

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 763

BY APPROPRIATIONS COMMITTEE

AN ACT

1 RELATING TO THE APPROPRIATION TO THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT
2 PROGRAM; APPROPRIATING ADDITIONAL MONEYS TO THE PUBLIC SCHOOLS ED-
3 UCATIONAL SUPPORT PROGRAM'S DIVISION OF STUDENT SUPPORT FOR FISCAL
4 YEAR 2025; APPROPRIATING GENERAL FUND MONEYS FOR TRANSFER TO THE PUB-
5 LIC SCHOOL INCOME FUND; ESTABLISHING THE STUDENT SUPPORT DIVISION AND
6 CLARIFYING DISTRIBUTIONS FOR FISCAL YEAR 2025; AMENDING SECTION 13, AS
7 ADDED BY HOUSE BILL NO. 460, AS ENACTED BY THE SECOND REGULAR SESSION
8 OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO CLARIFY DISCRETIONARY FUND
9 DISTRIBUTIONS; AMENDING SECTION 14 AS ADDED BY HOUSE BILL NO. 460, AS
10 ENACTED BY THE SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEG-
11 ISLATURE, TO CLARIFY HEALTH BENEFIT AND INSURANCE FUNDS DISTRIBUTIONS;
12 AMENDING SECTION 24, AS ADDED BY HOUSE BILL NO. 460, AS ENACTED BY THE
13 SECOND REGULAR SESSION OF THE SIXTY-SEVENTH IDAHO LEGISLATURE, TO CLAR-
14 IFY THE DISTRIBUTION OF FUNDS FOR THE PURCHASE OF DIGITAL CONTENT AND
15 CURRICULA; RESTRICTING DEPOSITS TO THE PUBLIC EDUCATION STABILIZATION
16 FUND; TRANSFERRING MONEYS FROM THE PUBLIC SCHOOL INCOME FUND TO THE
17 SCHOOL DISTRICT FACILITIES FUND AND THE CAREER READY STUDENTS PROGRAM
18 FUND; PROVIDING REAPPROPRIATION AUTHORITY; PROVIDING FOR OPEN ENROLL-
19 MENT REPORTING INFORMATION; AMENDING SECTION 33-1004E, IDAHO CODE, TO
20 INCREASE THE BASE SALARY APPORTIONMENT FOR ADMINISTRATIVE AND CLASSI-
21 FIED STAFF; CLARIFYING THE ORIGINAL FUND SOURCE FOR ADDITIONAL EXPEN-
22 DITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION
23 OF STUDENT SUPPORT FOR FISCAL YEAR 2025; REDUCING THE APPROPRIATION FOR
24 THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF ADMINIS-
25 TRATORS FOR FISCAL YEAR 2024; REDUCING THE APPROPRIATION FOR THE PUBLIC
26 SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPERATIONS FOR FIS-
27 CAL YEAR 2024; PROVIDING AN ADDITIONAL APPROPRIATION FOR THE PUBLIC
28 SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPERATIONS FOR FIS-
29 CAL YEAR 2024; CLARIFYING THE DISTRIBUTION OF ONETIME DISCRETIONARY
30 FUNDS FOR FISCAL YEAR 2024; CLARIFYING THE ORIGINAL FUND SOURCE FOR
31 REDUCED EXPENDITURES FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PRO-
32 GRAM'S DIVISION OF ADMINISTRATORS FOR FISCAL YEAR 2024; CLARIFYING THE
33 ORIGINAL FUND SOURCE FOR REDUCED EXPENDITURES FOR THE PUBLIC SCHOOLS
34 EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPERATIONS FOR FISCAL YEAR
35 2024; CLARIFYING THE ORIGINAL FUND SOURCE FOR ADDITIONAL EXPENDITURES
36 FOR THE PUBLIC SCHOOLS EDUCATIONAL SUPPORT PROGRAM'S DIVISION OF OPER-
37 ATIONS FOR FISCAL YEAR 2024; AND DECLARING AN EMERGENCY AND PROVIDING
38 EFFECTIVE DATES.
39

