



2017 Legislative Session

Summary of K-12 Public Education Legislation and Funding

Accountability

Senate Bill 1018: Repeals Chapter 45, Title 33 Idaho Code relating to outdated school accountability report cards. Accountability requirements are now established in IDAPA 08.02.03.112.

IDAPA 08.02.03.112 – Accountability: Adds into rule measures of student academic achievement and school quality starting in the 2017-2018 school year, which will satisfy both state and federal accountability requirements. The new accountability system divides schools into three categories, K-8, high school, and alternative high school.

LEA action: None at this time; reporting details will be shared with the LEAs as they are finalized.

Advanced Opportunities

Senate Bill 1029: Clarifies that career technical education courses may be eligible for dual credit.

Appropriation: Additional \$1 million for students to use for Advanced Opportunities.

Advising

House Bill 262: Increases the distribution that each LEA will receive in the college and career advising line item, commensurate with the additional \$2 million appropriation.

Attendance Waiver

House Bill 242: Authorizes the State Board of Education to grant a waiver of the minimum instructional hours required in Section 33-512, Idaho Code in the case of a natural disaster and a declared county or state emergency.

LEA action: LEAs who are not able to make up lost instructional hours (after taking into account the preexisting flexibility allowed) due to the severe winter storms or flooding without significantly extending the schedule into the summer may apply for a waiver of the required instructional hours.

Background Checks

Senate Bill 1094: Authorizes the State Department of Education to share the results of a new teacher's criminal history check with the employing LEA if requested within six months to avoid the need for a second background check.

Certification and Endorsements

IDAPA 08.02.02.14-24 – Certificates and endorsements: Restructures all instructional certifications (Standard Elementary, Standard Secondary, Exceptional Child, Blended Early Childhood Education/Early Childhood Special Education) into one Standard Instructional Certificate. This change removes the grade range limitations of the previous certificates, allowing the subject areas and grade ranges to be governed by the endorsements.



Charter Schools

House Bill 241: Makes several changes to the charter petitioning process to shorten the time required to open a new charter school, including removing the requirement for a formal hearing by the school district in which the proposed charter school is located prior to seeking an alternate authorizer. The bill also combines the State Department of Education's sufficiency review and the Public Charter School Commission's petition review.

House Bill 254: Removes term limits for Idaho Public Charter School Commission members in order to retain institutional memory as charter school petition renewals begin.

Senate Bill 1030: Clarifies that students enrolled in a charter school may be dually enrolled in either a traditional school or another charter school when the dual enrolled student resides within the schools' attendance area. Students who are dual enrolled in a charter school do not count towards the charter school's maximum enrollment restriction, however, this provision may not be used to circumvent a charter school's lottery requirements.

Content Standards

IDAPA 08.02.03.004 – Incorporates updated or new content standards into rule as follows:

- **Arts and Humanities, English Language Arts/Literacy, Health, Mathematics, Physical Education, and Social Studies:** Minor changes.
- **Computer Science:** Brand new content standards.
- **Science:** Significantly improved and modernized standards with the exception of references to climate change, which will be revisited this year through negotiated rulemaking.

Contracting

House Bill 199: Clarifies "Pay for Success Contracting," a process through which the State Department of Education may determine whether to enter into contracts for approved services for willing LEAs where the contract is paid – from a pre-determined line item source agreed upon by the LEA and held in escrow – based on mutually agreed upon performance targets and efficacy standards.

Evaluation

IDAPA 08.02.02.120 – Local LEA evaluation policy: Makes clarifications to teacher evaluation requirements, including aligning the certificated staff evaluations regarding student achievement with the student achievement requirements that are part of the career ladder.

Appropriation: \$1 million for evaluation support to the State Board of Education.

Funding Formula

House Concurrent Resolution 12: Continues the Public School Funding Formula Interim Committee to review the current public school funding formula and make recommended changes.



Graduation Requirements

IDAPA 08.02.02.105 – High school graduation requirements:

- Removes the requirement that students must be proficient or advanced (or complete an alternative path) on the ISAT in order to graduate from high school.
- Clarifies that all students in grades seven through twelve may participate in a LEA’s alternative path for determining whether a student has met the state civics and government content standards pursuant to 33-1602, Idaho Code (civics assessment).

LEA action: May determine a method for students to demonstrate proficiency in the state civics and government content standards that is different than passing the civics test used by the United States citizenship and immigration services. Regardless of assessment used, LEAs determine the level of performance for determining that a student has completed or passed the alternate path or passing the assessment.

Literacy

IDAPA 08.02.01.801 – Literacy Intervention Plans: *see *Reporting*

IDAPA 08.02.01.802 – Literacy growth targets: Establishes state level literacy growth targets pursuant to 33-1616, Idaho Code (literacy intervention).

Appropriation: \$100,000 for field testing the new Idaho Reading Indicator assessment.

Online Programs

House Bill 228: Broadens the requirements for the resources that will be available as part of the online course portal created in Section 33-1024, Idaho Code. New requirements include portals for online k-12 and dual credit courses, adult education, and parent resources.

Public Education Stabilization Fund

Senate Bill 1041: Adds a requirement that the Joint Finance and Appropriations Committee consider replenishing the Public Education Stabilization Fund (PESF) dollars through a supplemental appropriation during any fiscal year that funds are withdrawn.

Pay and Support Units

House Bill 113: Reduces the minimum age from 62 to 60 at which a retired teacher or administrator, who is not receiving a reduced retirement benefit for early retirement, may return to work at any time, regardless of the length of the break in service, and not have their Public Employee Retirement System of Idaho (PERSI) benefit reduced.

