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LEGISLATURE OF THE STATE OF IDAHO

Sixty-second Legislature Second Regular Session - 2014

IN THE _____

BILL NO. _____

BY _____

AN ACT

RELATING TO EDUCATION; AND PROVIDING AN EFFECTIVE DATE RELATING TO EDUCATION; AND PROVIDING AN EFFECTIVE DATE PROVIDING SEVERABILITY

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

SECTION 1. LEGISLATIVE INTENT. It is the intent of the Legislature to support and implement the recommendation of the 2013 Task Force for Improving Education regarding the use of enrollment model of funding for schools. (Task Force Summary Recommendation 13 and Fiscal Stability/Effective Teachers and Leaders Subcommittee Recommendation 1.3.) The Legislature concurs with the Task Force observation that the use of average daily attendance is a factor in district fiscal instability. The Legislature finds that a move to an enrollment funding model will provide funding that will more accurately reflect costs borne by local districts.

SECTION 2. That Section 33-1003A, Idaho Code, be, and the same is hereby repealed.

SECTION 3. That Chapter 10, Title 33, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 33-1002H, Idaho Code, and to read as follows:

33-1002H. AVERAGE DAILY ENROLLMENT. (1) Notwithstanding any other provision of title 33, Idaho Code, on and after July 1, 2015, the phrase "average daily enrollment" shall replace and shall be used in lieu of the phrases "average daily attendance" and "daily attendance" in each instance where the term "average daily attendance" or "daily attendance" appears in title 33, Idaho Code, where the phrase "average daily attendance" or "daily attendance" is used to determine, describe or in any way modify or calculate the appropriation, distribution, allocation or expenditure of moneys.

(2) The state board of education is hereby authorized to promulgate rules to implement the provisions of this section. The board shall conduct negotiated rulemaking for such rules.

SECTION 4. SEVERABILITY. The provisions of this act are hereby declared to be severable and if any provision of this act or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of the remaining portions of this act.

SECTION 5. This act shall be in full force and effect on and after July 1, 2015.