,
to meet the unique needs of an exceptional child.

SECTION 54. That Section 33-2004, Idaho Code, be, and the same is hereby
amended to read as follows:

33-2004. CONTRACTING BY APPROVED FORM FOR EDUCATION BY ANOTHER SCHOOL
DISTRICT, APPROVED REHABILITATION CENTER OR HOSPITAL, OR A CORPORATION. (1)
The trustees of a school district may contract on a form adopted by the state
superintendent of public instruction for the education of exceptional chil-
dren by another school district or by any private or public rehabilitation
center, hospital, corporation, or state agency approved by the state de-
partment of education and when the students are transferred from the school
district to the institution, corporation or district, said school district
shall agree to pay therefor to the institution, corporation or district con-
tracting to educate the students, amounts computed as follows:

½-(a) For each resident student educated by another school district,
the amount of the tuition rate certified for the receiving district un-
der the provisions of section 33-1405, Idaho Code;

When public school districts contract for the education of exceptional
children residing within the several districts, one (1) district shall be
designated as the educating district for the purpose herein.
½-(b) For each resident student educated by contract by a rehabilita-
tion center, hospital, corporation or state agency, the contract amount
cannot be greater than the educational costs of the student.

When any rehabilitation center, hospital, corporation or state agency
shall have contracted for the education of any exceptional children as de-

dined in this chapter all such children shall be enrolled in the district of
their residence; and the institution, hospital or corporation shall certify
to the home school district the daily record of attendance enrollment of each
such pupil student. The home district shall be eligible for reimbursement of
costs approved by the state superintendent of public instruction as provided
in this subsection and in section 33-1002B, Idaho Code.

(2) Reimbursement of approved costs shall be part of the district's
exceptional child contract allowance and cannot exceed the amount of state
support contracted students would generate if they were enrolled in an ed-
cucational program for which average daily attendance a student enrollment
count is computed.

SECTION 55. That Section 33-4602, Idaho Code, be, and the same is hereby
amended to read as follows:

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33-4602. ADVANCED OPPORTUNITIES -- RULEMAKING. (1) Students attending public schools in Idaho will be eligible for four thousand one hundred twenty-five dollars ($4,125) to use toward overload courses, dual credits, postsecondary credit-bearing examinations and career technical certificate examinations. Students may access these funds in grades 7 through 12 for:
(a) Overload courses, the distribution of which may not exceed two hundred twenty-five dollars ($225) per overload course. A student must take and successfully be completing a full credit load within a given school year to be eligible for funding of an overload course. An overload course must be taken for high school credit to be eligible for funding. To qualify as an eligible overload course for the program, the course must:
   (i) Be offered by a provider accredited by the organization that accredits Idaho public schools; and
   (ii) Be taught by an individual certified to teach the grade and subject area of the course in Idaho.
(b) Eligible dual credits, the distribution of which may not exceed seventy-five dollars ($75.00) per one (1) dual credit hour. Dual credit courses must be offered by a regionally accredited postsecondary institution. To qualify as an eligible dual credit course, the course must be a credit-bearing 100 level course or higher.
(c) Eligible postsecondary credit-bearing or career technical certificate examinations. The state department of education shall maintain a list of eligible exams and costs. Eligible examinations include:
   (i) Advanced placement (AP);
   (ii) International baccalaureate (IB);
   (iii) College-level examination program (CLEP); and
   (iv) Career technical examinations.
(d) Career technical education (CTE) including assessments that lead to a badge recognized by the division of career technical education. The division of career technical education shall maintain a list of eligible CTE examinations and costs.
(2) A student who has earned fifteen (15) postsecondary credits using the advanced opportunities program and who wishes to earn additional credits must first identify his postsecondary goals. Advisors shall counsel any student who wishes to take dual credit courses that the student should ascertain for himself whether the particular postsecondary institution that he desires to attend will accept the transfer of coursework credits under this section.
(3) These moneys may be used to pay an amount not to exceed the price to the student of such courses and examinations pursuant to the limitations stated in this section. Payments made under this section shall be made from the moneys appropriated for the educational support program. No later than January 15, the state department of education shall annually report to the education committees of the senate and the house of representatives details regarding the number of students benefiting from assistance with the cost of overload courses, dual credit courses and examinations, the number of credits awarded and amounts paid pursuant to this section during the previous school year.
(4) The board of each public school may set forth criteria by which a student may challenge a course. If a student successfully meets the criteria set forth by the board of the public school, then the student shall be counted as having completed all required coursework for that course. The public school, with the exception of Idaho tribal schools, shall be funded for such students based upon either actual hours of attendance or the course that the student has successfully passed, whichever is more advantageous to the public school, up to the maximum of one (1) full-time student.

(5) Any student who successfully completes public school grades 1 through 12 curriculum at least one (1) year early shall be eligible for an advanced opportunities scholarship. The scholarship may be used for tuition and fees at any Idaho public postsecondary educational institution. The amount of the scholarship shall equal thirty-five percent (35%) of the statewide average daily attendance-driven funding per enrolled pupil student for each year of grades 1 through 12 curriculum avoided by the student's early graduation. Each public school shall receive an amount equal to each such awarded scholarship for each student that graduates early from that public school. Students must apply for the scholarship within two (2) years of graduating from a public school.

(6) The state department of education shall reimburse public schools or public postsecondary educational institutions, as applicable, for such costs, up to the stated limits, within one hundred twenty-five (125) days of receiving the necessary data upon which reimbursements may be paid. The submission method and timelines of reimbursement data shall be determined by the state department of education. Payments will be made only for activity occurring and reported within each fiscal year.

(7) For public funding purposes, average daily attendance student enrollment shall be counted as normal for students participating in dual credit courses the same for students participating in dual credit courses pursuant to this section as it is for students who are not participating in dual credit courses.

(8) If a student fails to earn credit for any course for which the department has paid a reimbursement, the student must pay for and successfully earn credit for one (1) like course before the state department of education may pay any further reimbursements for the student. If a student performs inadequately on an examination for which the state department of education has paid a reimbursement, the public school shall determine whether the student must pay for and successfully pass such examination to continue receiving state funding. Repeated and remedial courses or examinations are not eligible for funding through these programs.

(9) The state department of education shall reimburse community colleges or counties, as applicable, for any out-of-district county tuition pursuant to section 33-2110A, Idaho Code. Such reimbursements shall be in an amount not to exceed fifty dollars ($50.00) per credit hour and only for dual credit courses taken pursuant to this section.

(10) Public schools shall establish timelines and requirements for participation in the program, including implementing procedures for the appropriate transcription of credits, reporting of program participation and financial transaction requirements. Public schools shall make reasonable efforts to ensure that any student who considers participating in the...
program also considers the challenges and time necessary to succeed in the
program, and schools shall make reasonable efforts to include guidance on
how the student's participation in the program contributes to prospective
college and career pathways. Such efforts by the district shall be performed
prior to a student participating in the program and throughout the student's
involvement in the program.

(11) Policies and procedures for participating in the program estab-
lished by the public school must be such that students have an opportunity
to participate in the program and meet district-established timelines and
requirements for financial transactions, transcribing credits and state
department of education reporting. Participation in this program requires
parent and student agreement to program requirements and completion of the
state department of education's participation form documenting the program
requirements.

(12) Parents of participating students may enroll their child in any
eligible course, with or without the permission of the public school in which
the student is enrolled. Tribal school students must follow their schools' enrollment policies and procedures. Public school personnel shall assist
parents in the process of enrolling students in such courses. Each particip-
ating student's high school transcript at the public school at which the
student is enrolled shall include the credits earned and grades received by
the student for any overload or dual credit courses taken pursuant to this
section. For an eligible course to be transcribed as meeting the require-
ments of a core subject as identified in administrative rule, the course must
meet the approved content standards for the applicable subject and grade
level.

(13) Participating public schools shall collaborate with Idaho public
postsecondary educational institutions to assist students who seek to par-
ticipate in dual credit courses or graduate from high school early by en-
rolling in postsecondary courses. Participating school districts, charter
schools and Idaho public postsecondary educational institutions shall re-
port to the state board of education and the education committees of the sen-
ate and the house of representatives any difficulties or obstacles they ex-
perience in providing assistance to participating students.

(14) The state board of education may promulgate rules to implement the
provisions of this chapter.

SECTION 56. That Section 33-5208, Idaho Code, be, and the same is hereby
amended to read as follows:

33-5208. PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. (1) Except as
provided in subsection (10) of this section, from the state educational
support program the state department of education shall make the following
appropriation to each public charter school for each fiscal year based on
attendance figures submitted in a manner and time as required by the depart-
ment of education: otherwise specifically provided in this section, public
charter schools shall be funded in the same manner and time frame as all other
local education agencies pursuant to the provisions of chapter 10, title 33,
Idaho Code.
(1) Per student support. Computation of support units for each public charter school shall be calculated as if it were a separate school according to the schedules in section 33-1002(4), Idaho Code, except that public charter schools with fewer than one hundred (100) secondary ADA shall use a divisor of twelve (12) and the minimum units shall not apply, and no public charter school shall receive an increase in support units that exceeds the support units it received in the prior year by more than thirty (30). Funding from the state educational support program shall be equal to the total distribution factor, plus the salary-based apportionment provided in chapter 10, title 33, Idaho Code. Provided however, any public charter school that is formed by the conversion of an existing traditional public school shall be assigned divisors, pursuant to section 33-1002, Idaho Code, that are no lower than the divisors of the school district in which the traditional public school is located, for each category of pupils listed.

(2) Special education. For each student enrolled in the public charter school who is entitled to special education services, the state and federal funds from the exceptional child education program for that student that would have been apportioned for that student to the school district in which the public charter school is located.

(3) Alternative school support. Public charter schools may qualify under the provisions of sections 33-1002 and 33-1002A, Idaho Code, provided the public charter school meets the necessary statutory requirements, and students qualify for attendance at an alternative school as provided by rule of the state board of education.

(4) Transportation support. Support shall be paid to the public charter school as provided in chapter 15, title 33, Idaho Code, and section 33-1006, Idaho Code. Each public charter school shall furnish the department with an enrollment count as of the first Friday in November, of public charter school students who are eligible for reimbursement of transportation costs under the provisions of this subsection and who reside more than one and one half (1 1/2) miles from the school. The state department of education is authorized to include in the annual appropriation to the charter school sixty percent (60%) of the estimated transportation cost. The final appropriation payment in July shall reflect reimbursements of actual costs pursuant to section 33-1006, Idaho Code. To be eligible for state reimbursement under the provisions of section 33-1006, Idaho Code, the student to be transported must reside within the public charter school's primary attendance area, and must meet at least one (1) of the following two (2) criteria:

(a) The student resides within the school district in which the public charter school is physically located, or

(b) The student resides within fifteen (15) miles of the public charter school, by road.

The limitations placed by this subsection on the reimbursement of transportation costs for certain students shall not apply to public virtual schools.

(52) Facilities funds. The state department of education shall distribute facilities funds to public charter schools for each enrolled student in which a majority of the student's instruction is received at a facility that is owned or leased by the public charter school. Such funds shall be used to defray the purchase, fee, loan or lease costs associated with pay-
ments for real property used by the students or employees of the public charter school for educational or administrative purposes. Such funds shall be distributed from the moneys appropriated to the public schools educational support program, and shall be calculated as a percentage of the statewide average amount of bond and plant facility funds levied per student by Idaho school districts, as follows:

<table>
<thead>
<tr>
<th>Fiscal Year 2014</th>
<th>Twenty Percent (20%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fiscal Year 2015</td>
<td>Thirty Percent (30%)</td>
</tr>
</tbody>
</table>

For fiscal year 2016 and each fiscal year thereafter, this percentage shall increase by ten percent (10%) each time the total appropriation of state funds for the public schools educational support program increases by three percent (3%) or more over the prior fiscal year, and shall decrease by ten percent (10%) each time the total appropriation of state funds for the public schools educational support program decreases as compared to the prior fiscal year. Provided however, that the percentage shall be no less than twenty percent (20%) and no greater than fifty percent (50%), and that the average amount of funding received per public charter school shall not exceed the average amount of funding received by each school district pursuant to the provisions of section 33-906, Idaho Code.