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

41 SECTION 1. In addition to any other appropriation provided by law,
42 there is hereby appropriated to the Public Schools Educational Support Pro-

1 gram's Division of Student Support the following amounts to be expended from
2 the listed funds for the period July 1, 2024, through June 30, 2025:

3 FROM:

4	Public School Income Fund	\$8,585,200
5	American Rescue Plan Fund	<u>99,957,700</u>
6	TOTAL	\$108,542,900

7 SECTION 2. There is hereby appropriated and the Office of the State Con-
8 troller shall transfer \$627,800 from the General Fund to the Public School
9 Income Fund on July 1, 2024, or as soon thereafter as practicable for the pe-
10 riod July 1, 2024, through June 30, 2025.

11 SECTION 3. ESTABLISHMENT OF THE STUDENT SUPPORT DIVISION. Any moneys
12 appropriated to the Public Schools Educational Support Program's Divisions
13 of Administrators, Operations, and Children's Programs for fiscal year 2025
14 shall be considered the same as if appropriated in the Student Support Divi-
15 sion.

16 SECTION 4. That Section 13 as added by House Bill No. 460, as enacted by
17 the Second Regular Session of the Sixty-seventh Idaho Legislature, be, and
18 the same is hereby amended to read as follows:

19 SECTION 13. DISCRETIONARY FUNDS. Notwithstanding any law to the con-
20 trary, for the period July 1, 2024, through June 30, 2025, it is estimated
21 that the appropriation of state funds to the Public Schools Educational Sup-
22 port Program's Division of Operations as part of the Student Support Divi-
23 sion will result in total discretionary funds of ~~\$19,537~~ \$23,472 per support
24 unit that are to be used at the discretion of the school district or charter
25 school.

26 SECTION 5. That Section 14 as added by House Bill No. 460, as enacted by
27 the Second Regular Session of the Sixty-seventh Idaho Legislature, be, and
28 the same is hereby amended to read as follows:

29 SECTION 14. HEALTH BENEFIT AND INSURANCE FUNDS. Notwithstanding any
30 law to the contrary, for the period July 1, 2024, through June 30, 2025, it
31 is estimated that the appropriation of state funds to the Public Schools
32 Educational Support Program's Division of Operations as part of the Stu-
33 dent Support Division will result in total health benefits or insurance and
34 health benefits-related funds of ~~\$21,854~~ \$20,150 per support unit to be used
35 to offset the costs of health, vision, and dental benefits or insurance of-
36 fered to school employees. If the distribution provided for health, vision,
37 and dental benefits or insurance is in excess of the individual school dis-
38 trict's or charter school's actual costs, the excess funds may then be used
39 at school district's or charter school's discretion. Further, the State
40 Department of Education shall work with the Legislative Services Office
41 Budget and Policy Analysis Division and the Division of Financial Management
42 to determine the information that the State Department of Education shall

1 collect on school districts' and charter schools' health, vision, and dental
2 benefits or insurance plan information and costs, including but not limited
3 to actual insurance premium costs, premium percentage increases, and health
4 insurance revenues and expenditures from all fund sources.

5 SECTION 6. That Section 24 as added by House Bill No. 460, as enacted by
6 the Second Regular Session of the Sixty-seventh Idaho Legislature, be, and
7 the same is hereby amended to read as follows:

8 SECTION 24. DIGITAL CONTENT. Of the funds appropriated in Section 4 of
9 this act, \$1,600,000 shall be distributed by the State Department of Educa-
10 tion to school districts and public charter schools to purchase digital con-
11 tent and curricula of their choice. Funding will be distributed ~~based on a~~
12 ~~formula prescribed by the State Department of Education that includes a base~~
13 ~~amount and an amount based on the number of midterm support units~~ subject to
14 Section 33-4804(2), Idaho Code.

15 SECTION 7. PUBLIC EDUCATION STABILIZATION FUND DEPOSITS. Notwith-
16 standing Section 33-907, Idaho Code, and any other provision of law to the
17 contrary, no moneys appropriated for the period July 1, 2023, through June
18 30, 2024, shall be deposited into the Public Education Stabilization Fund
19 from the Public School Income Fund.

