

PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
OCTOBER 16, 2014

SUBJECT

Legislation – 2015 Session

REFERENCE

June 2014 The Board approved legislative ideas to be submitted through the Governor's Executive Agency Legislation process for the 2015 Session.

BACKGROUND/ DISCUSSION

The Board approved legislative ideas and authorized the Executive Director to submit additional ideas as necessary to the Governor's office through the Division of Financial Management at the June 2013 Board meeting. Each of the attached pieces of legislation have been submitted as legislative ideas and approved to move forward through the process by the Governor's Office.

The Board initially approved ten (10) Legislative Ideas, with one being a place holder for additional legislation that may be needed for recommendations of the Education Improvement subcommittees. Of those ten (10), Board staff have determined that the one regarding residency for tuition purposes could not be ready to move forward this year due to additional fiscal concerns raised by the institutions that will need additional follow-up. Further, this idea, while necessary is not of a time sensitive nature and could be tabled until next year.

1. Nursing Education Program Approval

Statement of Purpose

Amend language in section 54-1406, Idaho Code removing the requirement that the Board must approve any curriculum change in a nursing program (private or public) that may alter existing articulation agreements between educational institutions. The Board would continue to approve program changes at the public institution as specified in Board policy but would not be involved in approval of specific curriculum changes. Those changes would be handled within the articulation agreements.

2. Charter School Financial Support

Statement of Purpose

Idaho Code, 33-5208(8) provides that: "Each public charter school shall pay an authorizer fee to its authorized chartering entity, to defray the actual documented cost of monitoring, evaluation and oversight, which, in the case of public charter schools authorized by the public charter school commission, shall include each school's proportional fee share of all moneys appropriated to the public charter school commission, plus fifteen percent (15%)" [emphasis added]. This past Session there was legislative interest in appropriating General Funds to supplement the Public Charter School Commission's (PCSC) FY 2015 budget. However, since the authorizer fee is calculated off of "all moneys appropriated," an additional appropriation of General Funds would have also resulted in an increase in the authorizer fee the following year. The proposed legislation would

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amend the authorizer fee formula to include only those funds appropriated from the Public Charter School Authorizers fund rather than all appropriated moneys.

The proposed amendment would also change the authorizer fee payment deadline from February 15 to March 15. Data needed to calculate the fee are not typically available from the State Department of Education in time to invoice the schools and receive payment by February 15.

3. Transfer of Surplus Property

Statement of Purpose

Amend language in section 58-335, Idaho Code to include property owned by the State Board of Education to list of exempt property. This would clarify that the Board would not have to go through the Land Board process when disposing of surplus property. Section 33-107, Idaho Code already gives the Board the authority to "acquire, hold and dispose of title, rights and interests in real and personal property." Currently the two sections of code are in conflict. The Land Board does not object to the clarification.

4. Risk Management – Opt Out

Statement of Purpose

In 2014 the State Board of Education proposed legislation that would allow the four year institutions to opt-out of state administrative services. While the bill did not pass as a total package, there was some support for a few of the individual components of the bill. This proposal would use allow the four year institutions to opt-out of using the states risk management services. The institutions would have to bring a proposal forward to the Board requesting permission to opt-out and show the savings and efficiencies that the change would realize prior to the Board giving them permission to opt-out of risk management. The proposal would require 18 month notice to the Department of Administration prior to any institution opting out of risk management.

5. Income Tax Credit for Charitable Contributions – Remove Sunset

Statement of Purpose

HB630 (2010) amended section 63-3029A, Idaho code temporarily increasing the existing income tax credit for donations to certain organization, including the state educational agencies and institutions under the oversight of the State Board of Education. Those increases sunset January 1, 2016. The proposed amendment will remove the sunset. The current language allows for the tax credit to equal 50% of the aggregate amount of charitable contributions, up to 50% of the taxpayer's total Idaho income tax liability and a maximum annual amount of \$500 (\$1,000 on a jointly-filed return). Should the 2010 changes sunset the credit would remain equal to 50% of the contribution, but would be limited to 20% of the taxpayer's total Idaho income tax liability and the maximum annual amount of the credit would decrease to \$100 (\$200 on a jointly-filed return). For a corporate taxpayer the amount is limited to 10% of the corporation's total Idaho income tax liability and the maximum annual credit would remain \$5,000, rather than the original \$1,000 limit.

An additional change would amend subsection (2)(c) correcting the reference to "accreditation by the state board of education" as the Board does not accredit institutions.

Governor's Task Force Recommendations

6. Foundation Program – State Aid – Certificated Staff Apportionment

Statement of Purpose

Amendments would be made to the education support program in Title 33, Chapter 10 to establish a funding model for school districts for certificated staff that would be variable based on a three tiered system.

7. Continuous Improvement Planning

Statement of Purpose

Amendments to Section 33-320, Idaho Code, adding clarifying language and additional emphasis on the continuous improvement aspects of the required planning rather than a traditional strategic planning process.

8. Transition of School Trustee Terms from Three Years to Four

This section of code was identified as part of the committee's review of education related statutes that could be removed.

Statement of Purpose

The proposed amendment would repeal, section 33-503A, Idaho Code. This section of code laid out the time lines for public school Boards of Trustees to transition from three year terms to four year terms. The final dates specified in the legislation, July 1, 2013, have passed, thereby, making the legislation unnecessary.

9. Advanced Opportunities

This piece of legislation consolidates the approved Legislative Idea regarding the 8 in 6 program with the recommendation from the subcommittee regarding the Advanced Opportunities programs currently in statute, including the 8 in 6 Program.

Statement of Purpose

Proposed amendments would consolidate the separate sections of code pertaining to advanced opportunities for secondary students into a single chapter. Additional changes would streamline processes, use consistent language, and remove sections that may be redundant due to the consolidation, clarify that students attending Bureau of Indian Education Schools (BIE) in Idaho may participate in the 8 in 6 program, and remove the 10% cap on the 8 in 6 program. Amend language in section 33-1628, Idaho Code to clarify that students attending Bureau of Indian Education (BIE) schools in Idaho may participate in the 8 in 6 Program as long as all other eligibility requirements are met. Currently the (BIE) oversees two schools in Idaho, the Shoshone-Bannock Jr./Sr. High School and the Coeur d' Alene Tribal School.

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IMPACT

Any legislation not approved by the Board will be withdrawn from the Governor’s legislative process. The Board office will continue to work with the Governor’s Office, the Division of Financial Management and Legislative Services Offices (LSO) to finalize approve legislation prior to the start of the legislative session.

STAFF COMMENTS AND RECOMMENDATIONS

Additional changes to legislation may be necessary as Board staff works with the various governmental entities prior to finalizing and submitting to the legislature.

Staff recommends approval.

BOARD ACTION

I move to approve the proposed legislation in substantial conformance to the form submitted as attachments 1-9 and to authorize the Executive Director to make additional changes as necessary as the legislation moves forward through the Governor’s legislative process.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

TITLE 54
PROFESSIONS, VOCATIONS, AND BUSINESSES
CHAPTER 14
NURSES

54-1406. Nursing education programs. Approval.

(a) Qualifications. Persons and institutions desiring to offer or conduct approved nursing education programs in the state of Idaho shall comply herewith. Approval shall be conditioned upon and subject to continuing compliance with standards adopted by the board respecting faculty, staff, curriculum, administration, financial stability and other matters affecting the quality of nursing education. ~~However, any curriculum or rule change considered by the board which may alter existing articulation agreements between educational institutions, or existing nursing programs of the eleven (11) month LPN, the two (2) year associate degree/RN, or the four (4) year baccalaureate degree must be approved by the state board of education prior to implementation.~~

(b) Initial compliance. Upon receipt of an application hereunder, a survey of the program, including clinical facilities and affiliated institutions, shall be made under the direction of the executive director and a written report of the findings shall be submitted to the board. If the board determines that the standards have been met, it shall issue a certificate of approval.

(c) Continuing compliance. To insure the continuing compliance with adopted standards, all approved nursing education programs shall be surveyed and reviewed periodically under the direction of the executive director. Written reports of the findings shall be submitted to the board. In the event any program fails to maintain compliance required by this section, the board may withdraw its prior certification, or impose such conditions and restrictions as may secure compliance within a reasonable period of time by notification in writing and specifying the reasons for the action. Action against any existing program must be based upon fact and subject to appeal as provided for administrative action pursuant to [chapter 52, title 67](#), Idaho Code.

TITLE 33
EDUCATION
CHAPTER 52
PUBLIC CHARTER SCHOOLS

33-5208. PUBLIC CHARTER SCHOOL FINANCIAL SUPPORT. Except as provided in subsection (10) of this section, from the state educational support program the state department of education shall make the following apportionment to each public charter school for each fiscal year based on attendance figures submitted in a manner and time as required by the department of education:

(1) Per student support. Computation of support units for each public charter school shall be calculated as if it were a separate school according to the schedules in section [33-1002](#)(4), Idaho Code, except that public charter schools with fewer than one hundred (100) secondary ADA shall use a divisor of twelve (12) and the minimum units shall not apply, and no public charter school shall receive an increase in support units that exceeds the support units it received in the prior year by more than thirty (30). Funding from the state educational support program shall be equal to the total distribution factor, plus the salary-based apportionment provided in [chapter 10, title 33](#), Idaho Code. Provided however, any public charter school that is formed by the conversion of an existing traditional public school shall be assigned divisors, pursuant to section [33-1002](#), Idaho Code, that are no lower than the divisors of the school district in which the traditional public school is located, for each category of pupils listed.

(2) Special education. For each student enrolled in the public charter school who is entitled to special education services, the state and federal funds from the exceptional child education program for that student that would have been apportioned for that student to the school district in which the public charter school is located.

(3) Alternative school support. Public charter schools may qualify under the provisions of sections [33-1002](#) and [33-1002C](#), Idaho Code, provided the public charter school meets the necessary statutory requirements, and students qualify for attendance at an alternative school as provided by rule of the state board of education.