For those public charter schools that do not receive facilities funds for all enrolled students, the school may submit to the state department of education a reimbursement claim for any costs for which facilities funds may be used. The state department of education shall reduce such claim by the greater of fifty percent (50%) or the percentage of the school's enrolled students for which the school receives facilities funds, and shall pay the balance. Provided however, that the total reimbursements paid to a public charter school, in combination with any facilities stipend received by the school, shall not exceed the amount of facilities funds that would have been received by the school had the school received facilities funds for all enrolled students. For the purposes of this subsection, the term "real property" shall be used as defined in section 63-201, Idaho Code.

(63) Payment schedule. The state department of education is authorized to make an advance payment of twenty-five percent (25%) of a public charter school's estimated annual appropriation for its first year of operation, and each year thereafter, provided the public charter school is serving more grades or at least ten percent (10%) more classes than the previous year, to assist the school with initial start-up costs or payroll obligations. For a public charter school entering its second or greater year of operations, the state department of education may require documentation establishing the need for such an advance payment, including comparative class schedules and proof of a commensurate increase in the number of employees.

(a) For a public charter school to receive the advance payment, the school shall submit its anticipated fall membership for each grade level to the state department of education by June 1.

(b) Using the figures provided by the public charter school, the state department of education shall determine an estimated annual appropriation from which the amount of the advance payment shall be calculated.

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Advance payment shall be made to the school on or after July 1 but no later than July 31.

(c) All subsequent payments, taking into account the one-time advance payment made for the first year of operation, shall be made to the public charter school in the same manner as other traditional public schools in accordance with the provisions of section 33-10043, Idaho Code.

A public charter school shall comply with all applicable fiscal requirements of law, except that the following provisions shall not be applicable to public charter schools: that portion of section 32-1004, Idaho Code, relating to reduction of the administrative and instructional staff allowance and the pupil service staff allowance when there is a discrepancy between the number allowed and the number actually employed; and section 33-1004B, Idaho Code, for calculation of district staff indices.

(44) Nothing in this chapter shall be construed to prohibit any private person or organization from providing funding or other financial assistance to the establishment or operation of a public charter school.

(45) Each public charter school shall pay an authorizer fee to its authorized chartering entity, to defray the actual documented cost of monitoring, evaluation and oversight, which, in the case of public charter schools authorized by the public charter school commission, shall include each school’s proportional fee share of moneys appropriated from the public charter school authorizes fund to the public charter school commission, plus fifteen percent (15%). Provided however, that each public charter school’s board of directors may direct up to ten percent (10%) of the calculated fee to pay membership fees to an organization or association that provides technical assistance, training and advocacy for Idaho public charter schools. Unless the authorized chartering entity declines payment, such fee shall be paid by March 15 of each fiscal year and shall not exceed the greater of:

(a) All state funds distributed to public schools on a support unit basis based on student enrollment for the prior fiscal year, divided by the statewide number of public school students in average daily attendance enrolled in the first reporting period in the prior fiscal year; or

(b) The lesser of:
   (i) The result of the calculation in subsection (4) paragraph (a) of this subsection, multiplied by four (4); or
   (ii) One and one-half percent (1.5%) of the result of the calculation in subsection (4) paragraph (a) of this subsection, multiplied by the public charter school’s average daily attendance student enrollment in the first reporting period in the current fiscal year.

(46) Nothing in this chapter shall prevent a public charter school from applying for federal grant moneys.

(47) (a) Each student in attendance enrolled at a public virtual school shall be funded based upon either the actual hours of attendance in the public virtual school on a flexible schedule, or the percentage of coursework completed, whichever is more advantageous to the school, up to the maximum of one (1) full-time equivalent student.

(b) All federal educational funds shall be administered and distributed to public charter schools, including public virtual schools,
that have been designated as a local education agency (LEA), as provided
in section 33-5203(8), Idaho Code.
(11) Nothing in this section prohibits separate face-to-face learning
activities or services.
(12) The provisions of section 33-1021, Idaho Code, shall apply to pub-
lic charter schools provided for in this chapter.

SECTION 57. That Section 33-5210, Idaho Code, be, and the same is hereby
amended to read as follows:

33-5210. APPLICATION OF SCHOOL LAW -- ACCOUNTABILITY -- EXEMPTION
FROM STATE RULES. (1) All public charter schools are under the general super-
vision of the state board of education.
(2) Every authorized chartering entity that approves a charter shall be
responsible for ensuring that each public charter school program approved by
that authorized chartering entity meets the terms of the charter, complies
with the general education laws of the state unless specifically directed
otherwise in this chapter, and operates in accordance with the state educa-
tional standards of thoroughness pursuant to section 33-1612, Idaho Code.
(3) Each public charter school shall comply with the financial report-
ing requirements of section 33-701, subsections 5. through 10., Idaho Code,
in the same manner as those requirements are imposed upon school districts
and with laws governing safety including, but not limited to, sections
33-122 and 33-130, Idaho Code, and chapter 2, title 33, Idaho Code, and rules
promulgated thereunder.
(4) Other than as specified in this section, each public charter school
is exempt from rules governing school districts, which rules have been pro-
mulgated by the state board of education, with the exception of state rules
relating to:
   (a) Teacher Educator certification as necessitated by the provisions
of section 33-5206(3) and (4), Idaho Code;
   (b) Accreditation of the school as necessitated by the provisions of
section 33-5206(12), Idaho Code;
   (c) Qualifications of a student for attendance at an alternative school
as necessitated by the provisions of section 33-5208(3), Idaho Code;
   (d) Rules promulgated pursuant to section 33-1612, Idaho Code; and
   (e) All rules that specifically pertain to public charter schools pro-
mulgated by the state board of education.

SECTION 58. That Section 33-5214, Idaho Code, be, and the same is hereby
amended to read as follows:

33-5214. PUBLIC CHARTER SCHOOL AUTHORIZERS FUND. There is hereby cre-
ated in the state treasury a fund to be known as the "Public Charter School
Authorizers Fund," hereinafter referred to as "the fund." All authorizer
fees paid pursuant to section 33-5208(85), Idaho Code, for public charter
schools under the governance of the public charter school commission shall
be deposited in the fund. Moneys in the fund shall be appropriated to defray
the commission's cost of operations and the state department of education's

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cost of reviewing, approving and overseeing any charter school authorizers requiring department approval.

SECTION 59. That Section 33-5215, Idaho Code, be, and the same is hereby amended to read as follows:

33-5215. CAREER TECHNICAL REGIONAL PUBLIC CHARTER SCHOOL. (1) A career technical regional public charter school is hereby declared to be a public charter school and as such, the provisions of chapter 52, title 33, Idaho Code, shall apply to each career technical regional public charter school in the same manner and to the same extent as the provisions of charter school law apply to other public charter schools, with the exception of certain conditions and applications as specifically provided in this section.

(2) In addition to the approval provisions of this chapter, approval of a career technical regional public charter school by an authorized chartering entity shall not be final until the petition has also been reviewed by the division of career technical education.

(3) Funding for a career technical regional public charter school shall be the same as provided in section 33-5208, Idaho Code, except that:

(a) The salary based apportionment for a career technical regional public charter school shall be the statewide average for public charter schools. Such salary based apportionment may be used for payment of contracted services or for direct hire of staff;

(b) The board of directors may contract for the services of certificated and noncertificated personnel, to procure the use of facilities and equipment, and to purchase materials and equipment, which in the judgment of the board of directors is necessary or desirable for the conduct of the business of the career technical regional public charter school; and

(eb) Transportation support shall be paid to the career technical regional public charter school in accordance with the provisions of chapter 15, title 33, Idaho Code.

(4) A career technical regional public charter school shall provide assurances in state attendance reports that it has verified attendance enrollment reports, which generate ADA with its participating school districts, to make certain that the districts and the charter school do not duplicate enrollment or ADA claims.

SECTION 60. That Section 33-5217, Idaho Code, be, and the same is hereby amended to read as follows:

33-5217. PUBLIC CHARTER SCHOOL DEBT RESERVE. (1) There is hereby created the public charter school debt reserve to assist qualifying charter schools in obtaining favorable financing for facility improvements and construction. A public charter school seeking to use the public charter school debt reserve must receive approval from the Idaho housing and finance association pursuant to the criteria set forth in this section.

(2) A public charter school shall be qualified to use the public charter school debt reserve only upon satisfaction of the following conditions:
(a) The public charter school must demonstrate it has obtained one (1) of the following:
   (i) A letter of commitment from a national or state chartered financial institution;
   (ii) A letter of commitment from a nonprofit corporation;
   (iii) A letter of commitment from a community development financial institution; or
   (iv) A letter of commitment from a qualified underwriter or an investment firm;

(b) The public charter school must provide annual budgets and cash flow statements and must demonstrate satisfaction of each of the following criteria:
   (i) Projected future budgets, cash flows and operating reserves greater than sixty (60) days of cash on hand to support a debt service coverage greater than 1.20x;
   (ii) Cost to operate facility, including debt service, occupancy cost and operating expenses, not to exceed twenty percent (20%) of revenue;
   (iii) Audited financial statements with unqualified opinions for the prior three (3) years; and
   (iv) Certification from a school administrator that projected future budgets and cash flows are based on reasonable assumptions related to level or increasing projected enrollment or waitlist and projected total income, including any matching funds and donations contingent on receipt of a loan under this section; and

(c) The public charter school must obtain approval for issuance by the Idaho housing and finance association to act as a conduit issuer.

(3) Public charter schools that satisfy the requirements set forth in subsection (2) of this section shall receive approval from the Idaho housing and finance association to rely on the public charter school debt reserve fund for assistance in obtaining favorable financing for facility improvements and construction, so long as sufficient moneys exist pursuant to subsection (4) of this section. Eligible schools shall receive approval on a first-come basis according to date of completed application, in an amount not to exceed twenty-four (24) months of principal and interest payments.

(4) There is hereby established in the state treasury the public charter school debt reserve fund that shall consist of moneys made available through appropriations, fees, grants, gifts or any other source to fulfill the purposes of this section. Moneys in the fund are hereby continuously appropriated for the purposes of this section, and shall only be expended for the purposes stated herein. Qualifying schools annually shall pay an amount equal to ten (10) basis points of the principal amount of the debt for which it qualified to use the public charter school debt reserve, which shall be deposited into the public charter school debt reserve fund.

(5) Subject to the limitations of subsection (3) of this section, if a qualified public charter school defaults on an outstanding debt for which the Idaho housing and finance association has made the debt reserve available, and there is no other money available to the charter school to make the payment, money shall be withdrawn from the public charter school debt reserve fund to pay the principal, redemption price or interest on the out-
standing debt. Upon certification by the Idaho housing and finance associa-
tion to the superintendent of public instruction, payment shall be made from
the public charter school debt reserve fund toward the outstanding debt.

(6) If money has been withdrawn from the public charter school debt re-
serve fund for a public charter school pursuant to subsection (5) of this
section, then the superintendent of public instruction shall redirect the
money from such public charter school's allocation of facilities funds pur-
suant to section 33-5208(62), Idaho Code. Any money redirected shall be ac-
cording to a determined time and sequence of payments, over a period of years
until the amount so withdrawn has been repaid to the fund so long as the redi-
rection does not cause an event of default under the agreement(s) governing
the public charter school's obligation for which the debt reserve was made
available, excepting that any money withdrawn during any fiscal year shall
be repaid within ten (10) years.

