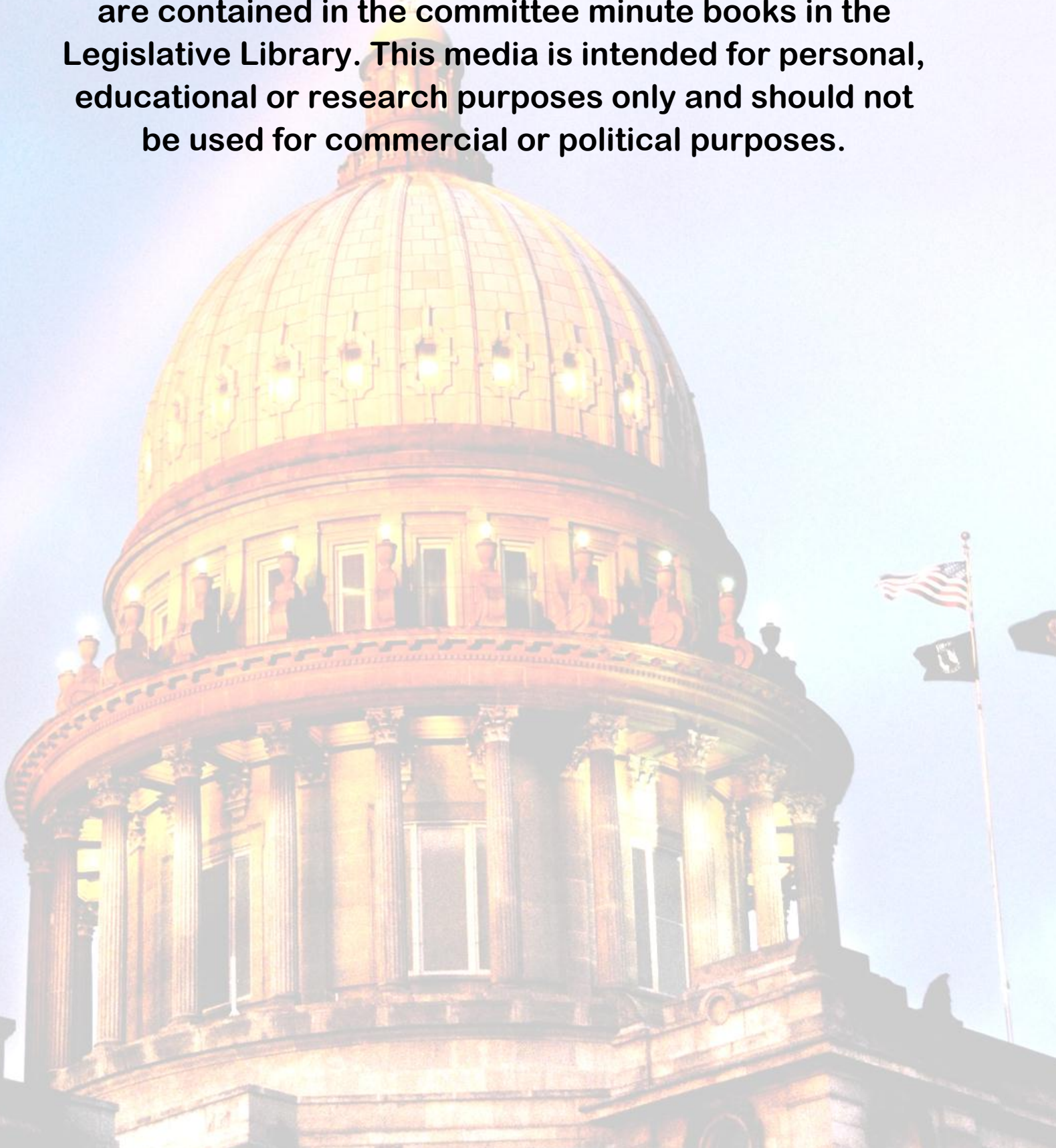


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JFAC COMMITTEE MEETING MINUTES

4/3/13

The hearing was held in Room C310, Statehouse, commencing at 1:30 p.m. and concluding at 2:11 p.m. with Chairman Bell presiding.

Roll Call:

Senators: Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey

Representatives: Bell, Bolz, Eskridge, Thompson, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

Absent/Excused: none

STATE BOARD OF EDUCATION

Public School Support

Presenter: Paul Headlee, Principal Budget and Policy Analyst

Administration

Carried

Original Motion

Moved by Thompson, seconded by Cameron, to approve for introduction \$78,138,600 General Funds, \$0 Dedicated Funds, \$0 Federal Funds for a total of \$78,138,600 with FTP of 0.00.

