

IN THE SENATE

SENATE BILL NO. 1231

BY EDUCATION COMMITTEE

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1004, IDAHO CODE, TO REVISE A MULTIPLIER RELATING TO CLASSIFIED STAFF ALLOWANCE AND TO MAKE TECHNICAL CORRECTIONS.

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 section 33-1009, Idaho Code, determine the total support units for the district in the manner provided in section 33-1002(6)(a), Idaho Code;

(2) Determine the instructional staff allowance by multiplying the support units by 1.1. 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 support units by .37541;

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

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

(i) The instructional staff allowance shall be calculated applying the actual number of support units. If the actual instructional staff employed in the school year is greater than the

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

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

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

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

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

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

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