SECTION 61. That Section 50-2908, Idaho Code, be, and the same is hereby
amended to read as follows:

50-2908. DETERMINATION OF TAX LEVIES -- CREATION OF SPECIAL FUND. (1)
For purposes of calculating the rate at which taxes shall be levied by or
for each taxing district in which a revenue allocation area is located, the
county commissioners shall, with respect to the taxable property located in
such revenue allocation area, use the equalized assessed value of such tax-
able property as shown on the base assessment roll rather than on the current
equalized assessed valuation of such taxable property, except the current
equalized assessed valuation shall be used for calculating the tax rate for:

(a) Levies for refunds and credits pursuant to section 63-1305, Idaho
Code, and any judgment pursuant to section 33-802(1), Idaho Code, cer-
tified after December 31, 2007;
(b) Levies permitted pursuant to section 63-802(3), Idaho Code, cer-
tified after December 31, 2007;
(c) Levies for voter approved general obligation bonds of any taxing
district and plant facility reserve fund levies passed after December
31, 2007;
(d) Levies set forth in paragraphs (a) through (c) of this subsection,
first certified prior to December 31, 2007, when the property affected
by said levies is included within the boundaries of a revenue allocation
area by a change in the boundaries of either the revenue allocation area
or any taxing district after December 31, 2007; and
(e) School levies for supplemental maintenance and operation pursuant
to section 33-802(3) and (4), Idaho Code, approved after December 31,
2007, and for emergency funds pursuant to section 33-805, Idaho Code,
approved after July 1, 2015.

(2) With respect to each such taxing district, the tax rate calculated
under subsection (1) of this section shall be applied to the current equal-
ized assessed valuation of all taxable property in the taxing district, in-
cluding the taxable property in the revenue allocation area. The tax rev-
venues thereby produced shall be allocated as follows:
(a) To the taxing district shall be allocated and shall be paid by the
county treasurer:
(i) All taxes levied by the taxing district or on its behalf on taxable property located within the taxing district but outside the revenue allocation area;
(ii) A portion of the taxes levied by the taxing district or on its behalf on the taxable property located within the revenue allocation area, which portion is the amount produced by applying the taxing district's tax rate determined under subsection (1) of this section to the equalized assessed valuation, as shown on the base assessment roll, of the taxable property located within the revenue allocation area; and
(iii) All taxes levied by the taxing district to satisfy obligations specified in subsection (1)(a) through (e) of this section.
(b) To the urban renewal agency shall be allocated the balance, if any, of the taxes levied on the taxable property located within the revenue allocation area.

(3) Upon enactment of an ordinance adopting a revenue allocation financing provision as part of an urban renewal plan, the urban renewal agency shall create a special fund or funds to be used for the purposes enumerated in this chapter. The revenues allocated to the urban renewal agency pursuant to this chapter shall be paid to the agency by the treasurer of the county in which the revenue allocation district is located and shall be deposited by the agency into one (1) or more of such special funds. The agency may, in addition, deposit into such special fund or funds such other income, proceeds, revenues and funds it may receive from sources other than the revenues allocated to it under subsection (2)(b) of this section.

(4) For the purposes of section 63-803, Idaho Code, during the period when revenue allocation under this chapter is in effect, and solely with respect to any taxing district in which a revenue allocation area is located, the county commissioners shall, in fixing any tax levy other than the levy specified in subsection (1)(a) through (e) of this section, take into consideration the equalized assessed valuation of the taxable property situated in the revenue allocation area as shown in the base assessment roll, rather than the current equalized assessed value of such taxable property.

(5) For all other purposes, including, without limitation, for purposes of sections 33-802, 32-1002 and 63-1313, Idaho Code, reference in the Idaho Code to the term "market value for assessment purposes" (or any other such similar term) shall mean market value for assessment purposes as defined in section 63-208, Idaho Code.

SECTION 62. That Section 57-1303, Idaho Code, be, and the same is hereby amended to read as follows:

57-1303. COUNTY APPORTIONMENT OF FOREST RESERVE FUNDS. The auditor of each county receiving a portion of this fund shall within ten (10) days of receipt of this money allot and distribute seventy percent (70%) of this money to the county general road fund and to the treasurer of the highway districts and good road districts in the county in proportion to the mileage of each within the county, to be expended for the construction and repair of roads and bridges, and thirty per cent (30%) to the various school districts and joint county school districts within the county in proportion to
the number of pupils in average daily attendance total unweighted student enrollment count in each district in the year immediately prior to this dis-
tribution. The distribution of such moneys to the respective school dis-
tricts entitled thereto shall be in addition to and without regard to any as-
sistance to such school districts from any and all other sources in maintain-
ing the minimum educational program and minimum transportation program.

SECTION 63. That Section 59-1115, Idaho Code, be, and the same is hereby
amended to read as follows:

59-1115. EMPLOYER'S PORTION OF SOCIAL SECURITY TAX FOR SCHOOL DIS-
TRICT PERSONNEL. (1) The board of trustees of each class of school district,
shall pay the employer's social security tax for its personnel, as required
by federal law.
(2) The department of education shall transmit to the school districts
from the appropriation made for that purpose the amount determined in sec-
tion 33-1004FP, Idaho Code.

SECTION 64. That Section 63-315, Idaho Code, be, and the same is hereby
amended to read as follows:

63-315. ASSESSMENT RATIOS AND THE DETERMINATION OF ADJUSTED MARKET
VALUE FOR ASSESSMENT PURPOSES FOR SCHOOL DISTRICTS. (1) The provisions of
this section shall apply only to charter districts levying a maintenance and
operation levy in the prior calendar year. For the purpose of this section,
adjusted market value for assessment purposes shall be the adjusted market
value for assessment purposes of all property assessed for property tax pur-
poses for the year referred to in sections 33-802 and 33-1002, Idaho Code.
(2) The state tax commission shall conduct a ratio study to annually as-
certain the ratio between the assessed value and the market value for assess-
ment purposes of all property assessed for property tax purposes. Said ratio
study shall be conducted in accordance with nationally accepted procedures.
From the ratio so ascertained the state tax commission shall compute the ad-
justed market value of all property assessed for property tax purposes.
(3) The ratio shall be computed in each school district and applied to
the market value for assessment purposes within each school district.
(4) Sales used in determining the ratio required by this section shall
be arm's length, market value property sales occurring in the year begin-
nning on October 1 of the year preceding the year for which the adjusted mar-
ket value is to be determined. The state tax commission may, at its discre-
tion, modify the sales period when doing so produces provably better repre-
sentativeness of the actual ratio in any school district. The state tax com-
mission may also add independently conducted appraisals when the state tax
commission believes that this procedure will improve the representativeness
and reliability of the ratio.
(5) Whenever the state tax commission is unable to determine with rea-
sonable statistical certainty that the assessed value within any school dis-
trict differs from the market value for assessment purposes, the state tax
commission may certify the assessed value to be the adjusted market value of
any school district.
(6) The state tax commission shall certify the adjusted market value of each school district to the state department of education and each county auditor no later than the first Monday in April each year. The state tax commission shall prepare a report indicating procedures used in computing the adjusted market value and showing statistical measures computed in the ratio study. The report of the state tax commission shall be made available for public inspection in the office of the county auditor.

(7) The state tax commission shall promulgate rules to implement the ratio study described in this section.

SECTION 65. That Section 63-805, Idaho Code, be, and the same is hereby amended to read as follows:

63-805. ANNUAL LEVIES. (1) The county commissioners of each county in this state may levy annually upon all taxable property of said county, a property tax for general county purposes, including the provision of public defender services, to be collected and paid into the county treasury and apportioned to the county current expense fund which levy shall not exceed twenty-six hundredths percent (.26%) of market value for assessment purposes of such property, or a levy sufficient to raise two hundred fifty thousand dollars ($250,000), whichever is greater. If a county establishes the justice fund, as provided in section 31-4602, Idaho Code, the maximum current expense levy shall be reduced to twenty hundredths percent (.20%) of market value for assessment purposes, or a levy sufficient to raise two hundred fifty thousand dollars ($250,000), whichever is greater.

(2) The county commissioners of each county in this state may levy upon all taxable property of said county, a property tax for the purposes set forth in the statutes authorizing a county justice fund, to be collected and paid into the county treasury and apportioned to the county justice fund, if one has been established. Said levy shall not exceed twenty hundredths percent (.20%) of market value for assessment purposes of such property, or a levy sufficient to raise two hundred fifty thousand dollars ($250,000), whichever is greater.

The county commissioners shall have the right to make a "general reserve appropriation," said appropriation not to exceed five percent (5%) of the county justice fund budget as finally adopted. The total levy, however, for the county justice fund, including the "general reserve appropriation," shall be within the limitations imposed by chapter 8, title 63, Idaho Code, or by any statutes of the state of Idaho in force and effect.

(3) Annually, before the second Monday in September, the board of trustees of any school district within the county having determined the number, if any, of pupils in average daily attendance students enrolled above the number included in the last annual report thereof, and the amount of money required to provide the educational support programs and transportation support programs for such additional pupils in average daily attendance students enrolled, as defined in chapter 10, title 33, Idaho Code, the county commissioners shall determine the total of such new requirements within the county and upon the taxable property situate within the district requesting the same, and the county commissioners shall levy a tax sufficient to provide such amount, provided in no case shall the levy be more than six-hundredths

Monday March 04, 2019 3:39 PM
percent (.06%) of the taxable value of the property to be collected and paid
to the requesting district.

(4) (a) The county commissioners of each county in this state may levy
annually upon all taxable property of its county, a property tax for the
acquisition, maintenance and operation of public parks or public recre-
ational facilities, to be collected and paid into the county treasury
and apportioned to a fund to be designated as the "parks and recreation
fund," which is hereby created, and such county commissioners may ap-
propriate otherwise unappropriated funds for such purposes. No levy
made under this subsection shall exceed one-hundredth percent (.01%) of
the market value for assessment purposes on all taxable property within
the district.

(b) Any funds unexpended from the "parks and recreation fund," or any
funds unexpended from the current year's certified parks and recreation
budget may be retained in, or deposited to, the "parks and recreation
fund" for the purpose of future land acquisition, park expansion or im-
provement, or the acquisition of operating equipment. The maximum ac-
cumulation of funds allowable shall not exceed twice the amount of money
provided by the levy authorized in paragraph (a) of this subsection.

(5) Upon the same property and for the same year the county commission-
ers must also levy such other property taxes as may be necessary for the pay-
ment of the interest on county bonds or to provide a sinking fund for the re-
demption of county bonds or such other authorized taxes as may be necessary
for any other or special purposes, to be collected and paid into the county
treasury and apportioned as provided by the laws of this state.

SECTION 66. An emergency existing therefor, which emergency is hereby
declared to exist, Section 8 of this act shall be in full force and effect on
and after its passage and approval. All other sections of this act shall be
in full force and effect on and after July 1, 2019.

SECTION 67. The provisions of Section 5 of this act shall be null, void,
and of no force and effect on and after June 30, 2023.
AGENDA
HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room EW41
Wednesday, March 06, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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</thead>
<tbody>
<tr>
<td>RS26947</td>
<td>EES rule rejection</td>
<td>Rep. Kerby</td>
</tr>
<tr>
<td>RS26948</td>
<td>Senior math rule rejection</td>
<td>Rep. Kerby</td>
</tr>
<tr>
<td>RS26949</td>
<td>Additional evidence, professional endorsement, rule rejection</td>
<td>Rep. Kerby</td>
</tr>
<tr>
<td>RS26950</td>
<td>Clinical practice/experience rule rejection</td>
<td>Rep. Kerby</td>
</tr>
<tr>
<td>S 1107</td>
<td>Education, staff allowance</td>
<td>Rep. Boyle</td>
</tr>
</tbody>
</table>

Continued discussion of SBFF draft legislation

"You cannot open a book without learning something."
- Confucius

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

COMMITTEE MEMBERS
Chairman Clow  Rep DeMordaunt  Rep Raymond
Vice Chairman Kerby  Rep Moon  Rep Wisniewski
Rep Shepherd  Rep Ehardt  Rep McCrostie
Rep Boyle  Rep Goesling  Rep Abernathy
Rep Boyle  Rep Marshall  Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
e-mail: hedu@house.idaho.gov
DATE: Wednesday, March 06, 2019
TIME: 8:30 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representative(s) Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Clark Corbin, Idaho Education News; Suzanne Budge, SBS Assoc.; Tim Hill, State Department of Education

Chairman Clow called the meeting to order at 8:30 a.m.

