

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 285

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO EDUCATION; AMENDING SECTION 33-1001, IDAHO CODE, TO DEFINE
2 TERMS AND TO REVISE DEFINITIONS; AMENDING SECTION 33-1002, IDAHO CODE,
3 TO PROVIDE AMOUNTS NEEDED FOR STATE SUPPORT OF THE MASTER TEACHER PRE-
4 MIUMS AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-1004,
5 IDAHO CODE, TO REVISE AND TO ESTABLISH ADDITIONAL PROVISIONS RELATING
6 TO STAFF ALLOWANCE AND TO PROVIDE CORRECT CODE REFERENCES; AMENDING
7 SECTION 33-1004A, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE EX-
8 PERIENCE AND EDUCATION MULTIPLIER, TO REMOVE PROVISIONS RELATING TO
9 THE STATEWIDE AVERAGE MULTIPLIER FOR INSTRUCTIONAL STAFF, TO PROVIDE
10 THAT ON A CERTAIN DATE PUPIL SERVICE STAFF SHALL BE DEEMED INSTRUCTIONAL
11 STAFF FOR CERTAIN PURPOSES AND TO MAKE TECHNICAL CORRECTIONS; AMEND-
12 ING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION
13 33-1004B, IDAHO CODE, TO PROVIDE FOR A CAREER LADDER FOR INSTRUCTIONAL
14 STAFF, TO PROVIDE ALLOCATION AMOUNTS, TO PROVIDE REQUIREMENTS RELATING
15 TO PLACEMENT ON THE CAREER LADDER, TO PROVIDE FOR ADDITIONAL EDUCATION
16 ALLOCATION AMOUNTS AND TO PROVIDE FOR AN ANNUAL REVIEW OF CERTAIN EVAL-
17 UATIONS; AMENDING CHAPTER 10, TITLE 33, IDAHO CODE, BY THE ADDITION
18 OF A NEW SECTION 33-1004B, IDAHO CODE, TO PROVIDE FOR A CAREER LADDER
19 FOR INSTRUCTIONAL STAFF, TO PROVIDE ALLOCATION AMOUNTS, TO PROVIDE RE-
20 QUIREMENTS RELATING TO PLACEMENT ON THE CAREER LADDER, TO PROVIDE FOR
21 ADDITIONAL EDUCATION ALLOCATION AMOUNTS AND TO PROVIDE FOR AN ANNUAL
22 REVIEW OF CERTAIN EVALUATIONS; AMENDING SECTION 33-1004C, IDAHO CODE,
23 TO PROVIDE CORRECT CODE REFERENCES AND TO MAKE TECHNICAL CORRECTIONS;
24 AMENDING SECTION 33-1004E, IDAHO CODE, TO REVISE PROVISIONS RELATING
25 TO EACH DISTRICT'S SALARY-BASED APPORTIONMENT FOR INSTRUCTIONAL STAFF,
26 ADMINISTRATIVE STAFF AND CLASSIFIED STAFF, TO ESTABLISH PROVISIONS
27 RELATING TO DETERMINING EACH DISTRICT'S SALARY-BASED APPORTIONMENT
28 FOR PUPIL SERVICE STAFF, TO MAKE TECHNICAL CORRECTIONS AND TO PROVIDE
29 CORRECT CODE REFERENCES; AMENDING SECTION 33-1004F, IDAHO CODE, TO ES-
30 TABLISH ADDITIONAL PROVISIONS RELATING TO MASTER TEACHER PREMIUMS AND
31 OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENEFITS; AMENDING CHAP-
32 TER 10, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1004I,
33 IDAHO CODE, TO PROVIDE FOR MASTER TEACHER PREMIUMS, TO PROVIDE MINI-
34 MUM AND ADDITIONAL QUALIFICATIONS, TO PROVIDE A MASTER TEACHER PREMIUM
35 AMOUNT, TO DEFINE TERMS AND TO GRANT THE STATE BOARD OF EDUCATION RULE-
36 MAKING AUTHORITY; AMENDING SECTION 33-1004J, IDAHO CODE, TO PROVIDE
37 THAT CERTAIN STAFF ARE ELIGIBLE FOR LEADERSHIP PREMIUMS, TO PROVIDE
38 FOR A COMMITTEE, TO REMOVE A LEADERSHIP PRIORITY AND TO ESTABLISH AD-
39 DITIONAL REPORTING REQUIREMENTS; AMENDING CHAPTER 12, TITLE 33, IDAHO
40 CODE, BY THE ADDITION OF A NEW SECTION 33-1201A, IDAHO CODE, TO PROVIDE
41 FOR AN IDAHO PROFESSIONAL ENDORSEMENT AND ELIGIBILITY REQUIREMENTS,
42 TO PROVIDE THAT CERTAIN STAFF SHALL AUTOMATICALLY OBTAIN AN IDAHO
43 PROFESSIONAL ENDORSEMENT, TO GRANT THE BOARD OF EDUCATION RULEMAKING
44 AUTHORITY AND TO DEFINE A TERM; AMENDING SECTION 33-1204, IDAHO CODE, TO
45

1 PROVIDE THAT THE STATE BOARD OF EDUCATION SHALL SET FORTH CRITERIA FOR
 2 RENEWAL OF ADMINISTRATOR CERTIFICATES, TO PROVIDE RELATED REQUIREMENTS
 3 AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 33-515, IDAHO CODE,
 4 TO PROVIDE THAT CERTAIN STAFF MAY NOT BE PLACED ON A RENEWABLE CONTRACT
 5 STATUS, TO PROVIDE AN EXCEPTION AND TO PROVIDE A CORRECT CODE REFERENCE;
 6 PROVIDING A SUNSET DATE AND PROVIDING EFFECTIVE DATES.

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

8 SECTION 1. That Section 33-1001, Idaho Code, be, and the same is hereby
 9 amended to read as follows:

10 33-1001. DEFINITIONS. The following words and phrases used in this
 11 chapter are defined as follows:

12 (1) "Administrative schools" means and applies to all elementary
 13 schools and kindergartens within a district that are situated ten (10) miles
 14 or less from both the other elementary schools and the principal administra-
 15 tive office of the district and all secondary schools within a district that
 16 are situated fifteen (15) miles or less from other secondary schools of the
 17 district.

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

22 (3) "Average daily attendance" or "pupils in average daily attendance"
 23 means the aggregate number of days enrolled students are present, divided by
 24 the number of days of school in the reporting period; provided, however, that
 25 students for whom no Idaho school district is a home district shall not be
 26 considered in such computation.

27 (4) "Career ladder" means the compensation table used for determining
 28 the allocations districts receive for instructional staff based on specific
 29 performance criteria and is made up of a residency compensation rung and a
 30 professional compensation rung.

31 (5) "Compensation rung" means the rung on the career ladder that corre-
 32 sponds with the compensation level performance criteria.

33 (36) "Elementary grades" or "elementary average daily attendance"
 34 means and applies to students enrolled in grades one (1) through six (6) in-
 35 clusive, or any combination thereof.

36 (47) "Elementary schools" are schools that serve grades one (1) through
 37 six (6) inclusive, or any combination thereof.

38 (58) "Elementary/secondary schools" are schools that serve grades one
 39 (1) through twelve (12) inclusive, or any combination thereof.

40 (69) "Homebound student" means any student who would normally and reg-
 41 ularly attend school, but is confined to home or hospital because of an ill-
 42 ness or accident for a period of ten (10) or more consecutive days.

43 (10) "Instructional staff" means those involved in the direct instruc-
 44 tion of a student or group of students and who hold an Idaho certificate is-
 45 sued under section 33-1201, Idaho Code.

46 (711) "Kindergarten" or "kindergarten average daily attendance" means
 47 and applies to all students enrolled in a school year, less than school year,
 48 or summer kindergarten program.

