

IN THE SENATE

SENATE BILL NO. 1356

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-320, IDAHO CODE, TO REVISE PRO-  
2 VISIONS REGARDING A STRATEGIC PLAN; AMENDING CHAPTER 5, TITLE 33, IDAHO  
3 CODE, BY THE ADDITION OF A NEW SECTION 33-527, IDAHO CODE, TO ESTAB-  
4 LISH PROVISIONS REGARDING TRAINING FOR SCHOOL DISTRICT BOARD MEMBERS;  
5 AMENDING SECTION 33-1809, IDAHO CODE, TO REVISE PROVISIONS REGARDING  
6 ACCOUNTABILITY AND STUDENT ACHIEVEMENT; AMENDING SECTION 33-1001,  
7 IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 33-4804, IDAHO  
8 CODE, TO REVISE TERMINOLOGY; AND DECLARING AN EMERGENCY AND PROVIDING  
9 AN EFFECTIVE DATE.  
10

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

12 SECTION 1. That Section 33-320, Idaho Code, be, and the same is hereby  
13 amended to read as follows:

14 33-320. ~~CONTINUOUS IMPROVEMENT PLANS AND TRAINING STRATEGIC PLAN.~~ (1)  
15 Each school district and public charter school in Idaho shall ~~develop~~ submit  
16 to the state board of education an annual strategic plan that is part of a  
17 continuous focus ~~focused~~ on improving the student performance of the dis-  
18 trict or public charter school. A public charter school may use its per-  
19 formance certificate in lieu of a separate ~~continuous improvement~~ strategic  
20 plan.

21 (2) (a) The board of trustees and the superintendent shall collaborate  
22 on the plan and engage students, parents, educators and the community  
23 as appropriate. The board of directors and the administrator of a pub-  
24 lic charter school shall collaborate on the plan and engage students,  
25 parents, educators and the community as appropriate. All ~~continuous~~  
26 ~~improvement~~ strategic plans must be approved by the local governing  
27 board.

28 (b) The annual ~~continuous improvement~~ strategic plan shall:

29 (i) Be data-driven, specifically in student outcomes, and shall  
30 include, but not be limited to, ~~analyses of demographic data,~~ stu-  
31 dent ~~achievement~~ outcomes and growth data, graduation rates, and  
32 college and career readiness goals;

33 (ii) Set clear and measurable targets based on student outcomes;

34 (iii) Include a clearly developed and articulated vision and mis-  
35 sion;

36 (iv) Include key indicators for monitoring performance; and

37 (v) Include ~~student~~ early literacy proficiency goals and targets  
38 and how progress toward those outcomes will be measured; .

39 ~~(vi) Include, as applicable to the grade ranges served, trajec-~~  
40 ~~tory growth targets toward literacy proficiency;~~

1 ~~(vii) Include, as applicable to the grade ranges served, college~~  
 2 ~~and career advising and mentoring goals and how progress toward~~  
 3 ~~those outcomes will be measured;~~

4 ~~(viii) Include the individual staff performance on each of the~~  
 5 ~~performance criteria as defined in section 33-1001, Idaho Code,~~  
 6 ~~including measurable student achievement and student success~~  
 7 ~~indicator targets and the percentage of students meeting those~~  
 8 ~~targets. Data will be aggregated at the grade range, subject, or~~  
 9 ~~performance indicator, as determined by the commission and al-~~  
 10 ~~lowed pursuant to section 33-133, Idaho Code;~~

11 ~~(ix) Include, at a minimum, the student achievement and growth~~  
 12 ~~metrics for the state accountability framework. Student achieve-~~  
 13 ~~ment and growth will be reported on each school and district's re-~~  
 14 ~~port card as required by the state board of education and published~~  
 15 ~~by the state department of education; and~~

16 ~~(x) Include a report of progress toward the previous year's im-~~  
 17 ~~provement goals.~~

18 (c) ~~The annual continuous improvement strategic plan must be reviewed~~  
 19 ~~and updated annually submitted to the state board of education no later~~  
 20 ~~than October 1 each year.~~