RS 26947: Vice Chairman Kerby presented a rule rejection for Extended Employment Services (EES), RS 26947. This proposed bill rejects the pending rule contained under Docket No. 47-0102-1801 wanting to shift people to Medicaid, but the committee decided that it is appropriate to leave some people in the IDVR programs.

MOTION: Rep. Moon made a motion to introduce RS 26947 and recommend it be sent directly to the Second Reading Calendar. Motion carried by voice vote. Rep. Ehardt will sponsor the bill on the floor.

RS 26948: Vice Chairman Kerby presented a rule rejection for Senior Math and Senior Project graduation requirements, RS 26948. This proposed bill rejects the pending rule contained under Docket No. 08-0203-1803.

MOTION: Rep. Moon made a motion to introduce RS 26948 and recommend it be sent directly to the Second Reading Calendar. Motion carried by voice vote. Reps. DeMordaunt and McCrostie requested to be recorded as voting NAY. Rep. Ehardt will sponsor the bill on the floor.

RS 26949: Vice Chairman Kerby presented a rule rejection for additional evidence and professional endorsements, RS 26949. This bill rejects the pending rule contained under Docket No. 08-0202-1804.

MOTION: Rep. Moon made a motion to introduce RS 26949 and recommend it be sent directly to the Second Reading Calendar. Motion carried by voice vote. Rep. McCrostie requested to be recorded as voting NAY. Rep. Moon will sponsor the bill on the floor.

RS 26950: Vice Chairman Kerby presented a rule rejection for clinical practice and clinical experience, RS 26950. This bill rejects the pending rule contained under Docket No. 08-0202-1801: Clinical experience (03), Clinical practice (04), Field Experience (07), Internship (11), Practicum (16) and Student teaching (18).

ORIGINAL MOTION: Rep. Moon made a motion to introduce RS 26950 and recommend it be sent directly to the Second Reading Calendar.

SUBSTITUTE MOTION: Rep. Berch made a substitute motion to introduce RS 26950.

Rep. Berch wanted an opportunity to see documentation of the rules being rejected again so he knew how to make an informed vote. Committee members spoke against the substitute motion stating all materials have been available online to committee members.
Chairman Clow called for a vote on the substitute motion to introduce RS 26950. Motion failed by voice vote. Rep. Berch requested to be recorded as voting AYE.

Chairman Clow called for a vote on the motion to introduce RS 26950 and recommend it be sent directly to the Second Reading Calendar. Motion Carried by voice vote. Rep. Berch requested to be recorded as voting NAY. Rep Ehardt will sponsor the bill on the floor.

Rep. Boyle presented S 1107. This legislation enables schools, which experience enrollment growth as the school year progresses, to receive additional funding for those students. The original legislation passed in 2016 with a three-year sunset. This bill removes the sunset.

In response to committee members’ questions, Rep. Boyle explained this bill will eliminate the sunset on this legislation. The new funding formula will replace this legislation presuming it is approved.

Rep. McCrostie made a motion to send S 1107 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Boyle will sponsor the bill on the floor.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

Chairman Clow provided a handout (see attachment 1) to the committee members for the Student Based Funding Formula showing the comparison of Drafts 401 and 404. The committee compared and discussed the draft legislation in the two drafts.

There being no further business to come before the committee, the meeting was adjourned at 10:17 a.m.
<table>
<thead>
<tr>
<th>Item</th>
<th>Draft ELB 401</th>
<th>Code Topic</th>
<th>Draft ELB 404</th>
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<tbody>
<tr>
<td>1</td>
<td>Page 5, Lines 20-23</td>
<td>Definition - Local Salary Schedule</td>
<td>Page 5 Lines 27-32</td>
</tr>
<tr>
<td>2</td>
<td>Page 5, Line 48</td>
<td>Definition – Performance Criteria</td>
<td>Page 6, Line 7</td>
</tr>
<tr>
<td>3.1</td>
<td>Page 9, Line 15</td>
<td>Education Allocations BA24 and Masters</td>
<td>Page 9, Line 15 (Updated ?)</td>
</tr>
<tr>
<td>3.2</td>
<td>Page 9, Line 29-31</td>
<td>Line Item Included</td>
<td>N/A</td>
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<tr>
<td>3.3</td>
<td>Page 15, Line 18-43</td>
<td>Education Allocations BA24 and Masters - Amounts Identified</td>
<td>Page 14, Line 17-42</td>
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<tr>
<td></td>
<td>Page 14, Line 14-27</td>
<td>Consolidated language</td>
<td>Page 15, line 6-7</td>
</tr>
<tr>
<td>4.2</td>
<td>Page 14, Line 28-31</td>
<td>LEA Reporting of Placement on Career Ladder</td>
<td>p. 15, lines 28-37</td>
</tr>
<tr>
<td>4.3</td>
<td>Page 5, Lines 19-26 and Page 14, Line 14</td>
<td>Definition of LEA Updated vs School Districts, etc.</td>
<td>Page 5, Line 19-26</td>
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<tr>
<td>4.4</td>
<td>Page 16, Line 5</td>
<td>is not required vs may but is not</td>
<td>Compare language</td>
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<td>4.5</td>
<td>Page 8, 8-15</td>
<td>Recognition of Variations between LEA’s Allocations under the Career Ladder - Matches Career Ladder Policy to Distribution</td>
<td>No comparable language</td>
</tr>
<tr>
<td>5</td>
<td>Page 21, Lines 37</td>
<td>Deleted language of 401 as unrelated to SBFF</td>
<td>Page 20, Lines 35-38</td>
</tr>
<tr>
<td>6</td>
<td>Page 32, Lines 6-10</td>
<td>Unrelated Policy Change to SBFF, 401 attempt to preserve meaning of existing career ladder code, deleted in 404</td>
<td>Page 31, line 8-10</td>
</tr>
<tr>
<td>6.1</td>
<td>Page 32, Lines 25-27</td>
<td>Unrelated Policy Change to SBFF, 401 attempt to preserve meaning of existing career ladder code, deleted in 404</td>
<td>Page 31, Lines 25-27</td>
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<tr>
<td>6.2</td>
<td>Page 32, Lines 35-44</td>
<td>Unrelated Policy Change to SBFF, 401 attempt to preserve meaning of existing career ladder code, deleted in 404</td>
<td>Page 31, Lines 35-42</td>
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<tr>
<td>7</td>
<td>Page 35, Lines 13-34</td>
<td>Change to modify language of the SBFF to Financial Emergency RIF in current code.</td>
<td>Page 34, Lines 11-31</td>
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AGENDA
HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room EW41
Friday, March 08, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>RS26879</td>
<td>Education savings accounts</td>
<td>Rep. Mendive</td>
</tr>
<tr>
<td>S 1060aa</td>
<td>Education, flexible schedule, early graduation</td>
<td>Sen. Thayn</td>
</tr>
</tbody>
</table>

Continued discussion of SBFF draft legislation

"With school turning out more runners, jumpers, racers, tinkerers, grabbers, snatchers, fliers, and swimmers instead of examiners, critics, knowers, and imaginative creators, the word "intellectual," of course, became the swear word it deserved to be."
- Ray Bradbury

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive

Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall

Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
DATE: Friday, March 08, 2019
TIME: 8:30 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. Abernathy
GUESTS: Paul Stark and Kari Overall, IEA; Shalene French, Julie Mead and Jodie M. Mills, CSD 132; Clark Corbin, Idaho Ed News; Marilyn Whitney, SDE

Chairman Clow called the meeting to order at 8:32 am.

RS 26879: Rep. Mendive presented RS 26879, which would establish an education savings account (ESA) to be used for K-12 education. Parents must apply for an account, the state would deposit money and then the parents must spend the funds on designated education expenses. In the first year of the program, only students who have not previously attended school and Special Education students would be eligible. If 90% of the students who used an ESA would have otherwise attended public school, the legislation would be revenue neutral. He stated this would allow true education choice, not just school choice, because parents would be able to find and fund the most desirable pathway for their children's education.

MOTION: Rep. DeMordaunt made a motion to introduce RS 26879. Motion carried by voice vote. Reps. Berch, McCrostie and Goesling requested they be recorded as voting NAY.

S 1060aa: Sen. Thayn presented S 1060aa, which offers another way for motivated students to experience high school by giving them the option to graduate early or take a flexible schedule. To be eligible, a student must be at least 16, maintain a 3.5 GPA, have parental permission, achieve a certain college and career readiness score, and file notice with their school, including an essay explaining why they either want to graduate early or have a flexible schedule. Students who graduate early must still complete their senior project, government credits, economics credit and civics test. Those who graduate early will receive a scholarship of 65% of their existing senior year funding; the remaining 35% would go to the district.

Sebastian Griffin, Senior Class President, Nampa High School, coauthored the bill and discussed how he would have taken advantage of these options.

In response to Committee questions regarding the eligibility requirements, Sen. Thayn stated a student will be motivated to earn high grades and test scores so they can have a flexible schedule. The State Board of Education will determine the necessary ACT/SAT scores. He anticipated most students would take advantage of the flexible schedule, rather than graduating early. He also stated he was not opposed to taking into account a student's extracurricular activities.

Kari Overall, President, Idaho Education Association, spoke in opposition to the bill and expressed concern about the focus on test results as the sole measurement of college readiness. She also stated teachers needed to be involved in developing eligibility criteria.
Sen. Thayn and Mr. Griffin were recognized to close testimony on S 1060aa. They stated this bill is valuable because it will give students ownership of their education and provide another option in the education system. They noted no student is required to take a single test to graduate from high school.

**ORIGINAL MOTION:** Rep. Boyle made a motion to send S 1060aa to the floor with a DO PASS recommendation.

**SUBSTITUTE MOTION:** Rep. McCrostie made a substitute motion to send S 1060aa to General Orders. He stated his intention was to strengthen the eligibility requirements and take student involvement into account.

**MOTION WITHDRAWN:** Rep. Boyle withdrew her original motion to send S 1060aa to the floor with a DO PASS recommendation.

**VOTE ON MOTION:** Motion carried by voice vote. Rep. McCrostie will sponsor the bill on the floor.

**MOTION:** Reps. McCrostie and Goesling indicated their willingness to work on amendments.

**MOTION:** Rep. Goesling made a motion to approve the minutes of the February 26, 2019; February 27, 2019; February 28, 2019; and March 1, 2019 meetings. Motion carried by voice vote.

Chairman Clow provided an update on the funding formula draft legislation. He stated it was important to put an RS before the Committee and if introduced, make it available for public comment. Regarding student weights, he stated the first year weight and subsequent floor will be 10%. The draft will also use the counts from each enrollment date throughout the year.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 9:49 am.

__________________________________________
Representative Clow
Chair

__________________________________________
Erica McGinnis
Secretary
AMENDED AGENDA #2
HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room EW41
Monday, March 11, 2019

<table>
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<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>RS27064</td>
<td>Public school funding formula</td>
<td>Rep. Clow</td>
</tr>
<tr>
<td>RS27064C1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>H 218</td>
<td>Rural teacher incentive program</td>
<td>Superintendent Ybarra</td>
</tr>
</tbody>
</table>

"Education is the power to think clearly, the power to act well in the world's work, and the power to appreciate life."
- Brigham Young

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
e-mail: hedu@house.idaho.gov
DATE: Monday, March 11, 2019
TIME: 8:30 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Greg Wilson, Governor's Office; Fred Birnbaum, Idaho Freedom Foundation; Harold Ott, IRSA/IASA; Mike Keckler, Idaho State Board of Education; Matt Compton, Idaho Education Association; Jonathan Gillen, West Ada; Tim Hill, Julie Oberle and Marilyn Whitney, SDE; Shane Pratt, Rolling Hills Public Charter School; Shalene French, CSD 132; Quinn Perry and Karen Echeverria, ISBA; Rod Gramer, Idaho Business for Education

Chairman Clow called the meeting to order at 8:32 am.

