

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 300

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO THE EDUCATIONAL SUPPORT PROGRAM; AMENDING SECTION 33-1002,
2 IDAHO CODE, TO REMOVE THE TERM "SECONDARY" IN RELATION TO SUPPORT UNITS,
3 ALTERNATIVE SCHOOLS AND STUDENTS AND TO PROVIDE THAT COMPUTATION OF
4 ALTERNATIVE SCHOOL SUPPORT UNITS SHALL INCLUDE GRADES 6 THROUGH 12;
5 AMENDING SECTION 33-1002C, IDAHO CODE, TO REMOVE THE TERM "SECONDARY"
6 IN RELATION TO ALTERNATIVE SCHOOLS AND SUPPORT UNITS; AMENDING SECTION
7 33-1002F, IDAHO CODE, TO REMOVE THE TERM "SECONDARY" IN RELATION TO
8 ALTERNATIVE SCHOOLS AND SUPPORT UNITS; AMENDING SECTION 46-805, IDAHO
9 CODE, TO REMOVE THE TERM "SECONDARY" IN RELATION TO STATE ALTERNATIVE
10 SCHOOL FUNDING; AND PROVIDING AN EFFECTIVE DATE.
11

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

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

15 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-
16 gram is calculated as follows:

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

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

22 (a) Pupil tuition-equivalency allowances as provided in section
23 33-1002B, Idaho Code;

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

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

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

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

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

36 (g) Salary-based apportionment calculated as provided in sections
37 33-1004 through 33-1004F, Idaho Code;

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

40 (i) For expenditure as provided by the public school technology pro-
41 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 the support of provisions that provide a safe environment con-
18 ductive to student learning and maintain classroom discipline, an allo-
19 cation of \$300 per support unit; and

20 (s) Any additional amounts as required by statute to effect administra-
21 tive adjustments or as specifically required by the provisions of any
22 bill of appropriation;

23 to secure the total educational support distribution funds.

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

32 (4) Support Units. The total state support units shall be determined
33 by using the tables set out hereafter called computation of kindergarten
34 support units, computation of elementary support units, computation of sec-
35 ondary support units, computation of exceptional education support units,
36 and computation of alternative school ~~secondary~~ support units. The sum of
37 all of the total support units of all school districts of the state shall be
38 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 (Computation of alternative school support units shall include
 14 grades 6 through 12)

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

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

40 (5) State Distribution Factor per Support Unit. Divide educational
 41 support program distribution funds, after subtracting the amounts necessary
 42 to pay the obligations specified in subsection (2) of this section, by the

1 total state support units to secure the state distribution factor per sup-
2 port unit.

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

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

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

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

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

34 (c) District Share. The district's share of state apportionment is the
35 amount of the total district allowance, subsection (6) (b) of this sec-
36 tion.

37 (d) Adjustment of District Share. The contract salary of every noncer-
38 tificated teacher shall be subtracted from the district's share as cal-
39 culated from the provisions of subsection (6) (c) of this section.

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

1 by the actual or adjusted market value for assessment purposes as such values
2 existed on December 31 of the prior calendar year.

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

5 33-1002C. SUMMER SCHOOL PROGRAM SUPPORT UNITS -- ALTERNATIVE
6 ~~SECONDARY~~ SCHOOL -- JUVENILE DETENTION FACILITY. (1) Alternative ~~secondary~~
7 summer school programs of not less than two hundred twenty-five (225) hours
8 of instruction, which shall be included in the educational support units
9 calculated as provided in section 33-1002, Idaho Code, may be established
10 as approved by the state board of education. The average daily attendance
11 divided by forty (40) shall determine the number of allowable support units
12 which shall be included in the alternative school ~~secondary~~ support units
13 calculated for the school district for the succeeding school term.

14 (2) For any alternative ~~secondary~~ school designated pursuant to sec-
15 tion 46-805, Idaho Code, full-term average daily attendance shall be used to
16 calculate support units for each cohort of students that meets the minimum
17 instructional hours requirement provided for in section 33-512, Idaho Code.
18 The support units so calculated shall be used for all state funding formulas
19 in which support units are used.

