

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 296

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1001, IDAHO CODE, TO DEFINE  
2 TERMS AND TO REVISE DEFINITIONS; AMENDING SECTION 33-1002, IDAHO CODE,  
3 TO PROVIDE AMOUNTS NEEDED FOR STATE SUPPORT OF THE MASTER TEACHER PRE-  
4 MIUMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1004,  
5 IDAHO CODE, TO REVISE AND TO ESTABLISH ADDITIONAL PROVISIONS RELATING  
6 TO STAFF ALLOWANCE AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING  
7 SECTION 33-1004A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EX-  
8 PERIENCE AND EDUCATION MULTIPLIER, TO REMOVE PROVISIONS RELATING TO  
9 THE STATEWIDE AVERAGE MULTIPLIER FOR INSTRUCTIONAL STAFF, TO PROVIDE  
10 THAT ON A CERTAIN DATE PUPIL SERVICE STAFF SHALL BE DEEMED INSTRUCTIONAL  
11 STAFF FOR CERTAIN PURPOSES AND TO MAKE TECHNICAL CORRECTIONS; AMEND-  
12 ING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION  
13 33-1004B, IDAHO CODE, TO PROVIDE FOR A CAREER LADDER FOR INSTRUCTIONAL  
14 STAFF, TO PROVIDE ALLOCATION AMOUNTS, TO PROVIDE REQUIREMENTS RELATING  
15 TO PLACEMENT ON THE CAREER LADDER, TO PROVIDE FOR ADDITIONAL EDUCATION  
16 ALLOCATION AMOUNTS AND TO PROVIDE FOR AN ANNUAL REVIEW OF CERTAIN EVAL-  
17 UATIONS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION  
18 OF A NEW SECTION 33-1004B, IDAHO CODE, TO PROVIDE FOR A CAREER LADDER  
19 FOR INSTRUCTIONAL STAFF, TO PROVIDE ALLOCATION AMOUNTS, TO PROVIDE RE-  
20 QUIREMENTS RELATING TO PLACEMENT ON THE CAREER LADDER, TO PROVIDE FOR  
21 ADDITIONAL EDUCATION ALLOCATION AMOUNTS AND TO PROVIDE FOR AN ANNUAL  
22 REVIEW OF CERTAIN EVALUATIONS; AMENDING SECTION 33-1004C, IDAHO CODE,  
23 TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS;  
24 AMENDING SECTION 33-1004E, IDAHO CODE, TO REVISE PROVISIONS RELATING  
25 TO EACH DISTRICT'S SALARY-BASED APPORTIONMENT FOR INSTRUCTIONAL STAFF,  
26 ADMINISTRATIVE STAFF AND CLASSIFIED STAFF, TO ESTABLISH PROVISIONS  
27 RELATING TO DETERMINING EACH DISTRICT'S SALARY-BASED APPORTIONMENT  
28 FOR PUPIL SERVICE STAFF, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE  
29 CORRECT CODE REFERENCES; AMENDING SECTION 33-1004F, IDAHO CODE, TO ES-  
30 TABLISH ADDITIONAL PROVISIONS RELATING TO MASTER TEACHER PREMIUMS AND  
31 OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS; AMENDING CHAP-  
32 TER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1004I,  
33 IDAHO CODE, TO PROVIDE FOR MASTER TEACHER PREMIUMS, TO PROVIDE MINI-  
34 MUM AND ADDITIONAL QUALIFICATIONS, TO PROVIDE A MASTER TEACHER PREMIUM  
35 AMOUNT, TO DEFINE TERMS AND TO GRANT THE STATE BOARD OF EDUCATION RULE-  
36 MAKING AUTHORITY; AMENDING SECTION 33-1004J, IDAHO CODE, TO PROVIDE  
37 THAT CERTAIN STAFF ARE ELIGIBLE FOR LEADERSHIP PREMIUMS, TO PROVIDE  
38 FOR A COMMITTEE, TO REMOVE A LEADERSHIP PRIORITY AND TO ESTABLISH AD-  
39 DDITIONAL REPORTING REQUIREMENTS; AMENDING CHAPTER 12, TITLE 33, IDAHO  
40 CODE, BY THE ADDITION OF A NEW SECTION 33-1201A, IDAHO CODE, TO PROVIDE  
41 FOR AN IDAHO PROFESSIONAL ENDORSEMENT AND ELIGIBILITY REQUIREMENTS,  
42 TO PROVIDE THAT CERTAIN STAFF SHALL AUTOMATICALLY OBTAIN AN IDAHO  
43 PROFESSIONAL ENDORSEMENT, TO GRANT THE BOARD OF EDUCATION RULEMAKING  
44 AUTHORITY AND TO DEFINE A TERM; AMENDING SECTION 33-1204, IDAHO CODE, TO  
45

1 PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL SET FORTH CRITERIA FOR  
 2 RENEWAL OF ADMINISTRATOR CERTIFICATES, TO PROVIDE RELATED REQUIREMENTS  
 3 AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-515, IDAHO CODE,  
 4 TO PROVIDE THAT CERTAIN STAFF MAY NOT BE PLACED ON A RENEWABLE CONTRACT  
 5 STATUS, TO PROVIDE AN EXCEPTION AND TO PROVIDE A CORRECT CODE REFERENCE;  
 6 PROVIDING A SUNSET DATE AND PROVIDING EFFECTIVE DATES.

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

8 SECTION 1. That Section 33-1001, Idaho Code, be, and the same is hereby  
 9 amended to read as follows:

10 33-1001. DEFINITIONS. The following words and phrases used in this  
 11 chapter are defined as follows:

12 (1) "Administrative schools" means and applies to all elementary  
 13 schools and kindergartens within a district that are situated ten (10) miles  
 14 or less from both the other elementary schools and the principal administra-  
 15 tive office of the district and all secondary schools within a district that  
 16 are situated fifteen (15) miles or less from other secondary schools of the  
 17 district.

18 (2) "Administrative staff" means those who hold an administrator cer-  
 19 tificate and are employed as a superintendent, an elementary or secondary  
 20 school principal, or are assigned administrative duties over and above those  
 21 commonly assigned to teachers.

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

27 (4) "Career ladder" means the compensation table used for determining  
 28 the allocations districts receive for instructional staff based on specific  
 29 performance criteria and is made up of a residency compensation rung and a  
 30 professional compensation rung.

31 (5) "Compensation rung" means the rung on the career ladder that corre-  
 32 sponds with the compensation level performance criteria.

33 (36) "Elementary grades" or "elementary average daily attendance"  
 34 means and applies to students enrolled in grades one (1) through six (6) in-  
 35 clusive, or any combination thereof.

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

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

40 (69) "Homebound student" means any student who would normally and reg-  
 41 ularly attend school, but is confined to home or hospital because of an ill-  
 42 ness or accident for a period of ten (10) or more consecutive days.

43 (10) "Instructional staff" means those involved in the direct instruc-  
 44 tion of a student or group of students and who hold an Idaho certificate is-  
 45 sued under section 33-1201, Idaho Code.

