

307 ~~[(c) In addition to the reporting requirement described in Subsection (9), the board~~
 308 ~~shall report actions taken by the board under this Subsection (7) to the Executive~~
 309 ~~Appropriations Committee.]~~

310 ~~[(8)] (7)~~ Money appropriated to the board is nonlapsing.

311 ~~[(9)] (8)~~ The board shall report actions taken by the board under this section to the
 312 Office of the Legislative Fiscal Analyst and the Governor's Office of Management and Budget.

313 Section 5. Section **53A-17a-105.5** is amended to read:

314 **53A-17a-105.5. Flexibility in the use of program funds.**

315 (1) As used in this section, "qualifying program" means:

316 (a) the Enhancement for At-Risk Students Program created in Section 53A-17a-166;

317 (b) the Enhancement for Accelerated Students Program created in Section
 318 53A-17a-165; and

319 (c) the concurrent enrollment program established in Section 53A-15-1703.

320 (2) If a school district or charter school receives an allocation of state funds for a
 321 qualifying program that is less than \$10,000, the ~~[school district or charter school]~~ local
 322 education board of the receiving school district or charter school may:

323 (a) (i) combine the funds with one or more qualifying program fund allocations each of
 324 which is less than \$10,000; and

325 (ii) use the combined funds in accordance with the program requirements for any of the
 326 qualifying programs that are combined; or

327 (b) (i) transfer the funds to a qualifying program for which the school district or charter
 328 school received an allocation of funds that is greater than or equal to \$10,000; and

329 (ii) use the combined funds in accordance with the program requirements for the
 330 qualifying program to which the funds are transferred.

331 Section 6. Section **53A-17a-106** is amended to read:

332 **53A-17a-106. Determination of weighted pupil units.**

333 The number of weighted pupil units in the minimum school program for each year is
 334 the total of the units for each school district ~~Ĥ→~~ **and, subject to Section 53A-1a-513, charter**
 334a **school ←Ĥ** determined as follows:

335 (1) The number of units is computed by adding the average daily membership of all
 336 pupils of the ~~Ĥ→~~ **school ←Ĥ** district ~~Ĥ→~~ **or charter school ←Ĥ** attending schools, other than
 336a kindergarten and self-contained classes for
 337 children with a disability.

338 (2) The number of units is computed by adding the average daily membership of all
339 pupils of the school district ~~H→~~ or charter school ~~←H~~ enrolled in kindergarten and multiplying
339a the total by .55.

340 (a) In those school districts ~~H→~~ or charter schools ~~←H~~ that do not [~~elect to~~] hold
340a kindergarten for a full
341 nine-month term, the local school board or charter school governing board may approve a
342 shorter term of nine weeks' duration.

343 (b) Upon local ~~H→~~ [school] education ~~←H~~ board approval, the number of pupils
343a in average daily
344 membership at the short-term kindergarten shall be counted for the purpose of determining the
345 number of units allowed in the same ratio as the number of days the short-term kindergarten is
346 held, not exceeding nine weeks, compared to the total number of days schools are held in that
347 school district ~~H→~~ or charter school ~~←H~~ in the regular school year.

348 (3) (a) The State Board of Education shall use prior year plus growth to determine
349 average daily membership in distributing money under the minimum school program where the
350 distribution is based on kindergarten through grade 12 ADMs or weighted pupil units.

351 (b) Under prior year plus growth, kindergarten through grade 12 average daily
352 membership for the current year is based on the actual kindergarten through grade 12 average
353 daily membership for the previous year plus an estimated percentage growth factor.

354 (c) The growth factor is the percentage increase in total average daily membership on
355 the first school day of October in the current year as compared to the total average daily
356 membership on the first school day of October of the previous year.

357 Section 7. Section **53A-17a-107** is amended to read:

358 **53A-17a-107. Professional staff weighted pupil units.**

359 (1) Professional staff weighted pupil units are computed and distributed in accordance
360 with the following schedule:

361 (a) Professional Staff Cost Formula

| | Years of Experience | Bachelor's Degree | Bachelor's +30 Qt. Hr. | Master's Degree | Master's Degree +45 Qt. Hr. | Doctorate |
|-----|---------------------|-------------------|------------------------|-----------------|-----------------------------|-----------|
| 363 | 1 | 1.00 | 1.05 | 1.10 | 1.15 | 1.20 |
| 364 | 2 | 1.05 | 1.10 | 1.15 | 1.20 | 1.25 |
| 365 | 3 | 1.10 | 1.15 | 1.20 | 1.25 | 1.30 |

| | | | | | | |
|-----|----|------|------|------|------|------|
| 366 | 4 | 1.15 | 1.20 | 1.25 | 1.30 | 1.35 |
| 367 | 5 | 1.20 | 1.25 | 1.30 | 1.35 | 1.40 |
| 368 | 6 | 1.25 | 1.30 | 1.35 | 1.40 | 1.45 |
| 369 | 7 | 1.30 | 1.35 | 1.40 | 1.45 | 1.50 |
| 370 | 8 | 1.35 | 1.40 | 1.45 | 1.50 | 1.55 |
| 371 | 9 | | | 1.50 | 1.55 | 1.60 |
| 372 | 10 | | | | 1.60 | 1.65 |
| 373 | 11 | | | | | 1.70 |

374 (b) Multiply the number of full-time or equivalent professional personnel in each
375 applicable experience category in Subsection (1)(a) by the applicable weighting factor.

376 (c) Divide the total of Subsection (1)(b) by the number of professional personnel
377 included in Subsection (1)(b) and reduce the quotient by 1.00.

378 (d) Multiply the result of Subsection (1)(c) by 1/4 of the weighted pupil units computed
379 in accordance with Sections 53A-17a-106 and 53A-17a-109.

380 (2) The State Board of Education shall enact rules in accordance with Title 63G,
381 Chapter 3, Utah Administrative Rulemaking Act, ~~which~~ that require a certain percentage of a
382 school district's ~~H→~~ or charter school's ~~←H~~ professional staff to be certified in the area in which
382a ~~[they teach]~~ the staff
383 teaches in order for the school district ~~H→~~ or charter school ~~←H~~ to receive full funding under the
383a schedule.

384 (3) If an individual's teaching experience is a factor in negotiating a contract of
385 employment to teach in the state's public schools, then the local ~~[school]~~ education board is
386 encouraged to accept as credited experience all of the years the individual has taught in the
387 state's public schools.

388 Section 8. Section **53A-17a-108** is amended to read:

389 **53A-17a-108. Weighted pupil units for small school district administrative costs**
390 **-- Appropriation for charter school administrative costs.**

391 (1) Administrative costs weighted pupil units are computed ~~[and distributed to small~~
392 ~~school districts]~~ for a small school district and distributed to the small school district in
393 accordance with the following schedule:

394 Administrative Costs Schedule

| | | |
|-----|--|----------------------|
| 395 | School District Enrollment as of October 1 | Weighted Pupil Units |
|-----|--|----------------------|

457 (d) The board shall prepare and distribute an allocation table based on the regression
458 formula to each school district.

459 (7) (a) To avoid penalizing a school district financially for consolidating [~~its~~] the
460 school district's small schools, additional weighted pupil units may be allowed a school district
461 each year, not to exceed two years.

462 (b) The additional weighted pupil units may not exceed the difference between what
463 the school district receives for a consolidated school and what [~~it~~] the school district would
464 have received for the small schools had [~~they~~] the small schools not been consolidated.

465 (8) (a) Subject to Subsection (8)(b), the board may distribute a portion of necessarily
466 existent small schools funding in accordance with a formula adopted by the board that
467 considers the tax effort of a local school board.

468 (b) The amount distributed in accordance with Subsection (8)(a) may not exceed the
469 necessarily existent small schools fund in balance of the prior fiscal year.

470 (9) A [~~district~~] local school board may use the money allocated under this section for
471 maintenance and operation of school programs or for other school purposes as approved by the
472 board.

473 Section 10. Section **53A-17a-111** is amended to read:

474 **53A-17a-111. Weighted pupil units for programs for students with disabilities --**
475 **Local school board allocation.**

476 (1) The number of weighted pupil units for students with disabilities shall reflect the
477 direct cost of programs for those students conducted in accordance with rules established by the
478 State Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative
479 Rulemaking Act.

480 (2) Disability program money allocated to school districts is restricted and shall be
481 spent for the education of students with disabilities but may include expenditures for approved
482 programs of services conducted for certified instructional personnel who have students with
483 disabilities in their classes.

484 (3) The State Board of Education shall establish and strictly interpret definitions and
485 provide standards for determining which students have disabilities and shall assist
485a ~~H~~→ school ←~~H~~ districts in

486 determining the services that should be provided to students with disabilities.

487 (4) Each year the [~~board~~] State Board of Education shall evaluate the standards and

581 measures such as placement and competency attainment defined in standards set by the [board]
582 State Board of Education.