Ayes: 16

Cameron, Keough, Johnson, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Thompson, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

Nays: 4

Mortimer, Vick, Nuxoll, Bayer

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Bell.

Teachers

Carried

Original Motion

Moved by Cameron, seconded by Youngblood, to approve for introduction \$743,300,800 General Funds, \$0 Dedicated Funds, \$15,000,000 Federal Funds for a total of \$758,300,800 with FTP of 0.00.

Ayes: 16

Cameron, Keough, Johnson, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Thompson, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

Nays: 4

Mortimer, Vick, Nuxoll, Bayer

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Bell.

Operations

Disclosure of Possible Conflict of Interest

Pursuant to Rule 39(H), Senator Cameron disclosed he has a possible conflict of interest under applicable law; he does plan to vote on the issue currently before the Committee.

Carried

Original Motion

Moved by Thompson, seconded by Keough, to approve for introduction \$444,666,700 General Funds, \$54,614,300 Dedicated Funds, \$0 Federal Funds for a total of \$499,281,000 with FTP of 0.00.

Ayes: 16

Cameron, Keough, Johnson, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Thompson, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

Nays: 4

Mortimer, Vick, Nuxoll, Bayer

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Bell.

Children's Programs

Carried

Original Motion

Moved by Cameron, seconded by Youngblood, to approve for introduction \$30,167,000 General Funds, \$368,600 Dedicated Funds, \$200,000,000 Federal Funds for a total of \$230,535,600 with FTP of 0.00.

Ayes: 20

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Thompson, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Bell.

Facilities

Carried

Original Motion

Moved by Thompson, seconded by Bolz, to approve for introduction \$4,553,600 General Funds, \$19,363,900 Dedicated Funds, \$0 Federal Funds for a total of \$23,917,500 with FTP of 0.00.

Ayes: 16

Cameron, Keough, Johnson, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Thompson, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

Nays: 4

Mortimer, Vick, Nuxoll, Bayer

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Bell.

Educational Services for the Deaf & Blind

Carried

Original Motion

Moved by Miller, seconded by Thompson, to approve for introduction \$7,538,700 General Funds, \$220,800 Dedicated Funds, \$223,500 Federal Funds for a total of \$7,983,000 with FTP of 0.00.

Ayes: 20

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Thompson, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Bell.

Legislative Intent Language

FY 2014 Public School Support Program Intent Language
Sections 1-10 are standard sections.

SECTION 11. That Section 33-1004A, Idaho Code, be, and the same is hereby amended to read as follows:

33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. Each instructional and administrative staff position shall be assigned an appropriate multiplier based upon the following table:

EXPERIENCE AND EDUCATION

	MA	MA + 12	MA + 24	MA + 36	MA + 48	MA + 60	ES/DR
YearsBA	BA + 12	BA + 24	BA + 36	BA + 48	BA + 60	ES/DR	
0	1.00000	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730
1	1.03750	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410
2	1.07640	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260
3	1.11680	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290
4	1.15870	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510
5	1.20220	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930
6	1.24730	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550
7	1.29410	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380
8	1.34260	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430
9	1.39290	1.44510	1.49930	1.55550	1.61380	1.67430	1.73710
10	1.39290	1.49930	1.55550	1.61380	1.67430	1.73710	1.80220
11	1.39290	1.49930	1.55550	1.61380	1.73710	1.80220	1.86980
12	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	1.93990
13 or more	1.39290	1.49930	1.55550	1.61380	1.73710	1.86980	2.01260

In determining the experience factor, the actual years of teaching or administrative service in a public school, in an accredited private or parochial school, or beginning in the 2005-06 school year and thereafter in an accredited college or university shall be credited, ~~minus two (2); provided however, that the experience factor cannot be less than zero (0).~~

In determining the education factor, only credits earned after initial certification, based upon a transcript on file with the teacher certification office of the state department of education, earned at an institution of higher education accredited by the state board of education or a regional accrediting association, shall be allowed. 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 factor. For the time period July 1, 2010, through June 30, 2011, instructional and administrative staff shall not advance on the education portion of the multiplier table.

In determining the statewide average multiplier for instructional staff, no multiplier in excess of 1.59092 shall be used. If the actual statewide average multiplier for instructional staff, as determined by this section, exceeds 1.59092, then each school district's instructional staff multiplier shall be multiplied by the result of 1.59092 divided by the actual statewide average multiplier for instructional staff.

In determining the statewide average multiplier for administrative staff, no multiplier in excess of 1.86643 shall be used. If the actual statewide average multiplier for administrative staff, as determined by this section, exceeds 1.86643, then each school district's administrative staff multiplier shall be multiplied by the result of 1.86643 divided by the actual statewide average multiplier for administrative staff.

