

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 629

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1002, IDAHO CODE, TO REVISE
2 PROVISIONS REGARDING THE CALCULATION FOR THE EDUCATIONAL SUPPORT PRO-
3 GRAM, TO MAKE CODIFIER'S CORRECTIONS AND TO MAKE TECHNICAL CORRECTIONS;
4 AMENDING SECTION 33-1002, IDAHO CODE, AS AMENDED BY SECTION 2, CHAPTER
5 229, LAWS OF 2015, TO REVISE PROVISIONS REGARDING THE CALCULATION FOR
6 THE EDUCATIONAL SUPPORT PROGRAM, TO MAKE CODIFIER'S CORRECTIONS AND TO
7 MAKE TECHNICAL CORRECTIONS; AND PROVIDING AN EFFECTIVE DATE.
8

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

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

12 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-
13 gram is calculated as follows:

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

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

19 (a) Pupil tuition-equivalency allowances as provided in section
20 33-1002B, Idaho Code;

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

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

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

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

31 (f) Certain expectant and delivered mothers allowance as provided in
32 section 33-2006, Idaho Code;

33 (g) Salary-based apportionment calculated as provided in sections
34 33-1004 through 33-1004F, Idaho Code;

35 (h) Unemployment insurance benefit payments according to the provi-
36 sions of section 72-1349A, Idaho Code;

37 (i) For expenditure as provided by the public school technology pro-
38 gram;

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

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

1 (l) For charter school facilities funds and reimbursements paid pur-
2 suant to section 33-5208(5), Idaho Code;

3 (m) For an online course portal as provided for in section 33-1024,
4 Idaho Code;

5 (n) For advanced opportunities as provided for in section 33-4602,
6 Idaho Code;

7 (o) For the "8 in 6 program" as provided for in section 33-4603, Idaho
8 Code;

9 (p) For additional math and science courses for high school students as
10 provided in section 33-1021, Idaho Code;

11 (q) For leadership premiums as provided in section 33-1004J, Idaho
12 Code;

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

16 (s) An amount specified in the appropriation bill for the public
17 schools educational support program for counseling support as provided
18 for in section 33-1212A, Idaho Code, shall be distributed, ~~in full or~~
19 ~~pro rata, based on one hundred twenty dollars (\$120) per first report-~~
20 ~~ing period support unit for grades 8 through 12 or ten thousand dollars~~
21 ~~(\$10,000), whichever is greater; and as follows:~~

22 (i) For school districts and public charter schools with one hun-
23 dred (100) or more students enrolled in grades 8 through 12, a pro
24 rata distribution based on students enrolled in grades 8 through
25 12 or ten thousand dollars (\$10,000), whichever is greater;

26 (ii) For school districts and public charter schools with fewer
27 than one hundred (100) students enrolled in grades 8 through
28 12, one hundred dollars (\$100) per student enrolled in grades
29 8 through 12 or five thousand dollars (\$5,000), whichever is
30 greater;

31 (t) Any additional amounts as required by statute to effect administra-
32 tive adjustments or as specifically required by the provisions of any
33 bill of appropriation; and

34 ~~(u)~~ For mastery-based education as provided for in section 33-1630,
35 Idaho Code;

36 to secure the total educational support distribution funds.

37 (3) Average Daily Attendance. The total state average daily attendance
38 shall be the sum of the average daily attendance of all of the school dis-
39 tricts of the state. The state board of education shall establish rules set-
40 ting forth the procedure to determine average daily attendance and the time
41 for, and method of, submission of such report. Average daily attendance cal-
42 culation shall be carried out to the nearest hundredth. Computation of av-
43 erage daily attendance shall also be governed by the provisions of section
44 33-1003A, Idaho Code.

45 (4) Support Units. The total state support units shall be determined
46 by using the tables set out hereafter called computation of kindergarten
47 support units, computation of elementary support units, computation of sec-
48 ondary support units, computation of exceptional education support units,
49 and computation of alternative school support units. The sum of all of the

1 total support units of all school districts of the state shall be the total
 2 state support units.

