

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 603

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1004, IDAHO CODE, TO ESTABLISH  
2 ADDITIONAL PROVISIONS REGARDING THE DETERMINATION OF STAFF ALLOWANCE;  
3 REPEALING SECTION 33-1004, IDAHO CODE, RELATING TO STAFF ALLOWANCE;  
4 AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SEC-  
5 TION 33-1004, IDAHO CODE, TO PROVIDE FOR STAFF ALLOWANCE AND RELATED  
6 PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.  
7

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

9 SECTION 1. That Section 33-1004, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 33-1004. STAFF ALLOWANCE. For each school district, a staff allowance  
12 shall be determined as follows:

13 (1) Using the daily attendance reports that have been submitted for  
14 computing the February 15 apportionment of state funds as provided in sec-  
15 tion 33-1009, Idaho Code, calculate the total support units for the district  
16 in the manner provided in section 33-1002(6) (a), Idaho Code. If the sup-  
17 port units used to calculate discretionary funding pursuant to sections  
18 33-1009 and 33-1018, Idaho Code, are at least three percent (3%) greater,  
19 seventy-five percent (75%) of the difference shall be added to the support  
20 units used for the February 15 apportionment of state funds;

21 (2) Determine the instructional staff allowance by multiplying the  
22 support units by 1.021. A district must demonstrate that it actually employs  
23 the number of certificated instructional staff allowed, except as provided  
24 in subsection (6) (f) and (g) of this section. If the district does not employ  
25 the number allowed, the staff allowance shall be reduced to the actual number  
26 employed, except as provided in subsection (6) (f) and (g) of this section;

27 (3) Determine the pupil service staff allowance by multiplying the sup-  
28 port units by 0.079;

29 (4) Determine the administrative staff allowance by multiplying the  
30 support units by .075;

31 (5) Determine the classified staff allowance by multiplying the sup-  
32 port units by .375;

33 (6) Additional conditions governing staff allowance:

34 (a) In determining the number of staff in subsections (2), (3), (4) and  
35 (5) of this section, a district may contract separately for services to  
36 be rendered by nondistrict employees and such employees may be counted  
37 in the staff allowance. A "nondistrict employee" means a person for  
38 whom the school district does not pay the employer's obligations for  
39 employee benefits. When a district contracts for the services of a  
40 nondistrict employee, only the salary portion of the contract shall be  
41 allowable for computations.

1 (b) If there are circumstances preventing eligible use of staff al-  
2 lowance to which a district is entitled as provided in subsections (2),  
3 (3) and (4) of this section, an appeal may be filed with the state de-  
4 partment of education outlining the reasons and proposed alternative  
5 use of these funds, and a waiver may be granted.

6 (c) For any district with less than forty (40) support units:

7 (i) The instructional staff allowance shall be calculated  
8 applying the actual number of support units. If the actual in-  
9 structional staff employed in the school year is greater than the  
10 instructional staff allowance, then the instructional staff al-  
11 lowance shall be increased by one-half (1/2) staff allowance; and

12 (ii) The administrative staff allowance shall be calculated ap-  
13 plying the actual number of support units. If the actual adminis-  
14 trative staff employed in the school year is greater than the ad-  
15 ministrative staff allowance, then the administrative staff al-  
16 lowance shall be increased by one-half (1/2) staff allowance.

17 (iii) Additionally, for any district with less than twenty (20)  
18 support units, the instructional staff allowance shall be calcu-  
19 lated applying the actual number of support units. If the number  
20 of instructional staff employed in the school year is greater than  
21 the instructional staff allowance, the staff allowance shall be  
22 increased as provided in subparagraphs (i) and (ii) of this para-  
23 graph, and by an additional one-half (1/2) instructional staff al-  
24 lowance.

25 (d) For any school district with one (1) or more separate secondary  
26 schools serving grades nine (9) through twelve (12), the instructional  
27 staff allowance shall be increased by two (2) additional instructional  
28 staff allowances for each such separate secondary school.

29 (e) Only instructional, pupil service and administrative staff and  
30 classified personnel compensated by the school district from the gen-  
31 eral maintenance and operation fund of the district shall be included in  
32 the calculation of staff allowance or in any other calculations based  
33 upon staff, including determination of the experience and education  
34 multiplier, the reporting requirements, or the district's salary-based  
35 apportionment calculation. No food service staff or transportation  
36 staff shall be included in the staff allowance.

37 (f) A district may utilize up to fifteen percent (15%) of the moneys  
38 associated with positions funded pursuant to subsection (2) of this  
39 section to pay another school district or public charter school for  
40 instructional services or to defray the cost of providing virtual edu-  
41 cation coursework, including virtual dual credit coursework, without a  
42 reduction in the number of funded positions being imposed.

