

IN THE SENATE

SENATE BILL NO. 1271

BY EDUCATION COMMITTEE

AN ACT

RELATING TO PUBLIC SCHOOL FUNDING; AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE FOR STATE SUPPORT OF DISCRETIONARY SPENDING BY SCHOOL DISTRICTS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1029, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING STATE SUPPORT FOR DISCRETIONARY SPENDING BY SCHOOL DISTRICTS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. That Section 33-1002, Idaho Code, be, and the same is hereby amended to read as follows:

33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support program is calculated as follows:

(1) State Educational Support Funds. Add the state appropriation, including the moneys available in the public school income fund, together with all miscellaneous revenues to determine the total state funds.

(2) From the total state funds subtract the following amounts needed for state support of special programs provided by a school district:

(a) Pupil tuition-equivalency allowances as provided in section 33-1002B, Idaho Code;

(b) Transportation support program as provided in section 33-1006, Idaho Code;

(c) Feasibility studies allowance as provided in section 33-1007A, Idaho Code;

(d) The approved costs for border district allowance, provided in section 33-1403, Idaho Code, as determined by the state superintendent of public instruction;

(e) The approved costs for exceptional child approved contract allowance, provided in subsection 2. of section 33-2004, Idaho Code, as determined by the state superintendent of public instruction;

(f) Salary-based apportionment calculated as provided in sections 33-1004 through 33-1004F, Idaho Code;

(g) Unemployment insurance benefit payments according to the provisions of section 72-1349A, Idaho Code;

(h) For expenditure as provided by the public school technology program;

(i) For employee severance payments as provided in section 33-521, Idaho Code;

(j) For distributions to the Idaho digital learning academy as provided in section 33-1020, Idaho Code;

(k) For charter school facilities funds and reimbursements paid pursuant to section 33-5208(5), Idaho Code;

1 (l) For an online course portal as provided for in section 33-1024,
2 Idaho Code;

3 (m) For advanced opportunities as provided for in chapter 46, title 33,
4 Idaho Code;

5 (n) For additional math and science courses for high school students as
6 provided in section 33-1021, Idaho Code;

7 (o) For leadership premiums as provided in section 33-1004J, Idaho
8 Code;

9 (p) For master teacher premiums as provided in section 33-1004I, Idaho
10 Code;

11 (q) For the support of provisions that provide a safe environment con-
12 ductive to student learning and maintain classroom discipline, an allo-
13 cation of three hundred dollars (\$300) per support unit;

14 (r) An amount specified in the appropriation bill for the public
15 schools educational support program for counseling support as provided
16 for in section 33-1212A, Idaho Code, shall be distributed for grades 8
17 through 12 as follows:

18 (i) For school districts and public charter schools with one hun-
19 dred (100) or more students enrolled in grades 8 through 12, a pro
20 rata distribution based on students enrolled in grades 8 through
21 12 or eighteen thousand dollars (\$18,000), whichever is greater;

22 (ii) For school districts and public charter schools with fewer
23 than one hundred (100) students enrolled in grades 8 through 12,
24 one hundred eighty dollars (\$180) per student enrolled in grades
25 8 through 12 or nine thousand dollars (\$9,000), whichever is
26 greater;

27 (s) An amount specified in the public schools educational support pro-
28 gram appropriation bill for literacy intervention pursuant to section
29 33-1807, Idaho Code, the disbursements made to the school districts
30 and public charter schools in the aggregate shall not exceed the total
31 amount appropriated for this purpose and shall be based on the actual
32 costs of such intervention programs. School districts and public char-
33 ter schools shall be reimbursed in full or in pro rata based on the
34 average number of students in kindergarten through grade 3 who score ba-
35 sic or below basic on the fall statewide reading assessment in the prior
36 three (3) years;

37 (t) For mastery-based education as provided for in section 33-1632,
38 Idaho Code;

39 (u) For pay for success contracting as provided in section 33-125B,
40 Idaho Code; and

41 (v) An amount specified in the public schools educational support pro-
42 gram appropriation bill for discretionary spending by school districts
43 pursuant to section 33-1029, Idaho Code; and

44 (w) Any additional amounts as required by statute to effect administra-
45 tive adjustments or as specifically required by the provisions of any
46 bill of appropriation;

47 to secure the total educational support distribution funds.

48 (3) Average Daily Attendance. The total state average daily attendance
49 shall be the sum of the average daily attendance of all of the school dis-
50 tricts of the state. The state board of education shall establish rules set-

1 ting forth the procedure to determine average daily attendance and the time
 2 for, and method of, submission of such report. Average daily attendance cal-
 3 culation shall be carried out to the nearest hundredth. Computation of av-
 4 erage daily attendance shall also be governed by the provisions of section
 5 33-1003A, Idaho Code.

6 (4) Support Units. The total state support units shall be determined
 7 by using the tables set out hereafter called computation of kindergarten
 8 support units, computation of elementary support units, computation of sec-
 9 ondary support units, computation of exceptional education support units,
 10 and computation of alternative school support units. The sum of all of the
 11 total support units of all school districts of the state shall be the total
 12 state support units.