1 (12) "Measurable student achievement" means the measurement of student
 2 academic achievement or growth within a given interval of instruction for
 3 those students who have been enrolled in and attended eighty percent (80%)
 4 of the interval of instruction. Measures and targets shall be chosen at the
 5 district level in collaboration with the teacher and applicable district
 6 staff. Assessment tools that may be used for measuring student achievement
 7 and growth include:

- 8 (a) Idaho standards achievement test;
- 9 (b) Student learning objectives;
- 10 (c) Formative assessments;
- 11 (d) Teacher-constructed assessments of student growth;
- 12 (e) Pre- and post-tests;
- 13 (f) Performance based assessments;
- 14 (g) Idaho reading indicator;
- 15 (h) College entrance exams such as PSAT, SAT and ACT;
- 16 (i) District adopted assessment;
- 17 (j) End of course exams;
- 18 (k) Advance placement exams; and
- 19 (l) Professional-technical exams.

20 (13) "Performance criteria" means the standards specified for instruc-
 21 tional staff to demonstrate teaching proficiency for a given compensation
 22 rung.

23 (14) "Professional compensation rung performance criteria" means:

- 24 (a) An overall rating of proficient and no components rated as unsatis-
 25 factory on the state framework for teaching evaluation; and
- 26 (b) Demonstrating the majority of their students have met their measur-
 27 able student achievement targets.

28 (15) "Public school district" or "school district" or "district" means
 29 any public school district organized under the laws of this state, including
 30 specially chartered school districts.

31 (16) "Pupil service staff" means those who provide services to students
 32 but are not involved in direct instruction of those students, including
 33 staff holding a pupil personnel services certificate.

34 (17) "Secondary grades" or "secondary average daily attendance" means
 35 and applies to students enrolled in grades seven (7) through twelve (12) in-
 36 clusive, or any combination thereof.

37 (18) "Secondary schools" are schools that serve grades seven (7)
 38 through twelve (12) inclusive, or any combination thereof.

39 (19) "Separate elementary school" means an elementary school which
 40 measured from itself, traveling on an all-weather road, is situated located
 41 more than ten (10) miles distance on an all-weather road from both the near-
 42 est elementary school and elementary/secondary school serving like grades
 43 within the same school district and from the location of the office of the
 44 superintendent of schools of such district, or from the office of the chief
 45 administrative officer of such district if the district employs no superin-
 46 tendent of schools.

47 (20) "Separate kindergarten" means a kindergarten which measured from
 48 itself, traveling on an all-weather road, is situated located more than ten
 49 (10) miles distance on an all-weather road from both the nearest kinder-
 50 garten school within the same school district and from the location of the

1 office of the superintendent of schools of such district, or from the office
 2 of the chief administrative officer of such district if the district employs
 3 no superintendent of schools.

4 (213) "Separate secondary school" means any secondary school ~~which is~~
 5 located more than fifteen (15) miles by on an all-weather road from any other
 6 secondary school and elementary/secondary school serving like grades oper-
 7 ated by the district.

8 (1422) "Support program" means the educational support program as de-
 9 scribed in section 33-1002, Idaho Code, the transportation support program
 10 described in section 33-1006, Idaho Code, and the exceptional education sup-
 11 port program as provided described in section 33-1007, Idaho Code.

12 (1523) "Support unit" means a function of average daily attendance
 13 used in the calculations to determine financial support provided the public
 14 school districts.

15 (1624) "Teacher" means any person employed in a teaching, instruc-
 16 tional, supervisory, educational administrative or educational and scien-
 17 tific capacity in any school district. In case of doubt the state board of
 18 education shall determine whether any person employed requires certifica-
 19 tion as a teacher.

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;

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

43 (g) Salary-based apportionment calculated as provided in sections
 44 33-1004 through 33-1004F, Idaho Code;

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

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

- 1 (j) For employee severance payments as provided in section 33-521,
2 Idaho Code;
- 3 (k) For distributions to the Idaho digital learning academy as provided
4 in section 33-1020, Idaho Code;
- 5 (l) For charter school facilities funds and reimbursements paid pur-
6 suant to section 33-5208(5), Idaho Code;
- 7 (m) For an online course portal as provided for in section 33-1024,
8 Idaho Code;
- 9 (n) For advanced opportunities as provided for in section 33-1626,
10 Idaho Code;
- 11 (o) For the "8 in 6 Program" as provided for in section 33-1628, Idaho
12 Code;
- 13 (p) For additional math and science courses for high school students as
14 provided in section 33-1021, Idaho Code;
- 15 (q) For leadership premiums as provided in section 33-1004J, Idaho
16 Code;
- 17 (r) For master teacher premiums as provided in section 33-1004I, Idaho
18 Code;
- 19 (s) For the support of provisions that provide a safe environment con-
20 ductive to student learning and maintain classroom discipline, an allo-
21 cation of \$300 per support unit; and
- 22 (~~s~~t) 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.

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. In
20 applying the kindergarten table to a kindergarten program of less days than
21 a full school year, the support unit allowance shall be in ratio to the num-
22 ber of days of a full school year. The attendance of students attending an
23 alternative secondary school in a school district reporting less than one
24 hundred (100) secondary students in average daily attendance shall not be
25 assigned to the alternative secondary table if the student is from a school
26 district reporting less than one hundred (100) secondary students in average
27 daily attendance, but shall instead be assigned to the secondary table of
28 the school district in which they are attending the alternative secondary
29 school, unless the alternative secondary school in question serves students
30 from multiple districts reporting less than one hundred (100) secondary
31 students in average daily attendance. The tables for exceptional educa-
32 tion and alternative school secondary support units shall be applicable
33 only for programs approved by the state department of education following
34 rules established by the state board of education. Moneys generated from
35 computation of support units for alternative schools shall be utilized for
36 alternative school programs. School district administrative and facility
37 costs may be included as part of the alternative school expenditures.

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

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

3 (a) (i) Divide the actual average daily attendance, excluding stu-
4 dents approved for inclusion in the exceptional child educational
5 program, for the administrative schools and each of the separate
6 schools and attendance units by the appropriate divisor from the
7 tables of support units in this section, then add the quotients
8 to obtain the district's support units allowance for regular stu-
9 dents, kindergarten through grade 12 including alternative school
10 secondary students. Calculations in application of this subsec-
11 tion shall be carried out to the nearest hundredth.

12 (ii) Divide the combined totals of the average daily attendance
13 of all preschool, kindergarten, elementary, secondary, juvenile
14 detention center students and students with disabilities approved
15 for inclusion in the exceptional child program of the district by
16 the appropriate divisor from the table for computation of excep-
17 tional education support units to obtain the number of support
18 units allowed for the district's approved exceptional child pro-
19 gram. Calculations for this subsection shall be carried out to the
20 nearest hundredth when more than one (1) unit is allowed.

21 (iii) The total number of support units of the district shall
22 be the sum of the total support units for regular students,
23 ~~subsection (6) paragraph (a) (i) of this subsection~~, and the sup-
24 port units allowance for the approved exceptional child program,
25 ~~subsection (6) paragraph (a) (ii) of this subsection~~.

26 (b) Total District Allowance Educational Program. Multiply the dis-
27 trict's total number of support units, carried out to the nearest hun-
28 dredth, by the state distribution factor per support unit and to this
29 product add the approved amount of programs of the district provided in
30 subsection (2) of this section to secure the district's total allowance
31 for the educational support program.

32 (c) District Share. The district's share of state apportionment is the
33 amount of the total district allowance, ~~subsection (6) paragraph (b) of~~
34 ~~this subsection~~.

35 (d) Adjustment of District Share. The contract salary of every non-
36 certificated teacher shall be subtracted from the district's share as
37 calculated from the provisions of ~~subsection (6) paragraph (c) of this~~
38 ~~subsection~~.