(4) Transportation support. Support shall be paid to the public charter school as provided in [chapter 15, title 33](#), Idaho Code, and section [33-1006](#), Idaho Code. Each public charter school shall furnish the department with an enrollment count as of the first Friday in November, of public charter school students who are eligible for reimbursement of transportation costs under the provisions of this subsection and who reside more than one and one-half (1 1/2) miles from the school. The state department of education is authorized to include in the annual appropriation to the charter school sixty percent (60%) of the estimated transportation cost. The final appropriation payment in July shall reflect reimbursements of actual costs pursuant to section [33-1006](#), Idaho Code. To be eligible for state reimbursement under the provisions of section [33-1006](#), Idaho Code, the student to be transported must reside within the public charter school's primary attendance area, and must meet at least one (1) of the following two (2) criteria:

(a) The student resides within the school district in which the public charter school is physically located; or

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(b) The student resides within fifteen (15) miles of the public charter school, by road.

The limitations placed by this subsection on the reimbursement of transportation costs for certain students shall not apply to public virtual schools.

(5) Facilities funds. The state department of education shall distribute facilities funds to public charter schools for each enrolled student in which a majority of the student's instruction is received at a facility that is owned or leased by the public charter school. Such funds shall be used to defray the purchase, fee, loan or lease costs associated with payments for real property used by the students or employees of the public charter school for educational or administrative purposes. Such funds shall be distributed from the moneys appropriated to the educational support program, and shall be calculated as a percentage of the statewide average amount of bond and plant facility funds levied per student by Idaho school districts, as follows:

Fiscal Year 2014	Twenty Percent (20%)
Fiscal Year 2015	Thirty Percent (30%)

For fiscal year 2016 and each fiscal year thereafter, this percentage shall increase by ten percent (10%) each time the total appropriation of state funds for the educational support program increases by three percent (3%) or more over the prior fiscal year, and shall decrease by ten percent (10%) each time the total appropriation of state funds for the educational support program decreases as compared to the prior fiscal year. Provided however, that the percentage shall be no less than twenty percent (20%) and no greater than fifty percent (50%), and that the average amount of funding received per public charter school shall not exceed the average amount of funding received by each school district pursuant to the provisions of section [33-906](#), Idaho Code.

For those public charter schools that do not receive facilities funds for all enrolled students, the school may submit to the state department of education a reimbursement claim for any costs for which facilities funds may be used. The state department of education shall reduce such claim by the greater of fifty percent (50%) or the percentage of the school's enrolled students for which the school receives facilities funds, and shall pay the balance. Provided however, that the total reimbursements paid to a public charter school, in combination with any facilities stipend received by the school, shall not exceed the amount of facilities funds that would have been received by the school had the school received facilities funds for all enrolled students. For the purposes of this subsection, the term "real property" shall be used as defined in section [63-201](#), Idaho Code.

(6) Payment schedule. The state department of education is authorized to make an advance payment of twenty-five percent (25%) of a public charter school's estimated annual apportionment for its first year of operation, and each year thereafter, provided the public charter school is serving more grades or at least ten percent (10%) more classes than the previous year, to assist the school with initial start-up costs or payroll obligations. For a public charter school entering its second or greater year of operations, the state department of education may require documentation establishing the need for such an advance payment, including comparative class schedules and proof of a commensurate increase in the number of employees.

(a) For a public charter school to receive the advance payment, the school shall submit its anticipated fall membership for each grade level to the state department of education by June 1.

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(b) Using the figures provided by the public charter school, the state department of education shall determine an estimated annual apportionment from which the amount of the advance payment shall be calculated. Advance payment shall be made to the school on or after July 1 but no later than July 31.

(c) All subsequent payments, taking into account the one-time advance payment made for the first year of operation, shall be made to the public charter school in the same manner as other traditional public schools in accordance with the provisions of section [33-1009](#), Idaho Code.

A public charter school shall comply with all applicable fiscal requirements of law, except that the following provisions shall not be applicable to public charter schools: that portion of section [33-1004](#), Idaho Code, relating to reduction of the administrative and instructional staff allowance when there is a discrepancy between the number allowed and the number actually employed; and section [33-1004E](#), Idaho Code, for calculation of district staff indices.

(7) Nothing in this chapter shall be construed to prohibit any private person or organization from providing funding or other financial assistance to the establishment or operation of a public charter school.

(8) Each public charter school shall pay an authorizer fee to its authorized chartering entity, to defray the actual documented cost of monitoring, evaluation and oversight, which, in the case of public charter schools authorized by the public charter school commission, shall include each school's proportional fee share of ~~all~~ moneys appropriated [from the Public Charter School Authorizers fund](#) to the public charter school commission, plus fifteen percent (15%). Provided however, that each public charter school's board of directors may direct up to ten percent (10%) of the calculated fee to pay membership fees to an organization or association that provides technical assistance, training and advocacy for Idaho public charter schools. Unless the authorized chartering entity declines payment, such fee shall be paid by ~~February~~ [March](#) 15 of each fiscal year and shall not exceed the greater of:

(a) All state funds distributed to public schools on a support unit basis for the prior fiscal year, divided by the statewide number of public school students in average daily attendance in the first reporting period in the prior fiscal year; or

(b) The lesser of:

(i) The result of the calculation in subsection (8)(a) of this section, multiplied by four (4); or

(ii) One and one-half percent (1.5%) of the result of the calculation in subsection (8)(a) of this section, multiplied by the public charter school's average daily attendance in the first reporting period in the current fiscal year.

(9) Nothing in this chapter shall prevent a public charter school from applying for federal grant moneys.

(10) (a) Each student in attendance at a public virtual school shall be funded based upon either the actual hours of attendance in the public virtual school on a flexible schedule, or the percentage of coursework completed, whichever is more advantageous to the school, up to the maximum of one (1) full-time equivalent student.

(b) All federal educational funds shall be administered and distributed to public charter schools, including public virtual schools, that have been designated as a local education agency (LEA), as provided in section [33-5203](#)(7), Idaho Code.

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(11) Nothing in this section prohibits separate face-to-face learning activities or services.

(12) The provisions of section [33-1021](#), Idaho Code, shall apply to public charter schools provided for in this chapter.

TITLE 58
PUBLIC LANDS
CHAPTER 3
APPRAISEMENT, LEASE, AND SALE OF LANDS

58-335. Lands exempt from act. This act shall not be construed as applying to any lands or properties acquired under the act of congress, known as the Idaho Admission Act, or in the subsequent operations of the various endowment funds of the state. Nor shall this act apply to any lands or properties in the custody of the [state board of education and](#) board of regents of the University of Idaho in its corporate capacity: provided, however, that the [state board of education and the](#) board of regents, desiring to avail itself of the facilities of this act, for the sale, exchange or transfer of any such properties, may proceed to negotiate a sale, transfer or exchange with the state board of land commissioners as would any other tax-supported agency. If the [state board of education and](#) board of regents of the University of Idaho does not avail itself of the facilities of this act, the [state board of education and](#) board of regents shall use a process for disposal of real property that includes, at a minimum, a required appraisal and public notice of the proposed real property disposal prior to disposal; and for property disposals that are not part of an exchange or transfer, consideration given to granting a first option to purchase to local, state and federal governmental entities.

RISK MANAGEMENT OPT OUT

6-902. Definitions. As used in this act:

(1) "State" means the state of Idaho or any office, department, agency, authority, commission, board, institution, hospital, college, university or other instrumentality thereof.

(2) "Political subdivision" means any county, city, municipal corporation, health district, school district, irrigation district, an operating agent of irrigation districts whose board consists of directors of its member districts, special improvement or taxing district, or any other political subdivision or public corporation. As used in this act, the terms "county" and "city" also mean state licensed hospitals and attached nursing homes established by counties pursuant to [chapter 36, title 31](#), Idaho Code, or jointly by cities and counties pursuant to [chapter 37, title 31](#), Idaho Code.

(3) "Governmental entity" means and includes the state and political subdivisions as herein defined.

(4) "Employee" means an officer, board member, commissioner, executive, employee, or servant of a governmental entity, including elected or appointed officials, and persons acting on behalf of the governmental entity in any official capacity, temporarily or permanently in the service of the governmental entity, whether with or without compensation, but the term employee shall not mean a person or other legal entity while acting in the capacity of an independent contractor under contract to the governmental entity to which this act applies in the event of a claim.

(5) "Bodily injury" means any bodily injury, sickness, disease or death sustained by any person and caused by an occurrence.

(6) "Property damage" means injury or destruction to tangible property caused by an occurrence.

(7) "Claim" means any written demand to recover money damages from a governmental entity or its employee which any person is legally entitled to recover under this act as compensation for the negligent or otherwise wrongful act or omission of a governmental entity or its employee when acting within the course or scope of his employment.

(8) ["state public institution of higher education" means the university of Idaho, Boise state university, Idaho state university, and Lewis-Clark state college.](#)

6-919. Liability insurance for state -- Comprehensive plan by division of insurance management. The administrator of the division of insurance management in the department of administration shall provide a comprehensive liability plan which will cover and protect the state and its employees from claims and civil lawsuits. He shall be responsible for the acquisition and administration of all liability insurance of the state or for the use of the retained risk account provided in section [67-5776](#), Idaho Code, to meet the obligations of the comprehensive liability plan.

The administrator shall, after consultation with the departments, agencies, commissions, and other instrumentalities of the state, provide a comprehensive liability plan for the state providing liability coverage to the state and its employees in amounts not less than the minimum specified in section [6-924](#), Idaho Code. He shall have the authority to use the retained risk account provided in section [67-5776](#), Idaho Code, or to

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purchase, renew, cancel and modify all policies according to the comprehensive liability plan.

Notwithstanding the foregoing, upon approval of the state board of education; provided however, that following approval, said institution shall provide eighteen (18) months' prior written notice to the administrator and the withdrawal shall commence on the first day of the next fiscal year following the notification period or a date mutually agreed upon by the institution and the agency, a state public institution of higher education, as defined in section 6-902(4), Idaho Code, may withdraw from services provided for in this section. Liability insurance purchased shall be in an amount not less than the minimum specified in section 6-924, Idaho Code. A state public institution of higher education may again participate in said services following withdrawal under mutually agreed upon terms with the administrator of the division of insurance management in the department of administration.