SECTION 12. That Section 33-1004E, Idaho Code, be, and the same is hereby amended to read as follows:

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

1. To determine the apportionment for instructional staff, first determine the district average experience and education index by placing all eligible district certificated instructional employees on the statewide index provided in section [33-1004A](#), Idaho Code. The resulting average is the district index. Districts with an index above the state average index shall receive their actual index but not more than the state average plus .03 for the 1994-95 school year, and shall receive their actual index but not more than the state average plus .06 for the 1995-96 school year, and thereafter shall receive their actual district index. The district instructional staff index shall be multiplied by the instructional base salary of \$23,123. 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. The instructional salary allocation shall be further increased by the amount necessary for each full-time equivalent instructional staff member placed on the experience and education index to be allocated at least the minimum salary mandated by this section. 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 ~~\$30,500~~ 31,000. If an instructional staff member has been certified by the national board for professional teaching standards, the staff member shall be designated as a master teacher and receive \$2,000 per year for five (5) years. The instructional salary shall be increased by \$2,000 for each master teacher 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 individuals 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 as master teacher shall be those who have been recognized as national board certified teachers as of July 1 of each year.

2. 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. Districts with an index above the state average index shall receive their actual index but not more than the state average plus

.03 for the school year 1994-95, and shall receive their actual index but not more than the state average index plus .06 for the 1995-96 school year, and thereafter shall receive their actual district index. The district administrative staff index shall be multiplied by the base salary of \$31,833. The amount so determined shall be multiplied by the district staff allowance for administrative staff determined as provided in section [33-1004](#)(3), Idaho Code. The resulting amount is the district's salary-based apportionment for administrative staff.

3. To determine the apportionment for classified staff, multiply \$19,058 by the district classified staff allowance determined as provided in section [33-1004](#)(4), Idaho Code. The amount so determined is the district's apportionment for classified staff.

4. The district's salary-based apportionment shall be the sum of the apportionments calculated in subsections 1., 2. and 3., of this section, plus the benefit apportionment as provided in section [33-1004F](#), Idaho Code.

SECTION 13. The Idaho Digital Learning Academy (IDLA), created pursuant to Chapter 55, Title 33, Idaho Code, shall utilize state appropriated funds for the period July 1, 2013, through June 30, 2014, to achieve the following:

(1) Tuition charged by IDLA to Idaho students shall not exceed \$100 per enrollment.

(2) Provide remedial coursework for students failing to achieve proficiency in one (1) or more areas of the Idaho Standards Achievement Test.

(3) Pursuant to the fiscal impact statement for the State Board of Education rule, IDAPA 08.02.03, Docket Number 08-0203-0605, provide advanced learning opportunities for students.

(4) Pursuant to State Board of Education rule, IDAPA 08.02.03, Docket Number 08-0203-0605, work with institutions of higher education to provide dual credit coursework. The preceding list shall not be construed as excluding other instruction and training that may be provided by the Idaho Digital Learning Academy.

SECTION 14. Notwithstanding the provisions of any law to the contrary, of the moneys appropriated in Section 5 of this act, up to \$4,331,400 from funds determined by available tobacco, cigarette and lottery income tax revenues accruing, appropriated, or distributed to the Public School Income Fund pursuant to Sections 63-2506, 63-2552A, 63-3035A and 63-3067, Idaho Code, for the period July 1, 2013, through June 30, 2014, shall be distributed as discretionary funds within the Public Schools Educational Support Program/Division of Operations, and school districts and charter schools are hereby relieved of any restrictions on the use of such funds, apart from restrictions that apply to the use of discretionary funds.

SECTION 15. Of the moneys appropriated in Section 6 of this act, \$368,600 from funds determined by available revenues accruing, appropriated, or distributed to the Public School Income Fund pursuant to Sections 63-2506, 63-2552A, 63-3035A and 63-3067, Idaho Code, and other such moneys that may become available pursuant to Idaho laws, for the period July 1, 2013, through June 30, 2014, shall be distributed as follows: the provisions of Section 63-2552A(3), Idaho Code, notwithstanding, \$200,000 shall be remitted to the Idaho State Police to increase toxicology lab capacity in the Bureau of Forensic Services for drug testing of juveniles; the Superintendent of Public Instruction

may use up to \$90,000 for Safe and Drug-Free Schools Program administration, technical assistance, and evaluation; and \$78,600 shall be remitted to the Commission on Hispanic Affairs on or before July 15, 2013, to be used for substance abuse prevention efforts in collaboration with the State Department of Education.