583 (d) Leadership organization funds shall constitute an amount not to exceed 1% of the
584 total appropriation under this section, and shall be distributed to each [~~local educational~~
585 ~~agency~~] school district ~~Ĥ→~~ **or each charter school** ~~←Ĥ~~ sponsoring career and technical
585a education student leadership
586 organizations based on the agency's share of the state's total membership in those
587 organizations.

588 (e) The [board] State Board of Education shall make the necessary calculations for
589 distribution of the appropriation to a school [~~districts~~] district ~~Ĥ→~~ **and charter school** ~~←Ĥ~~
589a and may revise and recommend
590 changes necessary for achieving equity and ease of administration.

591 (3) (a) Twenty weighted pupil units shall be computed for career and technical
592 education administrative costs for each school district ~~Ĥ→~~ **and each charter school** ~~←Ĥ~~ ,
592a except 25 weighted pupil units may be
593 computed for each school district that consolidates career and technical education
594 administrative services with one or more other school districts.

595 (b) Between 10 and 25 weighted pupil units shall be computed for each high school
596 conducting approved career and technical education programs in a school district according to
597 standards established by the [board] State Board of Education.

598 (c) Forty weighted pupil units shall be computed for each school district that operates
599 an approved career and technical education center.

600 (d) Between five and seven weighted pupil units shall be computed for each summer
601 career and technical education agriculture program according to standards established by the
602 [board] State Board of Education.

603 (e) The [board] State Board of Education shall, by rule, establish qualifying criteria for
604 [~~districts~~] a school district ~~Ĥ→~~ **or charter school** ~~←Ĥ~~ to receive weighted pupil units under
604a this Subsection (3).

605 (4) (a) Money remaining after the allocations made under Subsections (2) and (3) shall
606 be allocated using average daily membership in approved programs for the previous year.

607 (b) A school district ~~Ĥ→~~ **or charter school** ~~←Ĥ~~ that has experienced student growth
607a in grades 9 through 12 for the
608 previous year shall have the growth factor applied to the previous year's weighted pupil units
609 when calculating the allocation of money under this Subsection (4).

610 (5) Of the money allocated to comprehensive guidance programs pursuant to [board
611 ~~rules~~] State Board of Education rule, \$1,000,000 in grants shall be awarded to school districts

612 or charter schools that:

613 (a) provide an equal amount of matching funds; and

614 (b) do not supplant other funds used for comprehensive guidance programs.

615 (6) (a) The [~~board~~] State Board of Education shall establish rules for [~~the~~] upgrading
616 [~~of~~] high school career and technical education programs.

617 (b) The rules shall reflect career and technical training and actual marketable job skills
618 in society.

619 (c) The rules shall include procedures to assist school districts ~~H→~~ **and charter**
619a **schools ←H** to convert existing

620 programs [~~which~~] that are not preparing students for the job market into programs that will
621 accomplish that purpose.

622 (7) Programs that do not meet [~~board~~] State Board of Education standards may not be
623 funded under this section.

624 Section 14. Section **53A-17a-116** is amended to read:

625 **53A-17a-116. Weighted pupil units for career and technical education set-aside**
626 **programs.**

627 (1) Each school district ~~H→~~ **and charter school ←H** shall receive a guaranteed
627a minimum allocation from the money
628 appropriated to the State Board of Education for a career and technical education set-aside
629 program.

630 (2) The set-aside funds remaining after the initial minimum payment allocation are
631 distributed by [~~an RFP~~] a request for proposals process to help pay for equipment costs
632 necessary to initiate new programs and for high priority programs as determined by labor
633 market information.

634 Section 15. Section **53A-17a-119** is amended to read:

635 **53A-17a-119. Appropriation for adult education programs.**

636 (1) Money appropriated to the State Board of Education for adult education shall be
637 allocated to [~~local school boards~~] school districts for adult high school completion and adult
638 basic skills programs.

639 (2) Each school district shall receive [~~its~~] a pro rata share of the appropriation for adult
640 high school completion programs based on the number of people in the school district listed in
641 the latest official census who are over 18 years of age and who do not have a high school
642 diploma and prior year participation or as approved by [~~board~~] State Board of Education rule.

674 (3) (a) A ~~[district]~~ local ~~district~~ education ~~board~~ may use ~~[its]~~ an allocation
 674a to reduce class size in
 675 any one or all of the grades referred to under this section, except as otherwise provided in
 676 Subsection (3)(b).

677 (b) (i) Each ~~[district or charter school]~~ local education board shall use 50% of ~~[its]~~ an
 678 allocation to reduce class size in any one or all of grades kindergarten through grade 2, with an
 679 emphasis on improving student reading skills.

