

**NECESSARILY EXISTENT SMALL SCHOOLS**

2000 GENERAL SESSION

STATE OF UTAH

**Sponsor: Bradley T. Johnson**

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AN ACT RELATING TO PUBLIC EDUCATION; MODIFYING THE NECESSARILY  
EXISTENT SMALL SCHOOLS FORMULA; **h PROVIDING A \$3,168,000 APPROPRIATION; h**  
MAKING CERTAIN TECHNICAL CHANGES;  
AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**53A-17a-109**, as enacted by Chapter 72, Laws of Utah 1991

*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-17a-109** is amended to read:

**53A-17a-109. Necessarily existent small schools -- Computing additional weighted pupil units -- Consolidation of small schools.**

(1) Upon application by each school district, the State Board of Education shall, in consultation with local school boards, classify particular schools in each district as necessarily existent small schools.

(a) Applications must be submitted to the state board [~~of Education~~] before April 2, and the [State] board [~~of Education~~] must report a decision to each school district before June 2.

(b) The state board [~~of Education~~] shall adopt standards and make rules to **h** :

**(i) h** govern the

approval of these schools consistent with principles of efficiency and economy and which shall serve the purpose of eliminating schools where consolidation is feasible by participation in special school units **h [-] ; AND**

**(ii) ENSURE THAT DISTRICTS ARE NOT BUILDING SECONDARY SCHOOLS IN h**

26b h CLOSE PROXIMITY TO ONE ANOTHER WHERE ECONOMY AND EFFICIENCY WOULD BE BETTER  
26c SERVED BY ONE SCHOOL MEETING THE NEEDS OF SECONDARY STUDENTS IN A DESIGNATED  
26d GEOGRAPHICAL AREA.

26e (c) A ONE OR TWO-YEAR SECONDARY SCHOOL THAT HAS RECEIVED NECESSARILY  
26f EXISTENT SMALL SCHOOL MONEY UNDER THIS SECTION PRIOR TO JULY 1, 2000, MAY CONTINUE  
26g TO RECEIVE SUCH MONEY IN SUBSEQUENT YEARS UNDER STATE BOARD RULE. h

27 (2) The state board [~~of Education~~] shall:

28 (a) prepare and publish objective standards and guidelines for determining which small

29 schools are necessarily existent after consultation with local school boards~~[-]; and~~  
 30 ~~[(3)]~~ (b) ~~[The State Board of Education shall]~~ conduct comprehensive school surveys of  
 31 the school districts in which small schools are operated for the purpose of improving school  
 32 programs, bringing about greater economy and efficiency, and reporting to the Legislature changes  
 33 needed in the law pertaining to small schools.

34 ~~[(4)]~~ (3) The additional units for schools classified as necessarily existent small schools  
 35 are computed using regression formulas ~~[written]~~ adopted by the state board ~~[of Education]~~.

36 (a) The regression formulas establish the following maximum sizes for funding under the  
 37 necessarily existent small school program:

38	(i) Elementary	160
39	<del>h [(ii) Junior high or middle</del>	<del>400</del>
40	<del>----- [(iii)]</del> (ii) h One or two-year secondary	300
41	h <del>[(iv)]</del> (iii) h Three-year secondary	450
42	<del>[(iii)]</del> h <del>[(v)]</del> (iv) h Four-year <del>[high]</del> <u>secondary</u> school	<del>[450]</del> 500
43	<del>[(iv)]</del> h <del>[(vi)]</del> (v) h Six-year <del>[high]</del> <u>secondary</u> school	600

44 (b) Schools with fewer than ten students shall receive the same add-on weighted pupil  
 45 units as schools with ten students.

46 (c) The state board ~~[of Education]~~ shall prepare and distribute an allocation table based  
 47 on the regression formula to each school district.

48 ~~[(5)]~~ (4) (a) To avoid penalizing a district financially for consolidating its small schools,  
 49 additional units may be allowed a district each year, not to exceed two years.

50 (b) The units may not exceed the difference between what the district receives for a  
 51 consolidated school and what it would have received for the small schools had they not been  
 52 consolidated.

53 (c) A district may use the monies allocated under this subsection for maintenance and  
 54 operation of school programs or for other school purposes as approved by the state board ~~[of~~  
 55 Education].

55a h Section 2. Appropriation.

55b THERE IS APPROPRIATED FOR FISCAL YEAR 2000-01, FROM THE UNIFORM SCHOOL FUND  
 55c TO THE STATE BOARD OF EDUCATION \$3,168,000 TO FUND THE CHANGES IN THE REGRESSION  
 55d FORMULA FOR NECESSARILY EXISTENT SMALL SCHOOLS UNDER SECTION 1 OF THIS ACT,  
 55e INCLUDING SOCIAL SECURITY AND RETIREMENT COSTS. IT IS THE INTENT OF THE  
 55f LEGISLATURE  
 55g THAT THIS APPROPRIATION SHALL SUPPLEMENT THE APPROPRIATION MADE FOR  
 55h NECESSARILY  
 55i EXISTENT SMALL SCHOOLS IN S.B. 3, MINIMUM SCHOOL PROGRAM ACT AMENDMENTS. h

56 Section h [2.] (3.) h Effective date.

57 This act takes effect on July 1, 2000.



**Legislative Review Note**

**as of 11-17-99 3:05 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

**Committee Note**

The Education Interim Committee recommended this bill.