SECTION 16. Notwithstanding the provisions of Sections 33-905 and 33-1019, Idaho Code, for the period July 1, 2013, through June 30, 2014, sixty-seven percent (67%) of all moneys appropriated from the School District Building Account shall be distributed as discretionary funds within the Public Schools Educational Support Program/Division of Operations and school districts and charter schools are hereby relieved of any restrictions on the use of such funds, apart from restrictions that apply to the use of discretionary funds

SECTION 17. Notwithstanding the provisions of Sections 33-1018B and 33-1019, Idaho Code, for the period July 1, 2013, through June 30, 2014, only, the state is hereby temporarily relieved from the requirement to provide sixty-seven percent (67%) of its portion of the school maintenance matching funds normally required by such sections, nor shall school districts be required to make up such portion that would otherwise be provided by the state.

SECTION 18. Pursuant to the provisions of Section 33-1018, Idaho Code, for the period July 1, 2013, through June 30, 2014, it is estimated that the appropriation of state funds to the Public Schools Educational Support Program/Division of Operations will result in total discretionary funds of \$20,000 per support unit.

SECTION 19. Of the moneys appropriated in Section 6 of this act, \$10,500,000 shall be used for literacy programs, as outlined in Sections 33-1207A(2), 33-1614 and 33-1615, Idaho Code; remedial coursework for students failing to achieve proficiency in the Idaho Standards Achievement Test; computerized remediation services to schools; and math initiative efforts, in dollar amounts determined by the Superintendent of Public Instruction. It is legislative intent that the State Board of Education and State Department of Education coordinate federally funded literacy programs with state literacy programs, resulting in well-coordinated, complementary literacy efforts. The Superintendent of Public Instruction shall report to the Joint Finance-Appropriations Committee and the House and Senate Education Committees, by no later than February 1, 2015, on the uses of funds and effectiveness of the programs and efforts.

SECTION 20. Pursuant to Section 33-1617, Idaho Code, of the moneys appropriated in Section 6 of this act, \$4,000,000 shall be distributed for support of programs for students with non-English or limited English proficiency, as follows:

(1) The State Department of Education shall distribute \$3,500,000 to school districts pro rata, based upon the population of limited English proficient students under criteria established by the department.

(2) The State Department of Education shall use \$500,000 for the competitive grant program for school districts in which the population of English language learners failed to meet Adequate Yearly Progress (AYP) in math or reading, as defined in federal law. Of this amount, \$450,000 shall be distributed annually to school districts in three (3)

year grant cycles, in which the recipients will receive full grant awards each of the three (3) years, contingent on appropriation. The remaining \$50,000 will be used for evaluation and administration of the program.

(3) The department shall develop the program elements governing the use of these funds, modeled on the training, intervention and remediation elements of the literacy programs referenced in Section 19 of this act. The purpose of these funds is to improve the English language skills of English language learners, to enable such students to better access the educational opportunities offered in public schools. The Superintendent of Public Instruction shall report to the Joint Finance-Appropriations Committee and the House and Senate Education committees by no later than February 1, 2015, on the program design, uses of funds and effectiveness of the program.

SECTION 21. Of the moneys appropriated in Section 6 of this act, \$1,703,500 shall be used for the development or administration of student assessments, including a college entrance exam for 11th grade students, an exam for 10th grade students that provides preparation for the college entrance exam, and end-of-course examinations for high school science subjects.

SECTION 22. Of the moneys appropriated in Section 5 of this act, \$2,500,000 shall be distributed for public school information technology staff costs. Such moneys shall be distributed pursuant to a formula, with a minimum distribution per school district and public charter school, determined by the Superintendent of Public Instruction.

SECTION 23. Of the moneys appropriated in Section 3 of this act, \$300,000 shall be used for professional development and training that promotes the effective, consistent evaluation of teacher and administrator performance, pursuant to standards established by the State Board of Education.

SECTION 24. Of the moneys appropriated in Section 6 of this act, up to \$100,000 may be expended by the Superintendent of Public Instruction to facilitate a safe schools task force, develop a common threat assessment tool and accompanying rubric, establish a support structure for the implementation of the tool throughout the state, establish a secure mechanism for collecting data results on the threat assessment, and assist school districts in the creation of safety plans at the local level, based on the deficiencies identified in the assessment.

SECTION 25. Of the moneys appropriated in Section 5 of this act, \$10,400,000 shall be expended by the Superintendent of Public Instruction as follows:

(1) \$8,000,000 shall be distributed for classroom technology that assists teachers and students in effective and efficient instruction or learning.