21 (d) ~~The board of trustees or the board of directors shall continuously~~  
 22 ~~monitor receive quarterly reports from the district superintendent~~  
 23 ~~or administrator of a public charter school that demonstrate progress~~  
 24 ~~toward the goals by utilizing relevant data to measure growth in the~~  
 25 ~~strategic plan. The progress shall be included in evaluations of the~~  
 26 ~~district superintendent or administrator of a public charter school.~~

27 (3) ~~The plan must be made available to the public and shall be posted on~~  
 28 ~~the school district or charter school website.~~

29 (4) ~~The training for a school district board of trustees or board of di-~~  
 30 ~~rectors for a public charter school, as outlined in section 33-527, Idaho~~  
 31 ~~Code, shall support the efforts of the strategic plan.~~

32 ~~(4) (5) Of the moneys appropriated in the public schools educational~~  
 33 ~~support program, up to six thousand six hundred dollars (\$6,600) shall be~~  
 34 ~~distributed to each school district and public charter school to be expended~~  
 35 ~~for training purposes for district superintendents and boards of trustees,~~  
 36 ~~public charter school administrators and boards of directors. Funds shall~~  
 37 ~~be distributed on a reimbursement basis based on a process prescribed by the~~  
 38 ~~superintendent of public instruction. Qualified training shall include~~  
 39 ~~training for continuous improvement processes and planning, strategic plan-~~  
 40 ~~ning, finance, superintendent evaluations, public charter administrator~~  
 41 ~~evaluations, ethics and governance, and other such training specified in~~  
 42 ~~section 33-527, Idaho Code.~~

43 ~~(5) (6) The state board of education shall be granted rulemaking au-~~  
 44 ~~thority to establish appropriate procedures, qualifications and guidelines~~  
 45 ~~for qualified training providers and shall prepare a list of qualified~~  
 46 ~~training providers within the state of Idaho.~~

47 ~~(6) (7) (a) There is hereby established in the office of the state board~~  
 48 ~~of education a state commission for education excellence, the purpose~~  
 49 ~~of which will be to study and discuss continuous improvement strategic~~  
 50 ~~plans established pursuant to this section and measurable student~~

1 ~~achievement outcomes~~ and student success indicators described in sec-  
2 tion 33-1001, Idaho Code, that have been submitted to the state. The  
3 members of the commission shall include:

4 (i) One (1) representative of the state board of education, ap-  
5 pointed by such board;

6 (ii) One (1) representative of the state department of education,  
7 appointed by such department;

8 (iii) One (1) representative of the office of the governor, ap-  
9 pointed by the governor;

10 (iv) One (1) representative of business and industry, appointed  
11 by the division of career technical education;

12 (v) Two (2) members of the majority caucus and one (1) member of  
13 the minority caucus in the senate, appointed by the president pro  
14 tempore of the senate;

15 (vi) Two (2) members of the majority caucus and one (1) member of  
16 the minority caucus in the house of representatives, appointed by  
17 the speaker of the house of representatives;

18 (vii) One (1) parent of a public school student, appointed by the  
19 governor;

20 (viii) One (1) person who has been recognized as the Idaho teacher  
21 of the year, appointed by the governor;

22 (ix) One (1) representative of the Idaho school boards associa-  
23 tion, appointed by such association; and

24 (x) One (1) representative of the Idaho association of school ad-  
25 ministrators, appointed by such association.

26 (b) The commission shall be staffed by the office of the state board of  
27 education. Additional staff support from the legislative services of-  
28 fice may be provided as needed.