6-920. Liability insurance for state procured by division of insurance management. Except as otherwise provided by law, No state agency or institution other than the administrator of the division of insurance management in the department of administration may procure liability insurance under this act. All state agencies and institutions shall comply with this act and the comprehensive liability plan developed by the administrator of the division.

Notwithstanding the foregoing, upon approval of the state board of education; provided however, that following approval, said institution shall provide eighteen (18) months' prior written notice to the administrator and the withdrawal shall commence on the first day of the next fiscal year following the notification period or a date mutually agreed upon by the institution and the agency, a state public institution of higher education, as defined in section 6-902(4), Idaho Code, may purchase liability insurance as provided for in this section. A state public institution of higher education may again participate in said services following withdrawal under mutually agreed upon terms with the administrator of the division.

67-5773. Powers and duties -- Risk management. (1) The director of the department of administration shall:

(a) Determine the nature and extent of needs for insurance coverages of all kinds, other than life and disability insurances, as to risks and property of all offices, departments, divisions, boards, commissions, institutions, agencies and operations of the government of the state of Idaho, the premiums on which are payable in whole or in part from funds of the state.

(b) Determine the character, terms, and amounts of insurance coverages required by such needs.

(c) Within funds available therefor from each respective office, department, division, board, commission, institution, agency or operation with respect to coverage to be provided to it, negotiate for, procure, purchase, and have placed or continued in effect all such insurance coverages and services as may reasonably be obtainable, whether from insurers or brokers duly authorized to transact business in this state.

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(d) Administer all such coverages on behalf of the insured, including making and settlement of loss claims arising thereunder. The director, with the advice of the attorney general, may cause suit to be brought with respect to any such coverage or loss.

(e) Within available funds and personnel, make periodic inspection or appraisal of premises, property and risks as to conditions affecting insurability, risk, and premium rate, and submit a written report of each such inspection or appraisal together with recommendations, if any, to the officer, department, or agency in direct charge of such premises, property or risks.

(f) Perform such other duties and exercise such other powers as are provided by law.

(g) Establish a risk management advisory committee. The director shall consult with the advisory committee in the performance of those duties enumerated above.

(2) As to all such needs and coverages, the director shall give due consideration to information furnished by and recommendations of any office, department, division, board, commission, institution or agency.

(3) Provided however, nothing contained in this section shall preclude the state educational institutions from using services as provided for in this section.

TITLE 63
REVENUE AND TAXATION
CHAPTER 30
INCOME TAX

63-3029A. Income tax credit for charitable contributions -- Limitation. ~~Effective until January 1, 2016~~ At the election of the taxpayer, there shall be allowed, subject to the applicable limitations provided herein, as a credit against the income tax imposed by [chapter 30, title 63](#), Idaho Code, an amount equal to fifty percent (50%) of the aggregate amount of charitable contributions made by such taxpayer during the year to a nonprofit corporation, fund, foundation, trust, or association organized and operated exclusively for the benefit of institutions of higher learning located within the state of Idaho, including a university related research park, to nonprofit private or public institutions of elementary, secondary, or higher education or their foundations located within the state of Idaho, to a nonprofit corporation, fund, foundation, trust or association which is: (i) organized and operated exclusively for the benefit of elementary or secondary education institutions located within the state of Idaho; (ii) officially recognized and designated as any such elementary or secondary education institution's sole designated supporting organization; and (iii) qualified to be exempt from federal taxation under the terms of section 501(c)(3) of the Internal Revenue Code, to Idaho education public broadcast system foundations within the state of Idaho, to the Idaho state historical society or its foundation, to the council for the deaf and hard of hearing, to the developmental disabilities council, to the commission for the blind and visually impaired, to the commission on Hispanic affairs, to the state independent living council, to the Idaho commission for libraries and to public libraries or their foundations and library districts or their foundations located within the state of Idaho, to nonprofit public or private museums or their foundations located within the state of Idaho and to dedicated accounts within the Idaho community foundation inc. that exclusively support the charitable purposes otherwise qualifying for the tax credit authorized under the provisions of this section.

(1) In the case of a taxpayer other than a corporation, the amount allowable as a credit under this section for any taxable year shall not exceed fifty percent (50%) of such taxpayer's total income tax liability imposed by section [63-3024](#), Idaho Code, for the year, or five hundred dollars (\$500), whichever is less.

(2) In the case of a corporation, the amount allowable as a credit under this section for any taxable year shall not exceed ten percent (10%) of such corporation's total income or franchise tax liability imposed by sections [63-3025](#) and [63-3025A](#), Idaho Code, for the year, or five thousand dollars (\$5,000), whichever is less.

For the purposes of this section, "contribution" means monetary donations reduced by the value of any benefit received in return such as food, entertainment or merchandise.

For the purposes of this section, "institution of higher learning" means only an educational institution located within this state meeting all of the following requirements:

(a) It maintains a regular faculty and curriculum and has a regularly enrolled body of students in attendance at the place where its educational activities are carried on.

(b) It regularly offers education above the twelfth grade.

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(c) It is accredited by the northwest ~~association of schools and~~ commission on colleges and universities, or an accreditor approved by the state board of education.

For the purposes of this section, a nonprofit institution of secondary or higher education means a private nonprofit secondary or higher educational institution located within the state of Idaho, which is accredited by the northwest ~~association of schools and~~ commission on colleges and universities, or an accreditor approved by the state board of education. A nonprofit private institution of elementary education means a private nonprofit elementary educational institution located within the state of Idaho and approved by the state board of education.

TITLE 33
EDUCATION
CHAPTER 10
FOUNDATION PROGRAM -- STATE AID – APPORTIONMENT

33-1001. Definitions. The following words and phrases used in this chapter are defined as follows:

(1) "Administrative schools" means and applies to all elementary schools and kindergartens within a district that are situated ten (10) miles or less from both the other elementary schools and the principal administrative office of the district and all secondary schools within a district that are situated fifteen (15) miles or less from other secondary schools of the district.

(2) "Average daily attendance" or "pupils in average daily attendance" means the aggregate number of days enrolled students are present, divided by the number of days of school in the reporting period; provided, however, that students for whom no Idaho school district is a home district shall not be considered in such computation.

(3) "Elementary grades" or "elementary average daily attendance" means and applies to students enrolled in grades one (1) through six (6) inclusive, or any combination thereof.

(4) "Elementary schools" are schools that serve grades one (1) through six (6) inclusive, or any combination thereof.

(5) "Elementary/secondary schools" are schools that serve grades one (1) through twelve (12) inclusive, or any combination thereof.

(6) "Homebound student" means any student who would normally and regularly attend school, but is confined to home or hospital because of an illness or accident for a period of ten (10) or more consecutive days.

(7) "Instructional Staff" are staff that are involved in the direct instruction of a student or group of students and hold a residency certificate, professional certificate or professional master certificate as defined in Idaho administrative rule.

~~(78)~~ "Kindergarten" or "kindergarten average daily attendance" means and applies to all students enrolled in a school year, less than school year, or summer kindergarten program.

~~(89)~~ "Public school district" or "school district" or "district" means any public school district organized under the laws of this state, including specially chartered school districts.

(10) "Pupil Service Staff" are staff that provide services to students and are not involved in direct instruction of those services, including but not limited to individuals holding a Pupil Personnel Services Certificate.

~~(911)~~ "Secondary grades" or "secondary average daily attendance" means and applies to students enrolled in grades seven (7) through twelve (12) inclusive, or any combination thereof.

~~(1012)~~ "Secondary schools" are schools that serve grades seven (7) through twelve ~~(1213)~~ inclusive, or any combination thereof.

~~(1114)~~ "Separate elementary school" means an elementary school which measured from itself, traveling on an all-weather road, is situated more than ten (10) miles distance from both the nearest elementary school and elementary/secondary school serving like grades within the same school district and from the location of the

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office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools.

(~~42~~15) "Separate kindergarten" means a kindergarten which measured from itself, traveling on an all-weather road, is situated more than ten (10) miles distance from both the nearest kindergarten school within the same school district and from the location of the office of the superintendent of schools of such district, or from the office of the chief administrative officer of such district if the district employs no superintendent of schools.

(~~43~~16) "Separate secondary school" means any secondary school which is located more than fifteen (15) miles by an all-weather road from any other secondary school and elementary/secondary school serving like grades operated by the district.

(~~44~~17) "Support program" means the educational support program as described in section [33-1002](#), Idaho Code, the transportation support program described in section [33-1006](#), Idaho Code, and the exceptional education support program as provided in section [33-1007](#), Idaho Code.

(~~45~~18) "Support unit" means a function of average daily attendance used in the calculations to determine financial support provided the public school districts.

(~~46~~19) "Teacher" means any person employed in a teaching, instructional, supervisory, educational administrative or educational and scientific capacity in any school district. In case of doubt the state board of education shall determine whether any person employed requires certification as a teacher.

33-1004. Staff allowance. For each school district, a staff allowance shall be determined as follows:

(1) Using the daily attendance reports that have been submitted for computing the February 15 apportionment of state funds as provided in section [33-1009](#), Idaho Code, determine the total support units for the district in the manner provided in section [33-1002](#)(6)(a), Idaho Code;

(2) Determine the instructional staff allowance by multiplying the support units by 1.~~40~~. A district must demonstrate that it actually employs the number of certificated instructional staff allowed, except as provided in subsection (5)(f) and (g) of this section. If the district does not employ the number allowed, the staff allowance shall be reduced to the actual number employed, except as provided in subsection (5)(f) and (g) of this section;

(3) Determine the pupil service staff allowance by multiplying the support units by 0.1;

(~~34~~) Determine the administrative staff allowance by multiplying the support units by .075;

(~~45~~) Determine the classified staff allowance by multiplying the support units by .375;

(~~56~~) Additional conditions governing staff allowance:

(a) In determining the number of staff in subsections (2), (3) and (4) of this section, a district may contract separately for services to be rendered by nondistrict employees and such employees may be counted in the staff allowance. A "nondistrict employee" means a person for whom the school district does not pay the employer's obligations for employee benefits. When a district contracts for the services of a

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nondistrict employee, only the salary portion of the contract shall be allowable for computations.

