

IN THE SENATE

SENATE BILL NO. 1350

BY FINANCE COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT
2 PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2019; PRO-
3 VIDING FOR EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT
4 PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2019; APPRO-
5 PRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUBLIC SCHOOL INCOME
6 FUND; APPROPRIATING FUNDS TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT
7 PROGRAM/DIVISION OF CHILDREN'S PROGRAMS FOR FISCAL YEAR 2019; PROVID-
8 ING LEGISLATIVE INTENT REGARDING THE IDAHO DIGITAL LEARNING ACADEMY;
9 DIRECTING THE USE OF TOBACCO, CIGARETTE AND LOTTERY INCOME TAX MON-
10 EYS; DIRECTING THE USE OF APPROPRIATION FOR REMEDIATION; DIRECTING THE
11 USE OF APPROPRIATION FOR LIMITED-ENGLISH PROFICIENCY PROGRAMS; DI-
12 RECTING THE USE OF FUNDS FOR GIFTED AND TALENTED STUDENTS; DIRECTING
13 A DISTRIBUTION TO PURCHASE DIGITAL CONTENT AND CURRICULUM; DIRECTING
14 THE STATE DEPARTMENT OF EDUCATION TO COMPILE INFORMATION ON ADVANCED
15 OPPORTUNITIES; PROVIDING A TRANSFER TO THE COMMISSION ON HISPANIC AF-
16 FAIRS; PROVIDING A TRANSFER TO IDAHO STATE POLICE; DEFINING THE TERM
17 "DISTRIBUTED"; PROVIDING LEGISLATIVE INTENT REGARDING LITERACY IN-
18 Tervention PROGRAMS; AND PROVIDING LEGISLATIVE INTENT REGARDING THE
19 MASTERY-BASED EDUCATION PROGRAM.
20

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

22 SECTION 1. The following amounts shall be expended for the Public
23 Schools Educational Support Program/Division of Children's Programs for the
24 period July 1, 2018, through June 30, 2019:

25 FROM:

26 General Fund	\$56,904,700
27 Cigarette, Tobacco and Lottery Income Taxes	4,024,900
28 Federal Grant Fund	<u>249,115,000</u>
29 TOTAL	\$310,044,600

30 SECTION 2. There is hereby appropriated the following amount to be
31 transferred to the Public School Income Fund for the period July 1, 2018,
32 through June 30, 2019:

33 FROM:

34 General Fund	\$56,904,700
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1 SECTION 3. There is hereby appropriated to the Public Schools Edu-
 2 cational Support Program/Division of Children's Programs the following
 3 amounts to be expended from the listed funds for the period July 1, 2018,
 4 through June 30, 2019:

5 FROM:

6 Public School Income Fund	\$60,929,600
7 Federal Grant Fund	<u>249,115,000</u>
8 TOTAL	\$310,044,600

9 SECTION 4. IDAHO DIGITAL LEARNING ACADEMY. The Idaho Digital Learning
 10 Academy (IDLA), created pursuant to Chapter 55, Title 33, Idaho Code, shall
 11 utilize state appropriated funds for the period July 1, 2018, through June
 12 30, 2019, to achieve the following:

13 (1) Tuition charged by IDLA to Idaho school districts and charter
 14 schools shall not exceed \$75.00 per enrollment.

15 (2) Provide remedial coursework for students failing to achieve profi-
 16 ciency in one (1) or more areas of Idaho's standards-based tests.

17 (3) Pursuant to State Board of Education rule, IDAPA 08.02.03, provide
 18 advanced learning opportunities for students.

19 (4) Pursuant to State Board of Education rule, IDAPA 08.02.03, work
 20 with institutions of higher education to provide dual credit coursework.

21 The preceding list shall not be construed as excluding other instruction and
 22 training that may be provided by the Idaho Digital Learning Academy.

23 SECTION 5. TOBACCO, CIGARETTE AND LOTTERY DISTRIBUTION. Notwithstand-
 24 ing the provisions of any law to the contrary, of the moneys appropriated in
 25 Section 3 of this act, up to \$4,024,900 from available tobacco, cigarette,
 26 and lottery income tax revenue funds accruing, appropriated, or distributed
 27 to the Public School Income Fund pursuant to Sections 63-2506, 63-2552A,
 28 and 63-3067, Idaho Code, for the period July 1, 2018, through June 30, 2019,
 29 shall be distributed to school districts and charter schools through a com-
 30 bination of a base amount of \$2,000 plus a prorated amount based on the prior
 31 year's average daily attendance. Such funds shall be used to develop and
 32 implement school safety improvements and/or to facilitate and provide sub-
 33 stance abuse prevention programs in the public school system.