UNANIMOUS CONSENT REQUEST: Chairman Clow made a unanimous consent request to adopt the second amended agenda for today's meeting. There being no objection, the request was granted.

MOTION: Rep. Goesling made a motion to approve the minutes of the March 4, 2019 meeting. Motion carried by voice vote.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

RS 27064C1: Chairman Clow presented RS 27064C1, the first version of a student-based funding formula bill. He noted per the Committee's input, "accountability" has been added to the chapter title, the definition of public charter school was added and technology was removed as a line item and incorporated into the formula. Student weights are set at 10%, with any increase subject to appropriation. The change from tracking average daily attendance to enrollment will begin in 2020, so there is data when the formula goes into effect in 2021. Payments to local education agencies will be made in August, October, December, February, April and June; all except the June payment will be based on the previous period's enrollment counts and June will be a catch up payment.

Rep. Mendive made a motion to introduce RS 27064C1. He stated this is the first RS he has seen with major input from a committee, in addition to stakeholders.

SUBSTITUTE MOTION: Rep. Boyle made a substitute motion to return RS 27064C1 to the sponsor. She stated S 1186 more closely resembles the work of the interim committee.

Rep. McCrostie spoke in support of the original motion. He was a member of the interim committee and said stakeholders were unable to have substantive involvement in crafting the other bill. He stated this RS reflects the combined efforts of the work of the Committee and stakeholder input.

Rep. DeMordaunt spoke in support of the substitute motion due to last-minute changes made to the proposed legislation.

Rep. Berch spoke in support of the original motion. He said since the entire Committee was unable to review S 1186 they could not have determined it was better than the proposed legislation.
Rep. Goesling stated he would support the substitute motion.

Rep. McCrostie stated no Democrats were involved in producing the Senate bill, therefore it was not a bipartisan effort.

Chairman Clow noted the public has not had an opportunity to give input and introducing the RS would allow the Committee to hold a public hearing with testimony.

Roll Call Vote on Substitute Motion:


Vice Chairman Kerby turned the gavel over to Chairman Clow.

H 218:

Superintendent Sherri Ybarra presented H 218, which creates tools for rural school districts to recruit and retain qualified teachers. These tools incorporate research-based strategies being used in other states to address teacher shortages. Three different programs are included: Grow Your Own, which would provide funding for a paraprofessional or classified staff member already working in a rural district to earn their teaching certificate; a Rural Teacher Fellowship, for teacher preparation students who commit to teach in a geographic or content area where shortages exist; and a Certification and Retention Bonus, which would provide a stipend for rural teachers or other professional providers who are pursuing additional education or another certification for a hard-to-fill need in a rural school. In consideration of budget constraints, the bill has an effective date of July 1, 2020 and includes a five year sunset clause. The superintendent stated she would return next year with an appropriation request.

Marilyn Whitney, Deputy Superintendent of Communications and Policy, State Department of Education, also presented H 218. She noted the state formerly had a Grow Your Own program, but at the time there were not very many online class offerings, which limited its usefulness. One of the reasons identified for new teachers leaving the profession is a lack of mentoring and support; this bill requires districts to provide this. She stated these programs could easily include nontraditional teacher preparation programs. She also noted districts have the ability to waive part of the required three year commitment.

Fred Birnbaum, Idaho Freedom Foundation, spoke in opposition to the bill. He stated rural schools would be better served by creating economic development in their communities, rather than by adding three new programs.

Mike Keckler, Chief Communications and Legislative Affairs Officer, State Board of Education, stated the Board does not have a formal position on the bill, but is supportive of pipeline initiatives. He stated the Grow Your Own and Rural Teacher Fellowship programs are creative ideas to train community members.

Matt Compton, Director of Public Policy, Idaho Education Association (IEA), spoke in support of the bill and noted IEA has long supported Grow Your Own programs to utilize existing school staff members.

Shane Pratt, Charter school administrator, spoke in support of the bill and noted he and his colleagues welcome any additional tools to address teacher retention.

Rod Gramer, President and CEO, Idaho Business for Education, spoke in support of the bill. He agreed economic development is important to attract teachers to rural communities, but stated a quality education system is one of the major reasons businesses locate to an area.
Superintendent Ybarra was recognized to close testimony on H 218. She stated the bill focuses on keeping teachers by attracting them to rural areas for three years, in the hopes they will put down roots. The sunset clause is included if the programs do not work.

**ORIGINAL MOTION:** Rep. Moon made a motion to HOLD H 218 in committee. She stated it was too late in the session to consider this bill and encouraged focus on reciprocity agreements to bring in more teachers.

**SUBSTITUTE MOTION:** Rep. McCrostie made a substitute motion to send H 218 to the floor with a DO PASS recommendation.

**ROLL CALL VOTE ON SUBSTITUTE MOTION:** Roll call vote was requested. Motion failed by a vote of 6 AYE and 9 NAY. Voting in favor of the motion: Chairman Clow, Vice Chairman Kerby, Reps. Raymond, McCrostie, Abernathy and Berch. Voting in opposition to the motion: Reps. Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall and Wisniewski.

**VOTE ON ORIGINAL MOTION:** Motion carried by voice vote.

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 9:53 am.
AMENDED AGENDA #1
HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room EW41
Wednesday, March 13, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>S 1105</td>
<td>Advanced opportunities, career technical</td>
<td>Sen. Thayn</td>
</tr>
<tr>
<td>S 1059</td>
<td>Mastery-based education</td>
<td>Marilyn Whitney, Deputy Superintendent, Communications and Policy, State Department of Education</td>
</tr>
</tbody>
</table>

Virtual Schools Presentation:
Katie Allison, Executive Director, iSucceed Virtual High School
Tom LeClaire, President, Coalition of Idaho Charter School Families
Kirstin Bolen, Student, Idaho Virtual Academy
Karen Haines, Principal, Inspire Connections Academy

"It is not that I'm so smart. But I stay with the questions much longer."
- Albert Einstein

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow          Rep DeMordaunt          Rep Raymond
Vice Chairman Kerby    Rep Moon              Rep Wisniewski
Rep Shepherd           Rep Ehardt            Rep McCrostie
Rep Boyle              Rep Goesling          Rep Abernathy
Rep Mendive            Rep Marshall          Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, March 13, 2019
TIME: 8:30 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: None
GUESTS: Wendi Secrist, Workforce Development Council; Kirstin Bolen; Katie Allison, iSucceed VHS; Kelly Edginton, Idaho Virtual Academy; Karen Haines, INSpire Connections Academy; Wil Overgaard, Weiser School District; Lora Seabaugh, Pam Morris and Jace Lano, Riverview Middle School; James Buschine, Eagle Academy; Clark Corbin, Idaho Ed News; Marilyn Whitney and Matt McCarter, SDE

Chairman Clow called the meeting to order at 8:30 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the March 6, 2019 meeting. Motion carried by voice vote.

S 1105: Sen. Thayn presented S 1105, which would make Career Technical Education (CTE) pathways more accessible to high school students by allowing them to use Advanced Opportunities funds toward CTE workforce training. An example of this would be a federally registered apprenticeship program in HVAC, plumbing or electrical. The bill will pay up to $500 per course and $1,000 per year. The State Department of Education (SDE) will work with the division of CTE on a list of eligible courses. If a student fails or does not complete a course, they must pay for and complete the next course on their own, before they may use state funds again.

Superintendent Wil Overgaard, Weiser School District, and Executive Director Wendi Secrist, Idaho Workforce Development Council, spoke in support of the bill. They noted many students are not financially able to go on to college, but allowing them to work toward a trade career while in high school provides greater equity and access. Students work their paid apprenticeship hours after school, on weekends and during the summer.

In response to Committee questions, Tracie Bent, Chief Planning and Policy Officer, State Board of Education, clarified the bill will not preclude students from using Advanced Opportunities funds for traditional, for-credit CTE courses.

MOTION: Rep. Moon made a motion to send S 1105 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Kerby will sponsor the bill on the floor.

S 1059: Marilyn Whitney, Deputy Superintendent of Communications and Policy, State Department of Education, presented S 1059, which removes the cap on the number of schools allowed to participate in Mastery Based Education (MBE). It also describes the current and future role of the Mastery Education Network (MEN) to advise, develop recommendations implement policies and provide resources to schools and districts.
Lora Seabaugh, Rivervue Middle School, Jace Lano, Student, and James Buschine, Eagle Academy, spoke in support of the bill and stated MBE allows kids to learn at their own rate, whether that's taking extra time or working ahead of grade level. They noted it is question-based and engages students, while teaching them successful habits.

In response to Committee questions, Kelly Brady, Director of Instructional Support for Student Centered Learning, State Department of Education, discussed SDE's use of a PR firm to create a statewide awareness campaign for mastery education. She noted the enabling MBE legislation required the awareness campaign and it is funded through the contributions of incubator schools.

MOTION: Rep. Berch made a motion to send S 1059 to the floor with a DO PASS recommendation. He stated the Committee should trust the people closest to the process and not second guess them and this legislation.

Ms. Whitney clarified appropriation amounts are at the discretion of the legislature, but by removing the cap on the number of participants the SDE will stretch their dollars to help as many schools as possible.

Rep. Kerby spoke in support of the motion, noting kids love MBE and since the SDE was following the direction of the legislature by hiring a PR firm, they should not be penalized.

Rep. Moon stated she would not support the motion because more explanation is needed, particularly regarding funding.

VOTE ON MOTION: Motion carried by voice vote. Rep. Moon requested she be recorded as voting NAY. Rep. Kerby will sponsor the bill on the floor.

Chairman Clow turned the gavel over to Vice Chairman Kerby.

Katie Allison, Executive Director, iSucceed Virtual High School, discussed her school's demographics and issues with the CREDO report previously given to the Committee. She stated schools trying to educate marginalized students need to be supported and it is a problem to measure school quality without taking into account demographics and school choice options. She also stated the study made faulty data assumptions by treating all students the same, rather than recognizing schools like iSucceed, designed to serve at-risk students for a short amount of time.

ADJOURN: There being no further business before the Committee, the meeting adjourned at 9:55 am.

________________________________________________________
Representative Clow
Chair

________________________________________________________
Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room EW41
Thursday, March 14, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>S 1029</td>
<td>School turnaround act</td>
<td>Sen. Mortimer</td>
</tr>
</tbody>
</table>

"To educate a person in the mind but not in morals is to educate a menace to society."
- Theodore Roosevelt

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.
Chairman Clow called the meeting to order at 8:30 am.

Rep. Goesling made a motion to approve the minutes of the March 5, 2019; March 8, 2019; and March 11, 2019 meetings. Motion carried by voice vote.

Sen. Mortimer presented S 1029, which gives formal direction to the State Board of Education (SBOE) on how to use currently appropriated funds for an existing program to help low performing schools. It creates a voluntary framework to provide schools in need of intervention with experts to formulate and implement a school turnaround plan. To qualify as a turnaround expert a person must have a proven track record of improving student achievement, along with other criteria. One quarter of their compensation will be based on performance. The school will form a turnaround committee of school and community members to implement the turnaround plan. The plan must have measurable achievement goals and objectives, professional and leadership development strategies, a detailed budget with a timeline, and strategies to assess and report on progress. If a school does not improve within two years, the SBOE may grant an extension or recommend further actions, including changes to the funding and resources allocated to the school. Schools that do improve will be eligible for monetary rewards, subject to available funding. The State Department of Education (SDE) will provide resources and support to the SBOE, school turnaround committees, the turnaround experts and schools in need of intervention.