(b) If there are circumstances preventing eligible use of staff allowance to which a district is entitled as provided in subsections (2) and (3) of this section, an appeal may be filed with the state department of education outlining the reasons and proposed alternative use of these funds, and a waiver may be granted.

(c) For any district with less than forty (40) support units:

(i) The instructional staff allowance shall be calculated applying the actual number of support units. If the actual instructional staff employed in the school year is greater than the instructional staff allowance, then the instructional staff allowance shall be increased by one-half (1/2) staff allowance; and

(ii) The administrative staff allowance shall be calculated applying the actual number of support units. If the actual administrative staff employed in the school year is greater than the administrative staff allowance, then the administrative staff allowance shall be increased by one-half (1/2) staff allowance.

(iii) Additionally, for any district with less than twenty (20) support units, the instructional staff allowance shall be calculated applying the actual number of support units. If the number of instructional staff employed in the school year is greater than the instructional staff allowance, the staff allowance shall be increased as provided in subparagraphs (i) and (ii) of this paragraph, and by an additional one-half (1/2) instructional staff allowance.

(d) For any school district with one (1) or more separate secondary schools serving grades nine (9) through twelve (12), the instructional staff allowance shall be increased by two (2) additional instructional staff allowances for each such separate secondary school.

(e) Only instructional, pupil service, administrative and classified personnel compensated by the school district from the general maintenance and operation fund of the district shall be included in the calculation of staff allowance or in any other calculations based upon staff, including determination of the experience and education multiplier, the reporting requirements, or the district's salary-based apportionment calculation. No food service staff or transportation staff shall be included in the staff allowance.

(f) A district may utilize up to fifteen percent (15%) of the moneys associated with positions funded pursuant to subsection (2) of this section to pay another school district or public charter school for instructional services or to defray the cost of providing virtual education coursework, including virtual dual credit coursework, without a reduction in the number of funded positions being imposed.

(g) A district may employ nine and one-half percent (9.5%) fewer positions than funded pursuant to subsection (2) and (3) of this section, without a reduction in the number of funded positions being imposed. Beginning in fiscal year 2016, this figure shall be reduced by one percent (1%) each year for each school district in which the average class size, as determined from prior fiscal year data reported to the state department of education, was at least one (1) student greater than the statewide average class size. The state department of education shall report to the legislature every February, beginning in 2015, on the reductions scheduled to take place in this figure, by school district, in the ensuing fiscal year.

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(6) In the event that the staff allowance in any category is insufficient to meet accreditation standards, a district may appeal to the state board of education, demonstrating the insufficiency, and the state board may grant a waiver authorizing sufficient additional staff to be included within the staff allowance to meet accreditation standards. Such a waiver shall be limited to one (1) year, but may be renewed upon showing of continuing justification.

(7) A district may utilize a portion of the instructional staff allowance provided for in this section for kindergarten teachers to visit the parents or guardians of students during the first week of the kindergarten school year. Such visits may take place at school, at the student's home or at another location agreed to by the teacher and parents or guardians. The purpose of such visits is to help strengthen the working relationship between the teacher, the parents or guardians, and the student. The visits should be used as an opportunity to help establish the teacher's expectations of the student. The visit should also provide an opportunity for the parents or guardians to explain their expectations. The amount of moneys to be expended for such visits by the district may not exceed the amount equal to one (1) week of instructional staff allowance computed for kindergarten instructors in the district.

33-1004A. Experience and education multiplier. Each [instructional/pupil service](#) and administrative staff position shall be assigned an appropriate multiplier based upon the following table:

EXPERIENCE AND EDUCATION

Years	BA	BA + 12	BA + 24	MA BA + 36	MA + 12 BA + 48	MA + 24 BA + 60	MA + 36 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 [certificated service for pupil service staff or teaching and administrative service for administrator certificate holders](#) 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.

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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.

Provided however, that successful completion of the state-approved Teachscape Focus evaluation training and proof of proficiency shall be counted as up to three (3) transcribed credits for determination of the education factor and recertification.

~~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.~~

In determining the statewide average multiplier for instructional pupil service 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.

New Section:

33-1004B. Effective in fiscal year 2016 all existing instructional staff shall be placed in a cohort based on the current allocation received based on the experience and education index pursuant to section 33-1004A, Idaho code. Between July 1, 2015 and June 30, 2019 teachers new to the state will be placed into the cohort of instructional staff equivalent to their experience and education pursuant to section 33-1004A, Idaho code. New resident certificate holders will be placed in the first level of the resident tier.

Effective July 1, 2015 through June 30, 2016:

<u>Tier</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>
<u>Residency/Professional</u>	<u>\$36,000</u>	<u>\$37,300</u>	<u>\$38,211</u>							
<u>Professional</u>	<u>\$41,699</u>	<u>\$42,805</u>	<u>\$43,330</u>	<u>\$44,475</u>	<u>\$45,041</u>	<u>\$46,227</u>	<u>\$46,836</u>	<u>\$48,067</u>	<u>\$48,722</u>	<u>\$49,402</u>
<u>Master</u>										

Thereafter allocation to the school districts for instructional staff will increase each year as follows.

Effective July 1, 2016 through June 30, 2017:

<u>Tier-</u>	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>
<u>Residency/Professional</u>	<u>\$34,600</u>	<u>\$35,450</u>	<u>\$36,317</u>							
<u>Professional</u>	<u>\$39,049</u>	<u>\$40,208</u>	<u>\$40,996</u>	<u>\$42,213</u>	<u>\$43,061</u>	<u>\$44,341</u>	<u>\$45,253</u>	<u>\$46,601</u>	<u>\$47,583</u>	<u>\$48,602</u>
<u>Master</u>										

Effective July 1, 2017 through June 30, 2018:

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Tier-	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>
Residency	\$36,400	\$37,300	\$38,211							
Professional	\$41,699	\$42,805	\$43,330	\$44,475	\$45,041	\$46,227	\$46,836	\$48,067	\$48,722	\$49,402
Master										

Effective July 1, 2018 through June 30, 2019:

Tier-	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>
Residency	\$38,200	\$39,150	\$40,106							
Professional	\$44,350	\$45,403	\$45,665	\$46,738	\$47,020	\$48,114	\$48,418	\$49,534	\$49,861	\$50,201
Master	\$52,800									

Effective July 1, 2020 school districts shall receive an allocation for instructional staff based on level of certificate as follows:

Tier-	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>
Residency	\$40,000	\$41,000	\$42,000		
Professional	\$47,000	\$48,000	\$49,000	\$50,000	\$51,000
Master	\$54,000	\$55,000	\$56,000	\$57,000	\$58,000

33-1004C. Base and minimum salaries -- leadership premiums -- Education and experience index. [(1)] The following shall be reviewed annually by the legislature:

(a) The base salary figures pursuant to subsections 1., 2. 3. and 4. of section 33-1004E, Idaho Code;

(b) The minimum instructional salary figure pursuant to subsection 1. of section 33-1004E, Idaho Code; and

(c) The leadership premium figures pursuant to subsections (1) and (2) of section 33-1004J, Idaho Code.

(2) The statewide education and experience index (or state average index, or state index) is the average of all qualifying employees, instructional and administrative respectively. It is determined by totaling the index value for all qualifying employees and dividing by the number of employees.

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 career ladder provided in pursuant to section ~~33-1004A~~33-1004B, 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 \$23,354. 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~~

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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 ~~\$31,750~~ the minimum dollar amount on the career ladder pursuant to section 33-1004B, Idaho code for the applicable fiscal year. 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~~ national board certified instructional staff person 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 pupil service staff, first determine the district average experience and education index by placing all eligible district certificated pupil service employees on the statewide index pursuant to section 33-1004A, Idaho Code. The resulting average is the district index. The district pupil service staff index shall be multiplied by the instructional base salary of \$23,354. The amount so determined shall be multiplied by the district staff allowance for pupil service staff determined pursuant in section 33-1004(23), Idaho Code. The pupil service 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. The resulting amount is the district's salary-based apportionment for pupil services staff.

23. 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 \$32,151. 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.

34. To determine the apportionment for classified staff, multiply \$19,249 by the district classified staff allowance determined as provided in section 33-1004(45), Idaho Code. The amount so determined is the district's apportionment for classified staff.

45. The district's salary-based apportionment shall be the sum of the apportionments calculated in subsections 1., 2., 3. and 34., of this section, plus the benefit apportionment as provided in section 33-1004F, Idaho Code.

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33-1004J. leadership premiums. (1) Of the moneys available to the educational support program, eight hundred fifty dollars (\$850) shall be distributed per full-time equivalent instructional [and pupil service](#) staff position employed by each school district. Such moneys shall be paid to instructional [and pupil service](#) staff employees for leadership activities as provided in paragraphs (a) through (h) of this subsection. Such premiums shall be valid only for the fiscal year for which the premiums are made and shall be made for one (1) or more of the following reasons as identified as leadership priorities by the board of trustees:

- (a) Providing instruction in a subject in which the employee holds a content area master's degree;
- (b) Teaching a course in which students earn both high school and college credit;
- (c) Teaching a course to middle school students in which the students earn both middle school and high school credit;
- (d) Holding and providing service in multiple nonadministrative certificate or subject endorsement areas;
- (e) Serving in an instructional [or pupils service](#) position designated as hard to fill by the board of trustees;
- (f) Providing mentoring, peer assistance or professional development pursuant to section [33-512](#)(17), Idaho Code;
- (g) Having received professional development in career and academic counseling, and then providing career or academic counseling for students, with such services incorporated within or provided in addition to the teacher's regular classroom instructional [or pupil service](#) duties;
- (h) Other leadership duties designated by the board of trustees, exclusive of duties related to student activities or athletics. Such duties shall require that the employee work additional time as a condition of the receipt of a leadership premium.

(2) Local school district boards of trustees may provide leadership premiums to instructional [or pupil service](#) staff employees consistent with the provisions of this section. The decision as to whom and how many receive leadership premiums, and in what amounts, shall not be subject to collective bargaining, any other provision of law notwithstanding. A board may provide multiple leadership premiums to an instructional [or pupil service](#) staff employee. However, no such employee shall receive cumulative leadership premiums in excess of twenty-five percent (25%) of the base salary amount designated in section [33-1004E](#), Idaho Code, nor less than eight hundred fifty dollars (\$850).

