

## **ISBA RESOLUTION NO. 9**

### **PERSONNEL FUNDING – USE IT OR LOSE IT**

**WHEREAS**, subsection (2) of Idaho Code 33-512 provides that a board has the power and duty “[t]o adopt and carry on, and provide for the financing of, a total educational program for the district. . . .” ; and

**WHEREAS**, school districts and charter schools are suffering from economic hardships associated with the economic impacts of COVID-19, the reductions/holdbacks to state funding of Idaho public schools, as well as potential increased costs to provide educational services in a safe and efficient manner during the COVID-19 emergency; and

**WHEREAS**, subsection (2)(g) of Idaho Code 33-1004 provides as follows: ‘A district may employ nine and one-half percent (9.5%) fewer positions than funded pursuant to subsections (2) and (3) of this section, without reduction in the number of funded positions being imposed. Beginning in fiscal year 2016, this figure shall be reduced by one percent (1%) each year for each school district in which the average class size, as determined from prior fiscal year data reported to the state department of education, was at least one (1) student greater than the statewide average class size. The State Department of Education shall report to the legislature every February, beginning in 2015, on the reductions scheduled to take place in this figure, by school district, in the ensuing fiscal year. (i) in the determination of the statewide average class size, the state department of education shall not use a single figure developed through the averaging of all districts of varying size, geographical location and pupil populations throughout the state. The statewide average class size shall be comprised of multiple figures determined through analysis of like and similarly situated districts and use of the divisor breakdown established in section 33-1002, Idaho Code. (ii) The state board of education may promulgate rules outlining the method of calculation of the state-wide average class size figures. (iii) The one percent (1%) reduction required in paragraph (g) of this subsection shall not be applied for any school year subsequent to a year when the school district’s boundaries have changed because of division, consolidation, excision or annexation of territory... ; and

**WHEREAS**, the Idaho State Board of Education has promulgated rules addressing statewide average class size as located in IDAPA 08.02.01.803, creating four (4) Groups of schools for consideration of class size, based upon elementary and secondary divisors; and

**WHEREAS**, approximately fifty-one (51) of Idaho’s Public School Districts are below the 9.5% statutory figure due to class size considerations, which are beyond the control of the District, including a number of districts which have lost 1% each year as described in this statute and are currently at 3.5% allowance of fewer positions; and

**WHEREAS**, Idaho Public School Districts are in need of flexibility in addressing budgetary issues of the school; and

**WHEREAS**, in a COVID-19 and post-pandemic world, Idaho public school districts and charter schools do not know what a “classroom” will look like or what flexibility will need to be considered in the provision of an education to its students;

**NOW, THEREFORE BE IT RESOLVED** that the Idaho School Boards Association educate the Idaho Legislature regarding the economic concerns of the Districts, including the inequities created by this legislation and the need for flexibility for schools. Be it further resolved, the Idaho School Boards Association shall research, draft, and submit legislation that proposes an amendment to Idaho Code 33-1004(2)(g) and any other related statutes and pursue amendment to any related Idaho State Board of Education rules to amend this section and provide greater latitude for school districts and charter schools in class sizes under this statute.

**STATEMENT OF PURPOSE**

While provisions have been put in place in Idaho Code 33-1004, to compare or group similarly situated districts and schools, the current model only grants one (1) student above the state average in a similarly sized district before being considered out of compliance. In a majority of instances, district and charters are penalized for being out of compliance by slightly more than one (1) student per teacher.

Because the student to teacher average is based on all funds available to a district rather than state reimbursed funds only, the districts with generous supplemental levies who hire additional certified staff impact the state average for their respective groups, creating an inequitable calculation process. Thus, districts without this supplemental funding are at a disadvantage and lose discretion of one (1) percent of personnel funding flexibility each year under the current model.

**Submitted by Pocatello Chubbuck School District No. 25**

**Recommendation of the ISBA Executive Board: Do Pass**  
*Debbi Burr will address the ISBA Executive Board’s Recommendation*

**PASSED**

<b>AYES</b>	<b>6028</b>
<b>NAYES</b>	<b>629</b>
<b>TOTAL</b>	<b>6657</b>