In response to Committee questions, Sen. Mortimer stated he could not get support for a mandatory program. He noted $750,000 has already been appropriated to the SBOE to assist low performing schools, with another $1 million appropriated for administrator training, so this bill will take advantage of those funds. He stated the SBOE is responsible for holding schools accountable, while the SDE is responsible for interfacing with the schools and providing day-by-day administration.

Fred Birnbaum, Idaho Freedom Foundation, spoke in opposition to the bill and stated the existence of already appropriated funds is not sufficient rationale to continue a program, particularly when it lacks accountability.
Tracie Bent, Chief Planning and Policy Officer, SBOE, spoke in support and noted the Board voted unanimously to support the bill. She stated the existing program and funds have allowed the SBOE to work with all low performing schools, not only federally designated Title I schools. The existing program awarded funds to a single vendor to provide turnaround experts, whereas this bill will allow schools to choose their expert. She stated the SBOE will review the turnaround plans for conformity and handle contract management, but will not be involved with the development of the plans. The money for the rewards would come from the $1 million additional appropriation for administrator training.

In response to Committee questions, Ms. Bent clarified the bill gives clear direction from the legislature on how to administer the existing program. She felt if the program was mandatory, current resources would not allow the Board to work with all the schools in the lowest performing 5%.

Hollie Pettersson, Ed Direction, spoke in support of the bill. Her firm worked with schools in Utah under a similar program. She stated it's not a matter of testing interventions to help low performing schools, but of matching the right intervention, at the right intensity, with a school's specific needs. She supported starting small with a voluntary program. She noted it takes a lot of effort to raise performance and participating schools have improved up to the state average.

MOTION: Vice Chairman Kerby made a motion to send S 1029 to General Orders. He stated discussion needs to occur regarding mandatory/voluntary, the role of SBOE/SDE and accountability.

SUBSTITUTE MOTION: Rep. McCrostie made a substitute motion to send S 1029 to the floor without recommendation.


ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:59 am.

___________________________ ___________________________
Representative Clow Erica McGinnis
Chair Secretary
**AGENDA**  
**HOUSE EDUCATION COMMITTEE**  
8:30 A.M.  
Room EW41  
Friday, March 15, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>S 1108</td>
<td>Driver training, scholarships</td>
<td>Marilyn Whitney, Deputy Superintendent, Communications and Policy, State Department of Education</td>
</tr>
<tr>
<td>S 1057</td>
<td>School improvement plans</td>
<td>Marilyn Whitney</td>
</tr>
</tbody>
</table>

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**Quote submitted by Rep. Wisniewski:**  
"I was educated once - it took me years to get over it."  
- Mark Twain

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

**COMMITTEE MEMBERS**

<table>
<thead>
<tr>
<th>Chairman Clow</th>
<th>Rep DeMordaunt</th>
<th>Rep Raymond</th>
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<tr>
<td>Vice Chairman Kerby</td>
<td>Rep Moon</td>
<td>Rep Wisniewski</td>
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<td>Rep Shepherd</td>
<td>Rep Ehardt</td>
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<td>Rep Boyle</td>
<td>Rep Goesling</td>
<td>Rep Abernathy</td>
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<td>Rep Mendive</td>
<td>Rep Marshall</td>
<td>Rep Berch</td>
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**COMMITTEE SECRETARY**

<table>
<thead>
<tr>
<th>Erica McGinnis</th>
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<tr>
<td>Room: EW49</td>
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<tr>
<td>Phone: 332-1148</td>
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<tr>
<td>email: <a href="mailto:hedu@house.idaho.gov">hedu@house.idaho.gov</a></td>
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MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Friday, March 15, 2019
TIME: 8:30 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. DeMordaunt
GUESTS: Quinn Perry, ISBA; Marilyn Whitney, Matt McCarter and Tim McMurtrey, SDE

Chairman Clow called the meeting to order at 8:31 am.

S 1108: Marilyn Whitney, Deputy Superintendent of Communications and Policy, State Department of Education (SDE), presented S 1108, which increases the reimbursement of funds to school districts to administer driver training programs, from $125 to $150. The reimbursement amount has not changed since 1996 and the balance of the driver education account has grown to $4.3 million. This bill would help draw down the balance, while still keeping it solvent. The bill sets aside 10% of the account balance annually for need-based scholarships, as identified by the school or district, and competitive grants to districts.

MOTION: Rep. Raymond made a motion to send S 1108 to the floor with a DO PASS recommendation.

In response to Committee questions, Ms. Whitney and Matt McCarter, Director of Student Engagement- Career and Technical Readiness, SDE, clarified the competitive grant mechanism was a suggestion from districts, to allow them to bring innovative ideas and receive help with their program needs, such as updating their training vehicles. A steering committee exists which will direct the grant money and need will be a criteria, thereby helping rural districts. They noted the majority of driver training programs have their own vehicles.

VOTE ON MOTION: Motion carried by voice vote. Rep. Mendive requested he be recorded as voting NAY. Rep. Raymond will sponsor the bill on the floor.

S 1057: Marilyn Whitney presented S 1057, which would eliminate duplicate reporting of student achievement data to the state. The State Department of Education convened a "red tape committee" to make recommendations on how to streamline reporting. As a result, this bill removes specific metrics from a school's continuous improvement plan and instead requires schools to link to the state school report card, found at www.idahoschools.org. The report card shows progress over three years.

MOTION: Rep. Goesling made a motion to HOLD S 1057 in committee.

Quinn Perry, Policy and Government Affairs Director, Idaho School Boards Association, testified in support of the bill and removing redundant reporting.

In response to Committee questions, Ms. Whitney testified schools continuously evaluate their progress toward goals and have to take this into account when setting goals for the following year.
Rep. Berch made a substitute motion to send S 1057 to the floor with a DO PASS recommendation. He stated this bill does not diminish the amount of information required; it is a different way of reporting.

Rep. Kerby spoke in support of the original motion due to concerns about the lack of evaluation at the end of the school year.


Rep. McCrostie made an amended substitute motion to send S 1057 to General Orders. He stated his intention is to restore Section 2.b.vi to address the concerns about year-end reporting.

Motion carried by voice vote. Rep. McCrostie will sponsor the bill on the floor.

There being no further business to come before the Committee, the meeting adjourned at 9:29 am.
<table>
<thead>
<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>Workforce Development Council</td>
<td>Wendi Secrist, Executive Director</td>
<td></td>
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<tr>
<td>S 1060aa</td>
<td>Discussion about returning to committee</td>
<td></td>
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<tr>
<td>RS27119</td>
<td>Public school funding formula</td>
<td>Chairman Clow</td>
</tr>
</tbody>
</table>

"In learning you will teach, and in teaching you will learn."
- Phil Collins

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

**COMMITTEE MEMBERS**
- Chairman Clow
- Vice Chairman Kerby
- Rep Shepherd
- Rep Boyle
- Rep Mendive
- Rep DeMordaunt
- Rep Moon
- Rep Ehardt
- Rep Goesling
- Rep Marshall
- Rep Raymond
- Rep Wisniewski
- Rep McCrostie
- Rep Abernathy
- Rep Berch

**COMMITTEE SECRETARY**
- Erica McGinnis
  - Room: EW49
  - Phone: 332-1148
  - email: hedu@house.idaho.gov
DATE:   Monday, March 18, 2019
TIME:   8:30 A.M.
PLACE:  Room EW41
MEMBERS:  Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED:  Reps. Boyle, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond and Wisniewski
GUESTS:  Tim Hill, Julie Oberle and Marilyn Whitney, SDE; Tracie Bent and Mike Keckler, SBOE

Chairman Clow called the meeting to order at 8:34 am.

Trent Clark, Chairman, Workforce Development Council (WDC), gave an overview of the Council's work, stating it aims to help people gain better skills so they can earn more money. He noted WDC is part of the governor's office and this is their first yearly report.

Wendi Secrist, Executive Director, WDC, stated the Council's charge is to champion the development and implementation of a statewide, strategic workforce development plan to meet industries' needs today and tomorrow. She discussed efforts to increase work-based learning through teacher externships, connecting students to employers through internships, and learning at work through apprenticeships. She discussed the Workforce Development Training Fund which provides employer grants, innovation grants and industry sector grants. The Council is focused on increasing the share of industry sector grants.

S 1060aa:  Chairman Clow informed the Committee of his intention to request unanimous consent on the floor to return S 1060aa to General Orders. The bill sponsor is drafting a new amendment which will incorporate items from two failed amendment attempts.

ADJOURN:  There being no further business to come before the Committee, the meeting adjourned at 9:00 am.

__________________________________________
Representative Clow  Erica McGinnis
Chair  Secretary
AGENDA

HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room EW41
Tuesday, March 19, 2019

SUBJECT | DESCRIPTION | PRESENTER
---------|-------------|-------------
Waterford Institute presentation | Tom Luna
Howard Stephenson, Former Utah State Senator
S 1061aa | School levies | Sen. Thayn

"The principle goal of education in the schools should be creating men and women who are capable of doing new things, not simply repeating what other generations have done; men and women who are creative, inventive and discoverers, who can be critical and verify, and not accept, everything they are offered."
- Jean Piaget

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
DATE: Tuesday, March 19, 2019  
TIME: 8:30 A.M.  
PLACE: Room EW41  
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch  
ABSENT/EXCUSED: Vice Chairman Kerby  
GUESTS: Karen Echeverria, ISBA; Tracie Bent, SBOE; Marilyn Whitney, SDE  
Chairman Clow called the meeting to order at 8:31 am.  
MOTION: Rep. Goesling made a motion to approve the minutes of the March 13, 2019 meeting. Motion carried by voice vote.  
Tom Luna introduced Howard Stephenson, Former Utah State Senator, to discuss Utah's successful path addressing early literacy.  
Mr. Stephenson discussed the use of computer assisted instructional software to get at least 90% of any class at grade level proficiency in a single academic year, if the personalized tools are used with fidelity. He discussed Utah’s implementation of reading intervention software and the UPSTART kindergarten readiness program. UPSTART costs the state less than $800 per child and participants showed up to three times greater growth in literacy than non-participants.  
S 1061aa: Sen. Thayn presented S 1061aa, which allows districts to extend a levy without making it permanent. To participate, a district must have passed a levy for at least 7 consecutive years, then place it on the ballot to allow voters to extend the levy length from 3-10 years without a new vote each year. He noted 69 levies have been run for 7 or more years.  
MOTION: Rep. Goesling made a motion to send S 1061aa to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. McCrostie will sponsor the bill on the floor.  
In response to Committee questions, Mr. Stephenson discussed situations when local control is detrimental, such as individual teachers being allowed to opt-out of proven interventions. He discussed the composition of Utah's first UPSTART cohort and the required training for parents.  
Anne Brown, Vice President of Education and Business Development, Waterford Institute, discussed the status of an UPSTART pilot program in Idaho.  
ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:39 am. 

___________________________  
Representative Clow  
Chair  
___________________________  
Erica McGinnis  
Secretary
### AGENDA

**HOUSE EDUCATION COMMITTEE**  
8:30 A.M.  
Room EW41  
Wednesday, March 20, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>H 93 aaS</td>
<td>Nontraditional educator prep</td>
<td>Rep. DeMordaunt</td>
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<tr>
<td>S 1180</td>
<td>Public charter school facilities</td>
<td>Emily McClure, Idaho Charter School Network</td>
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<td></td>
<td>Idaho State Museum Update</td>
<td>Janet Gallimore, Executive Director, Idaho State Historical Society</td>
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<tr>
<td></td>
<td>Audience Survey and Educational Impact</td>
<td>Dr. Gloria Totoricagüena, Idaho Policy and Consulting L.L.C.</td>
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</tbody>
</table>

"Education is the most powerful weapon which you can use to change the world."  
- Nelson Mandela

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

**COMMITTEE MEMBERS**

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MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, March 20, 2019
TIME: 8:30 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch

ABSENT/EXCUSED: Chairman Clow, Reps. Boyle and Berch

GUESTS: Emily McClure, Idaho Charter School Network; Keith Donahue, Sage International School; Terry Ryan, Bluum; Matthew Kuzio, Future Public School; Janet Gallimore and Gloria Totoricaguëena, State Historical Society; Christian Anderson, Zions Bank

Vice Chairman Kerby called the meeting to order at 8:30 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the March 14, 2019 and March 15, 2019 meetings. Motion carried by voice vote.