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

1        (12) "Measurable student achievement" means the measurement of student  
 2 academic achievement or growth within a given interval of instruction for  
 3 those students who have been enrolled in and attended eighty percent (80%)  
 4 of the interval of instruction. Measures and targets shall be chosen at the  
 5 district level in collaboration with the teacher and applicable district  
 6 staff. Assessment tools that may be used for measuring student achievement  
 7 and growth include:

- 8        (a) Idaho standards achievement test;
- 9        (b) Student learning objectives;
- 10       (c) Formative assessments;
- 11       (d) Teacher-constructed assessments of student growth;
- 12       (e) Pre- and post-tests;
- 13       (f) Performance based assessments;
- 14       (g) Idaho reading indicator;
- 15       (h) College entrance exams such as PSAT, SAT and ACT;
- 16       (i) District adopted assessment;
- 17       (j) End of course exams;
- 18       (k) Advance placement exams; and
- 19       (l) Professional-technical exams.

20       (13) "Performance criteria" means the standards specified for instruc-  
 21 tional staff to demonstrate teaching proficiency for a given compensation  
 22 rung.

23       (14) "Professional compensation rung performance criteria" means:

- 24       (a) An overall rating of proficient and no components rated as unsatis-  
 25 factory on the state framework for teaching evaluation; and
- 26       (b) Demonstrating the majority of their students have met their measur-  
 27 able student achievement targets.

28       (15) "Public school district" or "school district" or "district" means  
 29 any public school district organized under the laws of this state, including  
 30 specially chartered school districts.

31       (16) "Pupil service staff" means those who provide services to students  
 32 but are not involved in direct instruction of those students, including  
 33 staff holding a pupil personnel services certificate.

34       (17) "Secondary grades" or "secondary average daily attendance" means  
 35 and applies to students enrolled in grades seven (7) through twelve (12) in-  
 36 clusive, or any combination thereof.

37       (18) "Secondary schools" are schools that serve grades seven (7)  
 38 through twelve (12) inclusive, or any combination thereof.

39       (19) "Separate elementary school" means an elementary school which  
 40 measured from itself, traveling on an all-weather road, is situated located  
 41 more than ten (10) miles distance on an all-weather road from both the near-  
 42 est elementary school and elementary/secondary school serving like grades  
 43 within the same school district and from the location of the office of the  
 44 superintendent of schools of such district, or from the office of the chief  
 45 administrative officer of such district if the district employs no superin-  
 46 tendent of schools.

47       (20) "Separate kindergarten" means a kindergarten which measured from  
 48 itself, traveling on an all-weather road, is situated located more than ten  
 49 (10) miles distance on an all-weather road from both the nearest kinder-  
 50 garten school within the same school district and from the location of the

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

4 (213) "Separate secondary school" means any secondary school ~~which is~~  
 5 located more than fifteen (15) miles by on an all-weather road from any other  
 6 secondary school and elementary/secondary school serving like grades oper-  
 7 ated by the district.

8 (1422) "Support program" means the educational support program as de-  
 9 scribed in section 33-1002, Idaho Code, the transportation support program  
 10 described in section 33-1006, Idaho Code, and the exceptional education sup-  
 11 port program as provided described in section 33-1007, Idaho Code.

12 (1523) "Support unit" means a function of average daily attendance  
 13 used in the calculations to determine financial support provided the public  
 14 school districts.

15 (1624) "Teacher" means any person employed in a teaching, instruc-  
 16 tional, supervisory, educational administrative or educational and scien-  
 17 tific capacity in any school district. In case of doubt the state board of  
 18 education shall determine whether any person employed requires certifica-  
 19 tion as a teacher.

20 SECTION 2. That Section 33-1002, Idaho Code, be, and the same is hereby  
 21 amended to read as follows:

22 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-  
 23 gram is calculated as follows:

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

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

29 (a) Pupil tuition-equivalency allowances as provided in section  
 30 33-1002B, Idaho Code;

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

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

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

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

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

43 (g) Salary-based apportionment calculated as provided in sections  
 44 33-1004 through 33-1004F, Idaho Code;

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

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

- 1 (j) For employee severance payments as provided in section 33-521,  
2 Idaho Code;
- 3 (k) For distributions to the Idaho digital learning academy as provided  
4 in section 33-1020, Idaho Code;
- 5 (l) For charter school facilities funds and reimbursements paid pur-  
6 suant to section 33-5208(5), Idaho Code;
- 7 (m) For an online course portal as provided for in section 33-1024,  
8 Idaho Code;
- 9 (n) For advanced opportunities as provided for in section 33-1626,  
10 Idaho Code;
- 11 (o) For the "8 in 6 Program" as provided for in section 33-1628, Idaho  
12 Code;
- 13 (p) For additional math and science courses for high school students as  
14 provided in section 33-1021, Idaho Code;
- 15 (q) For leadership premiums as provided in section 33-1004J, Idaho  
16 Code;
- 17 (r) For master teacher premiums as provided in section 33-1004I, Idaho  
18 Code;
- 19 (s) For the support of provisions that provide a safe environment con-  
20 ductive to student learning and maintain classroom discipline, an allo-  
21 cation of \$300 per support unit; and
- 22 (~~s~~t) Any additional amounts as required by statute to effect adminis-  
23 trative adjustments or as specifically required by the provisions of  
24 any bill of appropriation;
- 25 to secure the total educational support distribution funds.

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

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

## 1 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

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

## 11 COMPUTATION OF ELEMENTARY SUPPORT UNITS

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

## 27 COMPUTATION OF SECONDARY SUPPORT UNITS

28	Average Daily		Minimum Units
29	Attendance	Attendance Divisor	Allowed
30	750 or more....	18.5.....	47
31	400 - 749.99 ADA....	16.....	28
32	300 - 399.99 ADA....	14.5.....	22
33	200 - 299.99 ADA....	13.5.....	17
34	100 - 199.99 ADA....	12.....	9
35	99.99 or fewer	Units allowed as follows:	
36	Grades 7-12	.....	8
37	Grades 9-12	.....	6

1	Grades 7- 9	.....	1 per 14 ADA
2	Grades 7- 8	.....	1 per 16 ADA

3                   COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

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

12                   COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

13	Pupils in Attendance	Attendance Divisor	Minimum Units
14			Allowed
15	12 or more.....	12.....	1 or more as 16                   computed

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

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

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

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

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

21 (iii) The total number of support units of the district shall  
22 be the sum of the total support units for regular students,  
23 ~~subsection (6) paragraph (a) (i) of this subsection~~, and the sup-  
24 port units allowance for the approved exceptional child program,  
25 ~~subsection (6) paragraph (a) (ii) of this subsection~~.

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

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

35 (d) Adjustment of District Share. The contract salary of every non-  
36 certificated teacher shall be subtracted from the district's share as  
37 calculated from the provisions of ~~subsection (6) paragraph (c) of this~~  
38 ~~subsection~~.