34 SECTION 6. REMEDIAL COURSEWORK. Of the moneys appropriated in Section
 35 3 of this act, \$4,715,000 shall be distributed for remedial coursework for
 36 students failing to achieve proficiency on Idaho's standards-based achieve-
 37 ment tests in dollar amounts determined by the Superintendent of Public
 38 Instruction. The Superintendent of Public Instruction shall report to the
 39 Joint Finance-Appropriations Committee and the Senate and House Education
 40 committees by no later than February 1, 2020, on the uses of funds and effec-
 41 tiveness of the programs and efforts.

42 SECTION 7. ENGLISH PROFICIENCY. Pursuant to Section 33-1617, Idaho
 43 Code, of the moneys appropriated in Section 3 of this act, \$4,820,000 shall

1 be distributed for support of programs for students with non-English or lim-
2 ited-English proficiency, as follows:

3 (1) The Superintendent of Public Instruction shall distribute
4 \$4,370,000 to school districts pro rata, based on the population of lim-
5 ited-English proficient students under criteria established by the depart-
6 ment.

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

14 (3) The Superintendent of Public Instruction shall develop the program
15 elements and objectives governing the use of these funds and include a pro-
16 gram evaluation component. The purpose of these funds is to improve student
17 English language skills to allow for better access to the educational oppor-
18 tunities offered in public schools. The Superintendent of Public Instruc-
19 tion shall report to the Joint Finance-Appropriations Committee and the Sen-
20 ate and House Education committees by no later than February 1, 2020, on the
21 program design, uses of funds and program effectiveness.

22 SECTION 8. GIFTED AND TALENTED. Of the funds appropriated in Section 3
23 of this act, \$1,000,000 shall be distributed by the Superintendent of Pub-
24 lic Instruction for professional training and screening for gifted and tal-
25 ented students and instructors. Funding will be distributed based on a for-
26 mula prescribed by the Superintendent of Public Instruction that includes a
27 base amount and an amount based on the number of identified gifted and tal-
28 ented students.

29 SECTION 9. DIGITAL CONTENT. Of the funds appropriated in Section 3 of
30 this act, \$950,000 shall be distributed by the Superintendent of Public In-
31 struction to school districts and charter schools to purchase digital con-
32 tent and curriculum of their choice. Funding will be distributed based on
33 a formula prescribed by the Superintendent of Public Instruction that in-
34 cludes a base amount and an amount based on the number of mid-term support
35 units.

36 SECTION 10. ADVANCED OPPORTUNITIES COURSES. It is the intent of the
37 Legislature that the Superintendent of Public Instruction shall compile
38 information concerning the numbers of students enrolling in advanced op-
39 portunities courses according to the provisions of Chapter 16, Title 33,
40 Idaho Code, whether coursework is successfully completed, and expenditures
41 for fiscal year 2019. As nearly as possible, the report shall contain in-
42 formation about enrollment of this student population in post-high school
43 education. A report containing such information shall be posted on the web-
44 site of the State Department of Education no later than December 31, 2020.

45 SECTION 11. PUBLIC SCHOOL INCOME FUND TRANSFER TO COMMISSION ON HIS-
46 PANIC AFFAIRS. There is hereby appropriated and the State Controller shall

1 transfer in accordance with Section 63-2552A(3), Idaho Code, on July 1,
2 2018, or as soon thereafter as practicable, \$80,000 from the Public School
3 Income Fund to the Commission on Hispanic Affairs Miscellaneous Revenue Fund
4 to be used for substance abuse prevention efforts in collaboration with the
5 State Department of Education.

6 SECTION 12. PUBLIC SCHOOL INCOME FUND TRANSFER TO IDAHO STATE POLICE.
7 There is hereby appropriated and the State Controller shall transfer in ac-
8 cordance with Section 63-2552A(3), Idaho Code, on July 1, 2018, or as soon
9 thereafter as practicable, \$200,000 from the Public School Income Fund to
10 the Idaho State Police Miscellaneous Revenue Fund for the purpose of in-
11 creasing toxicology lab capacity in Forensic Services.

12 SECTION 13. DEFINITION. For the purposes of this appropriation, the
13 term "distributed" means moneys that are transferred to school districts,
14 public charter schools, and the Idaho Digital Learning Academy, with no
15 funds withheld for any other contract or administrative costs.

16 SECTION 14. LITERACY INTERVENTION PROGRAMS. It is the intent of the
17 Legislature that the Literacy Intervention Program(s) have an independent,
18 external evaluation. The results of the evaluation shall be reported to the
19 Joint Finance-Appropriations Committee and the Senate and House Education
20 committees no later than February 1, 2019, on the program design, uses of
21 funds, program effectiveness, and any other relevant matters.

22 SECTION 15. MASTERY-BASED EDUCATION PROGRAM. It is the intent of the
23 Legislature that the Mastery-Based Education Program have an independent,
24 external evaluation. The results of the evaluation shall be reported to the
25 Joint Finance-Appropriations Committee and the Senate and House Education
26 committees no later than February 1, 2019, on the program design, uses of
27 funds, program effectiveness, and any other relevant matters.