

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 355

BY APPROPRIATIONS COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT  
2 PROGRAM'S DIVISION OF OPERATIONS; PROVIDING FOR EXPENDITURES FOR THE  
3 PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPERATIONS  
4 FOR FISCAL YEAR 2022; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER  
5 TO THE PUBLIC SCHOOL INCOME FUND; APPROPRIATING MONEYS TO THE PUB-  
6 LIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPERATIONS FOR  
7 FISCAL YEAR 2022; AMENDING SECTION 33-1004E, IDAHO CODE, TO INCREASE  
8 THE BASE SALARY FOR CLASSIFIED STAFF; PROVIDING AN ESTIMATE OF DIS-  
9 CRETIONARY FUNDS PER SUPPORT UNIT AND DIVIDING THAT AMOUNT INTO TWO  
10 DISTRIBUTIONS; DIRECTING THE USE OF APPROPRIATION FOR INFORMATION  
11 TECHNOLOGY STAFFING COSTS; DIRECTING THE USE OF APPROPRIATION FOR  
12 CLASSROOM TECHNOLOGY, WIRELESS INFRASTRUCTURE, AND INSTRUCTIONAL MAN-  
13 AGEMENT SYSTEMS; DEFINING "DISTRIBUTED"; EXEMPTING THE APPROPRIATION  
14 FROM PROGRAM TRANSFER LIMITATIONS; PROVIDING FOR A TRANSPORTATION PRO-  
15 GRAM MANAGEMENT REVIEW; PROVIDING AN ESTIMATE OF DISCRETIONARY FUNDS  
16 PER SUPPORT UNIT AND DIVIDING THAT AMOUNT INTO TWO DISTRIBUTIONS FOR  
17 FISCAL YEAR 2021; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC SCHOOLS  
18 EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPERATIONS FOR FISCAL YEAR  
19 2021; AND DECLARING AN EMERGENCY.  
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's Division of Operations for the period  
24 July 1, 2021, through June 30, 2022:

25 FROM:

26 General Fund	\$702,240,800
27 Public Schools Other Income Fund	8,000,000
28 Public School Earnings Reserve Fund	54,798,000
29 Federal COVID-19 Relief Fund	<u>14,000,000</u>
30 TOTAL	\$779,038,800

31 SECTION 2. There is hereby appropriated the following amount to be  
32 transferred to the Public School Income Fund for the period July 1, 2021,  
33 through June 30, 2022:

34 FROM:

35 General Fund	\$702,240,800
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1 SECTION 3. There is hereby appropriated to the Public Schools Educa-  
 2 tional Support Program's Division of Operations the following amounts to be  
 3 expended from the listed funds for the period July 1, 2021, through June 30,  
 4 2022:

5 FROM:

6 Public School Income Fund	\$765,038,800
7 Federal COVID-19 Relief Fund	<u>14,000,000</u>
8 TOTAL	\$779,038,800

9 SECTION 4. That Section 33-1004E, Idaho Code, be, and the same is hereby  
 10 amended to read as follows:

11 33-1004E. DISTRICT'S SALARY-BASED APPORTIONMENT. Each district shall  
 12 be entitled to a salary-based apportionment calculated as provided in this  
 13 section.

14 (1) To determine the apportionment for instructional staff, take  
 15 the amounts indicated on the career ladder table plus the amounts associ-  
 16 ated with the additional education allocation amounts pursuant to section  
 17 33-1004B, Idaho Code, and calculate the weighted average. The amount so  
 18 determined shall be multiplied by the district staff allowance for instruc-  
 19 tional staff determined as provided in section 33-1004(2), Idaho Code.  
 20 Full-time instructional staff salaries shall be determined from a salary  
 21 schedule developed by each district and submitted to the state department of  
 22 education. No full-time instructional staff member or pupil service staff  
 23 member on the residency compensation rung shall be paid less than the minimum  
 24 dollar amount on the career ladder residency compensation rung pursuant to  
 25 section 33-1004B, Idaho Code, for the applicable fiscal year.

26 (2) Effective July 1, 2022, no full-time instructional staff member  
 27 or pupil service staff member on the professional or advanced professional  
 28 compensation rung shall be paid less than the minimum dollar amount on the  
 29 career ladder professional compensation rung pursuant to section 33-1004B,  
 30 Idaho Code, for the applicable fiscal year.

31 (3) Effective July 1, 2025, no full-time instructional staff member or  
 32 pupil service staff member on the advanced professional compensation rung  
 33 shall be paid less than the minimum dollar amount on the advanced profes-  
 34 sional compensation rung pursuant to section 33-1004B, Idaho Code, for the  
 35 applicable fiscal year.