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

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

3 33-1004. STAFF ALLOWANCE. For each school district, a staff allowance
4 shall be determined as follows:

5 (1) Using the daily attendance reports that have been submitted for
6 computing the February 15 apportionment of state funds as provided in sec-
7 tion 33-1009, Idaho Code, ~~determine~~ calculate the total support units for
8 the district in the manner provided in section 33-1002(6) (a), Idaho Code;

9 (2) Determine the instructional staff allowance by multiplying the
10 support units by 1.4021. A district must demonstrate that it actually em-
11 ploys the number of certificated instructional staff allowed, except as
12 provided in subsection ~~(56)~~ (f) and (g) of this section. If the district does
13 not employ the number allowed, the staff allowance shall be reduced to the
14 actual number employed, except as provided in subsection ~~(56)~~ (f) and (g) of
15 this section;

16 (3) Determine the pupil service staff allowance by multiplying the sup-
17 port units by 0.079;

18 (4) Determine the administrative staff allowance by multiplying the
19 support units by .075;

20 ~~(45)~~ Determine the classified staff allowance by multiplying the sup-
21 port units by .375;

22 ~~(56)~~ Additional conditions governing staff allowance:

23 (a) In determining the number of staff in subsections (2), (3) ~~and~~, (4)
24 and (5) of this section, a district may contract separately for ser-
25 vices to be rendered by nondistrict employees and such employees may be
26 counted in the staff allowance. A "nondistrict employee" means a person
27 for whom the school district does not pay the employer's obligations
28 for employee benefits. When a district contracts for the services of a
29 nondistrict employee, only the salary portion of the contract shall be
30 allowable for computations.

31 (b) If there are circumstances preventing eligible use of staff al-
32 lowance to which a district is entitled as provided in subsections (2)
33 ~~and~~, (3) and (4) of this section, an appeal may be filed with the state
34 department of education outlining the reasons and proposed alternative
35 use of these funds, and a waiver may be granted.

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

37 (i) The instructional staff allowance shall be calculated
38 applying the actual number of support units. If the actual in-
39 structional staff employed in the school year is greater than the
40 instructional staff allowance, then the instructional staff al-
41 lowance shall be increased by one-half (1/2) staff allowance; and

42 (ii) The administrative staff allowance shall be calculated ap-
43 plying the actual number of support units. If the actual adminis-
44 trative staff employed in the school year is greater than the ad-
45 ministrative staff allowance, then the administrative staff al-
46 lowance shall be increased by one-half (1/2) staff allowance.

47 (iii) Additionally, for any district with less than twenty (20)
48 support units, the instructional staff allowance shall be calcu-
49 lated applying the actual number of support units. If the number

1 of instructional staff employed in the school year is greater than
2 the instructional staff allowance, the staff allowance shall be
3 increased as provided in subparagraphs (i) and (ii) of this para-
4 graph, and by an additional one-half (1/2) instructional staff al-
5 lowance.

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

10 (e) Only instructional, pupil service and administrative staff and
11 classified personnel compensated by the school district from the gen-
12 eral maintenance and operation fund of the district shall be included in
13 the calculation of staff allowance or in any other calculations based
14 upon staff, including determination of the experience and education
15 multiplier, the reporting requirements, or the district's salary-based
16 apportionment calculation. No food service staff or transportation
17 staff shall be included in the staff allowance.

18 (f) A district may utilize up to fifteen percent (15%) of the moneys
19 associated with positions funded pursuant to subsection (2) of this
20 section to pay another school district or public charter school for
21 instructional services or to defray the cost of providing virtual edu-
22 cation coursework, including virtual dual credit coursework, without a
23 reduction in the number of funded positions being imposed.

24 (g) A district may employ nine and one-half percent (9.5%) fewer posi-
25 tions than funded pursuant to subsections (2) and (3) of this section,
26 without a reduction in the number of funded positions being imposed.
27 Beginning in fiscal year 2016, this figure shall be reduced by one per-
28 cent (1%) each year for each school district in which the average class
29 size, as determined from prior fiscal year data reported to the state
30 department of education, was at least one (1) student greater than the
31 statewide average class size. The state department of education shall
32 report to the legislature every February, beginning in 2015, on the re-
33 ductions scheduled to take place in this figure, by school district, in
34 the ensuing fiscal year.

35 (~~67~~) In the event that the staff allowance in any category is insuffi-
36 cient to meet accreditation standards, a district may appeal to the state
37 board of education, demonstrating the insufficiency, and the state board may
38 grant a waiver authorizing sufficient additional staff to be included within
39 the staff allowance to meet accreditation standards. Such a waiver shall be
40 limited to one (1) year, but may be renewed upon showing of continuing justi-
41 fication.

42 (~~78~~) A district may utilize a portion of the instructional staff al-
43 lowance provided for in this section for kindergarten teachers to visit the
44 parents or guardians of students during the first week of the kindergarten
45 school year. Such visits may take place at school, at the student's home or
46 at another location agreed to by the teacher and parents or guardians. The
47 purpose of such visits is to help strengthen the working relationship be-
48 tween the teacher, the parents or guardians, and the student. The visits
49 should be used as an opportunity to help establish the teacher's expecta-
50 tions of the student. The visit should also provide an opportunity for the

1 parents or guardians to explain their expectations. The amount of moneys to
2 be expended for such visits by the district may not exceed the amount equal to
3 one (1) week of instructional staff allowance computed for kindergarten in-
4 structors in the district.

5 SECTION 4. That Section 33-1004A, Idaho Code, be, and the same is hereby
6 amended to read as follows:

7 33-1004A. EXPERIENCE AND EDUCATION MULTIPLIER. (1) Each
8 ~~instructional~~ pupil service and administrative staff position shall be
9 assigned an appropriate multiplier based upon the following table:

EXPERIENCE AND EDUCATION

| Years | BA | BA + 12 | BA + 24 | BA + 36 | MA | MA + 12 | MA + 24 | MA + 36 | ES/DR |
|------------|---------|---------|---------|---------|---------|---------|---------|---------|---------|
| 0 | 1.00000 | 1.03750 | 1.07640 | 1.11680 | 1.15870 | 1.20220 | 1.24730 | 1.29410 | 1.34260 |
| 1 | 1.03750 | 1.07640 | 1.11680 | 1.15870 | 1.20220 | 1.24730 | 1.29410 | 1.34260 | 1.39290 |
| 2 | 1.07640 | 1.11680 | 1.15870 | 1.20220 | 1.24730 | 1.29410 | 1.34260 | 1.39290 | 1.44510 |
| 3 | 1.11680 | 1.15870 | 1.20220 | 1.24730 | 1.29410 | 1.34260 | 1.39290 | 1.44510 | 1.49930 |
| 4 | 1.15870 | 1.20220 | 1.24730 | 1.29410 | 1.34260 | 1.39290 | 1.44510 | 1.49930 | 1.55550 |
| 5 | 1.20220 | 1.24730 | 1.29410 | 1.34260 | 1.39290 | 1.44510 | 1.49930 | 1.55550 | 1.61380 |
| 6 | 1.24730 | 1.29410 | 1.34260 | 1.39290 | 1.44510 | 1.49930 | 1.55550 | 1.61380 | 1.67430 |
| 7 | 1.29410 | 1.34260 | 1.39290 | 1.44510 | 1.49930 | 1.55550 | 1.61380 | 1.67430 | 1.73710 |
| 8 | 1.34260 | 1.39290 | 1.44510 | 1.49930 | 1.55550 | 1.61380 | 1.67430 | 1.73710 | 1.80220 |
| 9 | 1.39290 | 1.44510 | 1.49930 | 1.55550 | 1.61380 | 1.67430 | 1.73710 | 1.80220 | 1.86980 |
| 10 | 1.39290 | 1.49930 | 1.55550 | 1.61380 | 1.67430 | 1.73710 | 1.80220 | 1.86980 | 1.93990 |
| 11 | 1.39290 | 1.49930 | 1.55550 | 1.61380 | 1.73710 | 1.80220 | 1.86980 | 2.01260 | |
| 12 | 1.39290 | 1.49930 | 1.55550 | 1.61380 | 1.73710 | 1.86980 | 1.93990 | | |
| 13 or more | 1.39290 | 1.49930 | 1.55550 | 1.61380 | 1.73710 | 1.86980 | 1.93990 | 2.01260 | |

(2) In determining the experience factor, the actual years of certificated service for pupil service staff, or teaching and administrative service for administrator certificate holders in a public school, in an accredited private or parochial school, or beginning in the 2005-06 school year and thereafter in an accredited college or university shall be credited.

