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NECESSARILY EXISTENT SMALL SCHOOLS

2000 GENERAL SESSION

STATE OF UTAH

Sponsor: Bradley T. Johnson

Judy Ann Buffmire
Fred J. Fife
James R. Gowans

Keele Johnson
Tammy J. Rowan

Lawanna Shurtliff
Matt Throckmorton

AN ACT RELATING TO PUBLIC EDUCATION; MODIFYING THE NECESSARILY EXISTENT SMALL SCHOOLS FORMULA; 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 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.

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

(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	(ii) Junior high or middle	400
40	<u>(iii) One or two-year secondary</u>	<u>300</u>
41	<u>(iv) Three-year secondary</u>	<u>450</u>
42	[(iii)] (v) Four-year [high] <u>secondary</u> school	[450] <u>500</u>
43	[(iv)] (vi) Six-year [high] <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].

56 Section 2. **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.