(3) The state department of education may require reports of information as needed to implement the provisions of this section. Also, the department shall report, on or before January 15, 2016, and on or before January 15 of each subsequent year, to the governor, the senate education committee and the house of representatives education committee relevant information regarding leadership premiums, including the following:

- (a) The number of leadership premiums issued, by district;
- (b) The average dollar amount of leadership premiums issued, by district;
- (c) The highest and lowest leadership premium issued, by district; and
- (d) The percent of instructional [and pupil service](#) staff positions receiving leadership premiums and the cumulative amount of such premiums, by district.

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(4) For the purposes of this section, the term "school district" also means "public charter school," and the term "board of trustees" also means "board of directors."

(5) The state board of education is hereby authorized to promulgate rules to implement the provisions of this section.

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CAREER LADDER IMPLEMENTATION CALCULATIONS

<u>Teachers in First Year With Current Employer</u>									
ExperienceYears	BA	BA+12	BA+24	MA / BA+36	MA+12 / BA+48	MA+24 / BA+60	MA+36 / ES/DR		
0	538.3228	17.5000	6.0000	99.6700	3.0000	7.4600	8.4980		680.4508
1	67.0100	0.0000	2.0000	18.5000	1.0300	0.4000	0.5700		89.5100
2	30.6300	2.5000	3.0000	17.6600	0.9100	0.6000	2.0000		57.3000
3	28.3600	6.5000	1.0000	14.3400	4.3000	3.0000	3.0000		60.5000
4	12.9600	5.7500	8.5000	12.5500	3.0000	0.0000	3.0000		45.7600
5	9.0700	10.5700	6.0000	24.5400	4.0000	7.3480	5.0000		66.5280
6	9.7200	3.3000	7.7100	17.8900	7.4000	3.0700	0.8000		49.8900
7	12.4800	3.0000	2.0000	12.3200	4.0000	2.9300	3.0000		39.7300
8	5.0000	2.3800	2.3400	11.9400	8.0000	7.2000	2.0000		38.8600
9	4.9400	2.9300	5.0000	5.9300	6.6000	3.0000	3.0000		31.4000
10	3.5000	6.9000	4.7500	12.2900	5.0000	0.0000	4.1200		36.5600
11	3.0000	2.0000	1.5000	7.0000	4.0000	5.9400	1.8000		25.2400
12	0.0000	1.2500	0.0000	7.7500	2.0000	6.0000	4.4000		21.4000
13	0.0000	1.0000	0.0000	3.7200	4.1200	4.0000	1.0000		13.8400
14	3.0900	0.0000	0.0000	4.9700	3.5000	5.5000	1.0000		18.0600
15-99	5.7000	5.0000	7.6400	18.6800	16.9800	52.8400	33.6500		140.4900
									1,415.5188
 <u>FY14 Statewide</u>									
0	782.38	12.56	9.11	153.8	13.48	8.2	18.53		998.06
1	641.16	43.74	11.23	124.36	7.43	8.68	15.1		851.7
2	477.34	39.36	23.13	108.932	13.72	11.05	16.59		690.122
3	325.69	67.82	34.29	95.09	16.29	17.59	8.75		565.52
4	245.9	87.64	39.98	112.78	36.896	22.26	14.9		560.356
5	193.44	135.07	52.87	128.08	57.68	37.04	19.48		623.66
6	116.27	132.41	89.85	138.685	78.12	45.37	33.86		634.565
7	114.2	119.14632	90.02	120.95	86.59	71.47	39.43		641.80632
8	66.65	127.76	92.27	125.73	81.26	80.7	41.26		615.63
9	39.8	87.49	79.74	125.87	89.83	95.304	38.66		556.694
10	26.29	72.51	79.54	103.75	72.19	85.56	40.39		480.23
11	13.66	59.26	74.66	93.52	74.18	127.46	65.07		507.81
12	15.9	55.15	59.62	96.62	76.98	135.67	56.2		496.14
13	61.17	142.07	363.74	826.045	934.163	3521.304	1450.004		7298.496
	3119.85	1181.98632	1100.05	2354.212	1638.809	1507.569	1858.224		15520.78932

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CAREER LADDER IMPLEMENTATION CALCULATIONS

FY15 Projected Statewide

0	792.1068	12.7161	9.2233	155.7121	13.6476	8.3019	18.7604	1,010.4682
1	649.1311	44.2838	11.3696	125.9061	7.5224	8.7879	15.2877	862.2886
2	483.2744	39.8493	23.4176	110.2863	13.8906	11.1874	16.7963	698.7018
3	329.7391	68.6632	34.7163	96.2722	16.4925	17.8087	8.8588	572.5507
4	248.9571	88.7296	40.4770	114.1821	37.3547	22.5367	15.0852	567.3225
5	195.8449	136.7492	53.5273	129.6723	58.3971	37.5005	19.7222	631.4135
6	117.7155	134.0562	90.9670	140.4092	79.0912	45.9341	34.2810	642.4541
7	115.6198	120.6276	91.1392	122.4537	87.6665	72.3585	39.9202	649.7854
8	67.4786	129.3483	93.4171	127.2931	82.2702	81.7033	41.7730	623.2837
9	40.2948	88.5777	80.7314	127.4349	90.9468	96.4888	39.1406	563.6150
10	26.6168	73.4115	80.5289	105.0398	73.0875	86.6237	40.8921	486.2004
11	13.8298	59.9967	75.5882	94.6827	75.1022	129.0446	65.8790	514.1232
12	16.0977	55.8356	60.3612	97.8212	77.9370	137.3567	56.8987	502.3082
13	61.9305	143.8363	368.2621	836.3146	945.7768	3,565.0818	1,468.0309	7,389.2330
	3,158.6369	1,196.6811	1,113.7261	2,383.4802	1,659.1831	4,320.7147	1,881.3260	15,713.7482

FY15 Minimum Salary: \$31,750

	BA	BA + 12	BA + 24	MA BA + 36	MA + 12 BA + 48	MA + 24 BA + 60	MA + 36 PhD
0	\$23,354	\$24,230	\$25,138	\$26,081	\$27,059	\$28,074	\$29,127
1	\$24,230	\$25,138	\$26,081	\$27,059	\$28,074	\$29,127	\$30,219
2	\$25,138	\$26,081	\$27,059	\$28,074	\$29,127	\$30,219	\$31,352
3	\$26,081	\$27,059	\$28,074	\$29,127	\$30,219	\$31,352	\$32,528
4	\$27,059	\$28,074	\$29,127	\$30,219	\$31,352	\$32,528	\$33,748
5	\$28,074	\$29,127	\$30,219	\$31,352	\$32,528	\$33,748	\$35,013
6	\$29,127	\$30,219	\$31,352	\$32,528	\$33,748	\$35,013	\$36,326
7	\$30,219	\$31,352	\$32,528	\$33,748	\$35,013	\$36,326	\$37,688
8	\$31,352	\$32,528	\$33,748	\$35,013	\$36,326	\$37,688	\$39,102
9	\$32,528	\$33,748	\$35,013	\$36,326	\$37,688	\$39,102	\$40,568
10	\$32,528	\$35,013	\$36,326	\$37,688	\$39,102	\$40,568	\$42,089
11	\$32,528	\$35,013	\$36,326	\$37,688	\$40,568	\$42,089	\$43,668
12	\$32,528	\$35,013	\$36,326	\$37,688	\$40,568	\$43,668	\$45,305
13+	\$32,528	\$35,013	\$36,326	\$37,688	\$40,568	\$43,668	\$47,004

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CAREER LADDER IMPLEMENTATION CALCULATIONS

The Career Ladder as recommended by the 2013 Task Force for Improving Education called for a 5-6 year implementation. In addition, further funding was proposed for tiers two and three that teachers could earn for fulfillment of leadership responsibilities, including such things as curriculum development work, chairing collaboration teams, mentoring, and other responsibilities that the districts may determine.

The 2014 legislature appropriated the \$15.8 million for the these "leadership premiums." That ongoing amount is not reflected in the implementation plan presented on the following pages.

Fiscal Impact Table	FTE	Transition Cost
\$31,750	4,827.1094	
\$32,528	609.4589	
\$33,748	436.1255	
\$35,013	694.4273	
\$36,326	901.0850	
\$37,688	1,346.4286	
\$39,102	211.3493	
\$40,568	1,224.5804	
\$42,089	169.9368	
\$43,668	3,768.3175	
\$45,305	56.8987	
\$47,004	1,468.0309	

Total FTE: 15,713.7482
Leadership Award Pool at \$850 per FTE: \$15,890,449

Total Year 1 Extra Cost: \$15,890,449

The present salary cohorts, shown on Page 2, go in different cells in year 0. As we progress through the transition, the cohorts generally stay intact, with some consolidation occurring at the top of the professional salary range. The transition is effected as the cohorts move to different cells in different years. The transition really takes 6 years, since year 0 is where we are now, and year 1 is where the transition begins.

