

IN THE SENATE

SENATE BILL NO. 1199

BY STATE AFFAIRS COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1002, IDAHO CODE, TO PROVIDE FOR
2 DIFFERENTIAL PAY AND TO PROVIDE FOR TECHNOLOGY PILOT PROJECTS; AMEND-
3 ING SECTION 33-1002, IDAHO CODE, AS AMENDED BY SECTION 1 OF THIS ACT,
4 TO REMOVE LANGUAGE RELATING TO DIFFERENTIAL PAY AND TECHNOLOGY PILOT
5 PROJECTS; AMENDING SECTION 33-1004F, IDAHO CODE, TO REVISE PROVISIONS
6 RELATING TO OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS;
7 AMENDING SECTION 33-1004F, IDAHO CODE, AS AMENDED BY SECTION 3 OF THIS
8 ACT, TO REVISE PROVISIONS RELATING TO OBLIGATIONS TO RETIREMENT AND
9 SOCIAL SECURITY BENEFITS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE,
10 BY THE ADDITION OF A NEW SECTION 33-1004J, IDAHO CODE, TO ESTABLISH
11 PROVISIONS RELATING TO DIFFERENTIAL PAY AND EXCELLENCE IN ACHIEVEMENT
12 AWARDS, TO ESTABLISH PROVISIONS RELATING TO THE DISTRIBUTION OF CER-
13 TAIN MONEYS AND TO DEFINE TERMS; AMENDING CHAPTER 48, TITLE 33, IDAHO
14 CODE, BY THE ADDITION OF A NEW SECTION 33-4811, IDAHO CODE, TO ESTABLISH
15 PROVISIONS RELATING TO TECHNOLOGY PILOT PROJECTS; REPEALING SECTION
16 33-1004J, IDAHO CODE, RELATING TO DIFFERENTIAL PAY AND EXCELLENCE IN
17 ACHIEVEMENT AWARDS; REPEALING SECTION 33-4811, IDAHO CODE, RELATING TO
18 TECHNOLOGY PILOT PROJECTS; ESTABLISHING PROVISIONS RELATING TO DISCRE-
19 TIONARY FUNDS; AND PROVIDING EFFECTIVE DATES.
20

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

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

24 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-
25 gram is calculated as follows:

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

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

31 (a) Pupil tuition-equivalency allowances as provided in section
32 33-1002B, Idaho Code;

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

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

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

40 (e) The approved costs for exceptional child approved contract al-
41 lowance, provided in subsection 2. of section 33-2004, Idaho Code, as
42 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 differential pay as provided in section 33-1004J, Idaho Code;
- 14 (m) For technology pilot projects as provided in section 33-4811, Idaho
- 15 Code;
- 16 (n) For the support of provisions that provide a safe environment con-
- 17 ductive to student learning and maintain classroom discipline, an allo-
- 18 cation of \$300 per support unit; and
- 19 (no) Any additional amounts as required by statute to effect adminis-
- 20 trative adjustments or as specifically required by the provisions of
- 21 any bill of appropriation;

22 to secure the total educational support distribution funds.

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

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

38 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

39 Average Daily		
40 Attendance	Attendance Divisor	Units Allowed
41 41 or more	40	1 or more as computed
42 31 - 40.99 ADA	-	1
43 26 - 30.99 ADA . . . .	- . . . . .	.85
44 21 - 25.99 ADA . . . .	- . . . . .	.75
45 16 - 20.99 ADA . . . .	- . . . . .	.6

1 8 - 15.99 ADA.... -.5
 2 1 - 7.99 ADA.... - count as elementary

3 COMPUTATION OF ELEMENTARY SUPPORT UNITS

4	Average Daily		Minimum Units
5	Attendance	Attendance Divisor	Allowed
6	300 or more ADA.....	.....	.. 15
7		..23...grades 4,5 & 6....	
8		..22...grades 1,2 & 3....1994-95	
9		..21...grades 1,2 & 3....1995-96	
10		..20...grades 1,2 & 3....1996-97	
11		and each year thereafter.	
12	160 to 299.99 ADA...	20.....	8.4
13	110 to 159.99 ADA...	19.....	6.8
14	71.1 to 109.99 ADA...	16.....	4.7
15	51.7 to 71.0 ADA...	15.....	4.0
16	33.6 to 51.6 ADA...	13.....	2.8
17	16.6 to 33.5 ADA...	12.....	1.4
18	1.0 to 16.5 ADA...	n/a.....	1.0