(2) \$2,250,000 shall be expended for the installation, repair, replacement and support of a wireless technology infrastructure, in each public school serving high school grades, of sufficient capacity to support utilization of mobile computing devices by all students in such grades.

(3) \$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 available from 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.

Of the amounts allocated pursuant to subsections (2) and (3) of this section, no more than \$190,000 may be utilized by the superintendent of public instruction for technology staff support costs. The dollars allocated for subsections (2) and (3) of this section may be reallocated between said subsections by the superintendent of public instruction, subject to a ten percent (10%) maximum cumulative change in the allocated amounts.

SECTION 26. Of the moneys appropriated in Section 5 of this act, \$4,500,000 shall be used for the maintenance, operation, and licensing of the instructional management system that includes high quality digital learning resources and software linked to state and local curricula, model lesson plans, content and formative and summative assessments tied to rigorous college and career-ready standards, and safe and secure online knowledge sharing and collaboration systems.

SECTION 27. Of the moneys appropriated in Section 4 of this act, \$3,755,000 shall be used for professional development, training and assistance that promotes the implementation of Idaho core mathematical and English language arts standards including, but not limited to, the alignment of curriculum and instruction to such standards.

SECTION 28. Of the moneys appropriated in Section 4 of this act, \$150,000 shall be used for professional development and training that promotes the effective use of technology by students, staff and parents, the integration of technology into public school curricula and instructional methods, the development of plans at the school, district and statewide level for the improved use and integration of technology in learning, and the development and effective utilization of student data.

SECTION 29. It is legislative intent that the State Department of Education shall compile information concerning the numbers of students enrolling in dual credit courses according to the provisions of Section 33-1626, Idaho Code, whether coursework is successfully completed, and total expenditures for fiscal year 2014. As nearly as possible, the report shall contain information about enrollment of this student population in post-high school education. A report containing such information shall be posted on the website of the State Department of Education no later than December 31, 2014.

SECTION 30. It is legislative intent that the State Department of Education shall compile information concerning school district and charter school expenditures of funds pursuant to the safe school environment and student learning provisions of Section 33-1002(2)(l), Idaho Code, for fiscal year 2014 and post such information the department's website no later than December 31, 2014.

SECTION 31. DEDICATED FUND REAPPROPRIATION AUTHORITY. There is hereby reappropriated to the Public Schools Educational Support Program the unexpended and unencumbered balance of Public School Income Fund moneys allocated pursuant to Section 33-1022(3)(c), Idaho Code, for fiscal year 2013, to be used for the same

purposes as originally authorized pursuant to Section 33-1022(3)(c), Idaho Code, for the period July 1, 2013, through June 30, 2014. This measure is taken to satisfy the matching requirements of the J.A. and Kathryn Albertson Foundation funding award to develop an instructional management system.

SECTION 32. The State Department of Education is hereby granted the authority to transfer appropriations between the Administrators, Teachers, Operations, Children's Programs, and Facilities Divisions of the Public Schools Educational Support Program budget, in any amount necessary, to comply with the public school funding provisions of appropriations and the Idaho Code.

Unanimous Consent Request

On request by Cameron, granted by unanimous consent, the legislative intent language 1 through 32, as shown above, was accepted.

**RS22352: FY 2013 Year end Transfer
Surplus Eliminator**

Presenter: Cathy Holland-Smith, Manage, Budget & Policy Analysis

This proposed bill provides that any anticipated surplus in excess of \$20 million in the General Fund at the end of FY 2013 will be transferred into the Budget Stabilization.

The fiscal impact of this proposed legislation is to transfer any cash balance in the General Fund that is in excess of \$79,952,900 on June 30, 2013, to the Budget Stabilization fund. The cash balance of \$79,952,900 is to be used to cover FY 2014 appropriation bills, deficiency warrants and potential supplementals for next legislative session. Before any additional deposits are made as authorized by this proposed bill, the Stabilization Fund is estimated to have a \$49.7 million balance on June 30, 2013.

Carried **Original Motion**

Moved by Cameron, seconded by Bolz, to accept RS22352 and send to House 2nd reading with a do pass recommendation.

Ayes: 20

Cameron, Keough, Mortimer, Vick, Nuxoll, Johnson, Bayer, Thayn, Schmidt, Lacey, Bell, Bolz, Eskridge, Thompson, Gibbs, Stevenson, Miller, Youngblood, Ringo, King

Nays: 0

Ab/Ex: 0

The majority having voted in the affirmative, the motion has passed and without objection will carry a DO PASS recommendation. There being no objection, it was so ordered by Chairman Bell.

ADJOURNED

Maxine Bell, Chairman

Kathryn Yost, Secretary