



28 Board of Education shall allocate all the money as provided in Subsection (3). If the amount of  
29 money in the Uniform School Fund consisting of the interest and dividends on the State School  
30 Fund exceeds \$6,000,000, the State Board of Education shall allocate \$6,000,000 as provided  
31 in Subsection (3).

32 (3) (a) The State Board of Education shall allocate the monies referred to in Subsection  
33 (2) annually [for the fiscal year beginning July 1, 2000, and for each fiscal year thereafter] as  
34 follows:

35 (i) school districts shall receive 10% of the funds on an equal basis; and  
36 (ii) the remaining 90% of the funds shall be distributed on a per student basis, with  
37 each district receiving its allocation on the number of students in the district as compared to the  
38 state total.

39 (b) Each school district shall distribute its allocation under Subsection (3)(a) to each  
40 school within the district on an equal per student basis.

41 (c) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the  
42 board may make rules regarding the time and manner in which the student count shall be made  
43 for allocation of the monies.

44 (4) In order to receive its allocation under Subsection (3), a school shall have  
45 established a school community council under Section 53A-1a-108.

46 (5) (a) The school community council or its subcommittee shall develop a program to  
47 use its allocation under Subsection (3) to implement a component of the school's improvement  
48 plan, including:

49 (i) the school's identified most critical academic needs;  
50 (ii) a recommended course of action to meet the identified academic needs;  
51 (iii) a specific listing of any programs, practices, materials, or equipment which the  
52 school will need to implement a component of its school improvement plan to have a direct  
53 impact on the instruction of students and result in measurable increased student performance;  
54 and

55 (iv) how the school intends to spend its allocation of funds under this section to  
56 enhance or improve academic excellence at the school.

57 (b) The school may develop a multiyear program, but the program shall be presented  
58 and approved by the school community council and the local school board of the district in

59 which the school is located annually and as a prerequisite to receiving program funds allocated  
60 under this section.

61 (6) (a) Each school shall:

62 (i) implement the program as approved by the school community council and approved  
63 by the local school board;

64 (ii) provide ongoing support for the council's or its subcommittee's program;

65 (iii) meet school board reporting requirements regarding financial and performance  
66 accountability of the program; and

67 (iv) publicize to its patrons and the general public on how the funds it received under  
68 this section were used to enhance or improve academic excellence at the school and implement  
69 a component of the school's improvement plan, including the results of those efforts.

70 (b) (i) Each school through its council or its subcommittee shall prepare and present an  
71 annual report of the program to its local school board at the end of the school year.

72 (ii) The report shall detail the use of program funds received by the school under this  
73 section and an assessment of the results obtained from the use of the funds.

74 Section 2. Section **53A-21-102** is amended to read:

75 **53A-21-102. Capital Outlay Foundation Program -- Loan Program.**

76 (1) (a) There is established [a] the Capital Outlay Foundation Program to provide  
77 revenues to school districts for the purposes of capital outlay bonding, construction, and  
78 renovation.

79 (b) The Capital Outlay Foundation Program shall be funded from:

80 (i) that portion of the Uniform School Fund consisting of the interest and dividends on  
81 the State School Fund remaining after the State Board of Education makes the allocations  
82 under the School LAND Trust Program as provided by Section 53A-16-101.5; and

83 (ii) other appropriations that may be made by the Legislature.

84 (c) The State Board of Education shall annually allocate, as provided in Section  
85 53A-21-103, all the monies in the Uniform School Fund consisting of the interest and  
86 dividends on the State School Fund remaining after the board's allocations under the School  
87 LAND Trust Program.

88 (2) There is established [a] the Capital Outlay Loan Program to provide short-term help  
89 to school districts to meet district needs for school building construction and renovation.

90 (3) School districts shall use the monies provided to them under the foundation and  
91 loan programs solely for school district capital outlay and debt service purposes.

92 Section 3. **Effective date.**

93 This act takes effect on July 1, 2003.

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**Legislative Review Note**  
**as of 12-5-02 4:01 PM**

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

**Office of Legislative Research and General Counsel**

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**Fiscal Note**

Use of School Trust Land Monies

20-Jan-03

**Bill Number HB0177**12:40 PM

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**State Impact**

Provisions of this bill limit the distribution of School LAND Trust Program funding to local schools at \$6,000,000. Should the interest and dividends on the State School Fund exceed the \$6,000,000 distribution limit, all remaining revenue would be used to fund the Capital Outlay Foundation Program.

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**Individual and Business Impact**

No fiscal impact.

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**Office of the Legislative Fiscal Analyst**