(3) In determining the education factor, only credits earned after initial certification, based upon a transcript on file with the teacher certification office of the state department of education, earned at an institution of higher education accredited by a body recognized by the state board of education ~~or a regional accrediting association~~, shall be allowed; however, successful completion of a state approved evaluation training and proof of proficiency shall be counted as up to three (3) transcribed credits for determination of the education factor and meeting recertification requirements. ~~Instructional staff whose initial certificate is an occupational specialist certificate shall be treated as BA degree prepared instructional staff. Credits earned by such occupational specialist instructional staff after initial certification shall be credited toward the education factor.~~

~~In determining the statewide average multiplier for instructional staff, no multiplier in excess of 1.59092 shall be used. If the actual statewide average multiplier for instructional staff, as determined by this section, exceeds 1.59092, then each school district's instructional staff multiplier shall be multiplied by the result of 1.59092 divided by the actual statewide average multiplier for instructional staff.~~

1 (4) In determining the statewide average multiplier for administra-
 2 tive staff, no multiplier in excess of 1.86643 shall be used. If the actual
 3 statewide average multiplier for administrative staff, as determined by
 4 this section, exceeds 1.86643, then each school district's administrative
 5 staff multiplier shall be multiplied by the result of 1.86643 divided by the
 6 actual statewide average multiplier for administrative staff.

7 (5) Notwithstanding any other law to the contrary, on and after July 1,
 8 2016, pupil service staff shall be deemed instructional staff for purposes
 9 of sections 33-1004B and 33-1004I, Idaho Code.

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

13 33-1004B. CAREER LADDER. (1) Effective July 1, 2015, all existing in-
 14 structional staff shall be placed in a cohort on the career ladder starting
 15 with the second cell on the residency/professional compensation rung that
 16 corresponds with the next higher allocation amount than is currently re-
 17 ceived by the district, based on the experience and education index pursuant
 18 to section 33-1004A, Idaho Code, as applied in fiscal year 2015. For each
 19 year between July 1, 2015, and June 30, 2019, those instructional staff will
 20 move one (1) cell on the career ladder for each year they are employed by a
 21 district and meet the applicable performance criteria for the compensation
 22 rung and implementation year, unless such movement would result in the dis-
 23 trict receiving a lesser allocation than the district would have received if
 24 the instructional staff would have moved based on the experience and educa-
 25 tion index as applied in fiscal year 2015, for such instructional staff the
 26 district salary apportionment calculation shall use the amount that would
 27 have been applied based on the experience and education index.

28 (a) Instructional staff who are in their first year of holding a cer-
 29 tificate shall be placed in the first cell of the residency compensation
 30 rung and shall move one (1) cell on the residency compensation rung for
 31 each year they hold a certificate thereafter, for up to three (3) years,
 32 at which point they will remain in the third cell of the residency rung
 33 until they earn a professional endorsement.

34 (b) Instructional staff new to teaching in Idaho who hold a certificate
 35 from a state other than Idaho and who are approved to teach in Idaho will
 36 be placed into the cohort of instructional staff on the career ladder
 37 table equivalent to their experience and education pursuant to section
 38 33-1004A, Idaho Code, as applied in fiscal year 2015.

39 (c) In addition to the allocation amount specified for the appli-
 40 cable cell on the career ladder, school districts shall receive an
 41 additional allocation amount for instructional staff holding a profes-
 42 sional endorsement who have acquired additional education and meet the
 43 professional compensation rung performance criteria. In determining
 44 the additional education allocation amount, only credits and degrees
 45 earned based upon a transcript on file with the teacher certification
 46 office of the state department of education, earned at an institution
 47 of higher education accredited by a body recognized by the state board
 48 of education or credits earned through an internship or other work ex-
 49 perience approved by the state board of education, shall be credited

1 toward the education allocation. Education allocation amounts are not
2 cumulative. Instructional staff whose initial certificate is an occu-
3 pational specialist certificate shall be treated as BA degree prepared
4 instructional staff. Credits earned by such occupational specialist
5 instructional staff after initial certification shall be credited to-
6 ward the education allocation. Additional allocations are:

7 (i) Effective July 1, 2015, through June 30, 2016, the education
8 allocation shall be:

9 1. For instructional staff holding a professional endorse-
10 ment and a baccalaureate degree and twenty-four (24) or more
11 credits, four hundred dollars (\$400) per fiscal year.

12 2. For instructional staff holding a professional endorse-
13 ment and a master degree, seven hundred dollars (\$700) per
14 fiscal year.

15 (ii) Effective July 1, 2016, through June 30, 2017, the education
16 allocation shall be:

17 1. For instructional staff holding a professional endorse-
18 ment and a baccalaureate degree and twenty-four (24) or more
19 credits, eight hundred dollars (\$800) per fiscal year.

20 2. For instructional staff holding a professional endorse-
21 ment and a master degree, one thousand four hundred dollars
22 (\$1,400) per fiscal year.

23 (iii) Effective July 1, 2017, through June 30, 2018, the education
24 allocation shall be:

25 1. For instructional staff holding a professional endorse-
26 ment and a baccalaureate degree and twenty-four (24) or more
27 credits, one thousand two hundred dollars (\$1,200) per fis-
28 cal year.

29 2. For instructional staff holding a professional endorse-
30 ment and a master degree, two thousand one hundred dollars
31 (\$2,100) per fiscal year.

32 (iv) Effective July 1, 2018, through June 30, 2019, the education
33 allocation shall be:

34 1. For instructional staff holding a professional endorse-
35 ment and a baccalaureate degree and twenty-four (24) or more
36 credits, onethousand six hundred dollars (\$1,600) per fis-
37 cal year.

38 2. For instructional staff holding a professional endorse-
39 ment and a master degree, two thousand eight hundred dollars
40 (\$2,800) per fiscal year.

41 (v) Effective July 1, 2019, through June 30, 2020, the education
42 allocation shall be:

43 1. For instructional staff holding a professional endorse-
44 ment and a baccalaureate degree and twenty-four (24) or more
45 credits, two thousand dollars (\$2,000) per fiscal year.

46 2. For instructional staff holding a professional en-
47 dorsement and a master degree, three thousand five hundred
48 (\$3,500) per fiscal year.

1 (d) Effective July 1, 2015, through June 30, 2016, the allocation shall be:

| | | | | | | | | | | | |
|---|--------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| 2 | Base | | | | | | | | | | |
| 3 | Allocation | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 4 | Residency/ | | | | | | | | | | |
| 5 | Professional | \$32,700 | \$33,200 | \$33,822 | | | | | | | |
| 6 | Professional | \$35,498 | \$36,885 | \$38,311 | \$39,775 | \$41,282 | \$42,089 | \$43,668 | \$45,305 | \$47,004 | \$47,603 |

1 (e) Effective July 1, 2016, through June 30, 2017, the allocation shall be:

| | | | | | | | | | | | |
|---|--------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| 2 | Base | | | | | | | | | | |
| 3 | Allocation | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 4 | Residency/ | | | | | | | | | | |
| 5 | Professional | \$33,400 | \$34,250 | \$35,117 | | | | | | | |
| 6 | Professional | \$37,249 | \$38,758 | \$39,546 | \$41,113 | \$41,961 | \$43,591 | \$44,503 | \$46,201 | \$47,183 | \$48,202 |

1 (f) Effective July 1, 2017, through June 30, 2018, the allocation shall be:

| | | | | | | | | | | | |
|---|--------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| 2 | Base | | | | | | | | | | |
| 3 | Allocation | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 4 | Residency | \$34,600 | \$35,500 | \$36,411 | | | | | | | |
| 5 | Professional | \$38,999 | \$40,630 | \$41,155 | \$42,825 | \$43,391 | \$45,102 | \$45,711 | \$47,467 | \$48,122 | \$48,802 |

1 (2) Effective July 1, 2018, through June 30, 2019, school districts
2 shall receive an allocation for instructional staff based on the instruc-
3 tional staffs' position on the career ladder.

