

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 504

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; PROVIDING LEGISLATIVE INTENT; AMENDING SECTION
2 33-1002, IDAHO CODE, TO PROVIDE FOR A SUBTRACTION FROM TOTAL STATE FUNDS
3 FOR LEADERSHIP PREMIUMS; AMENDING SECTION 33-1004C, IDAHO CODE, TO PRO-
4 VIDE THAT THE LEGISLATURE SHALL ANNUALLY REVIEW BASE SALARY FIGURES,
5 MINIMUM INSTRUCTIONAL SALARY FIGURES AND LEADERSHIP PREMIUM FIGURES;
6 AMENDING SECTION 33-1004F, IDAHO CODE, TO REVISE PROVISIONS RELATING
7 TO OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS; AND AMEND-
8 ING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
9 33-1004J, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO LEADERSHIP
10 PREMIUMS FOR INSTRUCTIONAL STAFF EMPLOYEES, TO PROVIDE THAT LEADERSHIP
11 PREMIUMS MAY BE MADE FOR CERTAIN REASONS, TO PROVIDE FOR MULTIPLE PREMI-
12 UMS, TO PROVIDE FOR REPORTS, TO DEFINE TERMS AND TO PROVIDE FOR RULES.
13

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

15 SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature to
16 support and implement the recommendation of the 2013 Task Force for Improv-
17 ing Education regarding leadership awards and the career ladder compensa-
18 tion model (Task Force Summary Recommendation 12 and Fiscal Stability/Ef-
19 fective Teachers and Leaders Subcommittee Recommendation 1.2).

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;

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

3 (g) Salary-based apportionment calculated as provided in sections
4 33-1004 through 33-1004F, Idaho Code;

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

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

9 (j) For employee severance payments as provided in section 33-521,
10 Idaho Code;

11 (k) For distributions to the Idaho digital learning academy as provided
12 in section 33-1020, Idaho Code;

13 (l) For charter school facilities funds and reimbursements paid pur-
14 suant to section 33-5208(5), Idaho Code;

15 (~~l~~m) For an online course portal as provided for in section 33-1024,
16 Idaho Code;

17 (~~m~~n) For advanced opportunities as provided for in section 33-1626,
18 Idaho Code;

19 (~~o~~o) For the "8 in 6 Program" as provided for in section 33-1628, Idaho
20 Code;

21 (~~p~~p) For additional math and science courses for high school students
22 as provided in section 33-1021, Idaho Code;

23 (q) For leadership premiums as provided in section 33-1004J, Idaho
24 Code;

25 (~~r~~r) For the support of provisions that provide a safe environment
26 conducive to student learning and maintain classroom discipline, an al-
27 location of \$300 per support unit; and

28 (~~s~~s) Any additional amounts as required by statute to effect adminis-
29 trative adjustments or as specifically required by the provisions of
30 any bill of appropriation;

31 to secure the total educational support distribution funds.

32 (3) Average Daily Attendance. The total state average daily attendance
33 shall be the sum of the average daily attendance of all of the school dis-
34 tricts of the state. The state board of education shall establish rules set-
35 ting forth the procedure to determine average daily attendance and the time
36 for, and method of, submission of such report. Average daily attendance cal-
37 culation shall be carried out to the nearest hundredth. Computation of av-
38 erage daily attendance shall also be governed by the provisions of section
39 33-1003A, Idaho Code.

40 (4) Support Units. The total state support units shall be determined
41 by using the tables set out hereafter called computation of kindergarten
42 support units, computation of elementary support units, computation of sec-
43 ondary support units, computation of exceptional education support units,
44 and computation of alternative school secondary support units. The sum of
45 all of the total support units of all school districts of the state shall be
46 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.
20 In applying the kindergarten table to a kindergarten program of less days
21 than a full school year, the support unit allowance shall be in ratio to
22 the number of days of a full school year. The tables for exceptional edu-
23 cation and alternative school secondary support units shall be applicable
24 only for programs approved by the state department of education following
25 rules established by the state board of education. Moneys generated from
26 computation of support units for alternative schools shall be utilized for
27 alternative school programs. School district administrative and facility
28 costs may be included as part of the alternative school expenditures.

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

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

36 (a) (i) Divide the actual average daily attendance, excluding stu-
37 dents approved for inclusion in the exceptional child educational
38 program, for the administrative schools and each of the separate
39 schools and attendance units by the appropriate divisor from the
40 tables of support units in this section, then add the quotients
41 to obtain the district's support units allowance for regular stu-
42 dents, kindergarten through grade 12 including alternative school

1 secondary students. Calculations in application of this subsection shall be carried out to the nearest hundredth.

2
3 (ii) Divide the combined totals of the average daily attendance
4 of all preschool, kindergarten, elementary, secondary, juvenile
5 detention center students and students with disabilities approved
6 for inclusion in the exceptional child program of the district by
7 the appropriate divisor from the table for computation of exceptional
8 education support units to obtain the number of support
9 units allowed for the district's approved exceptional child program.
10 Calculations for this subsection shall be carried out to the
11 nearest hundredth when more than one (1) unit is allowed.

12 (iii) The total number of support units of the district shall be
13 the sum of the total support units for regular students, subsection
14 (6) (a) (i) of this section, and the support units allowance
15 for the approved exceptional child program, subsection (6) (a) (ii)
16 of this section.

17 (b) Total District Allowance Educational Program. Multiply the district's
18 total number of support units, carried out to the nearest hundredth,
19 by the state distribution factor per support unit and to this product
20 add the approved amount of programs of the district provided in
21 subsection (2) of this section to secure the district's total allowance
22 for the educational support program.