3 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

4	Average Daily		
5	Attendance	Attendance Divisor	Units Allowed
6	41 or more....	40.....	1 or more as computed
7	31 - 40.99 ADA....	-.....	1
8	26 - 30.99 ADA....	-.....	.85
9	21 - 25.99 ADA....	-.....	.75
10	16 - 20.99 ADA....	-.....	.6
11	8 - 15.99 ADA....	-.....	.5
12	1 - 7.99 ADA....	-.....	count as elementary

13 COMPUTATION OF ELEMENTARY SUPPORT UNITS

14	Average Daily		Minimum Units
15	Attendance	Attendance Divisor	Allowed
16	300 or more ADA.....	.....	.. 15
17		..23...grades 4, 5 & 6....	
18		..22...grades 1, 2 & 3....1994-95	
19		..21...grades 1, 2 & 3....1995-96	
20		..20...grades 1, 2 & 3....1996-97	
21		and each year thereafter.	
22	160 to 299.99 ADA...	20.....	8.4
23	110 to 159.99 ADA...	19.....	6.8
24	71.1 to 109.99 ADA...	16.....	4.7
25	51.7 to 71.0 ADA...	15.....	4.0
26	33.6 to 51.6 ADA...	13.....	2.8
27	16.6 to 33.5 ADA...	12.....	1.4
28	1.0 to 16.5 ADA...	n/a.....	1.0

29 COMPUTATION OF SECONDARY SUPPORT UNITS

30	Average Daily		Minimum Units
31	Attendance	Attendance Divisor	Allowed
32	750 or more....	18.5.....	47
33	400 - 749.99 ADA....	16.....	28
34	300 - 399.99 ADA....	14.5.....	22
35	200 - 299.99 ADA....	13.5.....	17
36	100 - 199.99 ADA....	12.....	9
37	99.99 or fewer	Units allowed as follows:	

1	Grades 7-12	.....	8
2	Grades 9-12	.....	6
3	Grades 7- 9	.....	1 per 14 ADA
4	Grades 7- 8	.....	1 per 16 ADA

5 COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

6	Average Daily		Minimum Units
7	Attendance	Attendance Divisor	Allowed
8	14 or more.....	14.5	1 or more as
9			computed
10	12 - 13.99.....	-	1
11	8 - 11.99.....	- .....	.75
12	4 - 7.99.....	- .....	.5
13	1 - 3.99.....	- .....	.25

14 COMPUTATION OF ALTERNATIVE SCHOOL SUPPORT UNITS

15 (Computation of alternative school support units shall include
16 grades 6 through 12)

17	Pupils in Attendance	Attendance Divisor	Minimum Units
18			Allowed
19	12 or more.....	12	1 or more as
20			computed

21 In applying these tables to any given separate attendance unit, no
22 school district shall receive less total money than it would receive if it
23 had a lesser average daily attendance in such separate attendance unit. In
24 applying the kindergarten table to a kindergarten program of ~~less~~ fewer days
25 than a full school year, the support unit allowance shall be in ratio to the
26 number of days of a full school year. The attendance of students attending
27 an alternative school in a school district reporting ~~less~~ fewer than one
28 hundred (100) secondary students in average daily attendance shall not be
29 assigned to the alternative table if the student is from a school district
30 reporting ~~less~~ fewer than one hundred (100) secondary students in average
31 daily attendance, but shall instead be assigned to the secondary table of the
32 school district in which they are attending the alternative school, unless
33 the alternative school in question serves students from multiple districts
34 reporting ~~less~~ fewer than one hundred (100) secondary students in average
35 daily attendance. The tables for exceptional education and alternative
36 school support units shall be applicable only for programs approved by the
37 state department of education following rules established by the state board
38 of education. Moneys generated from computation of support units for alter-
39 native schools shall be utilized for alternative school programs. School
40 district administrative and facility costs may be included as part of the
41 alternative school expenditures.

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

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

8 (a) (i) Divide the actual average daily attendance, excluding stu-
9 dents approved for inclusion in the exceptional child educational
10 program, for the administrative schools and each of the separate
11 schools and attendance units by the appropriate divisor from the
12 tables of support units in this section, then add the quotients
13 to obtain the district's support units allowance for regular stu-
14 dents, kindergarten through grade 12 including alternative school
15 students. Calculations in application of this subsection shall be
16 carried out to the nearest hundredth.

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

26 (iii) The total number of support units of the district shall be
27 the sum of the total support units for regular students, subpara-
28 graph (i) of this paragraph, and the support units allowance for
29 the approved exceptional child program, subparagraph (ii) of this
30 paragraph.

