

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 579

BY EDUCATION COMMITTEE

AN ACT

RELATING TO THE STAFF ALLOWANCE FOR SCHOOL DISTRICTS; AMENDING SECTION  
33-1004, IDAHO CODE, TO PROVIDE CIRCUMSTANCES WHEN A CERTAIN NUMBER OF  
SUPPORT UNITS SHALL BE USED TO CALCULATE DISCRETIONARY FUNDING.

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

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

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

(1) Using the daily attendance reports that have been submitted for  
computing the February 15 apportionment of state funds as provided in sec-  
tion 33-1009, Idaho Code, determine the total support units for the district  
in the manner provided in section 33-1002(6) (a), Idaho Code, unless the  
number of support units used to calculate discretionary funding pursuant to  
section 33-1018, Idaho Code, is greater, in which case the greater support  
unit number shall be used;

(2) Determine the instructional staff allowance by multiplying the  
support units by 1.1. A district must demonstrate that it actually employs  
the number of certificated instructional staff allowed, except as provided  
in subsection (5) (f) and (g) of this section. If the district does not employ  
the number allowed, the staff allowance shall be reduced to the actual number  
employed, except as provided in subsection (5) (f) and (g) of this section;

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

(4) Determine the classified staff allowance by multiplying the sup-  
port units by .375;

(5) Additional conditions governing staff allowance:

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

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

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

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

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

11 (iii) Additionally, for any district with less than twenty (20)  
12 support units, the instructional staff allowance shall be calcu-  
13 lated applying the actual number of support units. If the number  
14 of instructional staff employed in the school year is greater than  
15 the instructional staff allowance, the staff allowance shall be  
16 increased as provided in subparagraphs (i) and (ii) of this para-  
17 graph, and by an additional one-half (1/2) instructional staff al-  
18 lowance.

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

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

31 (f) A district may utilize up to five percent (5%) of the moneys asso-  
32 ciated with positions funded pursuant to subsection (2) of this section  
33 to defray the cost of providing virtual education coursework, includ-  
34 ing virtual dual credit coursework, without a reduction in the number of  
35 funded positions being imposed.

36 (g) For the period July 1, 2009, through June 30, 2011, only, a district  
37 may shift up to five percent (5%) of the positions funded pursuant to  
38 subsection (2) of this section to federal funds, without a reduction in  
39 the number of funded positions being imposed.

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