4 (a) Instructional staff in their first year of holding a professional
5 endorsement shall be placed in the first cell of the professional com-
6 pensation rung.

7 (b) Instructional staff previously placed within a cohort shall con-
8 tinue to move one (1) cell on the applicable rung with their cohort un-
9 less they have failed to meet the compensation rung performance crite-
10 ria for the previous three (3) years. Allocations to districts for in-
11 structional staff who have failed to meet the professional compensation
12 rung performance criteria for the previous three (3) years shall be the
13 same as the previous fiscal year. This also applies to the educational
14 allocation.

1 (c) Effective July 1, 2018, through June 30, 2019, the allocation shall be:

| | | | | | | | | | | | |
|---|--------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|
| 2 | Base | | | | | | | | | | |
| 3 | Allocation | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 4 | Residency | \$35,800 | \$36,750 | \$37,706 | | | | | | | |
| 5 | Professional | \$40,750 | \$42,503 | \$42,765 | \$44,538 | \$44,820 | \$46,614 | \$46,918 | \$48,734 | \$49,061 | \$49,401 |

1 (3) Effective July 1, 2019, through June 30, 2020, school districts
2 shall receive an allocation for instructional staff based on the instruc-
3 tional staffs' position on the career ladder as follows:

4 (a) Instructional staff in their first year of holding a professional
5 endorsement shall be placed in the first cell of the professional com-
6 pensation rung.

7 (b) Instructional staff previously placed within a cohort shall con-
8 tinue to move one (1) cell on the applicable rung with their cohort
9 unless they have failed to meet the professional compensation rung
10 performance criteria for three (3) of the previous four (4) years. Al-
11 locations to districts for instructional staff who have failed to meet
12 the professional compensation rung performance criteria for three (3)
13 of the previous four (4) years shall be the same as the previous fiscal
14 year. This also applies to the educational allocation.

1 (c) Effective July 1, 2019, through June 30, 2020, the allocation shall be:

| | | | | | | | | | | |
|----------------|----------|----------|----------|----------|----------|---|---|---|---|----|
| 2 Base | | | | | | | | | | |
| 3 Allocation | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 4 Residency | \$37,000 | \$38,000 | \$39,000 | | | | | | | |
| 5 Professional | \$42,500 | \$44,375 | \$46,250 | \$48,125 | \$50,000 | | | | | |

1 (4) A review of a sample of evaluations completed by administrators
2 shall be conducted annually to verify such evaluations are being conducted
3 with fidelity to the state framework for teaching evaluation. The state
4 department of education shall randomly select a sample of administrators
5 throughout the state. A portion of such administrators' instructional staff
6 employee evaluations shall be independently reviewed. The state department
7 of education shall appoint persons to conduct the reviews. Administrator
8 certificate holders shall be required to participate in ongoing evaluation
9 training pursuant to section 33-1204, Idaho Code. The state department of
10 education shall report annually the findings of such reviews to the senate
11 education committee, the house of representatives education committee,
12 the state board of education and the deans of Idaho's approved teacher
13 preparation programs. The state board of education shall promulgate rules
14 implementing the provisions of this subsection.

15 SECTION 6. That Chapter 10, Title 33, Idaho Code, be, and the same is
16 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
17 ignated as Section 33-1004B, Idaho Code, and to read as follows:

18 33-1004B. CAREER LADDER. School districts shall receive an allocation
19 for instructional staff based on their instructional staffs' position on the
20 career ladder as follows:

21 (1) Instructional staff who are in their first year of holding a cer-
22 tificate shall be placed in the first cell of the residency compensation rung
23 and shall move one (1) cell on the residency compensation rung for each year
24 they hold a certificate thereafter for up to three (3) years, at which point
25 they will remain in the third cell of the residency rung until they earn a
26 professional endorsement.

27 (2) Instructional staff in their first year of holding a professional
28 endorsement shall be placed in the first cell of the professional compensa-
29 tion rung.

30 (3) Instructional staff on the professional compensation rung with
31 four (4) years of experience shall move one (1) cell on the professional
32 compensation rung unless they have failed to meet the professional com-
33 pensation rung performance criteria for three (3) of the previous four (4)
34 years. Instructional staff on the professional compensation rung who meet
35 the performance criteria for three (3) of the previous five (5) years, one
36 (1) of which must be during the fourth or fifth year, shall move one (1)
37 cell. Allocations for instructional staff who do not meet the professional
38 compensation rung performance criteria for three (3) of the previous five
39 (5) years, one (1) of which must be during the fourth or fifth year, shall
40 remain at the previous fiscal year allocation level. This also applies to
41 the educational allocation.

42 (4) In addition to the allocation amount specified for the applicable
43 cell on the career ladder, school districts shall receive an additional al-
44 location amount for instructional staff holding a professional endorsement
45 who have acquired additional education and meet the professional compensa-
46 tion rung performance criteria. In determining the additional education
47 allocation amount, only transcribed credits and degrees on file with the
48 teacher certification office of the state department of education, earned
49 at an institution of higher education accredited by a body recognized by the

1 state board of education or credits earned through an internship or work
2 experience approved by the state board of education, shall be allowed. All
3 credits and degrees earned must be in a relevant pedagogy or content area
4 as determined by the state department of education. Additional education
5 allocation amounts are not cumulative. Instructional staff whose initial
6 certificate is an occupational specialist certificate shall be treated as BA
7 degree prepared instructional staff. Credits earned by such occupational
8 specialist instructional staff after initial certification shall be cred-
9 ited toward the education allocation. Additional allocations are:

10 (a) For instructional staff holding a professional endorsement, a bac-
11 calaureate degree and twenty-four (24) or more credits, two thousand
12 dollars (\$2,000) per fiscal year.

13 (b) For instructional staff holding a professional endorsement and a
14 master degree, three thousand five hundred dollars (\$3,500) per fiscal
15 year.

1 (c) Effective July 1, 2020, the allocation shall be:

| | | | | | | |
|---|--------------|----------|----------|----------|----------|----------|
| 2 | Base | | | | | |
| 3 | Allocation | 1 | 2 | 3 | 4 | 5 |
| 4 | Residency | \$37,000 | \$38,000 | \$39,000 | | |
| 5 | Professional | \$42,500 | \$44,375 | \$46,250 | \$48,125 | \$50,000 |

1 (5) A review of a sample of evaluations completed by administrators
 2 shall be conducted annually to verify such evaluations are being conducted
 3 with fidelity to the state framework for teaching evaluation. The state
 4 department of education shall randomly select a sample of administrators
 5 throughout the state. A portion of such administrators' instructional staff
 6 employee evaluations shall be independently reviewed. The state department
 7 of education shall appoint persons to conduct the reviews. Administrator
 8 certificate holders shall be required to participate in ongoing evaluation
 9 training pursuant to section 33-1204, Idaho Code. The state department of
 10 education shall report annually the findings of such reviews to the senate
 11 education committee, the house of representatives education committee,
 12 the state board of education and the deans of Idaho's approved teacher
 13 preparation programs. The state board of education shall promulgate rules
 14 implementing the provisions of this subsection.