13 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

14	Average Daily		
15	Attendance	Attendance Divisor	Units Allowed
16	41 or more....	40.....	1 or more as computed
17	31 - 40.99 ADA....	-.....	1
18	26 - 30.99 ADA....	-.....	.85
19	21 - 25.99 ADA....	-.....	.75
20	16 - 20.99 ADA....	-.....	.6
21	8 - 15.99 ADA....	-.....	.5
22	1 - 7.99 ADA....	-.....	count as elementary

1	4 - 7.99.....	-5
2	1 - 3.99.....	-25

3 COMPUTATION OF ALTERNATIVE SCHOOL SUPPORT UNITS
 4 (Computation of alternative school support units shall include
 5 grades 6 through 12)

6	Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
7			
8	12 or more.....	12	1 or more as computed
9			

10 In applying these tables to any given separate attendance unit, no
 11 school district shall receive less total money than it would receive if it
 12 had a lesser average daily attendance in such separate attendance unit. In
 13 applying the kindergarten table to a kindergarten program of fewer days
 14 than a full school year, the support unit allowance shall be in ratio to the
 15 number of days of a full school year. The attendance of students attending
 16 an alternative school in a school district reporting fewer than one hundred
 17 (100) secondary students in average daily attendance shall not be assigned
 18 to the alternative table if the student is from a school district reporting
 19 fewer than one hundred (100) secondary students in average daily attendance,
 20 but shall instead be assigned to the secondary table of the school district
 21 in which they are attending the alternative school, unless the alternative
 22 school in question serves students from multiple districts reporting fewer
 23 than one hundred (100) secondary students in average daily attendance. The
 24 tables for exceptional education and alternative school support units shall
 25 be applicable only for programs approved by the state department of educa-
 26 tion following rules established by the state board of education. Moneys
 27 generated from computation of support units for alternative schools shall be
 28 utilized for alternative school programs. School district administrative
 29 and facility costs may be included as part of the alternative school expen-
 30 ditures.

31 (5) State Distribution Factor per Support Unit. Divide educational
 32 support program distribution funds, after subtracting the amounts necessary
 33 to pay the obligations specified in subsection (2) of this section, by the
 34 total state support units to secure the state distribution factor per sup-
 35 port unit.

36 (6) District Support Units. The number of support units for each school
 37 district in the state shall be determined as follows:

38 (a) (i) Divide the actual average daily attendance, excluding
 39 students approved for inclusion in the exceptional child educa-
 40 tional program, for the administrative schools and each of the
 41 separate schools and attendance units by the appropriate divisor
 42 from the tables of support units in this section, then add the
 43 quotients to obtain the district's support units allowance for
 44 regular students, kindergarten through grade 12 including al-
 45 ternative school students. Calculations in application of this
 46 subsection shall be carried out to the nearest hundredth.

1 (ii) Divide the combined totals of the average daily attendance
 2 of all preschool, kindergarten, elementary, secondary, juvenile
 3 detention center students and students with disabilities approved
 4 for inclusion in the exceptional child program of the district by
 5 the appropriate divisor from the table for computation of excep-
 6 tional education support units to obtain the number of support
 7 units allowed for the district's approved exceptional child pro-
 8 gram. Calculations for this subsection shall be carried out to the
 9 nearest hundredth when more than one (1) unit is allowed.

10 (iii) The total number of support units of the district shall be
 11 the sum of the total support units for regular students, subpara-
 12 graph (i) of this paragraph, and the support units allowance for
 13 the approved exceptional child program, subparagraph (ii) of this
 14 paragraph.

15 (b) Total District Allowance Educational Program. Multiply the dis-
 16 trict's total number of support units, carried out to the nearest hun-
 17 dredth, by the state distribution factor per support unit and to this
 18 product add the approved amount of programs of the district provided in
 19 subsection (2) of this section to secure the district's total allowance
 20 for the educational support program.

21 (c) District Share. The district's share of state apportionment is the
 22 amount of the total district allowance, paragraph (b) of this subsec-
 23 tion.

24 (d) Adjustment of District Share. The contract salary of every noncer-
 25 tificated teacher shall be subtracted from the district's share as cal-
 26 culated from the provisions of paragraph (c) of this subsection.

27 (7) Property Tax Computation Ratio. In order to receive state funds
 28 pursuant to this section, a charter district shall utilize a school mainte-
 29 nance and operation property tax computation ratio for the purpose of calcu-
 30 lating its maintenance and operation levy that is no greater than that which
 31 it utilized in tax year 1994, less four-tenths of one percent (.4%). As used
 32 herein, the term "property tax computation ratio" shall mean a ratio deter-
 33 mined by dividing the district's certified property tax maintenance and op-
 34 eration budget by the actual or adjusted market value for assessment pur-
 35 poses as such values existed on December 31, 1993. Such maintenance and op-
 36 eration levy shall be based on the property tax computation ratio multiplied
 37 by the actual or adjusted market value for assessment purposes as such values
 38 existed on December 31 of the prior calendar year.

39 SECTION 2. That Chapter 10, Title 33, Idaho Code, be, and the same is
 40 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 41 ignated as Section 33-1029, Idaho Code, and to read as follows:

42 33-1029. STATE SUPPORT FOR DISCRETIONARY SPENDING. (1) Subject to
 43 appropriation, moneys shall be distributed to school districts for discre-
 44 tionary spending by such districts. Moneys distributed pursuant to this
 45 section:

46 (a) Shall be distributed on a per-student basis, according to a formula
 47 provided in the public schools educational support program appropria-
 48 tion bill; and

1 (b) May be used at the discretion of the school district board of
2 trustees, except as provided in subsection (2) of this section.

3 (2) If a school district has an active supplemental levy pursuant to
4 section 33-802(3) or (5), Idaho Code, then the board of trustees of such
5 district must use seventy-five percent (75%) of moneys received pursuant to
6 subsection (1) of this section to reduce the levy. A school district that
7 fails to comply with the provisions of this subsection shall not be eligible
8 for funds distributed pursuant to this section for the next two (2) years.

9 SECTION 3. An emergency existing therefor, which emergency is hereby
10 declared to exist, this act shall be in full force and effect on and after
11 July 1, 2022.