680 (ii) If a school district's or charter school's average class size is below 18 in grades
 681 kindergarten through grade 2, ~~[it]~~ a local education board may petition the ~~[state board]~~ State
 682 Board of Education for, and the ~~[state board]~~ State Board of Education may grant, a waiver to
 683 use ~~[its]~~ an allocation under Subsection (3)(b)(i) for class size reduction in the other grades.

684 (4) Schools may use nontraditional innovative and creative methods to reduce class
 685 sizes with this appropriation and may use part of ~~[their]~~ an allocation to focus on class size
 686 reduction for specific groups, such as at risk students, or for specific blocks of time during the
 687 school day.

688 (5) (a) A ~~[school district or charter school]~~ local education board may use up to 20% of
 689 ~~[its]~~ an allocation under Subsection (1) for capital facilities projects if such projects would help
 690 to reduce class size.

691 (b) If a school district's or charter school's student population increases by 5% or 700
 692 students from the previous school year, the ~~[school district or charter school]~~ local education
 693 board may use up to 50% of any allocation ~~[it receives]~~ received by the respective school
 694 district or charter school under this section for classroom construction.

695 (6) This appropriation is to supplement any other appropriation made for class size
 696 reduction.

697 (7) The Legislature shall provide for an annual adjustment in the appropriation
 698 authorized under this section in proportion to the increase in the number of students in the state
 699 in kindergarten through grade eight.

700 (8) (a) ~~[To]~~ For a school district or charter school to qualify for class size reduction
 701 money, a ~~[school district or charter school]~~ local education board shall submit:

702 (i) a plan for the use of the ~~[school district's or charter school's]~~ allocation of class size
 703 reduction money to the State Board of Education; and

704 (ii) beginning with the 2014-15 school year, a report on the ~~[school district's or charter~~

736 (i) a plan and a report on the use of class size reduction money as required by this
737 section; and

738 (ii) a report required under Subsection (8)(c).

739 (f) Based on the data contained in the class size reduction plans and reports submitted
740 by ~~[school districts and charter schools]~~ local education boards, and data on average class size,
741 the State Board of Education shall annually report to the Public Education Appropriations
742 Subcommittee on the impact of class size reduction, K-3 Reading Improvement Program, and
743 Title I money on class size.

744 Section 18. Section **53A-17a-125** is amended to read:

745 **53A-17a-125. Appropriation for retirement and social security.**

746 (1) The employee's retirement contribution shall be 1% for employees who are under
747 the state's contributory retirement program.

748 (2) The employer's contribution under the state's contributory retirement program is
749 determined under Section 49-12-301, subject to the 1% contribution under Subsection (1).

750 (3) (a) The employer-employee contribution rate for employees who are under the
751 state's noncontributory retirement program is determined under Section 49-13-301.

752 (b) The same contribution rate used under Subsection (3)(a) shall be used to calculate
753 the appropriation for charter schools described under Subsection (5).

754 (4) (a) Money appropriated to the State Board of Education for retirement and social
755 security money shall be allocated to school districts and charter schools based on a ~~[district's]~~
756 school district or charter school's total weighted pupil units compared to the total weighted
757 pupil units for all school districts ~~↔~~ and charter schools ~~↔~~ in the state.

758 (b) Subject to budget constraints, money needed to support retirement and social
759 security shall be determined by taking ~~[the]~~ a school district's ~~↔~~ or a charter school's ~~↔~~
759a prior year allocation and
760 adjusting it for:

761 (i) student growth;

762 (ii) the percentage increase in the value of the weighted pupil unit; and

763 (iii) the effect of any change in the rates for retirement, social security, or both.

764 (5) A charter school governing board that ~~[has made]~~ makes an election of
765 nonparticipation in the Utah State Retirement Systems in accordance with Section 53A-1a-512
766 and Title 49, Utah State Retirement and Insurance Benefit Act, shall use the funds described

1077 average daily membership drops more than 4% below the average for the highest two of the
1078 preceding three years in the school district.

1079 Section 25. Section **53A-17a-140** is amended to read:

1080 **53A-17a-140. Contracts with teachers.**

1081 A school district may not enter into contracts with teachers that would prevent the
1082 school district from paying differential salaries or putting limitations on an individual salary
1083 paid in order to fill a shortage in specific teaching areas.

1084 Section 26. Section **53A-17a-141** is amended to read:

1085 **53A-17a-141. Alternative programs.**

1086 (1) Since the State Board of Education has adopted a policy that requires school
1087 districts ~~H→~~ **and charter schools** ~~←H~~ to grant credit for proficiency through alternative
1087a programs, school districts ~~H→~~ **and charter schools** ~~←H~~ are
1088 encouraged to continue and expand [their] school district cooperation with accredited
1089 institutions through performance contracts for educational services, particularly where it is
1090 beneficial to students whose progress could be better served through alternative programs.