15 SECTION 7. That Section 33-1004C, Idaho Code, be, and the same is hereby
 16 amended to read as follows:

17 33-1004C. BASE AND MINIMUM SALARIES -- LEADERSHIP PREMIUMS -- EDUCA-
 18 TION AND EXPERIENCE INDEX. (1) The following shall be reviewed annually by
 19 the legislature:

20 (a) The base salary figures pursuant to subsections (1-), (2-), and
 21 (3-) and (4) of section 33-1004E, Idaho Code;

22 (b) The minimum instructional salary figure pursuant to subsection
 23 (1-) of section 33-1004E, Idaho Code; and

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

26 (2) The statewide education and experience index (or state average in-
 27 dex, or state index) is the average of all qualifying employees, instruc-
 28 tional and administrative respectively. It is determined by totaling the
 29 index value for all qualifying employees and dividing by the number of em-
 30 ployees.

31 SECTION 8. That Section 33-1004E, Idaho Code, be, and the same is hereby
 32 amended to read as follows:

33 33-1004E. DISTRICT'S SALARY-BASED APPORTIONMENT. Each district shall
 34 be entitled to a salary-based apportionment calculated as provided in this
 35 section.

36 (1-) To determine the apportionment for instructional staff, ~~first~~
 37 ~~determine the district average experience and education index by placing~~
 38 ~~all eligible district certificated instructional employees on the statewide~~
 39 ~~index provided in section 33-1004A, take the amounts indicated on the career~~
 40 ~~ladder table plus the amounts associated with the additional education allo-~~
 41 ~~cation amounts pursuant to section 33-1004B, Idaho Code, and calculate the~~
 42 ~~weighted average. The resulting average is the district index. Districts~~
 43 ~~with an index above the state average index shall receive their actual index~~
 44 ~~but not more than the state average plus .03 for the 1994-95 school year, and~~
 45 ~~shall receive their actual index but not more than the state average plus~~
 46 ~~.06 for the 1995-96 school year, and thereafter shall receive their actual~~
 47 ~~district index. The district instructional staff index shall be multiplied~~

1 ~~by the instructional base salary of \$23,354.~~ The amount so determined shall
2 be multiplied by the district staff allowance for instructional staff de-
3 termined as provided in section 33-1004(2), Idaho Code. ~~The instructional~~
4 ~~salary allocation shall be further increased by the amount necessary for~~
5 ~~each full-time equivalent instructional staff member placed on the experi-~~
6 ~~ence and education index to be allocated at least the minimum salary mandated~~
7 ~~by this section.~~ Full-time instructional staff salaries shall be determined
8 from a salary schedule developed by each district and submitted to the state
9 department of education. No full-time instructional staff member shall be
10 paid less than ~~\$31,750~~ the minimum dollar amount on the career ladder res-
11 idency compensation rung pursuant to section 33-1004B, Idaho Code, for the
12 applicable fiscal year. If an instructional staff member has been certified
13 by the national board for professional teaching standards, the staff member
14 shall be ~~designated as a master teacher and receive two thousand dollars~~
15 ~~(\$2,000) per year for five (5) years from the year in which national board~~
16 ~~certification was earned.~~ The instructional salary district staff allot-
17 ment shall be increased by two thousand dollars (\$2,000) for each master
18 teacher national board certified instructional staff person and pupil
19 service staff member who earned national board certification; provided how-
20 ever, that no such awards shall be paid for the period July 1, 2010, through
21 June 30, 2011, nor shall any liabilities accrue or payments be made pursuant
22 to this section in the future to any individuals who would have otherwise
23 qualified for a payment during this stated time period. The resulting amount
24 is the district's salary-based apportionment for instructional staff and
25 pupil service staff. For purposes of this section, teachers qualifying for
26 the salary increase as ~~master teacher~~ shall be those who have been recognized
27 as national board certified teachers as of July 1 of each year.

28 (2-) To determine the apportionment for pupil service staff, first
29 determine the district average experience and education index by placing
30 all eligible district certificated pupil service employees on the statewide
31 index pursuant to section 33-1004A, Idaho Code. The resulting average is the
32 district index. The district pupil service staff index shall be multiplied
33 by the instructional base salary of twenty-three thousand three hundred
34 fifty-four dollars (\$23,354). The amount so determined shall be multiplied
35 by the district staff allowance for pupil service staff determined pursuant
36 to section 33-1004(3), Idaho Code. The pupil service staff salary alloca-
37 tion shall be further increased by the amount necessary for each full-time
38 equivalent pupil service staff member placed on the experience and education
39 index to be allocated at least the minimum salary mandated by this section.
40 Full-time pupil service staff salaries shall be determined from a salary
41 schedule developed by each district and submitted to the state department of
42 education. The resulting amount is the district's salary-based apportion-
43 ment for pupil service staff. No full-time pupil service staff member shall
44 be paid less than thirty-one thousand seven hundred fifty dollars (\$31,750).

45 (3) To determine the apportionment for district administrative staff,
46 first determine the district average experience and education index by plac-
47 ing all eligible certificated administrative employees on the statewide
48 index provided in section 33-1004A, Idaho Code. The resulting average is
49 the district index. Districts with an index above the state average index
50 shall receive their actual index but not more than the state average plus .03

1 for the school year 1994-95, and shall receive their actual index but not
 2 more than the state average index plus .06 for the 1995-96 school year, and
 3 thereafter shall receive their actual district index. The district admin-
 4 istrative staff index shall be multiplied by the base salary of thirty-two
 5 thousand one hundred fifty-one dollars (\$32,151). The amount so determined
 6 shall be multiplied by the district staff allowance for administrative staff
 7 determined as provided in section 33-1004(~~34~~), Idaho Code. The resulting
 8 amount is the district's salary-based apportionment for administrative
 9 staff.

10 ~~3.(4)~~ To determine the apportionment for classified staff, multiply
 11 nineteen thousand two hundred forty-nine dollars (\$19,249) by the district
 12 classified staff allowance determined as provided in section 33-1004(45),
 13 Idaho Code. The amount so determined is the district's apportionment for
 14 classified staff.

15 ~~4.(5)~~ The district's salary-based apportionment shall be the sum of
 16 the apportionments calculated in subsections ~~(1-), (2-), and (3-)~~ and
 17 (4) of this section, plus the benefit apportionment as provided in section
 18 33-1004F, Idaho Code.

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

21 33-1004F. OBLIGATIONS TO RETIREMENT AND SOCIAL SECURITY BENE-
 22 FITS. Based upon the actual salary-based apportionment, as determined
 23 in section 33-1004E, Idaho Code, the master teacher premiums distributed
 24 pursuant to section 33-1004I, Idaho Code, and the leadership premiums dis-
 25 tributed pursuant to section 33-1004J, Idaho Code, there shall be allocated
 26 that amount required to meet the employer's obligations to the public em-
 27 ployee retirement system and to social security.

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

31 33-1004I. MASTER TEACHER PREMIUMS. (1) A portion of the moneys avail-
 32 able to the education support program shall be distributed per full-time
 33 equivalent instructional staff position employed by each school district.
 34 Such moneys shall be paid to instructional staff employees who have earned a
 35 master teacher designation by meeting the minimum qualifications set forth
 36 in subsection (2) of this section and the additional qualifications devel-
 37 oped or adopted by the employing school district pursuant to subsection (3)
 38 of this section, in an amount set forth in subsection (4) of this section.

