

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 590

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1004, IDAHO CODE, TO ESTABLISH
ADDITIONAL PROVISIONS REGARDING STAFF ALLOWANCE.

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, calculate the total support units for the district
in the manner provided in section 33-1002(6)(a), Idaho Code. If the support
units used to calculate discretionary funding pursuant to sections 33-1009
and 33-1018, Idaho Code, are at least three percent (3%) greater, fifty per-
cent (50%) of the difference shall be added to the support units used for the
February 15 apportionment of state funds;

(2) Determine the instructional staff allowance by multiplying the
support units by 1.021. A district must demonstrate that it actually employs
the number of certificated instructional staff allowed, except as provided
in subsection (6)(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 (6)(f) and (g) of this section;

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

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

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

(6) Additional conditions governing staff allowance:

(a) In determining the number of staff in subsections (2), (3), (4) and
(5) 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),
(3) and (4) of this section, an appeal may be filed with the state de-
partment of education outlining the reasons and proposed alternative
use of these funds, and a waiver may be granted.

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

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

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

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

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

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

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

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

49 (7) In the event that the staff allowance in any category is insuffi-
50 cient to meet accreditation standards, a district may appeal to the state

1 board of education, demonstrating the insufficiency, and the state board may
2 grant a waiver authorizing sufficient additional staff to be included within
3 the staff allowance to meet accreditation standards. Such a waiver shall be
4 limited to one (1) year, but may be renewed upon showing of continuing justifi-
5 cation.

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