29 (c) It is the intent of the legislature that the state commission  
30 for education excellence analyze the measurable student ~~achievement~~  
31 ~~outcome~~ data and ~~continuous improvement strategic~~ plans in the vari-  
32 ous districts and public charter schools in Idaho and then discuss and  
33 consider changes in statute or rule that could enhance outcomes. The  
34 commission shall determine some high-performing schools and districts,  
35 work to leverage their best practices to the rest of the state, and  
36 listen to ideas regarding defining and celebrating successes in stu-  
37 dent ~~achievement outcomes~~. The commission shall meet at least twice  
38 annually. One (1) meeting shall be held in the fall for the purpose of  
39 studying and discussing the ~~continuous improvement strategic~~ plans'  
40 performance measures and benchmarks, and one (1) meeting shall be held  
41 in the summer, after data for the prior academic year have been compiled  
42 and submitted to the commission, to review reports on statewide student  
43 success indicator achievement metrics submitted to the commission by  
44 the state department of education and to discuss possible ways to im-  
45 prove desired student outcomes. All such data and related statewide  
46 reports shall also be provided to all legislators in Idaho not serv-  
47 ing on the commission. A school district's or public charter school's  
48 ~~continuous improvement strategic~~ plan shall show how the measurable  
49 student ~~achievement outcomes~~ and student success indicator targets are  
50 aligned with the ~~continuous improvement strategic~~ plan described in

1 this section. The ~~continuous improvement strategic~~ plan shall be sub-  
 2 mitted to the state board of education or the board's designee no later  
 3 than October 1 of each year.

4 SECTION 2. That Chapter 5, Title 33, Idaho Code, be, and the same is  
 5 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
 6 ignated as Section 33-527, Idaho Code, and to read as follows:

7 33-527. TRAINING FOR BOARD MEMBERS. (1) For purposes of this section,  
 8 "board member" means a person serving on a school district board of trustees  
 9 or a board of directors for a public charter school.

10 (2) Each board member, within sixty (60) days of election or appoint-  
 11 ment, shall undergo training on the duties of a board member. Initial train-  
 12 ing topics shall include but not be limited to the following:

- 13 (a) The role of the board member;
- 14 (b) Data literacy, including how to read and understand student outcome  
 15 data and how to structure board meetings to review student outcome data  
 16 at regular intervals;
- 17 (c) Board-driven goal setting to improve student outcomes;
- 18 (d) Methods of evaluating a district superintendent or charter school  
 19 administrator;
- 20 (e) Media training; and
- 21 (f) The Idaho open meetings law and Idaho public records act.

22 (3) Each school district board of trustees and board of directors for  
 23 a public charter school shall undergo biennial training related to strate-  
 24 gic planning, managing transparent board meetings, and school finance, in-  
 25 cluding essential knowledge when considering bonds, supplemental levies,  
 26 and plant facility levies. The training shall be provided by the state de-  
 27 partment of education, the state department's designee, or a provider au-  
 28 thorized by the state department of education. Such trainings shall be con-  
 29 ducted by December 31, 2024, and biennially thereafter.

30 (4) The state department of education, its designee, or an authorized  
 31 provider shall offer optional training to persons interested in serving as  
 32 board members. The training shall be available electronically and include  
 33 duties of a board member and issues of current concern in public education.  
 34 This training shall be reimbursable for all board members duly elected,  
 35 though not yet sworn in.

36 SECTION 3. That Section 33-1809, Idaho Code, be, and the same is hereby  
 37 amended to read as follows:

38 33-1809. ACCOUNTABILITY AND ~~CONTINUOUS IMPROVEMENT~~ STUDENT ACHIEVE-  
 39 MENT. (1) In recognition of the critical role leadership plays in creating  
 40 a culture in our schools around ~~continuous improvement student achieve-~~  
 41 ment, it is the intent of the legislature to provide local school boards of  
 42 trustees and charter school boards of directors with the resources necessary  
 43 to work effectively with school leadership ~~to set goals and growth targets~~  
 44 in identifying student growth goals.

45 (2) All newly elected or appointed board members shall participate in  
 46 at least one (1) board member orientation, administered in conjunction with  
 47 the training required pursuant to section 33-527, Idaho Code, focused on:

1 (a) State and school district or charter school resources available for  
2 literacy intervention and improvements;

3 (b) School, district, and state level data available to track progress  
4 on student literacy proficiency and growth toward proficiency; and

5 (c) How to set measurable goals for improving student proficiency.

6 ~~(3) Every board of trustee member or charter school director shall par-~~  
7 ~~ticipate in the literacy intervention orientation and training by June 30,~~  
8 ~~2023, or as provided by the state board of education thereafter.~~

9 ~~(4)~~ (3) School districts and charter schools shall set annual literacy  
10 proficiency and growth targets for students in kindergarten through grade 3.