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

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

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

43 (7) Property Tax Computation Ratio. In order to receive state funds
44 pursuant to this section, a charter district shall utilize a school mainte-
45 nance and operation property tax computation ratio for the purpose of calcu-
46 lating its maintenance and operation levy that is no greater than that which
47 it utilized in tax year 1994, less four-tenths of one percent (.4%). As used
48 herein, the term "property tax computation ratio" shall mean a ratio deter-
49 mined by dividing the district's certified property tax maintenance and op-
50 eration budget by the actual or adjusted market value for assessment pur-

1 poses as such values existed on December 31, 1993. Such maintenance and op-
 2 eration levy shall be based on the property tax computation ratio multiplied
 3 by the actual or adjusted market value for assessment purposes as such values
 4 existed on December 31 of the prior calendar year.

5 SECTION 2. That Section 33-1002, Idaho Code, as amended by Section 2,
 6 Chapter 229, Laws of 2015, be, and the same is hereby amended to read as fol-
 7 lows:

8 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-
 9 gram is calculated as follows:

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

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

15 (a) Pupil tuition-equivalency allowances as provided in section
 16 33-1002B, Idaho Code;

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

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

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

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

27 (f) Certain expectant and delivered mothers allowance as provided in
 28 section 33-2006, Idaho Code;

29 (g) Salary-based apportionment calculated as provided in sections
 30 33-1004 through 33-1004F, Idaho Code;

31 (h) Unemployment insurance benefit payments according to the provi-
 32 sions of section 72-1349A, Idaho Code;

33 (i) For expenditure as provided by the public school technology pro-
 34 gram;

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

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

39 (l) For charter school facilities funds and reimbursements paid pur-
 40 suant to section 33-5208(5), Idaho Code;

41 (m) For an online course portal as provided for in section 33-1024,
 42 Idaho Code;

43 (n) For advanced opportunities as provided for in section 33-4602,
 44 Idaho Code;

45 (o) For the "8 in 6 program" as provided for in section 33-4603, Idaho
 46 Code;

47 (p) For additional math and science courses for high school students as
 48 provided in section 33-1021, Idaho Code;

- 1 (q) For leadership premiums as provided in section 33-1004J, Idaho
- 2 Code;
- 3 (r) For master teacher premiums as provided in section 33-1004I, Idaho
- 4 Code;
- 5 (~~s~~) For the support of provisions that provide a safe environment con-
- 6 ductive to student learning and maintain classroom discipline, an allo-
- 7 cation of three hundred dollars (\$300) per support unit;
- 8 (~~t~~) An amount specified in the appropriation bill for the public
- 9 schools educational support program for counseling support as provided
- 10 for in section 33-1212A, Idaho Code, shall be distributed, ~~in full or~~
- 11 ~~pro rata, based on one hundred twenty dollars (\$120) per first report-~~
- 12 ~~ing period support unit for grades 8 through 12 or ten thousand dollars~~
- 13 ~~(\$10,000), whichever is greater; and as follows:~~
- 14 (i) For school districts and public charter schools with one hun-
- 15 dred (100) or more students enrolled in grades 8 through 12, a pro
- 16 rata distribution based on students enrolled in grades 8 through
- 17 12 or ten thousand dollars (\$10,000), whichever is greater;
- 18 (ii) For school districts and public charter schools with fewer
- 19 than one hundred (100) students enrolled in grades 8 through
- 20 12, one hundred dollars (\$100) per student enrolled in grades
- 21 8 through 12 or five thousand dollars (\$5,000), whichever is
- 22 greater;
- 23 (~~u~~) Any additional amounts as required by statute to effect adminis-
- 24 trative adjustments or as specifically required by the provisions of
- 25 any bill of appropriation; and
- 26 (~~v~~) For mastery-based education as provided for in section 33-1630,
- 27 Idaho Code;

28 to secure the total educational support distribution funds.

29 (3) Average Daily Attendance. The total state average daily attendance
30 shall be the sum of the average daily attendance of all of the school dis-
31 tricts of the state. The state board of education shall establish rules set-
32 ting forth the procedure to determine average daily attendance and the time
33 for, and method of, submission of such report. Average daily attendance cal-
34 culation shall be carried out to the nearest hundredth. Computation of av-
35 erage daily attendance shall also be governed by the provisions of section
36 33-1003A, Idaho Code.

37 (4) Support Units. The total state support units shall be determined
38 by using the tables set out hereafter called computation of kindergarten
39 support units, computation of elementary support units, computation of sec-
40 ondary support units, computation of exceptional education support units,
41 and computation of alternative school support units. The sum of all of the
42 total support units of all school districts of the state shall be the total
43 state support units.