19 COMPUTATION OF SECONDARY SUPPORT UNITS

20	Average Daily		Minimum Units
21	Attendance	Attendance Divisor	Allowed
22	750 or more	18.5.....	47
23	400 - 749.99 ADA....	16.....	28
24	300 - 399.99 ADA....	14.5.....	22
25	200 - 299.99 ADA....	13.5.....	17
26	100 - 199.99 ADA....	12.....	9
27	99.99 or fewer	Units allowed as follows:	
28	Grades 7-12	.....	8
29	Grades 9-12	.....	6
30	Grades 7- 9	.....	1 per 14 ADA
31	Grades 7- 8	.....	1 per 16 ADA

32 COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

33	Average Daily		Minimum Units
34	Attendance	Attendance Divisor	Allowed
35	14 or more	14.5.....	1 or more as computed
36			

1	12 - 13.99.....	-	1
2	8 - 11.99.....	- .....	.75
3	4 - 7.99.....	- .....	.5
4	1 - 3.99.....	- .....	.25

5 COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

6	Pupils in Attendance	Attendance Divisor	Minimum Units
7			Allowed
8	12 or more.....	12	1 or more as
9			computed

10 In applying these tables to any given separate attendance unit, no
 11 school district shall receive less total money than it would receive if it
 12 had a lesser average daily attendance in such separate attendance unit.
 13 In applying the kindergarten table to a kindergarten program of less days
 14 than a full school year, the support unit allowance shall be in ratio to
 15 the number of days of a full school year. The tables for exceptional edu-
 16 cation and alternative school secondary support units shall be applicable
 17 only for programs approved by the state department of education following
 18 rules established by the state board of education. Moneys generated from
 19 computation of support units for alternative schools shall be utilized for
 20 alternative school programs. School district administrative and facility
 21 costs may be included as part of the alternative school expenditures.

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

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

29 (a) (i) Divide the actual average daily attendance, excluding stu-
 30 dents approved for inclusion in the exceptional child educational
 31 program, for the administrative schools and each of the separate
 32 schools and attendance units by the appropriate divisor from the
 33 tables of support units in this section, then add the quotients
 34 to obtain the district's support units allowance for regular stu-
 35 dents, kindergarten through grade 12 including alternative school
 36 secondary students. Calculations in application of this subsec-
 37 tion shall be carried out to the nearest tenth.

38 (ii) Divide the combined totals of the average daily attendance
 39 of all preschool, kindergarten, elementary, secondary, juvenile
 40 detention center students and students with disabilities approved
 41 for inclusion in the exceptional child program of the district by
 42 the appropriate divisor from the table for computation of excep-
 43 tional education support units to obtain the number of support
 44 units allowed for the district's approved exceptional child pro-
 45 gram. Calculations for this subsection shall be carried out to the
 46 nearest tenth when more than one (1) unit is allowed.

1 (iii) The total number of support units of the district shall be
 2 the sum of the total support units for regular students, subsec-
 3 tion (6) (a) (i) of this section, and the support units allowance
 4 for the approved exceptional child program, subsection (6) (a) (ii)
 5 of this section.

6 (b) Total District Allowance Educational Program. Multiply the dis-
 7 trict's total number of support units, carried out to the nearest tenth,
 8 by the state distribution factor per support unit and to this product
 9 add the approved amount of programs of the district provided in subsec-
 10 tion (2) of this section to secure the district's total allowance for
 11 the educational support program.

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

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

18 (7) Property Tax Computation Ratio. In order to receive state funds
 19 pursuant to this section a charter district shall utilize a school mainte-
 20 nance and operation property tax computation ratio for the purpose of cal-
 21 culating its maintenance and operation levy, that is no greater than that
 22 which it utilized in tax year 1994, less four-tenths of one percent (.4%). As
 23 used herein, the term "property tax computation ratio" shall mean a ratio de-
 24 termined by dividing the district's certified property tax maintenance and
 25 operation budget by the actual or adjusted market value for assessment pur-
 26 poses as such values existed on December 31, 1993. Such maintenance and op-
 27 eration levy shall be based on the property tax computation ratio multiplied
 28 by the actual or adjusted market value for assessment purposes as such values
 29 existed on December 31 of the prior calendar year.