11 ~~(5)~~ (4) Literacy proficiency and growth targets shall align with the  
12 ~~continuous improvement strategic~~ plan goals and targets of the school dis-  
13 trict or charter school and the framework for schools to achieve statewide  
14 literacy growth targets. Goal-setting and growth targets shall be based on  
15 comparisons between similar cohorts of students in similar school buildings  
16 ~~and, school districts, and charter schools.~~

17 ~~(6)~~ (5) There shall be a statewide dashboard available for school per-  
18 sonnel, parents, the governor, and the legislature to use to view progress  
19 toward the school's literacy proficiency and growth targets and statewide  
20 progress toward the statewide literacy growth targets set by the state board  
21 of education. Information shall be available by school level based on like  
22 cohorts of students in similar schools and school districts.

23 SECTION 4. That Section 33-1001, Idaho Code, be, and the same is hereby  
24 amended to read as follows:

25 33-1001. DEFINITIONS. As used in this chapter:

26 (1) "Administrative schools" means and applies to all elementary  
27 schools and kindergartens within a district that are situated ten (10) miles  
28 or less from both the other elementary schools and the principal administra-  
29 tive office of the district and all secondary schools within a district that  
30 are situated fifteen (15) miles or less from other secondary schools of the  
31 district.

32 (2) "Administrative staff" means those who hold an administrator cer-  
33 tificate and are employed as a superintendent, an elementary or secondary  
34 school principal, or are assigned administrative duties over and above those  
35 commonly assigned to teachers.

36 (3) "At-risk student" means a student in grades 6 through 12 who:

37 (a) Meets at least three (3) of the following criteria:

38 (i) Has repeated at least one (1) grade;

39 (ii) Has absenteeism greater than ten percent (10%) during the  
40 preceding semester;

41 (iii) Has an overall grade point average less than 1.5 on a 4.0  
42 scale prior to enrolling in an alternative secondary program;

43 (iv) Has failed one (1) or more academic subjects in the past year;

44 (v) Is below proficient, based on local criteria, standardized  
45 tests, or both;

46 (vi) Is two (2) or more credits per year behind the rate required  
47 to graduate or for grade promotion; or

48 (vii) Has attended three (3) or more schools within the previous  
49 two (2) years, not including dual enrollment; or

- 1 (b) Meets any of the following criteria:  
2 (i) Has documented substance abuse or a pattern of substance  
3 abuse;  
4 (ii) Is pregnant or a parent;  
5 (iii) Is an emancipated youth or unaccompanied youth;  
6 (iv) Is a previous dropout;  
7 (v) Has a serious personal, emotional, or medical issue or is-  
8 sues;  
9 (vi) Has a court or agency referral; or  
10 (vii) Demonstrates behavior detrimental to the student's academic  
11 progress.
- 12 (4) "Average daily attendance" or "pupils in average daily attendance"  
13 means the aggregate number of days enrolled students are present, divided by  
14 the number of days of school in the reporting period; provided, however, that  
15 students for whom no Idaho school district is a home district shall not be  
16 considered in such computation.
- 17 (5) "Career ladder" means the compensation table used for determining  
18 the allocations districts receive for instructional staff and pupil service  
19 staff based on specific performance criteria and is made up of a residency  
20 compensation rung and a professional compensation rung.
- 21 (6) "Child with a disability" means a child evaluated as having an  
22 intellectual disability, a hearing loss including deafness, a speech or  
23 language impairment, a visual impairment including blindness, an emo-  
24 tional behavioral disorder, an orthopedic impairment, autism, a traumatic  
25 brain injury, another health impairment, a specific learning disability,  
26 deaf-blindness, or multiple disabilities and who, by reason thereof, needs  
27 special education and related services.
- 28 (7) "Compensation rung" means the rung on the career ladder that corre-  
29 sponds with the compensation level performance criteria.
- 30 (8) "Economically disadvantaged student" means a student who:  
31 (a) Is eligible for a free or reduced-price lunch under the Richard B.  
32 Russell national school lunch act, 42 U.S.C. 1751 et seq., excluding  
33 students who are eligible only through a school's community eligibility  
34 program;  
35 (b) Resides with a family receiving assistance under the program of  
36 block grants to states for temporary assistance for needy families  
37 (TANF) established under part A of title IV of the social security act,  
38 42 U.S.C. 601 et seq.;
- 39 (c) Is eligible to receive medical assistance under the medicaid pro-  
40 gram under title XIX of the social security act, 42 U.S.C. 1396 et seq.;
- 41 or  
42 (d) Is considered homeless for purposes of the federal McKinney-Vento  
43 homeless assistance act, 42 U.S.C. 11301 et seq.
- 44 (9) "Elementary grades" or "elementary average daily attendance" means  
45 and applies to students enrolled in grades 1 through 6, inclusive, or any  
46 combination thereof.
- 47 (10) "Elementary schools" are schools that serve grades 1 through 6, in-  
48 clusive, or any combination thereof.
- 49 (11) "Elementary/secondary schools" are schools that serve grades 1  
50 through 12, inclusive, or any combination thereof.