House Bill 253: Clarifies the definition of “Instructional Staff” to include teachers serving as a teacher mentor or teacher leader. Clarifies that the existing career ladder compensation rung performance criteria must be reported to the State Department of Education annually for the Department to



calculate movement on the career ladder. The existing criteria defined in Section 33-1001, Idaho Code consist of:

- An overall rating of proficient, and no components rated as unsatisfactory on the state framework for teaching evaluation.
- Demonstrating the majority of their students have met their measurable student achievement targets or student success indicator targets.

Senate Bill 1059: Adds pupil service staff to the master teacher premium, and renamed it to the master educator premium, to go into effect fiscal year 2020.

Appropriation: Additional \$62 million increase for the third year of the career ladder teacher compensation system.

Appropriation: Additional \$23 million to maintain and increase discretionary funding by 4.1% to \$26,748 per support unit, which includes \$10 million for health insurance costs.

Appropriation: Additional \$6.9 million for a 3% base salary increase for administrators and classified staff, which are categories of employees not on the career ladder.

Reporting

IDAPA 08.02.01.801 – Continuous improvement plan requirements: Sets statewide student readiness and improvement metrics (Section 33-320, Idaho Code), literacy intervention plan requirements (Section 33-1616, Idaho Code), and College and Career Advising and Mentoring Plan requirements (Section 33-1212A, Idaho Code). Plan templates may be found at the State Board of Education website.

IDAPA 08.02.02.111 – Bullying: Clarifies a requirement to report annually, at the end of each school year, instances of bullying to the State Department of Education pursuant to 33-1631, Idaho Code.

LEA action: Utilize updated reporting resources from the State Department of Education and the State Board of Education.

Scholarships

House Bill 257: Allows for business or industry to hold funds in a postsecondary institution's foundation for use as matching scholarships toward the state's Postsecondary Credit Scholarship.

Special Education

House Bill 43: Directs the Department of Health and Welfare to provide coverage for children under 18 with serious emotional disturbance and a family income up to 300% of the federal poverty level and meet the Department of Health and Welfare's other eligibility standards.

IDAPA 08.02.03.004 – Incorporated by reference documents: Incorporates the Idaho Special Education Manual into rule.



STEM

House Bill 70: Directs the State Board of Education to establish STEM school standards in collaboration with the STEM Action Center. Schools or programs meeting the minimum STEM standards may be designated as STEM schools or programs.

Appropriation: Additional \$6.5 million for the STEM Action Center.

Technology and Technology Infrastructure

House Bill 186: Clarifies that recommendations regarding wireless LAN parameters are included within the scope of the Education Opportunity Resource Committee responsibilities, and addresses requirements for the establishment of a reimbursement methodology for E-rate funding.

Senate Bill 1034: Enables implementation of Broadband Infrastructure and Improvement Grants by bringing Idaho Code into compliance with Federal Communication Commission requirements. Removes the requirement that eligible construction projects must contain a provision that the provider will make any dark fiber laid available for use by any other provider.

Appropriation: Additional \$5,000,000 for the new technology line item.

Appropriation: Additional \$5 million for IT staffing.

Transportation

Senate Bill 1123: Allows the State Department of Education to reimburse LEAs for “yellow bus” miles associated with transporting students to and from approved school activities under the transportation support program.

House and Senate bills make changes to Idaho Code. To review 2017 bills in their entirety, visit: <https://legislature.idaho.gov/sessioninfo/2017/legislation>.

Idaho Administrative Procedure Act (IDAPA) changes are made in accordance with negotiated rulemaking procedures and under the rulemaking authority of the State Board of Education. To review 2017 rule changes in their entirety, visit https://adminrules.idaho.gov/legislative_books/2017 and navigate to Education Committee. Official codified administrative rules may be reviewed at <https://adminrules.idaho.gov/rules/current/08/index.html>.

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Public Schools Budget Summary

House Bills 284 – 290:

	FY 2017 Original Approp	FY 2018 Approp Bills
Source of Funds		
General Fund	\$ 1,584,669,400	\$ 1,685,262,200
Dedicated Funds	\$ 77,4962,200	\$ 91,637,700
Federal Funds	\$ 264,338,500	\$ 264,338,500
Total Appropriation	\$ 1,926,504,100	\$ 2,041,238,400
General Fund Percent Change		6.3%
Total Funds Percent Change		6.0%

House Bills 284 through 290 include a \$100.6 million, or a 6.3% increase, from the General Fund over the current fiscal year 2017.

New funding includes:

- \$62 million increase for the third year of the career ladder compensation system
- \$23 million to maintain and increase discretionary funding by 4.1% to \$26,748 per support unit, which includes \$10 million for health insurance costs
- \$6.9 million for a 3% base salary increase for administrators and classified staff, which are categories of employees not on the career ladder
- \$5 million increase for classroom technology, totaling \$18.14 million in a new combined Technology (Classroom, Wireless Infrastructure, IMS Maintenance) line item
- \$5 million increase for information technology (IT) staffing, bringing the amount available to \$7.5 million
- \$4.25 million increase for professional development, totaling \$17.25 million to be distributed to LEAs
- \$2 million increase to college and career advising, totaling \$7 million to be distributed to LEAs
- \$1 million for students to use for Advanced Opportunities, totaling \$7 million

Senate Bill 1170: Includes \$100,000 from the General Fund for the first year of a five-year plan to redesign the Idaho Reading Indicator assessment for K-3 students.