20 SECTION 8. PUBLIC SCHOOL INCOME FUND TRANSFERS. After the State Depart-
21 ment of Education has reconciled the appropriation to actual disbursements
22 for public schools for the 2023-2024 school year, the State Department of
23 Education shall notify the Office of the State Controller, and the State
24 Controller shall transfer as soon as practicable a total of \$40,000,000 from
25 the Public School Income Fund with \$20,000,000 being transferred to the
26 School District Facilities Fund established in Section 33-911, Idaho Code,
27 and \$20,000,000 transferred to the Career Ready Students Program Fund estab-
28 lished in Section 33-2214, Idaho Code. If there is insufficient cash to meet
29 the \$40,000,000 transfer, the State Controller shall adjust each transfer
30 proportionately.

31 SECTION 9. REAPPROPRIATION AUTHORITY. Any moneys remaining in the
32 Public School Income Fund after the transfers in Section 8 of this act have
33 been made are hereby reappropriated for the period July 1, 2024, through June
34 30, 2025, for the purpose of distributing moneys on a onetime basis pursuant
35 to the criteria outlined in Section 33-1018, Idaho Code, using the average
36 daily attendance counts provided for in Section 33-1003A, Idaho Code, from
37 the 2023-2024 school year, and shall be distributed as soon as practicable.
38 Any moneys reappropriated in this section shall be considered expended in
39 the Public Schools Educational Support Program in fiscal year 2024 to be con-
40 sistent with prior years and to ensure the General Fund cash reconciliation
41 is accurate.

42 SECTION 10. OPEN ENROLLMENT INFORMATION. The State Department of Edu-
43 cation shall withhold the November payment for any school district that is

1 not in compliance with the provisions of Section 33-1409, Idaho Code, until
2 such time as such school district becomes compliant.

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

5 33-1004E. DISTRICT'S SALARY-BASED APPORTIONMENT. Each district
6 shall be entitled to a salary-based apportionment calculated as provided in
7 this section.

8 (1) To determine the apportionment for instructional staff, take
9 the amounts indicated on the career ladder table plus the amounts associ-
10 ated with the additional education allocation amounts pursuant to section
11 33-1004B, Idaho Code, and calculate the weighted average. The amount so
12 determined shall be multiplied by the district staff allowance for instruc-
13 tional staff determined as provided in section 33-1004(2), Idaho Code.
14 Full-time instructional staff salaries shall be determined from a salary
15 schedule developed by each district and submitted to the state department of
16 education. No full-time instructional staff member or pupil service staff
17 member on the residency compensation rung shall be paid less than the minimum
18 dollar amount on the career ladder residency compensation rung pursuant to
19 section 33-1004B, Idaho Code, for the applicable fiscal year.

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

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

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

44 (5) To determine the apportionment for pupil service staff, take
45 the amounts indicated on the career ladder table plus the amounts associ-
46 ated with the additional education allocation amounts pursuant to section
47 33-1004B, Idaho Code, and calculate the weighted average. If the district
48 does not employ any pupil service staff, the district's pupil service staff

1 average salary shall equal the district's instructional staff average
 2 salary for purposes of calculating pupil service salary-based apportion-
 3 ment. The amount so determined shall be multiplied by the district staff al-
 4 lowance for pupil service staff determined pursuant to section 33-1004(3),
 5 Idaho Code. Full-time pupil service staff salaries shall be determined from
 6 a salary schedule developed by each district and submitted to the state de-
 7 partment of education. The resulting amount is the district's salary-based
 8 apportionment for pupil service staff. No full-time pupil service staff
 9 member shall be paid less than the minimum dollar amount on the career ladder
 10 residency compensation rung pursuant to section 33-1004B, Idaho Code, for
 11 the applicable fiscal year.