1 (12) "English language learner" or "ELL" means a student who does not  
2 score proficient on the English language development assessment established  
3 by rule of the state board of education.

4 (13) "Gifted and talented" shall have the same meaning as provided in  
5 section 33-2001(4), Idaho Code.

6 (14) "Homebound student" means any student who would normally and regu-  
7 larly attend school but is confined to home or hospital because of an illness  
8 or accident for a period of ten (10) or more consecutive days.

9 (15) "Instructional staff" means those who hold an Idaho certificate  
10 issued under section 33-1201, Idaho Code, and who are either involved in the  
11 direct instruction of a student or group of students or who serve in a mentor  
12 or teacher leader position for individuals who hold an Idaho certificate  
13 issued under section 33-1201, Idaho Code.

14 (16) "Kindergarten" or "kindergarten average daily attendance" means  
15 and applies to all students enrolled in a school year, less than a school  
16 year, or summer kindergarten program.

17 (17) "Local salary schedule" means a compensation table adopted by a  
18 school district or public charter school, which table is used for determin-  
19 ing moneys to be distributed for instructional staff and pupil service staff  
20 salaries. Minimum compensation provided under a local salary schedule shall  
21 be at least equal to the minimum amounts established pursuant to section  
22 33-1004E, Idaho Code.

23 (18) "Measurable student achievement" means the measurement of student  
24 academic achievement or growth within a given interval of instruction for  
25 those students who have been enrolled in and attended eighty percent (80%)  
26 of the interval of instruction. Measures and targets shall be chosen at the  
27 school level in collaboration with the staff member impacted by the measures  
28 and applicable district staff and approved by the school board. Measures  
29 and targets must also align with the performance measures and benchmarks  
30 in the ~~continuous improvement~~ strategic plan described in section 33-320,  
31 Idaho Code. The most effective measures and targets are those generated as  
32 close to the actual work as possible. Targets may be based on grade- or de-  
33 partment-level achievement or growth goals that create collaboration within  
34 groups. Individual measurable student achievement targets and the percent-  
35 age of students meeting individual targets must be reported annually to the  
36 state. Assessment tools that may be used for measuring student achievement  
37 and growth include:

38 (a) Idaho standards achievement test (ISAT), including interim ISAT  
39 assessments;

40 (b) Student learning objectives;

41 (c) Teacher-constructed assessments of student growth;

42 (d) Pre- and post-tests, including district-adopted tests;

43 (e) Performance-based assessments;

44 (f) Idaho reading indicator, which will be one (1) of the required as-  
45 sessment tools for applicable staff;

46 (g) College entrance exams or preliminary college entrance exams such  
47 as PSAT, SAT, PACT, and ACT;

48 (h) Advanced placement exams;

49 (i) Career technical exams;

1 (j) Number of business or industry certificates or credentials earned  
2 by students in an approved career technical education program;

3 (k) Number of students completing career technical education capstone  
4 courses; and

5 (l) Number of students enrolled in career technical education courses  
6 that are part of a program that culminates with business or industry  
7 certificates or credentials.

