



42 ~~—(D) a tort liability levy imposed under Section 63G-7-704;~~  
43 ~~—(E) a capital outlay levy imposed under Section 53A-16-107; and~~  
44 ~~—(F) a voted capital outlay levy imposed under Section 53A-16-110; or~~  
45 ~~—(ii) (A) a voted local levy imposed under Section 53A-17a-133;~~  
46 ~~—(B) a board local levy imposed under Section 53A-17a-164, excluding revenues~~  
47 ~~expended for:~~  
48 ~~—(I) recreational facilities and activities authorized under Title 11, Chapter 2,~~  
49 ~~Playgrounds;~~  
50 ~~—(H) pupil transportation, up to the amount of revenue generated by a .0003 per~~  
51 ~~dollar of~~  
52 ~~taxable value of the school district's board local levy; and~~  
53 ~~—(HH) the K-3 Reading Improvement Program, up to the amount of revenue~~  
54 ~~generated by~~  
55 ~~a .000121 per dollar of taxable value of the school district's board local levy; and~~  
56 ~~—(C) a capital local levy imposed under Section 53A-16-113.~~  
57 ~~—(c) "District per pupil local revenues" means an amount equal to the following,~~  
58 ~~using~~  
59 ~~data from the most recently published school district annual financial reports and~~  
60 ~~state~~  
61 ~~superintendent's annual report:~~  
62 ~~—(i) district local property tax revenues; divided by~~  
63 ~~—(ii) the sum of:~~  
64 ~~—(A) a school district's average daily membership; and~~  
65 ~~—(B) the average daily membership of a school district's resident students who~~  
66 ~~attend~~  
67 ~~charter schools:~~  
68 ~~—(d) "Resident student" means a student who is considered a resident of the~~  
69 ~~school~~  
70 ~~district under Title 53A, Chapter 2, Part 2, District of Residency.~~  
71 ~~—(e) "Statewide average debt service revenues" means the amount determined as~~  
72 ~~follows, using data from the most recently published state superintendent's annual~~  
73 ~~report:~~  
74 ~~—(i) sum the revenues of each school district from the debt service levy imposed~~  
75 ~~under~~

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68 ~~Section 11-14-310; and~~  
69 ~~—(ii) divide the sum calculated under Subsection (1)(e)(i) by statewide school~~  
70 ~~district~~  
71 ~~average daily membership.~~  
72 ~~—(2)(a) Charter schools shall receive funding as described in this section, except~~  
73 ~~Subsections (3) through (8) do not apply to charter schools described in Subsection~~  
74 ~~(2)(b):~~  
75 ~~—(b) Charter schools authorized by local school boards that are converted from~~  
76 ~~district~~  
77 ~~schools or operate in district facilities without paying reasonable rent shall receive~~  
78 ~~funding as~~  
79 ~~prescribed in Section 53A-1a-515.~~  
80 ~~—(3)(a) Except as provided in Subsection (3)(b), a charter school shall receive~~  
81 ~~state~~  
82 ~~funds, as applicable, on the same basis as a school district receives funds:~~  
83 ~~—(b) In distributing funds under Chapter 17a, Minimum School Program Act, to~~  
84 ~~charter~~  
85 ~~schools, charter school pupils shall be weighted, where applicable, as follows:~~  
86 ~~—(i) .55 for kindergarten pupils;~~  
87 ~~—(ii) .9 for pupils in grades 1 through 6;~~  
88 ~~—(iii) .99 for pupils in grades 7 through 8; and~~  
89 ~~—(iv) 1.2 for pupils in grades 9 through 12.~~  
90 ~~—(4)(a)(i) A school district shall allocate a portion of school district revenues for~~  
91 ~~each~~  
92 ~~resident student of the school district who is enrolled in a charter school on October 1~~  
93 ~~equal to~~  
94 ~~[25%] 20.6% of [the lesser of: (A)] district per pupil local revenues[; or];~~  
95 ~~—[(B) charter school students' average local revenues.]~~  
96 ~~—(ii) Nothing in this Subsection (4)(a) affects the school bond guarantee program~~  
97 ~~established under Chapter 28, Utah School Bond Guaranty Act.~~  
98 ~~—(b) The State Board of Education shall:~~  
99 ~~—(i) deduct an amount equal to the allocation provided under Subsection (4)(a)~~  
100 ~~from~~  
101 ~~state funds the school district is authorized to receive under Chapter 17a, Minimum~~