30 SECTION 2. That Section 33-1002, Idaho Code, as amended by Section 1 of
 31 this act, be, and the same is hereby amended to read as follows:

32 33-1002. EDUCATIONAL SUPPORT PROGRAM. The educational support pro-
 33 gram is calculated as follows:

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

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

39 (a) Pupil tuition-equivalency allowances as provided in section
 40 33-1002B, Idaho Code;

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

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

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

- 1 (e) The approved costs for exceptional child approved contract al-
- 2 lowance, provided in subsection 2. of section 33-2004, Idaho Code, as
- 3 determined by the state superintendent of public instruction;
- 4 (f) Certain expectant and delivered mothers allowance as provided in
- 5 section 33-2006, Idaho Code;
- 6 (g) Salary-based apportionment calculated as provided in sections
- 7 33-1004 through 33-1004F, Idaho Code;
- 8 (h) Unemployment insurance benefit payments according to the provi-
- 9 sions of section 72-1349A, Idaho Code;
- 10 (i) For expenditure as provided by the public school technology pro-
- 11 gram;
- 12 (j) For employee severance payments as provided in section 33-521,
- 13 Idaho Code;
- 14 (k) For distributions to the Idaho digital learning academy as provided
- 15 in section 33-1020, Idaho Code;
- 16 (l) ~~For differential pay as provided in section 33-1004J, Idaho Code;~~
- 17 ~~(m) For technology pilot projects as provided in section 33-4811, Idaho~~
- 18 ~~Code;~~
- 19 ~~(n) For the support of provisions that provide a safe environment con-~~
- 20 ~~ducive to student learning and maintain classroom discipline, an allo-~~
- 21 ~~cation of \$300 per support unit; and~~
- 22 (em) Any additional amounts as required by statute to effect adminis-
- 23 trative adjustments or as specifically required by the provisions of
- 24 any bill of appropriation;

25 to secure the total educational support distribution funds.

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

34 (4) Support Units. The total state support units shall be determined
 35 by using the tables set out hereafter called computation of kindergarten
 36 support units, computation of elementary support units, computation of sec-
 37 ondary support units, computation of exceptional education support units,
 38 and computation of alternative school secondary support units. The sum of
 39 all of the total support units of all school districts of the state shall be
 40 the total state support units.

41 COMPUTATION OF KINDERGARTEN SUPPORT UNITS

42	Average Daily		
43	Attendance		
	Attendance Divisor	Units Allowed	
44	41 or more	40	1 or more as computed
45	31 - 40.99 ADA	-	1
46	26 - 30.99 ADA . . . .	- . . . . .	.85
47	21 - 25.99 ADA . . . .	- . . . . .	.75

1	16 - 20.99 ADA....	-.....	.6
2	8 - 15.99 ADA....	-.....	.5
3	1 - 7.99 ADA....	-.....	count as elementary

4 COMPUTATION OF ELEMENTARY SUPPORT UNITS

5	Average Daily		Minimum Units
6	Attendance	Attendance Divisor	Allowed
7	300 or more ADA.....	.....	.. 15
8		..23...grades 4,5 & 6....	
9		..22...grades 1,2 & 3....1994-95	
10		..21...grades 1,2 & 3....1995-96	
11		..20...grades 1,2 & 3....1996-97	
12		and each year thereafter.	
13	160 to 299.99 ADA...	20.....	8.4
14	110 to 159.99 ADA...	19.....	6.8
15	71.1 to 109.99 ADA...	16.....	4.7
16	51.7 to 71.0 ADA...	15.....	4.0
17	33.6 to 51.6 ADA...	13.....	2.8
18	16.6 to 33.5 ADA...	12.....	1.4
19	1.0 to 16.5 ADA...	n/a.....	1.0

20 COMPUTATION OF SECONDARY SUPPORT UNITS

21	Average Daily		Minimum Units
22	Attendance	Attendance Divisor	Allowed
23	750 or more	18.5.....	47
24	400 - 749.99 ADA....	16.....	28
25	300 - 399.99 ADA....	14.5.....	22
26	200 - 299.99 ADA....	13.5.....	17
27	100 - 199.99 ADA....	12.....	9
28	99.99 or fewer	Units allowed as follows:	
29	Grades 7-12	.....	8
30	Grades 9-12	.....	6
31	Grades 7- 9	.....	1 per 14 ADA
32	Grades 7- 8	.....	1 per 16 ADA

COMPUTATION OF EXCEPTIONAL EDUCATION SUPPORT UNITS

Average Daily Attendance	Attendance Divisor	Minimum Units Allowed
14 or more	14.5	1 or more as computed
12 - 13.99	-	1
8 - 11.99 . . . .	- . . . . .	.75
4 - 7.99 . . . .	- . . . . .	.5
1 - 3.99 . . . .	- . . . . .	.25