8 (19) "Performance criteria" means the standards specified for instruc-  
9 tional staff and pupil service staff to demonstrate teaching proficiency for  
10 a given compensation rung. Each element of the professional compensation  
11 rung and advanced professional compensation rung performance criteria, as  
12 identified in this section and as applicable to a staff member's position,  
13 shall be documented, reported, and subject to review for determining move-  
14 ment on the career ladder.

15 (20) (a) "Professional compensation rung performance criteria" means:

16 (i) An overall rating of proficient or higher, and no components  
17 rated as unsatisfactory, on the state framework for teaching eval-  
18 uation or equivalent for pupil service staff or principal or other  
19 school level administrator evaluation aligned to the state frame-  
20 work for teaching evaluation; and

21 (ii) Demonstrating the majority of students have met measurable  
22 student achievement targets or student success indicator targets.

23 (b) "Advanced professional compensation rung performance criteria"  
24 means:

25 (i) An overall rating of proficient or higher, no components  
26 rated as unsatisfactory or basic, and rated as distinguished  
27 overall in domain two -- classroom environment or domain three  
28 -- instruction and use of assessment on the state framework for  
29 teaching evaluation or equivalent for pupil service staff or prin-  
30 cipal or other school level administrator evaluation aligned to  
31 the state framework for teaching evaluation; and

32 (ii) Demonstrating seventy-five percent (75%) or more of their  
33 students have met their measurable student achievement targets or  
34 student success indicator targets.

35 (21) "Public school district" or "school district" or "district" means  
36 any public school district organized under the laws of this state, including  
37 specially chartered school districts.

38 (22) "Pupil service staff" means those who provide services to stu-  
39 dents, but are not involved in direct instruction of those students, and hold  
40 a pupil personnel services certificate.

41 (23) "School board" means a school district board of trustees or the  
42 board of directors of a public charter school.

43 (24) "Secondary grades" or "secondary average daily attendance" means  
44 and applies to students enrolled in grades 7 through 12, inclusive, or any  
45 combination thereof.

46 (25) "Secondary schools" are schools that serve grades 7 through 12, in-  
47 clusive, or any combination thereof.

48 (26) "Separate elementary school" means an elementary school located  
49 more than ten (10) miles on an all-weather road from both the nearest elemen-  
50 tary school and elementary/secondary school serving like grades within the



1 same school district and from the location of the office of the superinten-  
2 dent of schools of such district, or from the office of the chief administra-  
3 tive officer of such district if the district employs no superintendent of  
4 schools.

5 (27) "Separate kindergarten" means a kindergarten located more than ten  
6 (10) miles on an all-weather road from both the nearest kindergarten school  
7 within the same school district and from the location of the su-  
8 perintendent of schools of such district, or from the office of the chief ad-  
9 ministrative officer of such district if the district employs no superinten-  
10 dent of schools.

11 (28) "Separate secondary school" means any secondary school located  
12 more than fifteen (15) miles on an all-weather road from any other secondary  
13 school and elementary/secondary school serving like grades operated by the  
14 district.

15 (29) "Special education" means specially designed instruction or  
16 speech/language therapy at no cost to the parent to meet the unique needs  
17 of a student who is a child with a disability, including instruction in the  
18 classroom, the home, hospitals, institutions, and other settings; instruc-  
19 tion in physical education; speech therapy and language therapy; transition  
20 services; travel training; assistive technology services; and vocational  
21 education.

22 (30) "Student learning plan" means a plan that outlines a student's pro-  
23 gram of study, which should include a rigorous academic core and a related  
24 sequence of electives in academics, career technical education, or humani-  
25 ties aligned with the student's post-graduation goals.

26 (31) "Student success indicators" means measurable indicators of  
27 student achievement or growth, other than academic, within a predefined in-  
28 terval of time for a specified group of students. Measures and targets shall  
29 be chosen at the district or school level in collaboration with the pupil  
30 service staff member impacted by the measures and applicable district staff.  
31 Individual measurable student achievement targets and the percentage of  
32 students meeting each target must be reported annually to the state. Student  
33 success indicators include:

34 (a) Quantifiable goals stated in a student's 504 plan or individualized  
35 education plan.