23 (c) District Share. The district's share of state apportionment is the
24 amount of the total district allowance, subsection (6) (b) of this section.
25

26 (d) Adjustment of District Share. The contract salary of every noncertificated
27 teacher shall be subtracted from the district's share as calculated from
28 the provisions of subsection (6) (c) of this section.

29 (7) Property Tax Computation Ratio. In order to receive state funds
30 pursuant to this section a charter district shall utilize a school maintenance
31 and operation property tax computation ratio for the purpose of calculating
32 its maintenance and operation levy, that is no greater than that
33 which it utilized in tax year 1994, less four-tenths of one percent (.4%). As
34 used herein, the term "property tax computation ratio" shall mean a ratio
35 determined by dividing the district's certified property tax maintenance and
36 operation budget by the actual or adjusted market value for assessment purposes
37 as such values existed on December 31, 1993. Such maintenance and operation
38 levy shall be based on the property tax computation ratio multiplied
39 by the actual or adjusted market value for assessment purposes as such values
40 existed on December 31 of the prior calendar year.

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

43 33-1004C. BASE AND MINIMUM SALARY SALARIES -- LEADERSHIP PREMIUMS --
44 EDUCATION AND EXPERIENCE INDEX. The base salary following shall be reviewed
45 annually by the legislature-;

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

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

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

3 (2) The statewide education and experience index (or state average in-
 4 dex, or state index) is the average of all qualifying employees, instruc-
 5 tional and administrative respectively. It is determined by totaling the
 6 index value for all qualifying employees and dividing by the number of em-
 7 ployees.

8 SECTION 4. That Section 33-1004F, Idaho Code, be, and the same is hereby
 9 amended to read as follows:

10 33-1004F. OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS. ~~1-~~
 11 Based upon the actual salary-based apportionment, as determined in section
 12 33-1004E, Idaho Code, and the leadership premiums distributed pursuant to
 13 section 33-1004J, Idaho Code, there shall be allocated that amount required
 14 to meet the employer's obligations to the public employee retirement system
 15 and to social security.

16 ~~2. If a district's qualifying salaries total more than the district's~~
 17 ~~salary-based apportionment, there shall be allocated an additional amount~~
 18 ~~to meet the employer's obligation to the public employee retirement system~~
 19 ~~and to social security equal to two-thirds (2/3) of the additional obliga-~~
 20 ~~tion for the school year 1994-95. If a district's qualifying salaries total~~
 21 ~~more than the district's salary-based apportionment, there shall be allo-~~
 22 ~~cated an additional amount to meet the employer's obligation to the public~~
 23 ~~employee retirement system and to social security equal to one-third (1/3)~~
 24 ~~of the additional obligation for the school year 1995-96. Thereafter, the~~
 25 ~~benefit allocation shall be based solely upon the provisions of subsection~~
 26 ~~1. of this section.~~

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

30 33-1004J. LEADERSHIP PREMIUMS. (1) Of the moneys available to the
 31 educational support program, eight hundred fifty dollars (\$850) shall be
 32 distributed per full-time equivalent instructional staff position employed
 33 by each school district. Such moneys shall be paid to instructional staff
 34 employees for leadership activities as provided in paragraphs (a) through
 35 (h) of this subsection. Such premiums shall be valid only for the fiscal year
 36 for which the premiums are made and shall be made for one (1) or more of the
 37 following reasons as identified as leadership priorities by the board of
 38 trustees:

- 39 (a) Providing instruction in a subject in which the employee holds a
 40 content area master's degree;
 41 (b) Teaching a course in which students earn both high school and col-
 42 lege credit;
 43 (c) Teaching a course to middle school students in which the students
 44 earn both middle school and high school credit;
 45 (d) Holding and providing service in multiple nonadministrative cer-
 46 tificate or subject endorsement areas;

1 (e) Serving in an instructional position designated as hard to fill by
2 the board of trustees;

3 (f) Providing mentoring, peer assistance or professional development
4 pursuant to section 33-512(17), Idaho Code;

5 (g) Having received professional development in career and academic
6 counseling, and then providing career or academic counseling for stu-
7 dents, with such services incorporated within or provided in addition
8 to the teacher's regular classroom instructional duties;

9 (h) Other leadership duties designated by the board of trustees, exclu-
10 sive of duties related to student activities or athletics. Such duties
11 shall require that the employee work additional time as a condition of
12 the receipt of a leadership premium.

13 (2) Local school district boards of trustees may provide leadership
14 premiums to instructional staff employees consistent with the provisions
15 of this section. The decision as to whom and how many receive leadership
16 premiums, and in what amounts, shall not be subject to collective bar-
17 gaining, any other provision of law notwithstanding. A board may provide
18 multiple leadership premiums to an instructional staff employee. However,
19 no such employee shall receive cumulative leadership premiums in excess of
20 twenty-five percent (25%) of the base salary amount designated in section
21 33-1004E, Idaho Code, nor less than eight hundred fifty dollars (\$850).

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

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

29 (b) The average dollar amount of leadership premiums issued, by dis-
30 trict;

31 (c) The highest and lowest leadership premium issued, by district; and

32 (d) The percent of instructional staff positions receiving leadership
33 premiums and the cumulative amount of such premiums, by district.

34 (4) For the purposes of this section, the term "school district" also
35 means "public charter school," and the term "board of trustees" also means
36 "board of directors."

37 (5) The state board of education is hereby authorized to promulgate
38 rules to implement the provisions of this section.