COMPUTATION OF ALTERNATIVE SCHOOL SECONDARY SUPPORT UNITS

Pupils in Attendance	Attendance Divisor	Minimum Units Allowed
12 or more	12	1 or more as computed

In applying these tables to any given separate attendance unit, no school district shall receive less total money than it would receive if it had a lesser average daily attendance in such separate attendance unit. In applying the kindergarten table to a kindergarten program of less days than a full school year, the support unit allowance shall be in ratio to the number of days of a full school year. The tables for exceptional education and alternative school secondary support units shall be applicable only for programs approved by the state department of education following rules established by the state board of education. Moneys generated from computation of support units for alternative schools shall be utilized for alternative school programs. School district administrative and facility costs may be included as part of the alternative school expenditures.

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

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

(a) (i) Divide the actual average daily attendance, excluding students approved for inclusion in the exceptional child educational program, for the administrative schools and each of the separate schools and attendance units by the appropriate divisor from the tables of support units in this section, then add the quotients to obtain the district's support units allowance for regular students, kindergarten through grade 12 including alternative school secondary students. Calculations in application of this subsection shall be carried out to the nearest tenth.

(ii) Divide the combined totals of the average daily attendance of all preschool, kindergarten, elementary, secondary, juvenile

1 detention center students and students with disabilities approved
 2 for inclusion in the exceptional child program of the district by
 3 the appropriate divisor from the table for computation of excep-
 4 tional education support units to obtain the number of support
 5 units allowed for the district's approved exceptional child pro-
 6 gram. Calculations for this subsection shall be carried out to the
 7 nearest tenth when more than one (1) unit is allowed.

8 (iii) The total number of support units of the district shall be
 9 the sum of the total support units for regular students, subsec-
 10 tion (6) (a) (i) of this section, and the support units allowance
 11 for the approved exceptional child program, subsection (6) (a) (ii)
 12 of this section.

13 (b) Total District Allowance Educational Program. Multiply the dis-
 14 trict's total number of support units, carried out to the nearest tenth,
 15 by the state distribution factor per support unit and to this product
 16 add the approved amount of programs of the district provided in subsec-
 17 tion (2) of this section to secure the district's total allowance for
 18 the educational support program.

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

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

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

37 SECTION 3. That Section 33-1004F, Idaho Code, be, and the same is hereby
 38 amended to read as follows:

39 33-1004F. OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENE-
 40 FITS. ~~1.~~Based upon the actual salary-based apportionment, as determined in
 41 section 33-1004E, Idaho Code, there shall be allocated that amount required
 42 to meet the employer's obligations to the public employee retirement system
 43 and to social security. In addition, from the moneys distributed pursuant to
 44 section 33-1004J, Idaho Code, there shall be allocated the portion required
 45 to meet the employer's obligations to the public employee retirement system
 46 and to social security for the remainder of the moneys so distributed.

47 ~~2.~~ If a district's qualifying salaries total more than the district's
 48 salary-based apportionment, there shall be allocated an additional amount
 49 to meet the employer's obligation to the public employee retirement system

1 ~~and to social security equal to two-thirds (2/3) of the additional obliga-~~
2 ~~tion for the school year 1994-95. If a district's qualifying salaries total~~
3 ~~more than the district's salary-based apportionment, there shall be allo-~~
4 ~~cated an additional amount to meet the employer's obligation to the public~~
5 ~~employee retirement system and to social security equal to one-third (1/3)~~
6 ~~of the additional obligation for the school year 1995-96. Thereafter, the~~
7 ~~benefit allocation shall be based solely upon the provisions of subsection~~
8 ~~1. of this section.~~

9 SECTION 4. That Section 33-1004F, Idaho Code, as amended by Section 3 of
10 this act, be, and the same is hereby amended to read as follows:

11 33-1004F. OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENE-
12 FITS. 1.Based upon the actual salary-based apportionment, as determined in
13 section 33-1004E, 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. ~~In addition, from the moneys distributed pursuant to~~
16 ~~section 33-1004J, Idaho Code, there shall be allocated the portion required~~
17 ~~to meet the employer's obligations to the public employee retirement system~~
18 ~~and to social security for the remainder of the moneys so distributed.~~