H 93aaS: H 93aaS was brought before the Committee again for consideration of the Senate amendment. Rep. DeMordaunt explained the amendment clarifies how state funds would be distributed to eligible nontraditional teacher preparation programs. State funds cannot exceed 25% of each teacher's salary and funding is limited to two years per teacher. Districts must provide verification to the State Department of Education (SDE) that the teacher has fulfilled their contract. Districts must also verify they are providing funding for recruitment and training in an amount equal to at least 10% of SDE funds per teacher.

MOTION: Rep. Ehardt made a motion to concur with the amendments made in the Senate to H 93aaS.

Rep. Marshall spoke in opposition to the motion, noting he opposed the original legislation as well.

VOTE ON MOTION: Motion carried by voice vote. Reps. Marshall, Moon and Wisniewski requested to be recorded as voting NAY. Rep. DeMordaunt will sponsor the bill on the floor.

S 1180: Rep. DeMordaunt presented S 1180, which creates a credit enhancement to help seasoned charter schools get a lower interest rate on bonds, thereby maximizing state dollars. This would help create equity between charters and traditional public schools, which already have access to such financial tools. The bill sets forth stringent eligibility criteria to ensure participating schools are unlikely to default.

Emily McClure, on behalf of Idaho Charter School Network, also presented the bill. She stated schools must meet certain criteria to demonstrate they are financially stable. Participating charters must agree to deposit a minimum of twelve months' payment in a restricted debt service reserve account held by the bondholder. The SDE will send foundational payments directly to the bondholder, who will take out their portion, then forward the remainder to the school. The bill also creates a public charter school facilities program fund in the treasurer's office, which participating schools will pay into, to provide a safeguard against missed payments. Ms. McClure also discussed the protocol for nonpayment. She stated this bill could lower interest rates 2-3%. 
Keith Donahue, Executive Director of Sage International School; Terry Ryan, CEO of Bluum; Matthew Kuzio, Board Chair of Future Public School; and Christian Anderson, Vice President of Public Finance at Zions Bank, spoke in support of the bill. The school leaders testified about their anticipated savings from lower interest rates when they refinance. Mr. Anderson stated this bill would help charters access a more competitive market of underwriters.

Rep. DeMordaunt was recognized to close testimony on S 1180. She stated this bill creates a more equitable approach to funding charter schools and will allow more taxpayer dollars to be spent on kids, rather than facilities.

MOTION: Rep. Moon made a motion to send S 1180 to the floor with a DO PASS recommendation.

Rep. Kerby stated he fully supported the motion.

VOTE ON MOTION: Motion carried by voice vote. Rep. DeMordaunt will sponsor the bill on the floor.

Janet Gallimore, Executive Director, Idaho State Historical Society, presented on the newly completed Idaho State Museum. She noted the museum is on track for 115,000 visitors annually.

Dr. Gloria Totoricaguëna, Idaho Policy and Consulting LLC, presented on the results of the museum's visitor exit survey. She noted 88% of respondents said the museum experience highly exceeded or exceeded their expectations.

MOTION: Rep. McCrostie made a motion to approve the minutes of the March 18, 2019 meeting. Motion carried by voice vote.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:49 am.
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Thursday, March 21, 2019

<table>
<thead>
<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
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<tbody>
<tr>
<td>S 1104aa</td>
<td>Teacher certificate renewal</td>
<td>Rep. Horman</td>
</tr>
<tr>
<td>SCR 111</td>
<td>School construction committee</td>
<td>Sen. Winder</td>
</tr>
</tbody>
</table>

"Teachers affect eternity; no one can tell where their influence stops."
- Henry Brooks Adams

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
### MINUTES
#### HOUSE EDUCATION COMMITTEE

**DATE:** Thursday, March 21, 2019  
**TIME:** 9:00 A.M.  
**PLACE:** Room EW41  
**MEMBERS:** Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch  
**ABSENT/EXCUSED:** Rep. Boyle  
**GUESTS:** Amy Christopherson, College of Southern Idaho; Harold Ott, IRSA/IASA; Quinn Perry, ISBA; Marilyn Whitney and Tim McMurtrey, SDE  

**S 1104aa:** Rep. Horman presented S 1104aa, which authorizes the State Board of Education (SBOE) to promulgate rules allowing teachers of professional development or college courses to count those credits toward their own certificate renewal. This bill came from a citizen who taught college level credits, but was unable to renew her teaching certificate because as the instructor, she did not earn those credits. 

Amy Christopherson, Director, College of Southern Idaho Mini-Cassia Center, spoke in support of the bill. She stated in the last ten years she has taught 86 higher education credits, but was unable to submit any of them toward recertification of her teacher’s license. 

**MOTION:** Rep. Goesling made a motion to send S 1104aa to the floor with a DO PASS recommendation. 

Rep. Horman was recognized to close testimony on S 1104aa. She stated this bill recognizes Idaho teachers as professionals by allowing them to use professional development credits to recertify, as other professions are allowed to do. 

**VOTE ON MOTION:** Motion carried by voice vote. Rep. Horman will sponsor the bill on the floor. 

**SCR 111:** Sen. Winder presented SCR 111, which authorizes the appointment of an interim committee to study public school facilities funding. He noted the issue of building maintenance came up repeatedly while the Public School Funding Formula Interim Committee was meeting with school leaders across the state. He noted this interim committee is not intended to study issues around facilities bonds and the appointment process would be up to the Legislative Council. 

**MOTION:** Rep. McCrostie made a motion to send SCR 111 to the floor with a DO PASS recommendation. Motion carried by voice vote. Rep. Goesling will sponsor the bill on the floor. 

**ADJOURN:** There being no further business to come before the Committee, the meeting adjourned at 9:33 am. 

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Representative Clow  
Chair  

Erica McGinnis  
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Monday, March 25, 2019

<table>
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<tr>
<th>SUBJECT</th>
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<tbody>
<tr>
<td>S 1106aa</td>
<td>Career technical education, charter schools</td>
<td>Suzanne Budge, K12 Inc.</td>
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</table>

"Without education, we are in a horrible and deadly danger of taking educated people seriously."
- G.K. Chesterton

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<th>COMMITTEE SECRETARY</th>
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<tr>
<td>Chairman Clow</td>
<td>Erica McGinnis</td>
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<td>Vice Chairman Kerby</td>
<td>Room: EW49</td>
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<tr>
<td>Rep Shepherd</td>
<td>Phone: 332-1148</td>
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<tr>
<td>Rep Boyle</td>
<td>email: <a href="mailto:hedu@house.idaho.gov">hedu@house.idaho.gov</a></td>
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<td>Rep Mendive</td>
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<td>Rep Goesling</td>
<td>Rep Abernathy</td>
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<td>Rep Marshall</td>
<td>Rep Berch</td>
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MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Monday, March 25, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Reps. DeMordaunt and Moon
GUESTS: Monti Pittman, Mike Falconer, Jim Moore and Kerry Wysocki, Idaho Technical Career Academy; Wayne Hammon, Idaho Associated General Contractors; Liz Hatter, Idaho Chamber Alliance; Harold Ott, IRSA/IASA; Trent Clark, Bayer; Patrick Goff, Payette River Regional Technical Academy; Dr. Irene Westrick, Boise School District; John Eaton, IACI; Marilyn Whitney, SDE; Amy Lorenzo and Steve Rayborn, ICTE

Chairman Clow called the meeting to order at 9:00 am.

MOTION: Rep. Ehardt made a motion to approve the minutes of the Ehardt Subcommittee meeting of January 17, 2019. Motion carried by voice vote.

S 1106aa: Suzanne Budge, on behalf of Idaho Technical Career Academy (ITCA) and K12 Inc., presented S 1106aa, which is intended to modernize Career Technical Education (CTE) language to include all instructional delivery methods. She noted the bill does not eliminate CTE programs or allow unqualified teachers to instruct. Section 1 ensures charter schools will receive the same funding for CTE as traditional public schools, regardless of the instructional delivery method. Section 2 specifies the delivery method does not matter, as long as the chosen method is appropriate to the nature of the work, as demonstrated by a capstone course that meets industry standards. The division of CTE will maintain a list of secondary CTE pathways, encompassing traditional and online delivery methods, and develop an appropriate funding model for each.

Kerry Wysocki, Chairman of the ITCA Board, spoke in support of the bill and said it will provide legitimacy to the school, by making it a state-approved CTE program, with the accompanying oversight and funding.

In response to Committee questions, Ms. Budge and Monti Pittman, Director of ITCA, explained the financial component will be for reimbursement of costs, not to exceed the costs of a traditional delivery method. The funding amount will be based on actual approved costs. Mr. Pittman noted their costs are not the same as a traditional public school, they are simply different.

Wayne Hammon, Idaho Associated General Contractors; Liz Hatter, Idaho Chamber Alliance; and Trent Clark, Bayer; spoke in support of the bill. They stated this will help expand CTE opportunities to more students and prepare for online delivery of additional content areas. The bill will be a bench test for online technical instructional methods.
Patrick Goff, Superintendent of Payette River Regional Technical Academy; and Dr. Irene Westrick, CTE Director for Boise School District; spoke in opposition. They argued CTE requires hands-on instruction and funding for materials and equipment. They felt funding online delivery methods equitably degrades the efforts of traditional delivery. They stated the bill was initially drafted without input from the division of CTE.

Due to time constraints, S 1106aa will be carried over to the meeting of March 26, 2019 at 8:30 am. Only individuals on the testimony list of March 26, 2019, will be allowed to testify when the hearing reopens.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 10:01 am.

___________________________  _________________
Representative Clow       Erica McGinnis
Chair                      Secretary

HOUSE EDUCATION COMMITTEE
Monday, March 25, 2019—Minutes—Page 2
AGENDA
HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room EW41
Tuesday, March 26, 2019

SUBJECT | DESCRIPTION | PRESENTER
---------|-------------|------------------------
S 1106aa | Career technical education, charter schools, continuation of testimony | Suzanne Budge, Idaho Technical Career Academy

No new sign-ups will be taken.

Discussion of Committee's request for flowchart of education programs and funding | Marilyn Whitney, Deputy Superintendent of Communications and Policy, SDE

RS27161 | Funding formula, definitions and enrollment | Sens. Lent and Woodward

"You know, sometimes kids get bad grades in school because the class moves too slow for them. Einstein got D's in school. Well guess what, I get F's!!!"
- Bill Watterson

If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.

COMMITTEE MEMBERS

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Tuesday, March 26, 2019
TIME: 8:30 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch

ABSENT/EXCUSED: None

GUESTS: Mike Falconer and Monti Pittman, ITCA; Harold Nevill, COSSA; Irene Westrick, Boise School District; John Eaton, IACI; Quinn Perry, ISBA; Harold Ott, IRSA/IASA; Julie Oberle, SDE; Amy Lorenzo and Steve Rayborn, ICTE; Murphy Olmstead, Coalition of Idaho Charter School Families; Greg Wilson, Governor's Office

Chairman Clow called the meeting to order at 8:30 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the March 19, 2019; March 20, 2019; and March 21, 2019 meetings. Motion carried by voice vote.

S 1106aa: Continuation of the meeting of March 25, 2019.

John Eaton, Vice President, Idaho Association of Commerce and Industry, testified in support of the bill. He stated online education is the way of the future and how people learn in businesses every day. The bill would not be for Career Technical Education (CTE) areas that shouldn't be done online, but it allows those that can be done online to be state-sanctioned.

Suzanne Budge, Idaho Career Technical Academy and K12 Inc., was recognized to close testimony on S 1106aa. She stated the bill simply allows virtual and hybrid as an option for CTE programs, without impacting traditional CTE programs. She noted there is pent up demand from employers to expand CTE options and this will expand opportunities for rural students.