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



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

3 33-1004. STAFF ALLOWANCE. For each school district, a staff allowance  
4 shall be determined as follows:

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

9 (2) Determine the instructional staff allowance by multiplying the  
10 support units by 1.4021. A district must demonstrate that it actually em-  
11 ploys the number of certificated instructional staff allowed, except as  
12 provided in subsection ~~(56)~~ (f) and (g) of this section. If the district does  
13 not employ the number allowed, the staff allowance shall be reduced to the  
14 actual number employed, except as provided in subsection ~~(56)~~ (f) and (g) of  
15 this section;

16 (3) Determine the pupil service staff allowance by multiplying the sup-  
17 port units by 0.079;

18 (4) Determine the administrative staff allowance by multiplying the  
19 support units by .075;

20 ~~(45)~~ Determine the classified staff allowance by multiplying the sup-  
21 port units by .375;

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

23 (a) In determining the number of staff in subsections (2), (3) ~~and~~, (4)  
24 and (5) of this section, a district may contract separately for ser-  
25 vices to be rendered by nondistrict employees and such employees may be  
26 counted in the staff allowance. A "nondistrict employee" means a person  
27 for whom the school district does not pay the employer's obligations  
28 for employee benefits. When a district contracts for the services of a  
29 nondistrict employee, only the salary portion of the contract shall be  
30 allowable for computations.

31 (b) If there are circumstances preventing eligible use of staff al-  
32 lowance to which a district is entitled as provided in subsections (2)  
33 ~~and~~, (3) and (4) of this section, an appeal may be filed with the state  
34 department of education outlining the reasons and proposed alternative  
35 use of these funds, and a waiver may be granted.

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

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

42 (ii) The administrative staff allowance shall be calculated ap-  
43 plying the actual number of support units. If the actual adminis-  
44 trative staff employed in the school year is greater than the ad-  
45 ministrative staff allowance, then the administrative staff al-  
46 lowance shall be increased by one-half (1/2) staff allowance.

47 (iii) Additionally, for any district with less than twenty (20)  
48 support units, the instructional staff allowance shall be calcu-  
49 lated applying the actual number of support units. If the number

1 of instructional staff employed in the school year is greater than  
2 the instructional staff allowance, the staff allowance shall be  
3 increased as provided in subparagraphs (i) and (ii) of this para-  
4 graph, and by an additional one-half (1/2) instructional staff al-  
5 lowance.

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

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

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

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

35 (~~67~~) In the event that the staff allowance in any category is insuffi-  
36 cient to meet accreditation standards, a district may appeal to the state  
37 board of education, demonstrating the insufficiency, and the state board may  
38 grant a waiver authorizing sufficient additional staff to be included within  
39 the staff allowance to meet accreditation standards. Such a waiver shall be  
40 limited to one (1) year, but may be renewed upon showing of continuing justi-  
41 fication.

42 (~~78~~) A district may utilize a portion of the instructional staff al-  
43 lowance provided for in this section for kindergarten teachers to visit the  
44 parents or guardians of students during the first week of the kindergarten  
45 school year. Such visits may take place at school, at the student's home or  
46 at another location agreed to by the teacher and parents or guardians. The  
47 purpose of such visits is to help strengthen the working relationship be-  
48 tween the teacher, the parents or guardians, and the student. The visits  
49 should be used as an opportunity to help establish the teacher's expecta-  
50 tions of the student. The visit should also provide an opportunity for the

1 parents or guardians to explain their expectations. The amount of moneys to  
2 be expended for such visits by the district may not exceed the amount equal to  
3 one (1) week of instructional staff allowance computed for kindergarten in-  
4 structors in the district.

5 SECTION 4. That Section 33-1004A, Idaho Code, be, and the same is hereby  
6 amended to read as follows:

7 33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. (1) Each  
8 ~~instructional~~ pupil service and administrative staff position shall be  
9 assigned an appropriate multiplier based upon the following table:

## EXPERIENCE AND EDUCATION

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

(2) 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.

(3) 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 a body recognized by the state board of education ~~or a regional accrediting association~~, shall be allowed; however, successful completion of a state approved evaluation training and proof of proficiency shall be counted as up to three (3) transcribed credits for determination of the education factor and meeting recertification requirements. ~~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 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.~~

1       (4) In determining the statewide average multiplier for administra-  
 2       tive staff, no multiplier in excess of 1.86643 shall be used. If the actual  
 3       statewide average multiplier for administrative staff, as determined by  
 4       this section, exceeds 1.86643, then each school district's administrative  
 5       staff multiplier shall be multiplied by the result of 1.86643 divided by the  
 6       actual statewide average multiplier for administrative staff.

7       (5) Notwithstanding any other law to the contrary, on and after July 1,  
 8       2016, pupil service staff shall be deemed instructional staff for purposes  
 9       of sections 33-1004B and 33-1004I, Idaho Code.

10       SECTION 5. That Chapter 10, Title 33, Idaho Code, be, and the same is  
 11       hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 12       ignated as Section 33-1004B, Idaho Code, and to read as follows:

13       33-1004B. CAREER LADDER. (1) Effective July 1, 2015, all existing in-  
 14       structional staff shall be placed in a cohort on the career ladder starting  
 15       with the second cell on the residency/professional compensation rung that  
 16       corresponds with the next higher allocation amount than is currently re-  
 17       ceived by the district, based on the experience and education index pursuant  
 18       to section 33-1004A, Idaho Code, as applied in fiscal year 2015. For each  
 19       year between July 1, 2015, and June 30, 2019, those instructional staff will  
 20       move one (1) cell on the career ladder for each year they are employed by a  
 21       district and meet the applicable performance criteria for the compensation  
 22       rung and implementation year, unless such movement would result in the dis-  
 23       trict receiving a lesser allocation than the district would have received if  
 24       the instructional staff would have moved based on the experience and educa-  
 25       tion index as applied in fiscal year 2015, for such instructional staff the  
 26       district salary apportionment calculation shall use the amount that would  
 27       have been applied based on the experience and education index.

28       (a) Instructional staff who are in their first year of holding a cer-  
 29       tificate shall be placed in the first cell of the residency compensation  
 30       rung and shall move one (1) cell on the residency compensation rung for  
 31       each year they hold a certificate thereafter, for up to three (3) years,  
 32       at which point they will remain in the third cell of the residency rung  
 33       until they earn a professional endorsement.

34       (b) Instructional staff new to teaching in Idaho who hold a certificate  
 35       from a state other than Idaho and who are approved to teach in Idaho will  
 36       be placed into the cohort of instructional staff on the career ladder  
 37       table equivalent to their experience and education pursuant to section  
 38       33-1004A, Idaho Code, as applied in fiscal year 2015.

39       (c) In addition to the allocation amount specified for the appli-  
 40       cable cell on the career ladder, school districts shall receive an  
 41       additional allocation amount for instructional staff holding a profes-  
 42       sional endorsement who have acquired additional education and meet the  
 43       professional compensation rung performance criteria. In determining  
 44       the additional education allocation amount, only credits and degrees  
 45       earned based upon a transcript on file with the teacher certification  
 46       office of the state department of education, earned at an institution  
 47       of higher education accredited by a body recognized by the state board  
 48       of education or credits earned through an internship or other work ex-  
 49       perience approved by the state board of education, shall be credited

1 toward the education allocation. Education allocation amounts are not  
2 cumulative. Instructional staff whose initial certificate is an occu-  
3 pational specialist certificate shall be treated as BA degree prepared  
4 instructional staff. Credits earned by such occupational specialist  
5 instructional staff after initial certification shall be credited to-  
6 ward the education allocation. Additional allocations are:

7 (i) Effective July 1, 2015, through June 30, 2016, the education  
8 allocation shall be:

9 1. For instructional staff holding a professional endorse-  
10 ment and a baccalaureate degree and twenty-four (24) or more  
11 credits, four hundred dollars (\$400) per fiscal year.