43 (g) A district may employ nine and one-half percent (9.5%) fewer posi-  
44 tions than funded pursuant to subsections (2) and (3) of this section,  
45 without a reduction in the number of funded positions being imposed.  
46 Beginning in fiscal year 2016, this figure shall be reduced by one per-  
47 cent (1%) each year for each school district in which the average class  
48 size, as determined from prior fiscal year data reported to the state  
49 department of education, was at least one (1) student greater than the  
50 statewide average class size. The state department of education shall

1 report to the legislature every February, beginning in 2015, on the re-  
2 ductions scheduled to take place in this figure, by school district, in  
3 the ensuing fiscal year.

4 (7) In the event that the staff allowance in any category is insuffi-  
5 cient to meet accreditation standards, a district may appeal to the state  
6 board of education, demonstrating the insufficiency, and the state board may  
7 grant a waiver authorizing sufficient additional staff to be included within  
8 the staff allowance to meet accreditation standards. Such a waiver shall be  
9 limited to one (1) year, but may be renewed upon showing of continuing justi-  
10 fication.

11 (8) A district may utilize a portion of the instructional staff al-  
12 lowance provided for in this section for kindergarten teachers to visit the  
13 parents or guardians of students during the first week of the kindergarten  
14 school year. Such visits may take place at school, at the student's home  
15 or at another location agreed to by the teacher and parents or guardians.  
16 The purpose of such visits is to help strengthen the working relationship  
17 between the teacher, the parents or guardians, and the student. The visits  
18 should be used as an opportunity to help establish the teacher's expecta-  
19 tions of the student. The visit should also provide an opportunity for the  
20 parents or guardians to explain their expectations. The amount of moneys to  
21 be expended for such visits by the district may not exceed the amount equal  
22 to one (1) week of instructional staff allowance computed for kindergarten  
23 instructors in the district.

24 SECTION 2. That Section [33-1004](#), Idaho Code, be, and the same is hereby  
25 repealed.

26 SECTION 3. That Chapter 10, Title 33, Idaho Code, be, and the same is  
27 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
28 ignated as Section 33-1004, Idaho Code, and to read as follows:

29 33-1004. STAFF ALLOWANCE. For each school district, a staff allowance  
30 shall be determined as follows:

31 (1) Using the daily attendance reports that have been submitted for  
32 computing the February 15 apportionment of state funds as provided in sec-  
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37 the number of certificated instructional staff allowed, except as provided  
38 in subsection (6)(f) and (g) of this section. If the district does not employ  
39 the number allowed, the staff allowance shall be reduced to the actual number  
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2 (5) of this section, a district may contract separately for services to  
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4 in the staff allowance. A "nondistrict employee" means a person for  
5 whom the school district does not pay the employer's obligations for  
6 employee benefits. When a district contracts for the services of a  
7 nondistrict employee, only the salary portion of the contract shall be  
8 allowable for computations.

9 (b) If there are circumstances preventing eligible use of staff al-  
10 lowance to which a district is entitled as provided in subsections (2),  
11 (3) and (4) of this section, an appeal may be filed with the state de-  
12 partment of education outlining the reasons and proposed alternative  
13 use of these funds, and a waiver may be granted.

14 (c) For any district with less than forty (40) support units:

15 (i) The instructional staff allowance shall be calculated  
16 applying the actual number of support units. If the actual in-  
17 structional staff employed in the school year is greater than the  
18 instructional staff allowance, then the instructional staff al-  
19 lowance shall be increased by one-half (1/2) staff allowance; and

20 (ii) The administrative staff allowance shall be calculated ap-  
21 plying the actual number of support units. If the actual adminis-  
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23 ministrative staff allowance, then the administrative staff al-  
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40 the calculation of staff allowance or in any other calculations based  
41 upon staff, including determination of the experience and education  
42 multiplier, the reporting requirements, or the district's salary-based  
43 apportionment calculation. No food service staff or transportation  
44 staff shall be included in the staff allowance.

45 (f) A district may utilize up to fifteen percent (15%) of the moneys  
46 associated with positions funded pursuant to subsection (2) of this  
47 section to pay another school district or public charter school for  
48 instructional services or to defray the cost of providing virtual edu-  
49 cation coursework, including virtual dual credit coursework, without a  
50 reduction in the number of funded positions being imposed.

1 (g) A district may employ nine and one-half percent (9.5%) fewer posi-  
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5 cent (1%) each year for each school district in which the average class  
6 size, as determined from prior fiscal year data reported to the state  
7 department of education, was at least one (1) student greater than the  
8 statewide average class size. The state department of education shall  
9 report to the legislature every February, beginning in 2015, on the re-  
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24 The purpose of such visits is to help strengthen the working relationship  
25 between the teacher, the parents or guardians, and the student. The visits  
26 should be used as an opportunity to help establish the teacher's expecta-  
27 tions of the student. The visit should also provide an opportunity for the  
28 parents or guardians to explain their expectations. The amount of moneys to  
29 be expended for such visits by the district may not exceed the amount equal  
30 to one (1) week of instructional staff allowance computed for kindergarten  
31 instructors in the district.

32 SECTION 4. The provisions of Sections 2 and 3 of this act shall be in  
33 full force and effect on and after July 1, 2019.