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CAREER LADDER IMPLEMENTATION CALCULATIONS

Career Ladder Year 0 Impact

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Res/Prof(<3 yrs) Teacher	\$31,000	\$31,750	\$32,528							
Professional Teacher	\$33,748	\$35,013	\$36,326	\$37,688	\$39,102	\$40,568	\$42,089	\$43,668	\$45,305	\$47,004
Master Teacher	\$48,000	\$49,000	\$50,000	\$51,000	\$52,000					

FTE Table

	1	2	3	4	5	6	7	8	9	10
Res/Prof(<3 yrs) Teacher	0.00	4928.08	621.75							
Professional Teacher	445.13	708.53	919.87	1374.19	215.42	1250.65	173.56	3846.90	58.19	1498.74
Master Teacher	0	0	0	0	0					

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Res/Prof(<3 yrs) Teacher	\$0	\$156,466,457	\$20,224,364							
Professional Teacher	\$15,022,242	\$24,807,844	\$33,415,086	\$51,790,293	\$8,423,288	\$50,736,430	\$7,304,958	\$167,986,513	\$2,636,460	\$70,446,771
Master Teacher										
subtotals	\$15,022,242	\$181,274,300	\$53,639,450	\$51,790,293	\$8,423,288	\$50,736,430	\$7,304,958	\$167,986,513	\$2,636,460	\$70,446,771

Career Ladder Cost: \$609,260,707
FTE 16041.01

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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CAREER LADDER IMPLEMENTATION CALCULATIONS

Career Ladder Year 1 Impact

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Res/Prof(<3 yrs) Teacher	\$32,800	\$33,600	\$34,422							
Professional Teacher	\$36,398	\$37,610	\$38,661	\$39,950	\$41,082	\$42,454	\$43,671	\$45,134	\$47,004	\$47,803
Master Teacher										

FTE Table

	1	2	3	4	5	6	7	8	9	10
Res/Prof(<3 yrs) Teacher	694.58	4,714.69	594.83							
Professional Teacher	425.86	677.85	880.04	1,314.68	206.09	1,196.50	166.04	3,680.33	55.67	1,433.84
Master Teacher										

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Res/Prof(<3 yrs) Teacher	\$22,782,083	\$158,413,639	\$20,475,496							
Professional Teacher	\$15,500,467	\$25,494,319	\$34,022,923	\$52,522,112	\$8,466,537	\$50,796,617	\$7,251,370	\$166,109,535	\$2,616,891	\$68,542,355
Master Teacher										
subtotals	\$38,282,550	\$183,907,958	\$54,498,419	\$52,522,112	\$8,466,537	\$50,796,617	\$7,251,370	\$166,109,535	\$2,616,891	\$68,542,355

Career Ladder Cost: \$632,994,343
 FTE 16041.01
 Total System Cost Increase over Previous Year: **\$23,733,636**

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CAREER LADDER IMPLEMENTATION CALCULATIONS

Career Ladder Year 2 Impact

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Res/Prof(<3 yrs) Teacher	\$34,600	\$35,450	\$36,317							
Professional Teacher	\$39,049	\$40,208	\$40,996	\$42,213	\$43,061	\$44,341	\$45,253	\$46,601	\$47,583	\$48,602
Master Teacher										

FTE Table

	1	2	3	4	5	6	7	8	9	10
Res/Prof(<3 yrs) Teacher	694.58	664.50	4,510.55							
Professional Teacher	569.07	407.42	648.50	841.93	1,257.76	197.17	1,144.69	158.85	3,520.97	1,425.02
Master Teacher										

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Res/Prof(<3 yrs) Teacher	\$24,032,319	\$23,556,545	\$163,808,578	\$0						
Professional Teacher	\$22,221,673	\$16,381,308	\$26,585,724	\$35,540,270	\$54,160,536	\$8,742,542	\$51,801,111	\$7,402,767	\$167,538,445	\$69,259,496
Master Teacher										
subtotals	\$46,253,992	\$39,937,853	\$190,394,302	\$35,540,270	\$54,160,536	\$8,742,542	\$51,801,111	\$7,402,767	\$167,538,445	\$69,259,496

Career Ladder Cost: \$671,031,314

FTE 16041.01

Total System Cost Increase over Previous Year: **\$38,036,971**

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CAREER LADDER IMPLEMENTATION CALCULATIONS

Career Ladder Year 3 Impact

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Residency Teacher	\$36,400	\$37,300	\$38,211							
Professional Teacher	\$41,699	\$42,805	\$43,330	\$44,475	\$45,041	\$46,227	\$46,836	\$48,067	\$48,722	\$49,402
Master Teacher										

FTE Table

	1	2	3	4	5	6	7	8	9	10
Residency Teacher	694.58	664.50	635.73							
Professional Teacher	4,315.24	544.43	389.78	620.42	805.48	1,203.30	188.63	1,095.12	151.98	4,731.83
Master Teacher										

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Residency Teacher	\$25,282,556	\$24,785,871	\$24,291,918							
Professional Teacher	\$179,942,008	\$23,304,585	\$16,889,109	\$27,593,381	\$36,279,261	\$55,625,021	\$8,834,584	\$52,639,585	\$7,404,599	\$233,760,136
Master Teacher										
subtotals	\$205,224,564	\$48,090,456	\$41,181,027	\$27,593,381	\$36,279,261	\$55,625,021	\$8,834,584	\$52,639,585	\$7,404,599	\$233,760,136

Career Ladder Cost: \$716,632,613

FTE 16041.01

Total System Cost Increase over Previous Year: **\$45,601,299**

**PLANNING, POLICY AND GOVERNMENTAL AFFAIRS
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CAREER LADDER IMPLEMENTATION CALCULATIONS

Career Ladder Year 4 Impact

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Residency Teacher	\$38,200	\$39,150	\$40,106							
Professional Teacher	\$44,350	\$45,403	\$45,665	\$46,738	\$47,020	\$48,114	\$48,418	\$49,534	\$49,861	\$50,201
Master Teacher	\$52,800									

FTE Table

	1	2	3	4	5	6	7	8	9	10
Residency Teacher	755.40	664.50	635.73							
Professional Teacher	547.38	4,128.39	520.86	372.90	593.56	655.01	978.51	153.39	890.55	3,971.49
Master Teacher	1,173.35									

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Residency Teacher	\$28,856,118	\$26,015,197	\$25,496,241							
Professional Teacher	\$24,276,112	\$187,439,595	\$23,785,154	\$17,428,348	\$27,909,310	\$31,514,824	\$47,377,523	\$7,598,093	\$44,403,716	\$199,371,961
Master Teacher	\$61,952,622									
subtotals	\$115,084,852	\$213,454,793	\$49,281,395	\$17,428,348	\$27,909,310	\$31,514,824	\$47,377,523	\$7,598,093	\$44,403,716	\$199,371,961

Career Ladder Cost: \$753,424,814

FTE 16041.01

Total System Cost Increase over Previous Year: **\$36,792,201**

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CAREER LADDER IMPLEMENTATION CALCULATIONS

Career Ladder Year 5 Impact -- Full Implementation

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Residency Teacher	\$40,000	\$41,000	\$42,000							
Professional Teacher	\$47,000	\$48,000	\$49,000	\$50,000	\$51,000					
Master Teacher	\$54,000	\$55,000	\$56,000	\$57,000	\$58,000					

FTE Table

	1	2	3	4	5	6	7	8	9	10
Residency Teacher	755.40	722.69	635.73							
Professional Teacher	547.38	4,473.31	855.06	1,134.78	5,447.69					
Master Teacher	346.45	1,122.54								

Salary Reimbursement Table

	1	2	3	4	5	6	7	8	9	10
Residency Teacher	\$30,215,831	\$29,630,172	\$26,700,563							
Professional Teacher	\$25,726,889	\$214,718,823	\$41,897,823	\$56,738,903	\$277,832,122					
Master Teacher	\$18,708,063	\$61,739,660								
subtotals	\$74,650,783	\$306,088,656	\$68,598,387	\$56,738,903	\$277,832,122	\$0	\$0	\$0	\$0	\$0

Career Ladder Cost: \$783,908,851
 FTE 16041.01
 Total System Cost Increase over Previous Year: **\$30,484,036**

Assumed annual average net retention rate: 0.9567
 percent eligible for Master in year 4 0.60
 percent of those eligible that advance to Professional 0.90
 percent of those eligible that advance to Master 0.25
 percent eligible for master after year 4 0.20

Years in transition 5

TITLE 33
EDUCATION
CHAPTER 3
SCHOOL DISTRICTS

33-320. ~~STRATEGIC PLANNING~~CONTINUOUS IMPROVEMENT PLANS AND TRAINING. (1) Each school district and public charter school in Idaho shall develop ~~and maintain an annual strategic~~ plan that is part of a continuous focuses on improving the student performance of the district or public charter school.

(2) (a) The board of trustees and the superintendent shall collaborate on the plan and engage students, parents, educators and the community as appropriate. The board of directors and the administrator of a public charter school shall collaborate on the plan and engage students, parents, educators and the community as appropriate.

(b) The ~~strategic annual continuous improvement~~ plan shall:

(i) Be data driven, specifically in student outcomes, and shall include, but not be limited to, analyses of demographic data, student achievement and growth data, graduation rates, and college and career readiness;

(ii) Set clear and measurable targets based on student outcomes;

(iii) Include a clearly developed and articulated vision and mission; and

(iv) Include key indicators for monitoring performance.

(v) Include a report of progress toward the previous year's improvement goals.

(c) For the 2014-2015 school year, the ~~strategic annual continuous improvement~~ plan shall be adopted on or before September 1. The ~~strategic~~ plan must be reviewed and updated annually no later than August 1 every year thereafter.

(d) The board of trustees or the board of directors shall continuously monitor progress toward the goals by utilizing relevant data to measure growth. The progress shall be included in evaluations of the district superintendent or administrator of a public charter school. The progress shall be included in each subsequent year's continuous improvement plan.

(3) The ~~strategic annual continuous improvement~~ plan must be made available to the public and shall be posted on the school district or charter school website.

(4) Of the moneys appropriated in the public schools educational support program, up to two thousand dollars (\$2,000) shall be distributed to each school district and public charter school to be expended for training purposes for district superintendents and boards of trustees, public charter school administrators and boards of directors. Funds shall be distributed on a reimbursement basis based on a process prescribed by the superintendent of public instruction. Qualified training shall include training for continuous improvement processes and planning, strategic planning, finance, superintendent evaluations, public charter administrator evaluations, ethics and governance.

(5) The state board of education shall be granted rulemaking authority to establish appropriate procedures, qualifications and guidelines for qualified training providers and shall prepare a list of qualified training providers within the state of Idaho.