12 2. For instructional staff holding a professional endorse-  
13 ment and a master degree, seven hundred dollars (\$700) per  
14 fiscal year.

15 (ii) Effective July 1, 2016, through June 30, 2017, the education  
16 allocation shall be:

17 1. For instructional staff holding a professional endorse-  
18 ment and a baccalaureate degree and twenty-four (24) or more  
19 credits, eight hundred dollars (\$800) per fiscal year.

20 2. For instructional staff holding a professional endorse-  
21 ment and a master degree, one thousand four hundred dollars  
22 (\$1,400) per fiscal year.

23 (iii) Effective July 1, 2017, through June 30, 2018, the education  
24 allocation shall be:

25 1. For instructional staff holding a professional endorse-  
26 ment and a baccalaureate degree and twenty-four (24) or more  
27 credits, one thousand two hundred dollars (\$1,200) per fis-  
28 cal year.

29 2. For instructional staff holding a professional endorse-  
30 ment and a master degree, two thousand one hundred dollars  
31 (\$2,100) per fiscal year.

32 (iv) Effective July 1, 2018, through June 30, 2019, the education  
33 allocation shall be:

34 1. For instructional staff holding a professional endorse-  
35 ment and a baccalaureate degree and twenty-four (24) or more  
36 credits, onethousand six hundred dollars (\$1,600) per fis-  
37 cal year.

38 2. For instructional staff holding a professional endorse-  
39 ment and a master degree, two thousand eight hundred dollars  
40 (\$2,800) per fiscal year.

41 (v) Effective July 1, 2019, through June 30, 2020, the education  
42 allocation shall be:

43 1. For instructional staff holding a professional endorse-  
44 ment and a baccalaureate degree and twenty-four (24) or more  
45 credits, two thousand dollars (\$2,000) per fiscal year.

46 2. For instructional staff holding a professional en-  
47 dorsement and a master degree, three thousand five hundred  
48 (\$3,500) per fiscal year.

1 (d) Effective July 1, 2015, through June 30, 2016, the allocation shall be:

2	Base										
3	Allocation	1	2	3	4	5	6	7	8	9	10
4	Residency/ Professional										
5	Professional	\$32,700	\$33,200	\$33,822							
6	Professional	\$35,498	\$36,885	\$38,311	\$39,775	\$41,282	\$42,089	\$43,668	\$45,305	\$47,004	\$47,603

1 (e) Effective July 1, 2016, through June 30, 2017, the allocation shall be:

2	Base										
3	Allocation	1	2	3	4	5	6	7	8	9	10
4	Residency/										
5	Professional	\$33,400	\$34,250	\$35,117							
6	Professional	\$37,249	\$38,758	\$39,546	\$41,113	\$41,961	\$43,591	\$44,503	\$46,201	\$47,183	\$48,202



1 (f) Effective July 1, 2017, through June 30, 2018, the allocation shall be:

2	Base										
3	Allocation	1	2	3	4	5	6	7	8	9	10
4	Residency	\$34,600	\$35,500	\$36,411							
5	Professional	\$38,999	\$40,630	\$41,155	\$42,825	\$43,391	\$45,102	\$45,711	\$47,467	\$48,122	\$48,802

1           (2) Effective July 1, 2018, through June 30, 2019, school districts  
2 shall receive an allocation for instructional staff based on the instruc-  
3 tional staffs' position on the career ladder.

4           (a) Instructional staff in their first year of holding a professional  
5 endorsement shall be placed in the first cell of the professional com-  
6 pensation rung.

7           (b) Instructional staff previously placed within a cohort shall con-  
8 tinue to move one (1) cell on the applicable rung with their cohort un-  
9 less they have failed to meet the compensation rung performance crite-  
10 ria for the previous three (3) years. Allocations to districts for in-  
11 structional staff who have failed to meet the professional compensation  
12 rung performance criteria for the previous three (3) years shall be the  
13 same as the previous fiscal year. This also applies to the educational  
14 allocation.

1 (c) Effective July 1, 2018, through June 30, 2019, the allocation shall be:

2	Base										
3	Allocation	1	2	3	4	5	6	7	8	9	10
4	Residency	\$35,800	\$36,750	\$37,706							
5	Professional	\$40,750	\$42,503	\$42,765	\$44,538	\$44,820	\$46,614	\$46,918	\$48,734	\$49,061	\$49,401

1           (3) Effective July 1, 2019, through June 30, 2020, school districts  
2 shall receive an allocation for instructional staff based on the instruc-  
3 tional staffs' position on the career ladder as follows:

4           (a) Instructional staff in their first year of holding a professional  
5 endorsement shall be placed in the first cell of the professional com-  
6 pensation rung.

7           (b) Instructional staff previously placed within a cohort shall con-  
8 tinue to move one (1) cell on the applicable rung with their cohort  
9 unless they have failed to meet the professional compensation rung  
10 performance criteria for three (3) of the previous four (4) years. Al-  
11 locations to districts for instructional staff who have failed to meet  
12 the professional compensation rung performance criteria for three (3)  
13 of the previous four (4) years shall be the same as the previous fiscal  
14 year. This also applies to the educational allocation.

1 (c) Effective July 1, 2019, through June 30, 2020, the allocation shall be:

2	Base										
3	Allocation	1	2	3	4	5	6	7	8	9	10
4	Residency	\$37,000	\$38,000	\$39,000							
5	Professional	\$42,500	\$44,375	\$46,250	\$48,125	\$50,000					

1 (4) A review of a sample of evaluations completed by administrators  
2 shall be conducted annually to verify such evaluations are being conducted  
3 with fidelity to the state framework for teaching evaluation. The state  
4 department of education shall randomly select a sample of administrators  
5 throughout the state. A portion of such administrators' instructional staff  
6 employee evaluations shall be independently reviewed. The state department  
7 of education shall appoint persons to conduct the reviews. Administrator  
8 certificate holders shall be required to participate in ongoing evaluation  
9 training pursuant to section 33-1204, Idaho Code. The state department of  
10 education shall report annually the findings of such reviews to the senate  
11 education committee, the house of representatives education committee,  
12 the state board of education and the deans of Idaho's approved teacher  
13 preparation programs. The state board of education shall promulgate rules  
14 implementing the provisions of this subsection.

15 SECTION 6. That Chapter 10, Title 33, Idaho Code, be, and the same is  
16 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
17 ignated as Section 33-1004B, Idaho Code, and to read as follows:

18 33-1004B. CAREER LADDER. School districts shall receive an allocation  
19 for instructional staff based on their instructional staffs' position on the  
20 career ladder as follows:

21 (1) Instructional staff who are in their first year of holding a cer-  
22 tificate shall be placed in the first cell of the residency compensation rung  
23 and shall move one (1) cell on the residency compensation rung for each year  
24 they hold a certificate thereafter for up to three (3) years, at which point  
25 they will remain in the third cell of the residency rung until they earn a  
26 professional endorsement.