44 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

45	Average Daily		
46	Attendance	Attendance Divisor	Units Allowed
47	41 or more....	40.....	1 or more as computed
48	31 - 40.99 ADA....	-.....	1

1	26 - 30.99 ADA....	-.....	.85
2	21 - 25.99 ADA....	-.....	.75
3	16 - 20.99 ADA....	-.....	.6
4	8 - 15.99 ADA....	-.....	.5
5	1 - 7.99 ADA....	-.....	count as elementary

6 COMPUTATION OF ELEMENTARY SUPPORT UNITS

7	Average Daily		Minimum Units
8	Attendance	Attendance Divisor	Allowed
9	300 or more ADA.....	.....	.. 15
10		..23...grades 4,5 & 6....	
11		..22...grades 1,2 & 3....1994-95	
12		..21...grades 1,2 & 3....1995-96	
13		..20...grades 1,2 & 3....1996-97	
14		and each year thereafter.	
15	160 to 299.99 ADA...	20.....	8.4
16	110 to 159.99 ADA...	19.....	6.8
17	71.1 to 109.99 ADA...	16.....	4.7
18	51.7 to 71.0 ADA...	15.....	4.0
19	33.6 to 51.6 ADA...	13.....	2.8
20	16.6 to 33.5 ADA...	12.....	1.4
21	1.0 to 16.5 ADA...	n/a.....	1.0

22 COMPUTATION OF SECONDARY SUPPORT UNITS

23	Average Daily		Minimum Units
24	Attendance	Attendance Divisor	Allowed
25	750 or more....	18.5.....	47
26	400 - 749.99 ADA....	16.....	28
27	300 - 399.99 ADA....	14.5.....	22
28	200 - 299.99 ADA....	13.5.....	17
29	100 - 199.99 ADA....	12.....	9
30	99.99 or fewer	Units allowed as follows:	
31	Grades 7-12	.....	8
32	Grades 9-12	.....	6
33	Grades 7- 9	.....	1 per 14 ADA
34	Grades 7- 8	.....	1 per 16 ADA

COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
14 or more.....	14.5	1 or more as computed
12 - 13.99.....	-	1
8 - 11.99.....	- .....	.75
4 - 7.99.....	- .....	.5
1 - 3.99.....	- .....	.25

COMPUTATION OF ALTERNATIVE SCHOOL SUPPORT UNITS

(Computation of alternative school support units shall include grades 6 through 12)

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
12 or more.....	12	1 or more as computed

In applying these tables to any given separate attendance unit, no school district shall receive less total money than it would receive if it had a lesser average daily attendance in such separate attendance unit. In applying the kindergarten table to a kindergarten program of ~~less~~ fewer days than a full school year, the support unit allowance shall be in ratio to the number of days of a full school year. The attendance of students attending an alternative school in a school district reporting ~~less~~ fewer than one hundred (100) secondary students in average daily attendance shall not be assigned to the alternative table if the student is from a school district reporting ~~less~~ fewer than one hundred (100) secondary students in average daily attendance, but shall instead be assigned to the secondary table of the school district in which they are attending the alternative school, unless the alternative school in question serves students from multiple districts reporting ~~less~~ fewer than one hundred (100) secondary students in average daily attendance. The tables for exceptional education and alternative school support units shall be applicable only for programs approved by the state department of education following rules established by the state board of education. Moneys generated from computation of support units for alternative schools shall be utilized for alternative school programs. School district administrative and facility costs may be included as part of the alternative school expenditures.

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

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

1 (a) (i) Divide the actual average daily attendance, excluding stu-
2 dents approved for inclusion in the exceptional child educational
3 program, for the administrative schools and each of the separate
4 schools and attendance units by the appropriate divisor from the
5 tables of support units in this section, then add the quotients
6 to obtain the district's support units allowance for regular stu-
7 dents, kindergarten through grade 12 including alternative school
8 students. Calculations in application of this subsection shall be
9 carried out to the nearest hundredth.

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

19 (iii) The total number of support units of the district shall be
20 the sum of the total support units for regular students, subpara-
21 graph (i) of this ~~sub~~paragraph, and the support units allowance
22 for the approved exceptional child program, subparagraph (ii) of
23 this ~~sub~~paragraph.

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

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

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

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

48 SECTION 3. The provisions of Section 2 of this act shall be in full force
49 and effect on and after July 1, 2019.