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

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

33 33-1004J. DIFFERENTIAL PAY. Of amounts appropriated for the educa-
34 tional support program, moneys shall be distributed for differential pay as
35 provided for in section 33-1002, Idaho Code. Moneys for the differential pay
36 program shall be distributed to school districts requesting grant funds for
37 local excellence in achievement awards. Such distribution shall be based
38 upon each requesting school district's number of support units used to cal-
39 culate salary-based apportionment, as compared to the total number of such
40 support units for all such school districts requesting such funds. Funds re-
41 ceived shall be paid to certificated or noncertificated employees, subject
42 to local excellence in achievement plans, pursuant to the following crite-
43 ria:

44 (1) All plans shall be approved by the local board of trustees, in-
45 cluding evidence that the plan was developed with input from the principal,
46 teachers and certificated employees at each school.

1 (2) Such plan shall not be subject to collective bargaining, any other
2 provision of law notwithstanding.

3 (3) The plan may allow expenditure of up to forty percent (40%) of the
4 funds for professional development, leadership and resources necessary to
5 implement Idaho core mathematical and English language arts standards.

6 (4) The plan shall delineate how the moneys will be used for excellence
7 in achievement awards, including the establishment of goals and identifying
8 objective measures of growth in student achievement to be used.

9 (5) Awards shall be directed at the schoolwide level, the individual
10 level or any other grouping below the schoolwide level.

11 (6) The plan and grant funds request shall be submitted to the state de-
12 partment of education by no later than October 1, 2013, and funds shall be
13 distributed by the department no later than February 15, 2014.

14 (7) Each school district receiving grant funds shall submit a report to
15 the state department of education at the end of the fiscal year that details
16 the plan's student achievement results based upon the established criteria.
17 Such report shall include, but not be limited to, measures of growth in stu-
18 dent achievement, target benchmarks, results of those measures, and infor-
19 mation on the amount of the funds awarded, by individual. The report shall
20 also include a narrative on the effectiveness of the awards in reaching the
21 goals.

22 (8) Each submitted plan and report shall be posted to the school dis-
23 trict and state department of education websites. In addition, the state
24 department of education shall conduct a comparison study of the character-
25 istics, process and features of each plan to the results achieved and shall
26 post such study to its website.

27 (9) A portion of the moneys so distributed shall be utilized to pay any
28 variable rate-based employer benefit costs.

29 (10) The payment of any funds to an employee pursuant to this section
30 shall not create any requirement that a school district maintain or repeat
31 such a payment in the future.

32 For the purposes of this section, the term "school district" also means "pub-
33 lic charter school" and the term "board of trustees" also means "board of di-
34 rectors."

35 SECTION 6. That Chapter 48, Title 33, Idaho Code, be, and the same is
36 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
37 ignated as Section 33-4811, Idaho Code, and to read as follows:

38 33-4811. TECHNOLOGY PILOT PROJECTS. Of amounts appropriated for
39 the educational support program, funding shall be made available to public
40 schools and public charter schools in multiple school districts for grants
41 of one (1) to two (2) years in duration for technology pilot projects de-
42 signed to improve student academic growth. Funds shall be distributed based
43 upon a competitive grant process prescribed by the superintendent of public
44 instruction. The amount of funds allocated to a public school or public
45 charter school shall not be based upon average daily attendance or other
46 enrollment-driven metrics. Grant applications shall include, but not be
47 limited to, historical growth measures and expected increases through im-
48 plementation of this technology. The grantees shall be required to report
49 annually to the state department of education on the uses of funds received

1 and the student growth results from those uses. The superintendent shall re-
2 port to the legislature on the results of these efforts by December 31, 2014.

3 SECTION 7. That Sections 33-1004J and 33-4811, Idaho Code, be, and the
4 same are hereby repealed.

5 SECTION 8. DISCRETIONARY FUNDS. The Legislature recognizes that school
6 districts may have utilized discretionary funds during fiscal year 2010
7 through fiscal year 2013 to offset reductions in state-funded line items.
8 School districts retain the authority to displace such discretionary funds
9 with increased state funds provided in fiscal year 2014, if the discre-
10 tionary funds were used previously for the purposes for which increased
11 state funds are provided in fiscal year 2014. For the purposes of this sec-
12 tion, the term "school district" also means "public charter school."

13 SECTION 9. Sections 1, 3, 5, 6 and 8 of this act shall be in full force
14 and effect on and after July 1, 2013. Sections 2, 4 and 7 of this act shall be
15 in full force and effect on and after July 1, 2014.