27 (2) Instructional staff in their first year of holding a professional  
28 endorsement shall be placed in the first cell of the professional compensa-  
29 tion rung.

30 (3) Instructional staff on the professional compensation rung with  
31 four (4) years of experience shall move one (1) cell on the professional  
32 compensation rung unless they have failed to meet the professional com-  
33 pensation rung performance criteria for three (3) of the previous four (4)  
34 years. Instructional staff on the professional compensation rung who meet  
35 the performance criteria for three (3) of the previous five (5) years, one  
36 (1) of which must be during the fourth or fifth year, shall move one (1)  
37 cell. Allocations for instructional staff who do not meet the professional  
38 compensation rung performance criteria for three (3) of the previous five  
39 (5) years, one (1) of which must be during the fourth or fifth year, shall  
40 remain at the previous fiscal year allocation level. This also applies to  
41 the educational allocation.

42 (4) In addition to the allocation amount specified for the applicable  
43 cell on the career ladder, school districts shall receive an additional al-  
44 location amount for instructional staff holding a professional endorsement  
45 who have acquired additional education and meet the professional compensa-  
46 tion rung performance criteria. In determining the additional education  
47 allocation amount, only transcribed credits and degrees on file with the  
48 teacher certification office of the state department of education, earned  
49 at an institution of higher education accredited by a body recognized by the

1 state board of education or credits earned through an internship or work  
2 experience approved by the state board of education, shall be allowed. All  
3 credits and degrees earned must be in a relevant pedagogy or content area  
4 as determined by the state department of education. Additional education  
5 allocation amounts are not cumulative. Instructional staff whose initial  
6 certificate is an occupational specialist certificate shall be treated as BA  
7 degree prepared instructional staff. Credits earned by such occupational  
8 specialist instructional staff after initial certification shall be cred-  
9 ited toward the education allocation. Additional allocations are:

10 (a) For instructional staff holding a professional endorsement, a bac-  
11 calaureate degree and twenty-four (24) or more credits, two thousand  
12 dollars (\$2,000) per fiscal year.

13 (b) For instructional staff holding a professional endorsement and a  
14 master degree, three thousand five hundred dollars (\$3,500) per fiscal  
15 year.

1 (c) Effective July 1, 2020, the allocation shall be:

2	Base					
3	Allocation	1	2	3	4	5
4	Residency	\$37,000	\$38,000	\$39,000		
5	Professional	\$42,500	\$44,375	\$46,250	\$48,125	\$50,000



1 (5) A review of a sample of evaluations completed by administrators  
 2 shall be conducted annually to verify such evaluations are being conducted  
 3 with fidelity to the state framework for teaching evaluation. The state  
 4 department of education shall randomly select a sample of administrators  
 5 throughout the state. A portion of such administrators' instructional staff  
 6 employee evaluations shall be independently reviewed. The state department  
 7 of education shall appoint persons to conduct the reviews. Administrator  
 8 certificate holders shall be required to participate in ongoing evaluation  
 9 training pursuant to section 33-1204, Idaho Code. The state department of  
 10 education shall report annually the findings of such reviews to the senate  
 11 education committee, the house of representatives education committee,  
 12 the state board of education and the deans of Idaho's approved teacher  
 13 preparation programs. The state board of education shall promulgate rules  
 14 implementing the provisions of this subsection.

15 SECTION 7. That Section 33-1004C, Idaho Code, be, and the same is hereby  
 16 amended to read as follows:

17 33-1004C. BASE AND MINIMUM SALARIES -- LEADERSHIP PREMIUMS -- EDUCA-  
 18 TION AND EXPERIENCE INDEX. (1) The following shall be reviewed annually by  
 19 the legislature:

20 (a) The base salary figures pursuant to subsections (1-), (2-), and  
 21 (3-) and (4) of section 33-1004E, Idaho Code;

22 (b) The minimum instructional salary figure pursuant to subsection  
 23 (1-) of section 33-1004E, Idaho Code; and

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

26 (2) The statewide education and experience index (or state average in-  
 27 dex, or state index) is the average of all qualifying employees, instruc-  
 28 tional and administrative respectively. It is determined by totaling the  
 29 index value for all qualifying employees and dividing by the number of em-  
 30 ployees.

31 SECTION 8. That Section 33-1004E, Idaho Code, be, and the same is hereby  
 32 amended to read as follows:

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

36 (1-) To determine the apportionment for instructional staff, ~~first~~  
 37 ~~determine the district average experience and education index by placing~~  
 38 ~~all eligible district certificated instructional employees on the statewide~~  
 39 ~~index provided in section 33-1004A, take the amounts indicated on the career~~  
 40 ~~ladder table plus the amounts associated with the additional education allo-~~  
 41 ~~cation amounts pursuant to section 33-1004B, Idaho Code, and calculate the~~  
 42 ~~weighted average. The resulting average is the district index. Districts~~  
 43 ~~with an index above the state average index shall receive their actual index~~  
 44 ~~but not more than the state average plus .03 for the 1994-95 school year, and~~  
 45 ~~shall receive their actual index but not more than the state average plus~~  
 46 ~~.06 for the 1995-96 school year, and thereafter shall receive their actual~~  
 47 ~~district index. The district instructional staff index shall be multiplied~~

1 ~~by the instructional base salary of \$23,354.~~ The amount so determined shall  
2 be multiplied by the district staff allowance for instructional staff de-  
3 termined as provided in section 33-1004(2), Idaho Code. ~~The instructional~~  
4 ~~salary allocation shall be further increased by the amount necessary for~~  
5 ~~each full-time equivalent instructional staff member placed on the experi-~~  
6 ~~ence and education index to be allocated at least the minimum salary mandated~~  
7 ~~by this section.~~ Full-time instructional staff salaries shall be determined  
8 from a salary schedule developed by each district and submitted to the state  
9 department of education. No full-time instructional staff member shall be  
10 paid less than ~~\$31,750~~ the minimum dollar amount on the career ladder res-  
11 idency compensation rung pursuant to section 33-1004B, Idaho Code, for the  
12 applicable fiscal year. If an instructional staff member has been certified  
13 by the national board for professional teaching standards, the staff member  
14 shall be ~~designated as a master teacher and receive two thousand dollars~~  
15 ~~(\$2,000) per year for five (5) years from the year in which national board~~  
16 ~~certification was earned.~~ The instructional salary district staff allot-  
17 ment shall be increased by two thousand dollars (\$2,000) for each master  
18 teacher national board certified instructional staff person and pupil  
19 service staff member who earned national board certification; provided how-  
20 ever, that no such awards shall be paid for the period July 1, 2010, through  
21 June 30, 2011, nor shall any liabilities accrue or payments be made pursuant  
22 to this section in the future to any individuals who would have otherwise  
23 qualified for a payment during this stated time period. The resulting amount  
24 is the district's salary-based apportionment for instructional staff and  
25 pupil service staff. For purposes of this section, teachers qualifying for  
26 the salary increase as ~~master teacher~~ shall be those who have been recognized  
27 as national board certified teachers as of July 1 of each year.