TITLE 33
EDUCATION
CHAPTER 5
DISTRICT TRUSTEES

~~33-503A. Transition of school trustee terms from three years to four years. In order to achieve an orderly transition to terms of four (4) years, and to hold trustee elections in the odd-numbered years, the following schedule shall be followed:~~

~~(1) For school districts with five (5) trustees:~~

~~(a) If two (2) trustees were elected to a regular trustee term in 2007, and one (1) trustee was elected to a regular term in 2008, then these three (3) trustees shall each serve a term that expires on July 1, 2011, and the trustees elected to a regular trustee term in 2009 shall each serve a term that expires on July 1, 2013.~~

~~(b) If two (2) trustees were elected to regular trustee terms in 2007, and two (2) trustees were elected to regular trustee terms in 2008, then those trustees elected in 2007 shall each serve a term that expires on July 1, 2011, and those elected in 2008 shall each serve a term that expires on July 1, 2013, and the trustee elected to a regular trustee term in 2009 shall serve a term that expires on July 1, 2013.~~

~~(c) If one (1) trustee was elected to a regular trustee term in 2007, the trustee shall serve a term that expires on July 1, 2011, and the trustees elected to a regular trustee term in 2008 shall each serve a term that expires on July 1, 2011.~~

~~(2) For school districts with six (6) trustees, two (2) trustees elected to a regular term in 2007 shall each serve a term that expires on July 1, 2011, and two (2) trustees elected to a regular term in 2009 shall each serve a term that expires on July 1, 2013, and one (1) of the trustees elected to a regular term in 2008 shall serve until July 1, 2011, and one (1) of the trustees elected to a regular term in 2008 shall serve until July 1, 2013, which shall be determined by the toss of a coin.~~

~~(3) For school districts with seven (7) trustees, two (2) trustees elected to a regular term in 2008 or 2009 shall each serve until July 1, 2011, and any remainder of the trustees elected in 2008 or 2009 shall serve until July 1, 2013, which shall be determined by the toss of a coin; and trustees elected to a regular term in 2007 shall serve until July 1, 2011.~~

~~(4) For elementary school districts with three (3) trustees, two (2) trustees elected to a regular term in 2007 and 2008 shall serve until July 1, 2011, and one (1) trustee elected to a regular term in 2009 shall serve until July 1, 2013.~~

ADVANCED OPPORTUNITIES

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) Certain expectant and delivered mothers allowance as provided in section [33-2006](#), Idaho Code;
 - (g) Salary-based apportionment calculated as provided in sections [33-1004](#) through [33-1004F](#), Idaho Code;
 - (h) Unemployment insurance benefit payments according to the provisions of section [72-1349A](#), Idaho Code;
 - (i) For expenditure as provided by the public school technology program;
 - (j) For employee severance payments as provided in section [33-521](#), Idaho Code;
 - (k) For distributions to the Idaho digital learning academy as provided in section [33-1020](#), Idaho Code;
 - (l) For charter school facilities funds and reimbursements paid pursuant to section [33-5208](#)(5), Idaho Code;
 - (m) For an online course portal as provided for in section [33-1024](#), Idaho Code;
 - (n) For advanced opportunities as provided for in section [33-4626 4601](#), Idaho Code;
 - (o) For the "8 in 6 Program" as provided for in section [33-4628 4602](#), Idaho Code;
 - (p) For additional math and science courses for high school students as provided in section [33-1021](#), Idaho Code;
 - (q) For leadership premiums as provided in section [33-1004J](#), Idaho Code;
 - (r) For the support of provisions that provide a safe environment conducive to student learning and maintain classroom discipline, an allocation of \$300 per support unit; and
 - (s) Any additional amounts as required by statute to effect administrative adjustments or as specifically required by the provisions of any bill of appropriation;
- to secure the total educational support distribution funds.

(3) Average Daily Attendance. The total state average daily attendance shall be the sum of the average daily attendance of all of the school districts of the state. The state board of education shall establish rules setting forth the procedure to determine average daily attendance and the time for, and method of, submission of such report. Average daily attendance calculation shall be carried out to the nearest hundredth. Computation of average daily attendance shall also be governed by the provisions of section [33-1003A](#), Idaho Code.

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(4) Support Units. The total state support units shall be determined by using the tables set out hereafter called computation of kindergarten support units, computation of elementary support units, computation of secondary support units, computation of exceptional education support units, and computation of alternative school secondary support units. The sum of all of the total support units of all school districts of the state shall be the total state support units.

COMPUTATION OF KINDERGARTEN SUPPORT UNITS

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

COMPUTATION OF ELEMENTARY SUPPORT UNITS

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

COMPUTATION OF SECONDARY SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
750 or more....	18.5	47
400 - 749.99 ADA....	16	28
300 - 399.99 ADA....	14.5	22
200 - 299.99 ADA....	13.5	17
100 - 199.99 ADA....	12	9
99.99 or fewer Grades 7-12	Units allowed as follows:	8

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Grades 9-12	6
Grades 7- 9	1 per 14 ADA
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 SECONDARY SUPPORT UNITS

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 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 secondary school in a school district reporting less than one hundred (100) secondary students in average daily attendance shall not be assigned to the alternative secondary table if the student is from a school district reporting less 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 secondary school, unless the alternative secondary school in question serves students from multiple districts reporting less than one hundred (100) secondary students in average daily attendance. The tables for exceptional education and alternative school secondary 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:

(a) (i) Divide the actual average daily attendance, excluding students approved for inclusion in the exceptional child educational program, for the administrative schools and

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each of the separate schools and attendance units by the appropriate divisor from the tables of support units in this section, then add the quotients to obtain the district's support units allowance for regular students, kindergarten through grade 12 including alternative school secondary students. Calculations in application of this subsection shall be carried out to the nearest hundredth.

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

(iii) The total number of support units of the district shall be the sum of the total support units for regular students, subsection (6)(a)(i) of this section, and the support units allowance for the approved exceptional child program, subsection (6)(a)(ii) of this section.

(b) Total District Allowance Educational Program. Multiply the district's total number of support units, carried out to the nearest hundredth, by the state distribution factor per support unit and to this product add the approved amount of programs of the district provided in subsection (2) of this section to secure the district's total allowance for the educational support program.

(c) District Share. The district's share of state apportionment is the amount of the total district allowance, subsection (6)(b) of this section.

(d) Adjustment of District Share. The contract salary of every noncertificated teacher shall be subtracted from the district's share as calculated from the provisions of subsection (6)(c) of this section.

(7) Property Tax Computation Ratio. In order to receive state funds pursuant to this section a charter district shall utilize a school maintenance and operation property tax computation ratio for the purpose of calculating its maintenance and operation levy, that is no greater than that which it utilized in tax year 1994, less four-tenths of one percent (.4%). As used herein, the term "property tax computation ratio" shall mean a ratio determined by dividing the district's certified property tax maintenance and operation budget by the actual or adjusted market value for assessment purposes as such values existed on December 31, 1993. Such maintenance and operation levy shall be based on the property tax computation ratio multiplied by the actual or adjusted market value for assessment purposes as such values existed on December 31 of the prior calendar year.

New Chapter: 46 – ADVANCED OPPORTUNITIES

33-16264601. ADVANCED OPPORTUNITIES. (1) Students completing all state high school graduation requirements at any time prior to the beginning of their final twelfth grade semester or trimester term, except the senior project and any other course that the state board of education requires to be completed during the final year of high school, shall be eligible for the following:

(a) Dual credit courses, up to eighteen (18) credits per semester term or twelve (12) credits per trimester term of postsecondary credits. Average daily attendance shall be counted as normal for such students for public school funding purposes. The state

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department of education shall distribute funds from the moneys appropriated for the educational support program to defray the per credit cost charged for such dual credit courses by accredited postsecondary institutions. The amount so distributed shall not exceed seventy-five dollars (\$75.00) per credit hour.

(b) Advanced placement or other college credit-bearing or professional certificate examinations, up to six (6) examinations per semester or four (4) per trimester. The state department of education shall distribute funds from the moneys appropriated for the educational support program to defray the per examination cost charged. The amount so distributed shall not exceed ninety dollars (\$90.00) per examination.

The state department of education shall reimburse school districts and public charter schools for such costs, up to the stated limits, within one hundred twenty-five (125) days of receiving the necessary data upon which reimbursements may be paid. If a student fails to earn credit for any course or examination for which the department has paid a reimbursement, the student must pay for and successfully earn credit for one (1) such course or examination before the department may pay any further reimbursements for such student.

(2) Any student in an Idaho public high school or Idaho public charter high school who has attained grade 11 and who has not qualified pursuant to subsection (1) of this section shall qualify for a credit of two hundred dollars (\$200) to pay for courses and examinations pursuant to subsection (1)(a) and (b) of this section. These moneys may be used to pay an amount not to exceed ~~seventy-five percent (75%) of the cost price to the student~~ of such courses and examinations, pursuant to the limitations stated in this subsection. The state department of education shall distribute such funds from the moneys appropriated to the educational support program.

(3) Any student in an Idaho public high school or Idaho public charter high school who has attained grade 12 and who has not qualified pursuant to subsection (1) of this section shall qualify for a credit of four hundred dollars (\$400) to pay for courses and examinations described pursuant to subsection (1)(a) and (b) of this section. These moneys may be used to pay an amount not to exceed ~~seventy-five percent (75%) of the cost price to the student~~ of such courses and examinations, pursuant to the limitations stated in this subsection. The state department of education shall distribute such funds from the moneys appropriated to the educational support program.

(4) The payments made pursuant to this section ~~shall not be used to duplicate payments made by any other governmental or charitable program, except that any payments made pursuant to this section~~ shall also reduce by a like dollar amount an amount not to exceed fifty dollars (\$50) per credit hour any out-of-district county tuition payments that would otherwise be made to a community college pursuant to section 33-2110A, Idaho Code.

(5) The state board of education may promulgate rules to implement the provisions of this section.

(6) No later than January 15, the state department of education shall annually report to the senate and the house of representatives education committees the number of scholarships awarded pursuant to subsections (2) and (3) of this section during the previous school year, by school district and public charter school. Such report shall also include a fiscal note reflecting the amount of moneys expended for such scholarships.

(7) Policies and procedures for participating in the program established by the school district or charter school must be such that students have an opportunity to

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participate in the program and meet district established timelines and requirements for financial transactions, transcribing credits and state department of education reporting.

33-16284602. "8 IN 6 PROGRAM." (1) A program is hereby established in the state department of education to be known as the "8 in 6 Program."

(2) If a parent and student of a public school in Idaho agree, by signing the appropriate form provided by the state department of education, to the conditions provided for in paragraphs (a) and (b) of this subsection, the state department of education will pay for a portion of the cost of summer online courses and online overload courses as provided for in this section from the moneys appropriated for this purpose.