36 (b) Quantifiable goals stated in a student's behavior improvement  
37 plan.

38 (c) School- or district-identified measurable student objectives for a  
39 specified student group or population.

40 (d) The percentage of students who create student learning plans in  
41 grade 8 or who annually update their student learning plans thereafter.

42 (e) The percentage of students who satisfactorily complete one (1) or  
43 more advanced opportunities options as identified in section 33-4602,  
44 Idaho Code, or who earn business or industry certificates or creden-  
45 tials. This indicator shall be one (1) of the required indicators for  
46 applicable staff.

47 (32) "Support program" means the educational support program as de-  
48 scribed in section 33-1002, Idaho Code, the transportation support program  
49 described in section 33-1006, Idaho Code, and the exceptional education  
50 support program as described in section 33-1007, Idaho Code.

1 (33) "Support unit" means a function of average daily attendance used  
2 in the calculations to determine financial support provided to the public  
3 school districts.

4 (34) "Teacher" means any person employed in a teaching, instructional,  
5 supervisory, educational administrative or educational and scientific ca-  
6 pacity in any school district. In case of doubt, the state board of educa-  
7 tion shall determine whether any person employed requires certification as a  
8 teacher.

9 SECTION 5. That Section 33-4804, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 33-4804. PUBLIC SCHOOL DIGITAL CONTENT AND CURRICULUM FUND. (1) There  
12 is hereby established in the state treasury the public school digital con-  
13 tent and curriculum fund, to be administered by the state department of edu-  
14 cation, which shall make available moneys in the fund, subject to appropri-  
15 ation, for schools to provide Idaho classrooms, including classrooms at the  
16 Idaho bureau of educational services for the deaf and the blind, with digi-  
17 tal content and curriculum that directly impact student achievement and im-  
18 prove performance. Curriculum programs shall be designed to enhance out-  
19 comes for students in career technical education, character education, en-  
20 richment activities, reading and mathematics, and activities that increase  
21 grade-to-grade promotion and enhance career and college readiness. Moneys  
22 from the fund may also be spent on academic text support systems that in-  
23 clude authentic fiction and nonfiction books, provide reader supports, pro-  
24 vide teaching tools, and promote parent engagement. Moneys in the fund shall  
25 consist of legislative appropriations and are continuously appropriated for  
26 the purposes identified in this section. Any interest earned on idle moneys  
27 in the fund shall be returned to the fund.

28 (2) Subject to availability, moneys in the fund shall be distributed  
29 at the request of a local education agency (LEA) and shall be based on the  
30 amount requested. A single request must not exceed fifty thousand dollars  
31 (\$50,000). Distributions from the fund shall be made on a first-come, first-  
32 served basis to LEAs that meet the criteria outlined in this subsection. If  
33 an LEA meets such criteria but a distribution cannot be made due to lack of  
34 available moneys, such LEA's request shall be prioritized, in the order re-  
35 ceived, once moneys become available. Two (2) or more LEAs may jointly re-  
36 quest a distribution. To qualify for funding, an LEA must:

37 (a) Have technology infrastructure in place to facilitate usage of the  
38 digital content and curriculum; and

39 (b) Submit an explanation for how the distribution will be used to  
40 improve performance and enhance student achievement. Explanations  
41 should include:

42 (i) The amount of moneys requested;

43 (ii) The type of content or curriculum to be purchased;

44 (iii) How the purchase will assist the LEA in meeting its identi-  
45 fied measurable targets from its ~~continuous improvement~~ strategic  
46 plan as described in section 33-320, Idaho Code; and

47 (iv) How progress toward those targets will be measured.

1           (3) Additional distributions shall be granted to an LEA only if, after  
2 the initial distribution, the LEA has met or is making demonstrable progress  
3 toward its measurable targets.

4           SECTION 6. An emergency existing therefor, which emergency is hereby  
5 declared to exist, this act shall be in full force and effect on and after  
6 July 1, 2024.