28 (2-) To determine the apportionment for pupil service staff, first  
29 determine the district average experience and education index by placing  
30 all eligible district certificated pupil service employees on the statewide  
31 index pursuant to section 33-1004A, Idaho Code. The resulting average is the  
32 district index. The district pupil service staff index shall be multiplied  
33 by the instructional base salary of twenty-three thousand three hundred  
34 fifty-four dollars (\$23,354). The amount so determined shall be multiplied  
35 by the district staff allowance for pupil service staff determined pursuant  
36 to section 33-1004(3), Idaho Code. The pupil service staff salary alloca-  
37 tion shall be further increased by the amount necessary for each full-time  
38 equivalent pupil service staff member placed on the experience and education  
39 index to be allocated at least the minimum salary mandated by this section.  
40 Full-time pupil service staff salaries shall be determined from a salary  
41 schedule developed by each district and submitted to the state department of  
42 education. The resulting amount is the district's salary-based apportion-  
43 ment for pupil service staff. No full-time pupil service staff member shall  
44 be paid less than thirty-one thousand seven hundred fifty dollars (\$31,750).

45 (3) To determine the apportionment for district administrative staff,  
46 first determine the district average experience and education index by plac-  
47 ing all eligible certificated administrative employees on the statewide  
48 index provided in section 33-1004A, Idaho Code. The resulting average is  
49 the district index. Districts with an index above the state average index  
50 shall receive their actual index but not more than the state average plus .03

1 for the school year 1994-95, and shall receive their actual index but not  
 2 more than the state average index plus .06 for the 1995-96 school year, and  
 3 thereafter shall receive their actual district index. The district admin-  
 4 istrative staff index shall be multiplied by the base salary of thirty-two  
 5 thousand one hundred fifty-one dollars (\$32,151). The amount so determined  
 6 shall be multiplied by the district staff allowance for administrative staff  
 7 determined as provided in section 33-1004(~~34~~), Idaho Code. The resulting  
 8 amount is the district's salary-based apportionment for administrative  
 9 staff.

10 ~~3.(4)~~ To determine the apportionment for classified staff, multiply  
 11 nineteen thousand two hundred forty-nine dollars (\$19,249) by the district  
 12 classified staff allowance determined as provided in section 33-1004(45),  
 13 Idaho Code. The amount so determined is the district's apportionment for  
 14 classified staff.

15 ~~4.(5)~~ The district's salary-based apportionment shall be the sum of  
 16 the apportionments calculated in subsections ~~(1-), (2-), and (3-)~~ and  
 17 (4) of this section, plus the benefit apportionment as provided in section  
 18 33-1004F, Idaho Code.

19 SECTION 9. That Section 33-1004F, Idaho Code, be, and the same is hereby  
 20 amended to read as follows:

21 33-1004F. OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENE-  
 22 FITS. Based upon the actual salary-based apportionment, as determined  
 23 in section 33-1004E, Idaho Code, the master teacher premiums distributed  
 24 pursuant to section 33-1004I, Idaho Code, and the leadership premiums dis-  
 25 tributed pursuant to section 33-1004J, Idaho Code, there shall be allocated  
 26 that amount required to meet the employer's obligations to the public em-  
 27 ployee retirement system and to social security.

28 SECTION 10. That Chapter 10, Title 33, Idaho Code, be, and the same is  
 29 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 30 ignated as Section 33-1004I, Idaho Code, and to read as follows:

31 33-1004I. MASTER TEACHER PREMIUMS. (1) A portion of the moneys avail-  
 32 able to the education support program shall be distributed per full-time  
 33 equivalent instructional staff position employed by each school district.  
 34 Such moneys shall be paid to instructional staff employees who have earned a  
 35 master teacher designation by meeting the minimum qualifications set forth  
 36 in subsection (2) of this section and the additional qualifications devel-  
 37 oped or adopted by the employing school district pursuant to subsection (3)  
 38 of this section, in an amount set forth in subsection (4) of this section.

39 (2) The minimum qualifications for an instructional staff employee to  
 40 earn a master teacher designation shall be as follows:

41 (a) The instructional staff employee must have eight (8) or more years  
 42 of teaching experience provided that the three (3) years immediately  
 43 preceding the award must be continuous;

44 (b) The instructional staff employee must demonstrate mastery of in-  
 45 structional techniques for not less than three (3) of the previous five  
 46 (5) years of instruction through:

47 (i) Artifacts demonstrating evidence of effective teaching; and

1 (ii) Successful completion of an annual individualized profes-  
2 sional learning plan; and

3 (c) A majority of the instructional staff employee's students meet mea-  
4 surable student achievement as defined in section 33-1001, Idaho Code,  
5 for not less than three (3) of the previous five (5) years.

6 (3) In addition to the minimum qualifications for a master teacher des-  
7 ignation set forth in subsection (2) of this section:

8 (a) Local school districts may develop and require additional qualifi-  
9 cations showing demonstrated mastery of instructional techniques and  
10 professional practice through multiple measures, provided that such  
11 qualifications shall be developed by a committee consisting of teach-  
12 ers, administrators and other school district stakeholders and shall  
13 first be approved by the state board of education;

14 (b) Local school districts may develop plans that recognize groups of  
15 teachers based on measurable student achievement goals aligned with  
16 school district approved continuous improvement plans. Groups may be  
17 school-wide or may be smaller groups such as grade levels or by subject  
18 matter. Each teacher in a master teacher group shall receive a master  
19 teacher premium if goals are met according to the district plans. Plans  
20 shall be developed by a committee consisting of teachers, administra-  
21 tors and other school district stakeholders and shall first be approved  
22 by the state board of education. Any school district that does not  
23 follow their preapproved plan shall not receive future master teacher  
24 premium dollars; or

25 (c) If a local school district has not developed qualifications pur-  
26 suant to paragraph (a) or (b) of this subsection, then the school dis-  
27 trict shall adopt and require additional qualifications showing demon-  
28 strated mastery of instructional techniques and professional practice  
29 through multiple measures as developed by a committee facilitated by  
30 the state board of education consisting of teachers, administrators and  
31 other stakeholders, which measures shall be approved by the state board  
32 of education.

33 (4) The amount of the master teacher premium paid to a qualified in-  
34 structional staff employee shall be four thousand dollars (\$4,000) each year  
35 for three (3) years starting with the initial award of the master teacher  
36 premium. After the third year of receiving the master teacher premium, the  
37 instructional staff employee must continue to demonstrate that he or she  
38 meets the master teacher premium qualifications in each subsequent year. If  
39 the qualifications are not met, then the premium will be discontinued until  
40 such time as the qualifications are met.

41 (5) Local school district boards of trustees may provide master teacher  
42 premiums to instructional staff employees consistent with the provisions of  
43 this section.

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

47 (7) The state board of education may promulgate rules implementing the  
48 provisions of this section.