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93 Program Act; and  
94 — ~~[(ii) remit the money to the student's charter school.]~~  
95 — ~~[(ii) use the money deducted under Subsection (4)(b)(i), together with money~~  
96 ~~appropriated under Subsection (4)(d), to provide funds to charter schools in the~~  
97 ~~amount of~~  
98 ~~charter school students' average local revenues for each student enrolled in a charter~~  
99 ~~school on~~  
100 ~~October 1.~~  
101 — ~~(c) Notwithstanding the method used to transfer school district revenues to~~  
102 ~~charter~~  
103 ~~schools as provided in Subsection (4)(b), a school district may deduct the allocations~~  
104 ~~to charter~~  
105 ~~schools under this section from:~~  
106 — ~~(i) unrestricted revenues available to the school district; or~~  
107 — ~~(ii) the revenue sources listed in Subsection (1)(b) based on the portion of the~~  
108 ~~allocations to charter schools attributed to each of the revenue sources listed in~~  
109 ~~Subsection~~  
110 ~~(1)(b):~~  
111 — ~~(d) (i) Subject to future budget constraints, the Legislature shall provide an~~  
112 ~~appropriation for charter schools for each student enrolled on October 1 to~~  
113 ~~supplement the~~  
114 ~~allocation of school district revenues under Subsection (4)(a):~~  
115 — ~~(ii) Except as provided in Subsection (4)(d)(iii), the amount of money provided~~  
116 ~~by the~~  
117 ~~state for a charter school student shall be the sum of:~~  
118 — ~~(A) charter school students' average local revenues minus the allocation of~~  
119 ~~school~~  
120 ~~district revenues under Subsection (4)(a); and~~  
121 — ~~(B) statewide average debt service revenues.~~  
122 — ~~(iii) If the total of a school district's allocation for a charter school student under~~  
123 ~~Subsection (4)(a) and the amount provided by the state under Subsection (4)(d)(ii) is~~  
124 ~~less than~~  
125 ~~\$1427, the state shall provide an additional supplement so that a charter school~~



receives at least

117 ~~\$1427 per student under this Subsection (4).~~

118 ~~—(iv) (A) If the appropriation provided under this Subsection (4)(d) is less than~~  
~~the~~

119 ~~amount prescribed by Subsection (4)(d)(ii) or (4)(d)(iii), the appropriation shall be~~  
~~allocated~~

120 ~~among charter schools in proportion to each charter school's enrollment as a~~  
~~percentage of the~~

121 ~~total enrollment in charter schools.~~

122 ~~—(B) If the State Board of Education makes adjustments to Minimum School~~  
~~Program~~

123 ~~allocations as provided under Section 53A-17a-105, the allocation provided in~~  
~~Subsection~~

124 ~~(4)(d)(iv)(A) shall be determined after adjustments are made under Section~~  
~~53A-17a-105.~~

125 ~~—(e) Of the money provided to a charter school under this Subsection (4), 10%~~  
~~shall be~~

126 ~~expended for funding school facilities only.~~

127 ~~—(5) Charter schools are eligible to receive federal funds if they meet all~~  
~~applicable~~

128 ~~federal requirements and comply with relevant federal regulations.~~

129 ~~—(6) The State Board of Education shall distribute funds for charter school~~  
~~students~~

130 ~~directly to the charter school.~~

131 ~~—(7) (a) Notwithstanding Subsection (3), a charter school is not eligible to receive~~  
~~state~~

132 ~~transportation funding.~~

133 ~~—(b) The board shall also adopt rules relating to the transportation of students to~~  
~~and~~

134 ~~from charter schools, taking into account Sections 53A-2-210 and 53A-17a-127.~~

135 ~~—(c) The governing body of the charter school may provide transportation~~  
~~through an~~  
~~136 agreement or contract with the local school board, a private provider, or with~~  
~~parents.~~

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137 ~~——(8) (a) (i) The state superintendent of public instruction may allocate grants for~~  
138 ~~both~~  
139 ~~start-up and ongoing costs to eligible charter school applicants from money~~  
140 ~~appropriated for~~  
141 ~~the implementation of this part.~~  
142 ~~——(ii) Applications for the grants shall be filed on a form determined by the state~~  
143 ~~superintendent and in conjunction with the application for a charter.~~  
144 ~~——(iii) The amount of a grant may vary based upon the size, scope, and special~~  
145 ~~circumstances of the charter school.~~  
146 ~~——(iv) The governing board of the charter school shall use the grant to meet the~~  
147 ~~expenses~~  
148 ~~of the school as established in the school's charter.~~  
149 ~~——(b) The State Board of Education shall coordinate the distribution of federal~~  
150 ~~money~~  
151 ~~appropriated to help fund costs for establishing and maintaining charter schools~~  
152 ~~within the~~  
153 ~~state.~~  
154 ~~——(9) (a) A charter school may receive, hold, manage and use any devise, bequest,~~  
155 ~~grant,~~  
156 ~~endowment, gift, or donation of any property made to the school for any of the~~  
157 ~~purposes of this~~  
158 ~~part.~~  
159 ~~——(b) It is unlawful for any person affiliated with a charter school to demand or~~  
160 ~~request~~  
161 ~~any gift, donation, or contribution from a parent, teacher, employee, or other person~~  
162 ~~affiliated~~  
163 ~~with the charter school as a condition for employment or enrollment at the school or~~  
164 ~~continued~~  
165 ~~attendance at the school.~~

~~3. Page 7, Lines 199 through 200:——~~

199 ~~This bill takes effect on~~ { ~~July 1, 2012, except the amendments in this bill to~~  
200 ~~Section~~  
~~59-2-1317 take effect on~~ } ~~January 1, 2013.-~~

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Respectfully,

Francis D. Gibson  
Committee Chair

Voting: 12-0-3

3 HB0392.HC1.WPD 2/28/12 9:35 am csteffen/CCS AOS/CCS

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