36 (4) If an instructional staff member has been certified by the national  
 37 board for professional teaching standards, the staff member shall receive  
 38 two thousand dollars (\$2,000) per year for five (5) years from the year in  
 39 which national board certification was earned. The district staff allot-  
 40 ment shall be increased by two thousand dollars (\$2,000) for each national  
 41 board-certified instructional staff member who earned national board cer-  
 42 tification; provided however, that no such awards shall be paid for the pe-  
 43 riod July 1, 2010, through June 30, 2011, nor shall any liabilities accrue  
 44 or payments be made pursuant to this section in the future to any individu-  
 45 als who would have otherwise qualified for a payment during this stated time  
 46 period. The resulting amount is the district's salary-based apportionment

1 for instructional staff. For purposes of this section, teachers qualifying  
 2 for the salary increase shall be those who have been recognized as national  
 3 board-certified teachers as of July 1 of each year.

4 (5) To determine the apportionment for pupil service staff, take  
 5 the amounts indicated on the career ladder table plus the amounts associ-  
 6 ated with the additional education allocation amounts pursuant to section  
 7 33-1004B, Idaho Code, and calculate the weighted average. If the district  
 8 does not employ any pupil service staff, the district's pupil service staff  
 9 average salary shall equal the district's instructional staff average  
 10 salary for purposes of calculating pupil service salary-based apportion-  
 11 ment. The amount so determined shall be multiplied by the district staff al-  
 12 lowance for pupil service staff determined pursuant to section 33-1004(3),  
 13 Idaho Code. Full-time pupil service staff salaries shall be determined from  
 14 a salary schedule developed by each district and submitted to the state de-  
 15 partment of education. The resulting amount is the district's salary-based  
 16 apportionment for pupil service staff. No full-time pupil service staff  
 17 member shall be paid less than the minimum dollar amount on the career ladder  
 18 residency compensation rung pursuant to section 33-1004B, Idaho Code, for  
 19 the applicable fiscal year.

20 (6) To determine the apportionment for district administrative staff,  
 21 first determine the district average experience and education index by plac-  
 22 ing all eligible certificated administrative employees on the statewide in-  
 23 dex provided in section 33-1004A, Idaho Code. The resulting average is the  
 24 district index. If the district does not employ any administrative staff,  
 25 the district administrative index shall equal the statewide average index  
 26 for purposes of calculating administrative salary-based apportionment. The  
 27 district administrative staff index shall be multiplied by the base salary  
 28 of thirty-eight thousand seventeen dollars (\$38,017). The amount so deter-  
 29 mined shall be multiplied by the district staff allowance for administrative  
 30 staff determined as provided in section 33-1004(4), Idaho Code. The result-  
 31 ing amount is the district's salary-based apportionment for administrative  
 32 staff.

33 (7) To determine the apportionment for classified staff, multiply  
 34 ~~twenty-two thousand seven hundred sixty-one dollars (\$22,761)~~ twenty-three  
 35 thousand two hundred sixteen dollars (\$23,216) by the district classified  
 36 staff allowance determined as provided in section 33-1004(5), Idaho Code.  
 37 The amount so determined is the district's apportionment for classified  
 38 staff.

39 (8) The district's salary-based apportionment shall be the sum of the  
 40 apportionments calculated in subsections (1), (4), (5), (6) and (7) of this  
 41 section, plus the benefit apportionment as provided in section 33-1004F,  
 42 Idaho Code.

43 SECTION 5. DISCRETIONARY FUNDS. Notwithstanding any law to the con-  
 44 trary, for the period July 1, 2021, through June 30, 2022, it is estimated  
 45 that the appropriation of state funds to the Public Schools Educational  
 46 Support Program's Division of Operations will result in total discretionary  
 47 funds of \$29,542 per support unit. The \$29,542 is further divided into two  
 48 distributions: \$16,226 per support unit is to be used at the discretion of  
 49 the school district or charter school and \$13,316 per support unit is to be

1 used to offset the employer costs of health, vision, and dental insurance of-  
2 ferred to its employees. If the distribution provided for health, vision, and  
3 dental insurance is in excess of the individual school district's or char-  
4 ter school's actual costs, the excess funds may then be used at the school  
5 district's or charter school's discretion. Further, the Department of Edu-  
6 cation shall work with the Legislative Services Office and the Division of  
7 Financial Management to determine the information that the Department of Ed-  
8 ucation shall collect on school district and charter school health, vision,  
9 and dental insurance costs, including but not limited to actual insurance  
10 premium costs and premium percentage increases.