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

1 33-1004J. LEADERSHIP PREMIUMS. (1) Of the moneys available to the ed-  
 2 ucational support program, eight hundred fifty dollars (\$850) shall be dis-  
 3 tributed per full-time equivalent instructional and pupil service staff po-  
 4 sition employed by each school district. Such moneys shall be paid to in-  
 5 structional and pupil service staff employees for leadership activities as  
 6 provided in paragraphs (a) through (hg) of this subsection. Such premiums  
 7 shall be valid only for the fiscal year for which the premiums are made and  
 8 shall be made for one (1) or more of the following reasons as identified as  
 9 leadership priorities by a committee consisting of teachers, administrators  
 10 and other school district stakeholders and shall be approved by the board of  
 11 trustees:

12 (a) ~~Providing instruction in a subject in which the employee holds a~~  
 13 ~~content area master's degree;~~

14 ~~(b)~~ Teaching a course in which students earn both high school and col-  
 15 lege credit;

16 ~~(b)~~ Teaching a course to middle school students in which the students  
 17 earn both middle school and high school credit;

18 ~~(c)~~ Holding and providing service in multiple nonadministrative cer-  
 19 tificate or subject endorsement areas;

20 ~~(d)~~ Serving in an instructional or pupil service position designated  
 21 as hard to fill by the board of trustees;

22 ~~(e)~~ Providing mentoring, peer assistance or professional development  
 23 pursuant to section 33-512(17), Idaho Code;

24 ~~(f)~~ Having received professional development in career and academic  
 25 counseling, and then providing career or academic counseling for stu-  
 26 dents, with such services incorporated within or provided in addition  
 27 to the teacher's regular classroom instructional or pupil service du-  
 28 ties;

29 ~~(g)~~ Other leadership duties designated by the board of trustees, ex-  
 30 clusive of duties related to student activities or athletics. Such du-  
 31 ties shall require that the employee work additional time as a condition  
 32 of the receipt of a leadership premium.

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

43 (3) The state department of education may require reports of informa-  
 44 tion as needed to implement the provisions of this section. Also, the de-  
 45 partment shall report, on or before January 15, 2016, and on or before Jan-  
 46 uary 15 of each subsequent year, to the governor, the senate education com-  
 47 mittee and the house of representatives education committee relevant infor-  
 48 mation regarding leadership premiums, including the following:

49 (a) The number of leadership premiums issued, by district;

- 1 (b) The average dollar amount of leadership premiums issued, by dis-  
 2 trict;
- 3 (c) The highest and lowest leadership premium issued, by district; ~~and~~  
 4 (d) The percent of instructional and pupil service staff positions re-  
 5 ceiving leadership premiums and the cumulative amount of such premiums,  
 6 by district; and
- 7 (e) The reasons identified as leadership priorities approved by the  
 8 board of trustees as listed in subsection (1) of this section.
- 9 (4) For the purposes of this section, the term "school district" also  
 10 means "public charter school," and the term "board of trustees" also means  
 11 "board of directors."
- 12 (5) The state board of education is hereby authorized to promulgate  
 13 rules to implement the provisions of this section.

14 SECTION 12. That Chapter 12, Title 33, Idaho Code, be, and the same is  
 15 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 16 ignated as Section 33-1201A, Idaho Code, and to read as follows:

17 33-1201A. IDAHO PROFESSIONAL ENDORSEMENT -- ELIGIBILITY. (1) Any  
 18 instructional staff employee who is issued a certificate under section  
 19 33-1201, Idaho Code, on or after July 1, 2015, will receive mentoring as  
 20 outlined in such employee's individualized professional learning plan dur-  
 21 ing the initial three (3) years of holding such certificate. Upon holding a  
 22 certificate for three (3) years, any such instructional staff employee may  
 23 apply for an Idaho professional endorsement. To be eligible for an Idaho  
 24 professional endorsement, the instructional staff employee must:

- 25 (a) Have held a certificate for at least three (3) years, or have com-  
 26 pleted a state board of education approved interim certificate of three  
 27 (3) years or longer;
- 28 (b) Show they met the professional compensation rung performance cri-  
 29 teria for two (2) of the three (3) previous years or the third year;
- 30 (c) Have a written recommendation from the employing school district;  
 31 and
- 32 (d) Have an annual individualized professional learning plan developed  
 33 in conjunction with the employee's school district supervisor.

34 Instructional staff employees may provide additional evidence demonstrat-  
 35 ing effective teaching that may be considered in exceptional cases for pur-  
 36 poses of determining proficiency and student achievement in the event re-  
 37 quired standards for professional endorsement are not met.

38 (2) An instructional staff employee who has held a certificate for  
 39 three (3) or more years prior to the effective date of this act shall automat-  
 40 ically obtain an Idaho professional endorsement under this section.

41 (3) The state board of education shall promulgate rules implementing  
 42 the provisions of this section.

43 (4) For the purposes of this section, "instructional staff" means those  
 44 involved in the direct instruction of a student or group of students and who  
 45 hold a certificate issued under section 33-1201, Idaho Code.

46 SECTION 13. That Section 33-1204, Idaho Code, be, and the same is hereby  
 47 amended to read as follows:

1           33-1204.   VALIDITY, DURATION, RENEWAL AND LAPSE OF CERTIFICATES. (1)  
 2   The state board of education shall by rule provide for the validity, dura-  
 3   tion, renewal and lapse of certificates. In addition, rules promulgated by  
 4   the state board of education shall set forth criteria for renewal of admin-  
 5   istrator certificates, which shall include a requirement that administrator  
 6   certificate holders must complete a course consisting of a minimum of three  
 7   (3) semester credits in the statewide framework for teachers evaluations,  
 8   such course shall include a laboratory component.

9           (2) If the holder of a certificate who has undergone a criminal history  
 10   check pursuant to district policy as provided in subsection (15) of section  
 11   33-512, Idaho Code, is found to have been convicted of any felony crime enu-  
 12   merated in section 33-1208, Idaho Code, the certificate shall be revoked or  
 13   suspended as provided in this chapter.

14           SECTION 14. That Section 33-515, Idaho Code, be, and the same is hereby  
 15   amended to read as follows:

16           33-515.   ISSUANCE OF RENEWABLE CONTRACTS. (1) During the third full  
 17   year of continuous employment by the same school district, including any  
 18   specially chartered district, each certificated employee named in subsec-  
 19   tion ~~(1624)~~ of section 33-1001, Idaho Code, and each school nurse and school  
 20   librarian shall be evaluated for a renewable contract and shall, upon having  
 21   been offered a contract for the next ensuing year, having given notice of  
 22   acceptance of renewal and upon signing a contract for a fourth full year, be  
 23   placed on a renewable contract status with said school district subject to  
 24   the provisions included in this chapter, provided that instructional staff  
 25   who have not obtained a professional endorsement under section 33-1201A,  
 26   Idaho Code, may not be placed on a renewable contract status provided how-  
 27   ever, if the career ladder pursuant to section 33-1004B, Idaho Code, is not  
 28   funded, then a professional endorsement shall not be required.

