1 **NECESSARILY EXISTENT SMALL SCHOOLS FUNDING**

2 **AMENDMENTS**

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kraig Powell**

6 Senate Sponsor: _____

7 ═══

8 **LONG TITLE**

9 **General Description:**

10   This bill modifies provisions relating to funding for necessarily existent small schools.

11 **Highlighted Provisions:**

12   This bill:

13   ▸ provides that a portion of total necessarily existent small schools funding may be

14 distributed in accordance with a formula that considers the tax effort of a local

15 school board; and

16   ▸ makes technical amendments.

17 **Money Appropriated in this Bill:**

18   None

19 **Other Special Clauses:**

20   Ĥ→ [None] **This bill provides an effective date.** ←Ĥ

21 **Utah Code Sections Affected:**

22 AMENDS:

23   **53A-17a-109**, as last amended by Laws of Utah 2003, Chapter 221

24 ═══

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

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

27   **53A-17a-109. Necessarily existent small schools -- Computing additional**

28   **weighted pupil units -- Consolidation of small schools.**

29   (1) As used in this section Ĥ→ [, "board"] :

29a   **(a) "Board"** ←Ĥ means the State Board of Education.

29b   Ĥ→ **(b) "Necessarily existent small schools funding balance" means the difference between:**

29c   **(a) the amount appropriated for the necessarily existent small schools program in a**

29d   **fiscal year; and**

29e   **(b) the amount distributed to school districts for the necessarily existent small schools**

29f   **program in the same fiscal year.** ←Ĥ

30   [(1)] (2) (a) Upon application by [each] a school district, the [State Board of

31   Education] board shall, in consultation with the local school [boards] board, classify

32   [particular] schools in [each] the district as necessarily existent small schools, in accordance

33   with this section and board rules adopted under this section.

34   [(a) Applications] (b) An application must be submitted to the [state] board before

35   April 2, and the board must report a decision to [each] a school district before June 2.

36   [(b)] (3) The [state] board shall adopt standards and make rules to:

37   [(i)] (a) govern the approval of [these] necessarily existent small schools consistent

38   with principles of efficiency and economy and which shall serve the purpose of eliminating

39   schools where consolidation is feasible by participation in special school units; and

40   [(ii)] (b) ensure that districts are not building secondary schools in close proximity to

41   one another where economy and efficiency would be better served by one school meeting the

42   needs of secondary students in a designated geographical area.

43   [(c)] (4) A one or two-year secondary school that has received necessarily existent

44   small school money under this section prior to July 1, 2000, may continue to receive such

45   money in subsequent years under [state] board rule.

46   [(2)] (5) The [state] board shall prepare and publish objective standards and guidelines

47   for determining which small schools are necessarily existent after consultation with local

48   school boards.

49   [(3) The additional] (6) (a) Additional weighted pupil units for schools classified as

50   necessarily existent small schools [are] shall be computed using regression formulas adopted

51   by the [state] board.

52   [(a)] (b) The regression formulas establish the following maximum sizes for funding

53   under the necessarily existent small school program:

54   (i) [Elementary] an elementary school   160

55   (ii) [One] a one or two-year secondary school   300

56   (iii) [Three-year] a three-year secondary school   450

57   (iv) [Four-year] a four-year secondary school   500

58   (v) [Six-year] a six-year secondary school   600

59   [(b)] (c) Schools with fewer than 10 students shall receive the same add-on weighted

60   pupil units as schools with 10 students.

61   [(c)] (d) The [state] board shall prepare and distribute an allocation table based on the

62   regression formula to each school district.

63   [(4)] (7) (a) To avoid penalizing a district financially for consolidating its small

64   schools, additional weighted pupil units may be allowed a district each year, not to exceed two

65   years.

66   (b) The additional weighted pupil units may not exceed the difference between what

67   the district receives for a consolidated school and what it would have received for the small

68   schools had they not been consolidated.

69   Ĥ→ [(8) An amount not to exceed five percent of the total necessarily existent small schools

70   ~~funding may be distributed in accordance with a formula adopted by the board that considers~~

71   ~~the tax effort of a local school board.~~]

71a   **(8)(a) Subject to Subsection (8)(b), the board may distribute a portion of necessarily**

71b   **existent small schools funding in accordance with a formula adopted by the board that**

71c   **considers the tax effort of a local school board.**

71d   **(b) The amount distributed in accordance with Subsection (8)(a) may not exceed the**

71e   **necessarily existent small schools funding balance of the prior fiscal year. ←Ĥ**

72   [(c)] (9) A district may use the money allocated under this [subsection] section for

73   maintenance and operation of school programs or for other school purposes as approved by the

74   [state] board.

74a   **Ĥ→ Section 2. Effective date.**

74b   **This bill takes effect on July 1, 2013. ←Ĥ**

Legislative Review Note
        as of   2-6-13 10:09 AM

Office of Legislative Research and General Counsel