12 (6) To determine the apportionment for district administrative staff,
 13 first determine the district average experience and education index by plac-
 14 ing all eligible certificated administrative employees on the statewide
 15 index provided in section 33-1004A, Idaho Code. The resulting average is the
 16 district index. If the district does not employ any administrative staff,
 17 the district administrative index shall equal the statewide average index
 18 for purposes of calculating administrative salary-based apportionment.
 19 On and after July 1, ~~2023~~ 2024, the district administrative staff index
 20 shall be multiplied by the base salary of ~~forty-three thousand one hundred~~
 21 ~~fifty-one dollars (\$43,151)~~ forty-four thousand four hundred forty-six dol-
 22 lars (\$44,446). The amount so determined shall be multiplied by the district
 23 staff allowance for administrative staff determined as provided in section
 24 33-1004(4), Idaho Code. The resulting amount is the district's salary-based
 25 apportionment for administrative staff.

26 (7) On and after July 1, ~~2023~~ 2024, to determine the apportionment for
 27 classified staff, multiply ~~thirty-eight thousand eight hundred two dollars~~
 28 ~~(\$38,802)~~ thirty-nine thousand nine hundred sixty-six dollars (\$39,966) by
 29 the district classified staff allowance determined as provided in section
 30 33-1004(5), Idaho Code. The amount so determined is the district's appor-
 31 tionment for classified staff.

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

36 SECTION 12. Of the amounts appropriated in Section 1 of this act for the
 37 Public Schools Educational Support Program's Division of Student Support,
 38 the following amounts shall be considered expended from the listed funds for
 39 the period July 1, 2024, through June 30, 2025:

40 FROM:

41 General Fund	\$627,800
42 Public School Other Income Fund	6,450,000
43 Public School Endowment Income Fund	1,507,400
44 American Rescue Plan Fund	<u>99,957,700</u>
45 TOTAL	\$108,542,900

1 SECTION 13. Notwithstanding any other provision of law to the contrary,
2 the appropriation made to the Public Schools Educational Support Program's
3 Division of Administrators in Section 1, Chapter 224, Laws of 2023, from the
4 Public School Income Fund, is hereby reduced by \$7,699,500 for the period
5 July 1, 2023, through June 30, 2024.

6 SECTION 14. Notwithstanding any other provision of law to the contrary,
7 the appropriation made to the Public Schools Educational Support Program's
8 Division of Operations in Section 1, Chapter 277, Laws of 2023, from the Pub-
9 lic School Income Fund, is hereby reduced by \$61,206,800 for the period July
10 1, 2023, through June 30, 2024.

11 SECTION 15. In addition to the appropriation made in Section 1, Chapter
12 277, Laws of 2023, and any other appropriation provided for by law, there is
13 hereby appropriated to the Public Schools Educational Support Program's Di-
14 vision of Operations \$105,000,000 from the Public School Income Fund to be
15 expended for the period July 1, 2023, through June 30, 2024.

16 SECTION 16. DISCRETIONARY FUNDS. Of the additional moneys appropriated
17 in Section 15 of this act, the State Department of Education shall distrib-
18 ute these onetime discretionary funds as an additional distribution sepa-
19 rate from any other ongoing discretionary funds as distributed pursuant to
20 Section 4, Chapter 277, Laws of 2023. Funds shall be distributed pursuant to
21 the requirements in Sections 33-1018 and 33-1003A, Idaho Code.

22 SECTION 17. Of the reduced amounts in Section 13 of this act for the
23 Public Schools Educational Support Program's Division of Administrators,
24 \$7,699,500 shall be considered reduced from the amounts considered expended
25 from the General Fund for the period July 1, 2023, through June 30, 2024.

26 SECTION 18. Of the reduced amounts in Section 14 of this act for the
27 Public Schools Educational Support Program's Division of Operations,
28 \$61,206,800 shall be considered reduced from the amounts considered ex-
29 pended from the General Fund for the period July 1, 2023, through June 30,
30 2024.

31 SECTION 19. Of the additional amounts in Section 15 of this act for
32 the Public Schools Educational Support Program's Division of Operations,
33 \$105,000,000 shall be considered expended from the General Fund for the pe-
34 riod July 1, 2023, through June 30, 2024.

35 SECTION 20. An emergency existing therefor, which emergency is hereby
36 declared to exist, Sections 13 through 19 of this act shall be in full force
37 and effect on and after passage and approval, and Sections 1 through 12 of
38 this act shall be in full force and effect on and after July 1, 2024.