(a) The student and parent agree that the student shall take and successfully complete dual credit or professional-technical education courses for at least a portion of the student's courses during the eleventh and/or twelfth grade years. Funding for this requirement will not be provided by the "8 in 6 Program."

(b) The student and parent agree that the student shall take and successfully complete at least one (1) summer online or online overload course and a full course load.

(c) The state shall pay the lesser of the actual cost or two hundred twenty-five dollars (\$225) per one (1) credit summer online course or one (1) credit online overload course taken in this program.

(d) The state shall pay for no more than two (2) credits of online overload courses per student per school year. The state shall pay for no more than two (2) credits of summer online courses per student per summer. The state shall pay for no more than a combined total of four (4) credits of summer online or online overload courses per student per year. The state shall pay for no more than a combined total of eight (8) credits of summer online and online overload courses per student during such student's participation in the program.

~~(3) Participation in this program shall be limited to no more than ten percent (10%) of students in each grade 7 through 12. Such limitation shall be applied initially on a school district-by-school district, grade-by-grade basis. If any grades do not fully utilize their available participation slots, the school district shall reallocate said participation slots to those grades in which more than ten percent (10%) of the students have applied for participation in the program. If any school districts do not fully utilize their available participation slots by July 1, the state department of education shall reallocate said participation slots to those districts in which more than ten percent (10%) of the students have applied for participation in the program. Students accepted into the program shall remain in the program from year to year unless they sign a withdrawal form developed by the state department of education. If a participating student transfers from one (1) school district to another, such student shall remain enrolled in the program, the ten percent (10%) participation limitation of the student's new school district notwithstanding. The state department of education shall maintain a list of participants.~~

~~(a) If the number of students applying for participation in the "8 in 6 Program" exceeds the number of participation slots available in the school district, the school district shall establish participation preference criteria. Such criteria shall include students who have successfully completed at least one (1) online course prior to participating in the program, and may include any of the following:~~

~~(i) Grade point average;~~

~~(ii) State-mandated summative achievement test results;~~

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~~(iii) Other school district administered student assessments.~~

~~(b) If a student participating in the program fails to complete with a grade of "C" or better one (1) or more summer online or online overload courses while in the program, the student must pay for and successfully complete a summer online or online overload course with a grade of "C" or better before continuing in the program.~~

~~(4) (3)~~ Procedures for participating in the "8 in 6 Program" include the following: The school district shall make reasonable efforts to ensure that any student who considers participating in the program considers the challenges and time necessary to succeed in the program. Such efforts by the district shall be performed prior to a student participating in the program. Policies and procedures for participating in the program established by the school district or charter school must be such that students have an opportunity to participate in the program and meet district established timelines and requirements for financial transactions, transcribing credits and state department of education reporting.

~~(5) (4)~~ Eligible courses. To qualify as an eligible course for the program, the course must be one in which a majority of the instruction is provided electronically, and it must be offered by a provider accredited by the organization that accredits Idaho high schools or an organization whose accreditation of providers is recognized by the organization that accredits Idaho high schools and taught by an individual certified to teach the grade and subject area of the course in Idaho. Parents of participating students may enroll their child in any eligible course, with or without the permission of the school district in which the student is enrolled, up to the course enrollment limits provided for in subsection (2)(d) of this section. School district personnel shall assist parents in the process of enrolling students in such courses. Each participating student's transcript at the school district at which the student is enrolled shall include the credits earned and grades received by the student for any ~~online~~ courses taken pursuant to this section. For an eligible course to be transcribed as meeting the requirements of a core subject as identified in Idaho administrative rule, said course must meet the approved content standards for the applicable subject and grade level.

~~(6) (5)~~ The state board of education is hereby authorized to promulgate rules to implement the provisions of this section.

~~(7) (6)~~ Definitions:

(a) "8 in 6 Program" means the two (2) years of junior high, the four (4) years of high school and the first two (2) years of college or professional-technical preparation that normally take eight (8) years to complete are compressed into six (6) years by taking full course loads during the school year and one (1) or two (2) ~~online~~ courses during the summer or as ~~online~~ overload courses.

(b) "Credit" means middle or high school credit.

(c) "Full course load" means no fewer than twelve (12) credits per school year for grades 7-8, no fewer than fourteen (14) credits per school year for grades 9-12 for summer ~~online~~ course eligibility purposes, and the maximum number of courses offered by the student's school during the school day per school year for ~~online~~ overload course eligibility purposes.

(d) "Overload course" means a course taken that is in excess of or more than the number of courses taken in the normal school day as a normal school day is defined for fractional average daily attendance purposes by the state department of education.

(e) "Parent" means parent or parents or guardian or guardians.

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(f) "School district" means an Idaho school district or a public charter school that provides education to any grades 7-12.

(g) "School year" means the normal school year that begins upon the conclusion of the break between grades and ends upon the beginning of the same break of the following year.

~~33-16204603.~~ (1) MASTERY ADVANCEMENT PROGRAM. There is hereby established the "Mastery Advancement Program," hereinafter referred to as "the program." This program shall permit students in Idaho public schools, including Idaho public charter schools, to successfully proceed through school curriculum at their own pace.

~~33-1621.~~ (2) APPLICATION TO PARTICIPATE IN PROGRAM. Any school district or public charter school wanting to participate in the mastery advancement program shall submit to the state department of education an application for participation in the program on a form established by the department. Any school district and any public charter school that submits a completed application shall be allowed to participate in the program.

~~33-1622.~~ (3) PROGRAM ASSESSMENT -- STUDENT ASSESSMENT.

~~(1)~~(a)(i) Every school district and charter school participating in the program shall measure student performance and achievement while such district and charter school is participating in the program. Such performance and achievement measures shall include, but shall not necessarily be limited to, standardized test scores, successful completion of courses, behavioral and/or disciplinary incidents and dropout rates. The performance and achievement measures provided for in this subsection shall be reported to the state department of education every June 30 during the life of the program.

~~(b)~~ (ii) Relating to the program provided for in this act, the state department of education is hereby directed to identify and adopt end-of-course assessments for all core topic areas for grades 7-12 curriculum and appropriate benchmarks for grades 1-6. Such assessments shall be developed during the life of the pilot program.

~~(2)(a)(b)~~(i) Students may request to take an end-of-course assessment. Such request shall be made upon a form provided by the state department of education. The student's request shall be made pursuant to collaboration between the student, the student's teachers, the school administration and the student's parents or guardians.

~~(b)~~(ii) The student shall score no less than eighty-five percent (85%) on the end-of-course assessment in order to participate in self-directed study that allows the student to work on completing a class or year of school at an accelerated pace.

~~(c)(i)~~(iii) When a student enrolled in grades 7-12 successfully passes an end-of-course assessment as provided for in subsection ~~(2)(3)(b)~~(ii) of this section, the student shall be counted as having completed all required coursework for that course and the school may be funded for such student based upon either the actual hours of attendance or the course which such student has successfully passed, whichever is more advantageous to the school, up to the maximum of one (1) full-time equivalent student.

~~(ii)~~(iv) When a student enrolled in grades 1-6 successfully completes a benchmark as provided for in subsection ~~(1)(b)(3)(1)~~(i) of this section, then the student shall be counted as having completed all required coursework for that grade and the school may be funded for such student, based upon either the actual hours of attendance or the grade which such student has successfully passed, whichever is more advantageous to the school, up to the maximum of one (1) full-time equivalent student.

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~~33-1623.(4)~~ STUDENT ADVANCEMENT ~~-- DUAL CREDIT --~~ ~~EARLY GRADUATION~~ ~~-- MASTERY ADVANCEMENT SCHOLARSHIP --~~ RESIDUAL SAVINGS.

~~(1)(a)~~ Any student who successfully completes a public charter school or school district's grades 1-12 curriculum at least one (1) year early shall be eligible for a mastery advancement scholarship, regardless of whether or not the public charter school or school district is participating in the mastery advancement program, if such student can show that the student has met all of the graduation requirements of the public charter school or school district in which the student attends school; and

~~(a)(i)~~ The student has completed the grades 1-12 curriculum in eleven (11) or fewer years and such student has attended schools in the Idaho public school system for the entire grades 1-12 curriculum; or

~~(b)(ii)~~ Where the student has attended Idaho public schools for less than the entire grades 1-12 curriculum, such student shall be eligible for a mastery advancement scholarship if such student has attended Idaho public schools for a minimum of four (4) years. For students who have attended Idaho public schools for less than four (4) years and who have completed all graduation requirements, such students may be eligible to receive a mastery advancement scholarship at a reduced rate not to exceed one (1) semester of scholarship for each year of Idaho public school attendance.

~~(2)(b)~~ A student is not required to graduate early and can choose to participate in dual credit or advanced placement classes as is the current practice.

~~(3)(a)(c)(i)~~ If a student requests a mastery advancement scholarship and is eligible pursuant to the provisions of subsection (1)(a) and (1)(b) of this section, the student shall be entitled to a mastery advancement scholarship which may be used for tuition and fees at any publicly funded institution of higher education in Idaho. The amount of such scholarship shall equal thirty-five percent (35%) of the statewide average daily attendance-driven funding per enrolled pupil for each year of grades 1-12 curriculum the student avoids due to early graduation. Such school district or public charter school shall receive an amount equal to each such scholarship if it is participating in the mastery advancement program.

~~(b)(ii)~~ The state department of education shall annually report, no later than January 15, to the senate and the house of representatives education committees, the number of scholarships awarded pursuant to this section during the previous school year, by school district and public charter school. Such report shall also include a fiscal note reflecting the amount of moneys expended for such scholarships.

~~(4)(d)~~ No student shall be eligible for more than three (3) years of a "mastery advancement" scholarship.

~~(5)(e)~~ School districts and public charter schools participating in the program established in section [33-1620](#), Idaho Code, are directed to collaborate with publicly funded institutions of higher education in this state to assist students who seek to graduate from high school early, in enrolling in postsecondary or advanced placement courses held in high school. Such school districts, public charter schools and publicly funded institutions of higher education shall report to the state board of education and the senate and the house of representatives education committees on any difficulties or obstacles they face in providing such assistance to students.

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