20 (3) Districts which educate pupils placed by court order in a juvenile
21 detention facility may establish a summer school program which shall be in-
22 cluded in the educational support units calculated as provided in section
23 33-1002, Idaho Code. The average daily attendance divided by forty (40)
24 shall determine the number of allowable support units which shall be in-
25 cluded in the exceptional education school support units calculated for the
26 school district for the succeeding school term.

27 (4) Average daily attendance and the support units so generated by this
28 section shall not be included in or subject to the provisions of section
29 33-1003, Idaho Code, and shall be included as an addition to any other sup-
30 port units generated pursuant to Idaho Code.

31 SECTION 3. That Section 33-1002F, Idaho Code, be, and the same is hereby
32 amended to read as follows:

33 33-1002F. ALTERNATIVE SCHOOL REPORT. Annually, prior to the tenth
34 legislative day, the department of education shall file with the legislature
35 a report detailing the alternative ~~secondary~~ school programs within the
36 state. On July 1 of each year, or as soon thereafter as feasible, each school
37 district receiving moneys pursuant to the alternative school ~~secondary~~
38 support units factor in section 33-1002, Idaho Code, or section 33-1002C,
39 Idaho Code, shall file with the state department a comprehensive report of
40 the amount of money received in the district, the expenditure on alternative
41 school programs, and the programs provided. This information shall be com-
42 piled by the department for transmission to the legislature.

43 SECTION 4. That Section 46-805, Idaho Code, be, and the same is hereby
44 amended to read as follows:

45 46-805. YOUTH CHALLENGE PROGRAM.

1 (1) (a) There is hereby established the Idaho youth challenge program,
2 a multi-phased youth intervention program. The program will provide,
3 among other things, a structured, disciplined residential phase of at
4 least twenty-two (22) weeks focusing on education and practical life
5 skills and a post-residential phase of at least twelve (12) months in-
6 volving skilled and trained mentors supporting graduates and engaged
7 in positive and durable placement of graduates. The youth challenge
8 program shall be focused on assisting participants in achieving a high
9 school diploma or obtaining a general equivalency diploma (GED) and
10 helping to ensure that participants become productive members of soci-
11 ety.

12 (b) The program shall be eligible to receive and expend any moneys pro-
13 vided to the program including, but not limited to, private contribu-
14 tions, federal funds and state alternative ~~secondary~~ school funding.
15 In the event that moneys for any fiscal year are inadequate to fund the
16 youth challenge program, the program shall be discontinued. The deci-
17 sion to discontinue the program due to inadequate funding shall be made
18 by the legislature and the governor in a joint letter provided to the ad-
19 jutant general and signed by the governor, the president pro tempore of
20 the senate and the speaker of the house of representatives.

21 (2) The youth challenge program shall be administered by the state ad-
22 jutant general in conjunction with:

23 (a) The board of trustees of an appropriate school district of this
24 state; or

25 (b) A governing board, the members of which shall be appointed by the
26 governor. The size of such governing board and qualifications and terms
27 of board members shall be provided for in rule authorized by this sec-
28 tion.

29 (3) The program and all program participants shall be governed by all
30 applicable laws, regulations and guidelines including, but not limited to,
31 32 U.S.C. section 509.

32 (4) (a) In order to be eligible to participate in the program, appli-
33 cants shall meet the criteria established by the adjutant general in ad-
34 ministrative rule.

35 (b) Applicants shall be selected for the program by the youth challenge
36 program board of admissions. Such board shall be appointed by the ad-
37 jutant general. Qualifications for board membership, length of board
38 terms, size of the board and other necessary provisions shall be estab-
39 lished by the adjutant general in administrative rule.

40 (5) The adjutant general is authorized to enter into contracts and to
41 promulgate rules to implement the provisions of this section.

42 (6) The school district where the youth challenge program is located
43 may take steps to have the youth challenge program be considered and desig-
44 nated as an alternative ~~secondary~~ school.

45 SECTION 5. This act shall be in full force and effect on and after July
46 1, 2016.