39 (2) The minimum qualifications for an instructional staff employee to
 40 earn a master teacher designation shall be as follows:

41 (a) The instructional staff employee must have eight (8) or more years
 42 of teaching experience provided that the three (3) years immediately
 43 preceding the award must be continuous;

44 (b) The instructional staff employee must demonstrate mastery of in-
 45 structional techniques for not less than three (3) of the previous five
 46 (5) years of instruction through:

47 (i) Artifacts demonstrating evidence of effective teaching; and

1 (ii) Successful completion of an annual individualized profes-
2 sional learning plan; and

3 (c) A majority of the instructional staff employee's students meet mea-
4 surable student achievement as defined in section 33-1001, Idaho Code,
5 for not less than three (3) of the previous five (5) years.

6 (3) In addition to the minimum qualifications for a master teacher des-
7 ignation set forth in subsection (2) of this section:

8 (a) Local school districts may develop and require additional qualifi-
9 cations showing demonstrated mastery of instructional techniques and
10 professional practice through multiple measures, provided that such
11 qualifications shall be developed by a committee consisting of teach-
12 ers, administrators and other school district stakeholders and shall
13 first be approved by the state board of education; or

14 (b) If a local school district has not developed qualifications pur-
15 suant to paragraph (a) of this subsection, then the school district
16 shall adopt and require additional qualifications showing demonstrated
17 mastery of instructional techniques and professional practice through
18 multiple measures as developed by a committee facilitated by the state
19 board of education consisting of teachers, administrators and other
20 stakeholders, which measures shall be approved by the state board of
21 education.

22 (4) The amount of the master teacher premium paid to a qualified in-
23 structional staff employee shall be four thousand dollars (\$4,000) each year
24 for three (3) years starting with the initial award of the master teacher
25 premium. After the third year of receiving the master teacher premium, the
26 instructional staff employee must continue to demonstrate that he or she
27 meets the master teacher premium qualifications in each subsequent year. If
28 the qualifications are not met, then the premium will be discontinued until
29 such time as the qualifications are met.

30 (5) Local school district boards of trustees may provide master teacher
31 premiums to instructional staff employees consistent with the provisions of
32 this section.

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

36 (7) The state board of education (7) may promulgate rules implementing the
37 provisions of this section.

38 SECTION 11. That Section 33-1004J, Idaho Code, be, and the same is
39 hereby amended to read as follows:

40 33-1004J. LEADERSHIP PREMIUMS. (1) Of the moneys available to the ed-
41 ucational support program, eight hundred fifty dollars (\$850) shall be dis-
42 tributed per full-time equivalent instructional and pupil service staff po-
43 sition employed by each school district. Such moneys shall be paid to in-
44 structional and pupil service staff employees for leadership activities as
45 provided in paragraphs (a) through (g) of this subsection. Such premiums
46 shall be valid only for the fiscal year for which the premiums are made and
47 shall be made for one (1) or more of the following reasons as identified as
48 leadership priorities by a committee consisting of teachers, administrators

1 and other school district stakeholders and shall be approved by the board of
2 trustees:

3 ~~(a) Providing instruction in a subject in which the employee holds a~~
4 ~~content area master's degree;~~

5 ~~(b) Teaching a course in which students earn both high school and col-~~
6 ~~lege credit;~~

7 ~~(c) Teaching a course to middle school students in which the students~~
8 ~~earn both middle school and high school credit;~~

9 ~~(d) Holding and providing service in multiple nonadministrative cer-~~
10 ~~tificate or subject endorsement areas;~~

11 ~~(e) Serving in an instructional or pupil service position designated~~
12 ~~as hard to fill by the board of trustees;~~

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

15 ~~(g) Having received professional development in career and academic~~
16 ~~counseling, and then providing career or academic counseling for stu-~~
17 ~~dents, with such services incorporated within or provided in addition~~
18 ~~to the teacher's regular classroom instructional or pupil service du-~~
19 ~~ties;~~

20 ~~(h) Other leadership duties designated by the board of trustees, ex-~~
21 ~~clusive of duties related to student activities or athletics. Such du-~~
22 ~~ties shall require that the employee work additional time as a condition~~
23 ~~of the receipt of a leadership premium.~~

24 (2) Local school district boards of trustees may provide leadership
25 premiums to instructional or pupil service staff employees consistent with
26 the provisions of this section. The decision as to whom and how many receive
27 leadership premiums, and in what amounts, shall not be subject to collective
28 bargaining, any other provision of law notwithstanding. A board may provide
29 multiple leadership premiums to an instructional or pupil service staff
30 employee. However, no such employee shall receive cumulative leadership
31 premiums in excess of twenty-five percent (25%) of the base salary amount
32 designated in section 33-1004E, Idaho Code, nor less than eight hundred
33 fifty dollars (\$850).

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

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

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

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

44 (d) The percent of instructional and pupil service staff positions re-
45 ceiving leadership premiums and the cumulative amount of such premiums,
46 by district; and

47 (e) The reasons identified as leadership priorities approved by the
48 board of trustees as listed in subsection (1) of this section.

1 (4) For the purposes of this section, the term "school district" also
 2 means "public charter school," and the term "board of trustees" also means
 3 "board of directors."

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

6 SECTION 12. That Chapter 12, Title 33, Idaho Code, be, and the same is
 7 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
 8 ignated as Section 33-1201A, Idaho Code, and to read as follows:

9 33-1201A. IDAHO PROFESSIONAL ENDORSEMENT -- ELIGIBILITY. (1) Any
 10 instructional staff employee who is issued a certificate under section
 11 33-1201, Idaho Code, on or after July 1, 2015, will receive mentoring as
 12 outlined in such employee's individualized professional learning plan dur-
 13 ing the initial three (3) years of holding such certificate. Upon holding a
 14 certificate for three (3) years, any such instructional staff employee may
 15 apply for an Idaho professional endorsement. To be eligible for an Idaho
 16 professional endorsement, the instructional staff employee must:

17 (a) Have held a certificate for at least three (3) years, or have com-
 18 pleted a state board of education approved interim certificate of three
 19 (3) years or longer;

20 (b) Show they met the professional compensation rung performance cri-
 21 teria for two (2) of the three (3) previous years or the third year;

22 (c) Have a written recommendation from the employing school district;
 23 and

24 (d) Have an annual individualized professional learning plan developed
 25 in conjunction with the employee's school district supervisor.

26 Instructional staff employees may provide additional evidence demonstrat-
 27 ing effective teaching that may be considered in exceptional cases for pur-
 28 poses of determining proficiency and student achievement in the event re-
 29 quired standards for professional endorsement are not met.

30 (2) An instructional staff employee who has held a certificate for
 31 three (3) or more years prior to the effective date of this act shall automat-
 32 ically obtain an Idaho professional endorsement under this section.

33 (3) The state board of education shall promulgate rules implementing
 34 the provisions of this section.

35 (4) For the purposes of this section, "instructional staff" means those
 36 involved in the direct instruction of a student or group of students and who
 37 hold a certificate issued under section 33-1201, Idaho Code.

38 SECTION 13. That Section 33-1204, Idaho Code, be, and the same is hereby
 39 amended to read as follows:

40 33-1204. VALIDITY, DURATION, RENEWAL AND LAPSE OF CERTIFICATES. (1)
 41 The state board of education shall by rule provide for the validity, dura-
 42 tion, renewal and lapse of certificates. In addition, rules promulgated by
 43 the state board of education shall set forth criteria for renewal of admin-
 44 istrator certificates, which shall include a requirement that administrator
 45 certificate holders must complete a course consisting of a minimum of three
 46 (3) semester credits in the statewide framework for teachers evaluations,
 47 such course shall include a laboratory component.

1 (2) If the holder of a certificate who has undergone a criminal history
2 check pursuant to district policy as provided in subsection (15) of section
3 33-512, Idaho Code, is found to have been convicted of any felony crime enu-
4 merated in section 33-1208, Idaho Code, the certificate shall be revoked or
5 suspended as provided in this chapter.