11 SECTION 6. INFORMATION TECHNOLOGY STAFFING COSTS. Of the moneys appro-  
12 priated in Section 3 of this act, \$4,000,000 from the Public School Income  
13 Fund shall be distributed for public school information technology staff  
14 costs. Such moneys shall be distributed pursuant to a formula, with a mini-  
15 mum distribution per school district and public charter school, determined  
16 by the Department of Education.

17 SECTION 7. CLASSROOM TECHNOLOGY. Of the moneys appropriated in Section  
18 3 of this act, \$26,500,000 from the Public School Income Fund shall be dis-  
19 tributed for classroom technology, classroom technology infrastructure,  
20 wireless technology infrastructure, and instructional management systems  
21 that assist teachers and students in effective and efficient instruction or  
22 learning. Funding shall be distributed based on a formula prescribed by the  
23 Department of Education. Moneys so distributed shall be used to implement  
24 and operate an instructional management system of each district's choice  
25 that meets the individual learning needs and progress of all students. An  
26 instructional management system must include individual student learning  
27 plans, monitoring of interventions, integration with a district's Student  
28 Information System (SIS), and analysis of student and classroom levels of  
29 learning. Furthermore, the Department of Education shall verify that dis-  
30 tricts are using funds to purchase an instructional management system that  
31 is compliant with these standards.

32 SECTION 8. DEFINITION. For the purposes of this appropriation, "dis-  
33 tributed" means moneys that are transferred to school districts and public  
34 charter schools with no funds withheld for any other contract or administra-  
35 tive costs.

36 SECTION 9. EXEMPTIONS FROM PROGRAM TRANSFER LIMITATIONS. For fiscal  
37 year 2022, the Department of Education is hereby granted the authority to  
38 transfer appropriations among the Administrators, Teachers, Operations,  
39 Children's Programs, and Facilities divisions of the Public Schools Educa-  
40 tional Support Program, in any amount necessary, to comply with the public  
41 school funding provisions of appropriations and Idaho Code. Additionally,  
42 appropriations may be transferred from the Division of Central Services to  
43 the other divisions of the Public Schools Educational Support Program.

44 SECTION 10. TRANSPORTATION PROGRAM MANAGEMENT REVIEW. As provided for  
45 in Section 67-702(c), Idaho Code, the Audit Division of the Legislative Ser-

1 vices Office shall perform a management review of the Pupil Transportation  
2 Program outlined in Chapters 10 and 15, Title 33, Idaho Code. The review  
3 shall evaluate and audit, at a minimum, the calculation and application of  
4 the funding formula, payments made to school districts and public charter  
5 schools, and the overall administration of the program. The Audit Division  
6 may also evaluate other portions of the transportation program based on in-  
7 formation gathered during the audit.

8 SECTION 11. FISCAL YEAR 2021 DISCRETIONARY FUNDS. Notwithstanding  
9 Section 5, Chapter 300, Laws of 2020, and any other provision of law to the  
10 contrary, for the period July 1, 2020, through June 30, 2021, it is estimated  
11 that the appropriation of state funds to the Public Schools Educational  
12 Support Program's Division of Operations will result in total discretionary  
13 funds of \$22,810 per support unit. The \$22,810 is further divided into two  
14 distributions: \$10,149 per support unit is to be used at the discretion of  
15 the school district or charter school and \$12,661 per support unit is to be  
16 used to offset the employer costs of health, vision, and dental insurance of-  
17 fered to its employees. If the distribution provided for health, vision, and  
18 dental insurance is in excess of the individual school district's or char-  
19 ter school's actual costs, the excess funds may then be used at the school  
20 district's or charter school's discretion. Further, the Department of Edu-  
21 cation shall work with the Legislative Services Office and the Division of  
22 Financial Management to determine the information that the Department of Ed-  
23 ucation shall collect on school district and charter school health, vision,  
24 and dental insurance costs, including but not limited to actual insurance  
25 premium costs and premium percentage increases.

26 SECTION 12. In addition to the appropriation made in Section 3, Chap-  
27 ter 300, Laws of 2020, and any other appropriation provided by law, there is  
28 hereby appropriated to the Public Schools Educational Support Program's Di-  
29 vision of Operations \$2,173,200 from the Federal COVID-19 Relief Fund for  
30 the period July 1, 2020, through June 30, 2021.

31 SECTION 13. An emergency existing therefor, which emergency is hereby  
32 declared to exist, Sections 10, 11, and 12 of this act shall be in full force  
33 and effect on and after passage and approval.