MOTION: Rep. DeMordaunt made a motion to send S 1106aa to the floor with a DO PASS recommendation.

Reps. Goesling, Marshall and Vice Chairman Kerby spoke in support of the motion.

Rep. McCrostie said he would support the motion, but noted he may change his mind on the floor.

VOTE ON MOTION: Motion carried by voice vote. Rep. Shepherd requested he be recorded as voting NAY. Reps. Boyle and DeMordaunt will sponsor the bill on the floor.

RS 27161: Sens. Lent and Woodward presented RS 27161, which is a pared down version of the student-based funding formula. The proposed legislation gives definitions and requires enrollment reports. This will provide accurate data to use in the creation of a new funding formula and accurately projecting its impact.

MOTION: Rep. DeMordaunt made a motion to introduce RS 27161.

Reps. Ehardt and Marshall spoke in support of the motion.

VOTE ON MOTION: Motion carried by voice vote.
Marilyn Whitney, Deputy Superintendent of Communications and Policy, State Department of Education, updated the Committee on the difficulty of creating a visual representation of all the education agencies and their jurisdictions. She noted Superintendent Ybarra does not want to misrepresent how other agencies implement their areas of code and suggested the governor’s proposed education task force could work on this. She noted the Department is working on a comprehensive report of all the data they gather, which will be available in January 2020. She acknowledged the request of Committee members to receive the information as early as possible.

Chairman Clow recognized the service of Legislative Page, Jack Marchant, who has been assigned to the Committee for the second half of the 2019 Legislative Session.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:27 am.

___________________________
Representative Clow
Chair

___________________________
Erica McGinnis
Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room EW41
Wednesday, March 27, 2019

SUBJECT | DESCRIPTION | PRESENTER
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H 293 | Funding formula, definitions and enrollment | Reps. Goesling and Horman
 |  | Sens. Lent and Woodward

"Books are the quietest and most constant of friends; they are the most accessible and wisest of counselors, and the most patient of teachers."
- Charles William Eliot

*If you have written testimony, please provide a copy of it along with the name of the person or organization responsible to the committee secretary to ensure accuracy of records.*

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
MINUTES
HOUSE EDUCATION COMMITTEE

DATE: Wednesday, March 27, 2019
TIME: 8:30 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Rep. Abernathy
GUESTS: Randy Dewey, Nampa School District; April Burton, Caldwell School District; Julie Oberle, Tim Hill, Marilyn Whitney and Tim McMurtrey, SDE; Harold Ott, IRSA/IASA; Rob Winslow, IASA; Greg Wilson, Governor's Office; Quinn Perry, ISBA; Kari Overall, IEA; Blake Youde, Idaho Charter School Network; Robyn Lockett, LSO

Chairman Clow called the meeting to order at 8:31 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the March 25, 2019 meeting. Motion carried by voice vote.

Chairman Clow thanked Reps. Goesling and McCrostie for their work proofreading the minutes this session.

H 293: Rep. Goesling presented H 293, which is a starting step to transition from an attendance based funding model to a student based funding formula. The bill provides fundamental definitions and allows for the gathering and reporting of enrollment data, including for sub-populations. It also requires a legislative review of the funding formula every five years. The bill does not change the current formula or shift any funds.

Randy Dewey, Finance Director, Nampa School District, spoke about three areas of concern. First, the definition for "economically disadvantaged" specifically excludes students eligible for free or reduced-price lunch through a school's community eligibility program (CEP). As a result, schools who are not eligible for CEP will have far fewer students counted as economically disadvantaged. Second, he felt the definition for "local salary schedule" mandates a minimum salary for staff on the first professional rung (P1) of the career ladder. Third, he felt it would be unnecessary and technically challenging to report actual district expenditures for each line item and discretionary fund distribution.

April Burton, Business Manager, Caldwell School District, echoed the prior concerns and further explained CEP. She suggested removing the CEP exclusion from the definition, to accurately capture the number of kids who should be counted as economically disadvantaged. She noted to be eligible for CEP, schools have to direct certify 40% of their students as receiving some type of public assistance, through the State Department of Health and Welfare.

Rob Winslow, Executive Director, Idaho Association of School Administrators, stated his support for collecting accurate data, but noted the definitions for "at-risk student" and local salary schedules will require adjustment from schools. He also asked for clarification on the bill's beginning date.
Marilyn Whitney, Deputy Superintendent of Communications and Policy, State Department of Education, also echoed prior concerns, but noted there are multiple tools that can be used to determine the economically disadvantaged population. She also stated the reporting timelines may be problematic for districts.

Quinn Perry, Policy and Government Affairs Director, Idaho School Boards Association, also asked for clarification on the bill's beginning date and noted schools already post their discretionary expenditures on their websites. She stated the additional financial reporting may be burdensome for small or rural districts.

Kari Overall, President, Idaho Education Association, focused on the local salary schedule definition, which she interpreted as mandating a minimum salary for the P1 cell. She noted many districts have already begun salary negotiations and the short rollout of this bill would require immediate change.

Tracie Bent, Chief Planning and Policy Officer, State Board of Education, stated a definition alone does not create a statutory requirement. She stated the bill's intent is for districts to report whether they are meeting the specified minimum salaries, but is not a mandate that districts must pay those amounts.

Blake Youde, Idaho Charter School Network, stated his concern the Committee was allowing small issues with the bill to become insurmountable. He stated the most important thing is to help students succeed, regardless of how we get there.

Tim Hill, Deputy Superintendent of Public School Finance, State Department of Education, stated in order to prevent a legal challenge on differing interpretations of "local salary schedule" the Committee should clarify the definition now. He stated the language referencing starting teacher salaries and P1 minimums could be struck entirely, without affecting other requirements in code.

**MOTION:**

Rep. Marshall made a motion to send H 293 to the floor with a DO PASS recommendation.

Sen. Lent was recognized to close testimony on H 293. He yielded his time to Rep. Horman to address the issues raised during testimony.

Rep. Horman stated none of these issues are insurmountable and they could be addressed through negotiated rulemaking. She stated the local salary schedule definition was not meant to be a mandate and would be clarified in the statement of purpose, along with listing the bill's effective date as January 1, 2020. She noted the interim committee recommended using Title I counts to determine economically disadvantaged students, but perhaps a census based count could be used; this could also be addressed through rulemaking.

Rep. Goesling was also recognized to close testimony. He stated this bill provides an opportunity to plan for the future without changing the present.

Rep. Marshall spoke to his motion, saying while the bill is not perfect, it is sufficiently clear to move forward.

**SUBSTITUTE MOTION:**

Rep. McCrostie made a substitute motion to send H 293 to General Orders. He felt it would be better for the legislature to clarify the issues raised, rather than rely on rulemaking.

Rep. Kerby stated there would not be enough time to send a bill to General Orders. He noted this will help start data collection, so he would support the original motion.

Rep. Berch said he would oppose both motions. He would rather see a process that addresses the amount of funding and the formula together, rather than simply changing how to divide the existing funds.

Reps. Boyle, DeMordaunt, Ehardt and Raymond spoke in support of the original motion because the bill is a step in the right direction.
VOTE ON SUBSTITUTE MOTION:
Motion failed by voice vote. Rep. McCrostie requested he be recorded as voting AYE.

VOTE ON ORIGINAL MOTION:
Motion carried by voice vote. Reps. McCrostie and Berch requested to be recorded as voting NAY. Reps. Goesling and Horman will sponsor the bill on the floor.

Chairman Clow recognized the service of Committee Secretary, Erica McGinnis.

ADJOURN:
There being no further business to come before the Committee, the meeting adjourned at 9:54 am.

___________________________                    _______________________________
Representative Clow                                Erica McGinnis
Chair                                              Secretary
AGENDA

HOUSE EDUCATION COMMITTEE
8:30 A.M.
Room EW41
Thursday, March 28, 2019

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<tr>
<th>SUBJECT</th>
<th>DESCRIPTION</th>
<th>PRESENTER</th>
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<tbody>
<tr>
<td>RS27164</td>
<td>Literacy intervention tools</td>
<td>Rep. DeMordaunt</td>
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"You educate a man; you educate a man. You educate a woman; you educate a generation."
- Brigham Young

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy(Nye)
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
DATE: Thursday, March 28, 2019
TIME: 8:30 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy (Nye), Berch
ABSENT/EXCUSED: None
GUESTS: Greg Wilson, Governor’s Office; Harold Ott, IRSA/IASA; Clark Corbin, Idaho Ed News

Chairman Clow called the meeting to order at 8:33 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the March 26, 2019 meeting. Motion carried by voice vote.

H 194aaS: H 194aaS was brought before the Committee again for consideration of the Senate amendments. Chairman Clow explained the amendment provides an effective date of July 1, 2020 for the bill.

MOTION: Rep. Mendive made a motion to concur with the amendments made in the Senate to H 194aaS. Motion carried by voice vote. Rep. Clow will sponsor the bill on the floor.

RS 27164: Rep. DeMordaunt presented RS 27164, which regards adaptive learning technologies as they relate to literacy intervention. The proposed legislation further defines requirements for adaptive learning technology tools to include a parental engagement and involvement component, ability to use the tool at home and the requirement for the tool to be used with fidelity, per the instructions of the vendor.

MOTION: Vice Chairman Kerby made a motion to introduce RS 27164.

In response to Committee questions, Rep. DeMordaunt explained the digital materials are not required to be on the approved provider list to allow teachers uninhibited choice of tools. An independent, external evaluator is used to give a more comprehensive evaluation and if the vendor does not meet performance criteria, they will be cut.

VOTE ON MOTION: Motion carried by voice vote.

Chairman Clow updated the Committee on opportunities available during the interim. He also stated he will request to send S 1061aa to General Orders and explained the proposed amendments.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:07 am.

___________________________   __________________________
Representative Clow                   Erica McGinnis
Chair                                  Secretary
AGENDA
HOUSE EDUCATION COMMITTEE
9:00 A.M.
Room EW41
Tuesday, April 02, 2019

SUBJECT  DESCRIPTION  PRESENTER

Approval of Minutes

"Success in school should not be defined just by our test scores... but also by the ability to think for ourselves, work with others, and contribute to our communities."
- Student, National Commission on Social, Emotional, & Academic Development report

COMMITTEE MEMBERS
Chairman Clow
Vice Chairman Kerby
Rep Shepherd
Rep Boyle
Rep Mendive
Rep DeMordaunt
Rep Moon
Rep Ehardt
Rep Goesling
Rep Marshall
Rep Raymond
Rep Wisniewski
Rep McCrostie
Rep Abernathy(Nye)
Rep Berch

COMMITTEE SECRETARY
Erica McGinnis
Room: EW49
Phone: 332-1148
email: hedu@house.idaho.gov
DATE: Tuesday, April 02, 2019
TIME: 9:00 A.M.
PLACE: Room EW41
MEMBERS: Chairman Clow, Vice Chairman Kerby, Representatives Shepherd, Boyle, Mendive, DeMordaunt, Moon, Ehardt, Goesling, Marshall, Raymond, Wisniewski, McCrostie, Abernathy, Berch
ABSENT/EXCUSED: Reps. DeMordaunt, Ehardt and Berch
GUESTS: Clark Corbin, Idaho Ed News

Chairman Clow called the meeting to order at 9:01 am.

MOTION: Rep. Goesling made a motion to approve the minutes of the March 27, 2019 and March 28, 2019 meetings. Motion carried by voice vote.

Chairman Clow informed the Committee he may hold a meeting tomorrow on H 295, to discuss best practices for reading programs, including testimony from the State Department of Education and experts from the field. He also noted there may be several Joint House and Senate Education Committee meetings during the interim.

ADJOURN: There being no further business to come before the Committee, the meeting adjourned at 9:17 am.

___________________________  __________________________
Representative Clow  Erica McGinnis
Chair  Secretary