6 SECTION 14. That Section 33-515, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 33-515. ISSUANCE OF RENEWABLE CONTRACTS. (1) During the third full
9 year of continuous employment by the same school district, including any
10 specially chartered district, each certificated employee named in subsec-
11 tion ~~(1624)~~ of section 33-1001, Idaho Code, and each school nurse and school
12 librarian shall be evaluated for a renewable contract and shall, upon having
13 been offered a contract for the next ensuing year, having given notice of
14 acceptance of renewal and upon signing a contract for a fourth full year, be
15 placed on a renewable contract status with said school district subject to
16 the provisions included in this chapter, provided that instructional staff
17 who have not obtained a professional endorsement under section 33-1201A,
18 Idaho Code, may not be placed on a renewable contract status provided how-
19 ever, if the career ladder pursuant to section 33-1004B, Idaho Code, is not
20 funded, then a professional endorsement shall not be required.

21 (2) After the third full year of employment and at least once annu-
22 ally, the performance of each such certificated employee, school nurse, or
23 school librarian shall be evaluated according to criteria and procedures
24 established by the board of trustees in accordance with general guidelines
25 approved by the state board of education. Except as otherwise provided, that
26 person shall have the right to automatic renewal of contract by giving no-
27 tice, in writing, of acceptance of renewal. Such notice shall be given to the
28 board of trustees of the school district then employing such person not later
29 than the first day of June preceding the expiration of the term of the cur-
30 rent contract. Except as otherwise provided by this paragraph, the board of
31 trustees shall notify each person entitled to be employed on a renewable con-
32 tract of the requirement that such person must give the notice hereinabove
33 and that failure to do so may be interpreted by the board as a declination of
34 the right to automatic renewal or the offer of another contract. Such noti-
35 fication shall be made, in writing, not later than the fifteenth day of May,
36 in each year, except to those persons to whom the board, prior to said date,
37 has sent proposed contracts for the next ensuing year, or to whom the board
38 has given the notice required by this section.

39 (3) Any contract automatically renewed under the provisions of this
40 section shall be for the same length as the term stated in the current con-
41 tract and at a salary no lower than that specified therein, to which shall
42 be added such increments as may be determined by the statutory or regulatory
43 rights of such employee by reason of training, service, or performance, ex-
44 cept where a board of trustees has declared a financial emergency pursuant
45 to section 33-522, Idaho Code.

46 (4) Nothing in this section shall prevent the board of trustees from of-
47 fering a renewed contract increasing the salary of any certificated person,
48 or from reassigning an administrative employee to a nonadministrative posi-
49 tion with appropriate reduction of salary from the preexisting salary level.

1 In the event the board of trustees reassigns an administrative employee to a
2 nonadministrative position, the board shall give written notice to the em-
3 ployee which contains a statement of the reasons for the reassignment. The
4 employee, upon written request to the board, shall be entitled to an informal
5 review of that decision. The process and procedure for the informal review
6 shall be determined by the local board of trustees.

7 (5) Before a board of trustees can determine not to renew for reasons of
8 an unsatisfactory report of the performance of any certificated person whose
9 contract would otherwise be automatically renewed, or to renew the contract
10 of any such person at a reduced salary, such person shall be entitled to a
11 reasonable period of probation. This period of probation shall be preceded
12 by a written notice from the board of trustees with reasons for such pro-
13 bationary period and with provisions for adequate supervision and evalua-
14 tion of the person's performance during the probationary period. Such pe-
15 riod of probation shall not affect the person's renewable contract status.
16 Consideration of probationary status for certificated personnel is consid-
17 eration of the status of an employee within the meaning of section 67-2345,
18 Idaho Code, and may be held in executive session. If the consideration re-
19 sults in probationary status, the individual on probation shall not be named
20 in the minutes of the meeting. A record of the decision shall be placed in the
21 teacher's personnel file.

22 (6) If the board of trustees takes action to immediately discharge or
23 discharge upon termination of the current contract a certificated person
24 whose contract would otherwise be automatically renewed, or to renew the
25 contract of any such person at a reduced salary, the action of the board
26 shall be consistent with the procedures specified in section 33-513 5.,
27 Idaho Code, and furthermore, the board shall notify the employee in writing
28 whether there is just and reasonable cause not to renew the contract or to
29 reduce the salary of the affected employee, and if so, what reasons it relied
30 upon in that determination.

31 (7) If the board of trustees takes action after the declaration of a fi-
32 nancial emergency pursuant to section 33-522, Idaho Code, and such action is
33 directed at more than one (1) certificated employee and, if mutually agreed
34 to by both parties, a single informal review shall be conducted. Without
35 mutual consent of both parties, the board of trustees shall use the follow-
36 ing procedure to conduct a single due process hearing within sixty-seven
37 (67) days of the declaration of financial emergency pursuant to section
38 33-522(2), Idaho Code, or on or before June 22, whichever shall occur first:

39 (a) The superintendent or any other duly authorized administrative of-
40 ficer of the school district may recommend the change in the length of
41 the term stated in the current contract or reduce the salary of any cer-
42 tificated employee by filing with the board of trustees written notice
43 specifying the purported reasons for such changes.

44 (b) Upon receipt of such notice, the board of trustees, acting through
45 its duly authorized administrative official, shall give the affected
46 employees written notice of the reductions and the recommendation of
47 the change in the length of the term stated in the current contract or
48 the reduction of salary, along with written notice of a hearing be-
49 fore the board of trustees prior to any determination by the board of
50 trustees.

1 (c) The hearing shall be scheduled to take place not less than six (6)
2 days nor more than fourteen (14) days after receipt of the notice by the
3 employees. The date provided for the hearing may be changed by mutual
4 consent.

5 (d) The hearing shall be open to the public.

6 (e) All testimony at the hearing shall be given under oath or affirma-
7 tion. Any member of the board, or the clerk of the board of trustees, may
8 administer oaths to witnesses or affirmations by witnesses.

9 (f) The employees may be represented by legal counsel and/or by a repre-
10 sentative of a local or state education association.

11 (g) The chairman of the board of trustees or the designee of the chair-
12 man shall conduct the hearing.

13 (h) The board of trustees shall cause an electronic record of the hear-
14 ing to be made or shall employ a competent reporter to take stenographic
15 or stenotype notes of all the testimony at the hearing. A transcript of
16 the hearing shall be provided at cost by the board of trustees upon re-
17 quest of the employee.

18 (i) At the hearing the superintendent or other duly authorized admin-
19 istrative officer shall present evidence to substantiate the reduction
20 contained in such notice.

21 (j) The employees may produce evidence to refute the reduction. Any
22 witness presented by the superintendent or by the employees shall be
23 subject to cross-examination. The board of trustees may also examine
24 witnesses and be represented by counsel.

25 (k) The affected employees may file written briefs and arguments with
26 the board of trustees within three (3) days after the close of the hear-
27 ing or such other time as may be agreed upon by the affected employees
28 and the board of trustees.

29 (l) Within seven (7) days following the close of the hearing, the board
30 of trustees shall determine and, acting through its duly authorized ad-
31 ministrative official, shall notify the employees in writing whether
32 the evidence presented at the hearing established the need for the ac-
33 tion taken.

34 The due process hearing pursuant to this subsection (7) shall not be required
35 if the board of trustees and the local education association reach an agree-
36 ment on issues agreed upon pursuant to section 33-522(3), Idaho Code.

37 (8) If the board of trustees, for reasons other than unsatisfactory
38 service, for the ensuing contract year, determines to change the length of
39 the term stated in the current contract, reduce the salary or not renew the
40 contract of a certificated person whose contract would otherwise be automat-
41 ically renewed, nothing herein shall require a probationary period.

42 SECTION 15. The provisions of Sections 2, 9 and 10 of this act shall be
43 in full force and effect on and after July 1, 2019. The provisions of Section
44 5 of this act shall be null, void and of no force and effect on and after June
45 30, 2020. The provisions of Section 6 of this act shall be in full force and
46 effect on and after July 1, 2020.