29           (2) After the third full year of employment and at least once annu-  
 30   ally, the performance of each such certificated employee, school nurse, or  
 31   school librarian shall be evaluated according to criteria and procedures  
 32   established by the board of trustees in accordance with general guidelines  
 33   approved by the state board of education. Except as otherwise provided, that  
 34   person shall have the right to automatic renewal of contract by giving no-  
 35   tice, in writing, of acceptance of renewal. Such notice shall be given to the  
 36   board of trustees of the school district then employing such person not later  
 37   than the first day of June preceding the expiration of the term of the cur-  
 38   rent contract. Except as otherwise provided by this paragraph, the board of  
 39   trustees shall notify each person entitled to be employed on a renewable con-  
 40   tract of the requirement that such person must give the notice hereinabove  
 41   and that failure to do so may be interpreted by the board as a declination of  
 42   the right to automatic renewal or the offer of another contract. Such noti-  
 43   fication shall be made, in writing, not later than the fifteenth day of May,  
 44   in each year, except to those persons to whom the board, prior to said date,  
 45   has sent proposed contracts for the next ensuing year, or to whom the board  
 46   has given the notice required by this section.

47           (3) Any contract automatically renewed under the provisions of this  
 48   section shall be for the same length as the term stated in the current con-  
 49   tract and at a salary no lower than that specified therein, to which shall

1 be added such increments as may be determined by the statutory or regulatory  
2 rights of such employee by reason of training, service, or performance, ex-  
3 cept where a board of trustees has declared a financial emergency pursuant  
4 to section 33-522, Idaho Code.

5 (4) Nothing in this section shall prevent the board of trustees from of-  
6 fering a renewed contract increasing the salary of any certificated person,  
7 or from reassigning an administrative employee to a nonadministrative posi-  
8 tion with appropriate reduction of salary from the preexisting salary level.  
9 In the event the board of trustees reassigns an administrative employee to a  
10 nonadministrative position, the board shall give written notice to the em-  
11 ployee which contains a statement of the reasons for the reassignment. The  
12 employee, upon written request to the board, shall be entitled to an informal  
13 review of that decision. The process and procedure for the informal review  
14 shall be determined by the local board of trustees.

15 (5) Before a board of trustees can determine not to renew for reasons of  
16 an unsatisfactory report of the performance of any certificated person whose  
17 contract would otherwise be automatically renewed, or to renew the contract  
18 of any such person at a reduced salary, such person shall be entitled to a  
19 reasonable period of probation. This period of probation shall be preceded  
20 by a written notice from the board of trustees with reasons for such pro-  
21 bationary period and with provisions for adequate supervision and evalua-  
22 tion of the person's performance during the probationary period. Such pe-  
23 riod of probation shall not affect the person's renewable contract status.  
24 Consideration of probationary status for certificated personnel is consid-  
25 eration of the status of an employee within the meaning of section 67-2345,  
26 Idaho Code, and may be held in executive session. If the consideration re-  
27 sults in probationary status, the individual on probation shall not be named  
28 in the minutes of the meeting. A record of the decision shall be placed in the  
29 teacher's personnel file.

30 (6) If the board of trustees takes action to immediately discharge or  
31 discharge upon termination of the current contract a certificated person  
32 whose contract would otherwise be automatically renewed, or to renew the  
33 contract of any such person at a reduced salary, the action of the board  
34 shall be consistent with the procedures specified in section 33-513 5.,  
35 Idaho Code, and furthermore, the board shall notify the employee in writing  
36 whether there is just and reasonable cause not to renew the contract or to  
37 reduce the salary of the affected employee, and if so, what reasons it relied  
38 upon in that determination.

39 (7) If the board of trustees takes action after the declaration of a fi-  
40 nancial emergency pursuant to section 33-522, Idaho Code, and such action is  
41 directed at more than one (1) certificated employee and, if mutually agreed  
42 to by both parties, a single informal review shall be conducted. Without  
43 mutual consent of both parties, the board of trustees shall use the follow-  
44 ing procedure to conduct a single due process hearing within sixty-seven  
45 (67) days of the declaration of financial emergency pursuant to section  
46 33-522 (2), Idaho Code, or on or before June 22, whichever shall occur first:

47 (a) The superintendent or any other duly authorized administrative of-  
48 ficer of the school district may recommend the change in the length of  
49 the term stated in the current contract or reduce the salary of any cer-



1           tificated employee by filing with the board of trustees written notice  
2 specifying the purported reasons for such changes.

3           (b) Upon receipt of such notice, the board of trustees, acting through  
4 its duly authorized administrative official, shall give the affected  
5 employees written notice of the reductions and the recommendation of  
6 the change in the length of the term stated in the current contract or  
7 the reduction of salary, along with written notice of a hearing be-  
8 fore the board of trustees prior to any determination by the board of  
9 trustees.

10           (c) The hearing shall be scheduled to take place not less than six (6)  
11 days nor more than fourteen (14) days after receipt of the notice by the  
12 employees. The date provided for the hearing may be changed by mutual  
13 consent.

14           (d) The hearing shall be open to the public.

15           (e) All testimony at the hearing shall be given under oath or affirma-  
16 tion. Any member of the board, or the clerk of the board of trustees, may  
17 administer oaths to witnesses or affirmations by witnesses.

18           (f) The employees may be represented by legal counsel and/or by a repre-  
19 sentative of a local or state education association.

20           (g) The chairman of the board of trustees or the designee of the chair-  
21 man shall conduct the hearing.

22           (h) The board of trustees shall cause an electronic record of the hear-  
23 ing to be made or shall employ a competent reporter to take stenographic  
24 or stenotype notes of all the testimony at the hearing. A transcript of  
25 the hearing shall be provided at cost by the board of trustees upon re-  
26 quest of the employee.

27           (i) At the hearing the superintendent or other duly authorized admin-  
28 istrative officer shall present evidence to substantiate the reduction  
29 contained in such notice.

30           (j) The employees may produce evidence to refute the reduction. Any  
31 witness presented by the superintendent or by the employees shall be  
32 subject to cross-examination. The board of trustees may also examine  
33 witnesses and be represented by counsel.

34           (k) The affected employees may file written briefs and arguments with  
35 the board of trustees within three (3) days after the close of the hear-  
36 ing or such other time as may be agreed upon by the affected employees  
37 and the board of trustees.

38           (l) Within seven (7) days following the close of the hearing, the board  
39 of trustees shall determine and, acting through its duly authorized ad-  
40 ministrative official, shall notify the employees in writing whether  
41 the evidence presented at the hearing established the need for the ac-  
42 tion taken.

43 The due process hearing pursuant to this subsection (7) shall not be required  
44 if the board of trustees and the local education association reach an agree-  
45 ment on issues agreed upon pursuant to section 33-522(3), Idaho Code.

46           (8) If the board of trustees, for reasons other than unsatisfactory  
47 service, for the ensuing contract year, determines to change the length of  
48 the term stated in the current contract, reduce the salary or not renew the  
49 contract of a certificated person whose contract would otherwise be automat-  
50 ically renewed, nothing herein shall require a probationary period.

1           SECTION 15. The provisions of Sections 2, 9 and 10 of this act shall be  
2 in full force and effect on and after July 1, 2019. The provisions of Section  
3 5 of this act shall be null, void and of no force and effect on and after June  
4 30, 2020. The provisions of Section 6 of this act shall be in full force and  
5 effect on and after July 1, 2020.