1091 (2) School districts ~~H→~~ **and charter schools** ~~←H~~ are encouraged to participate in
1091a programs that focus on increasing
1092 the number of ethnic minority and female students in the secondary schools who will go on to
1093 study mathematics, engineering, or related sciences at an institution of higher education.

1094 Section 27. Section **53A-17a-143** is amended to read:

1095 **53A-17a-143. Federal Impact Aid Program -- Offset for underestimated**
1096 **allocations from the Federal Impact Aid Program.**

1097 (1) In addition to the revenues received from the levy imposed by [~~each school district~~]
1098 a local school board and authorized by the Legislature under Section 53A-17a-135, the
1099 Legislature shall provide an amount equal to the difference between the school district's
1100 anticipated receipts under the entitlement for the fiscal year from the Federal Impact Aid
1101 Program and the amount the school district actually received from this source for the next
1102 preceding fiscal year.

1103 (2) If at the end of a fiscal year the sum of the receipts of a school district from a
1104 distribution from the Legislature pursuant to Subsection (1) plus the school district's allocations
1105 from the Federal Impact Aid Program for that fiscal year exceeds the amount allocated to the
1106 school district from the Federal Impact Aid Program for the next preceding fiscal year, the
1107 excess funds are carried into the next succeeding fiscal year and become in that year a part of

1108 the school district's contribution to [its] the school district's basic program for operation and
 1109 maintenance under the state minimum school finance law.

1110 (3) During [~~that year~~] the next succeeding fiscal year described in Subsection (2), the
 1111 school district's required tax rate for the basic program shall be reduced so that the yield from
 1112 the reduced tax rate plus the carryover funds equal the school district's required contribution to
 1113 [its] the school district's basic program.

1114 (4) ~~H→ [A school district that reduces]~~ ←H [its] ~~H→~~ **For the school district of a local**
 1114a **school board that is required to reduce** ←H the school district's basic tax rate under this
 1115 section ~~H→ the school district~~ ←H shall receive state minimum school program funds as though
 1115a the reduction in the tax
 1116 rate had not been made.

1117 Section 28. Section ~~53A-17a-144~~ is amended to read:

1118 **53A-17a-144. Contribution of state to cost of minimum school program --**
 1119 **Determination of amounts -- Levy on taxable property -- Disbursal -- Deficiency.**

1120 The state's contribution to the total cost of the minimum school program is determined
 1121 and distributed as follows:

1122 (1) The State Tax Commission shall levy an amount determined by the Legislature on
 1123 all taxable property of the state.

1124 (a) This amount, together with other funds provided by law, is the state's contribution
 1125 to the minimum school program.

1126 (b) The statewide levy is set at zero until changed by the Legislature.

1127 (2) During the first week in November, the State Tax Commission shall certify to the
 1128 State Board of Education the amounts designated as state aid for each school district under
 1129 Section 59-2-902.

1130 (3) (a) The actual amounts computed under Section 59-2-902 are the state's
 1131 contribution to the minimum school program of each school district.

1132 (b) The [~~state board~~] State Board of Education shall provide each [~~district~~] local
 1132a ~~H→~~ [~~school~~] education ←H
 1133 board with a statement of the amount of state aid.

1134 (4) [~~Prior to~~] Before the first day of each month, the state treasurer and the Division of
 1135 Finance, with the approval of the State Board of Education, shall disburse 1/12 of the state's
 1136 contribution to the cost of the minimum school program to each school district ~~H→~~ **and each**
 1136a **charter school** ←H .

1137 (a) [~~A disbursement may not be made to a district~~] The State Board of Education may
 1138 not make a disbursement to a school district ~~H→~~ **or charter school** ←H whose payments have been
 1138a interrupted under

1139 Subsection (4)(d).

1140 (b) Discrepancies between the monthly disbursements and the actual cost of the
1141 program shall be adjusted in the final settlement under Subsection (5).

1142 (c) If the monthly distributions overdraw the money in the Uniform School Fund, the
1143 Division of Finance is authorized to run this fund in a deficit position.

1144 (d) The ~~[state board]~~ State Board of Education may interrupt disbursements to a school
1145 district ~~↔~~ or charter school ~~↔~~ if, in the judgment of the ~~[board]~~ State Board of Education,
1145a the ~~↔~~ school ~~↔~~ district ~~↔~~ or charter school ~~↔~~ is failing to
1146 comply with the minimum school program, is operating programs that are not approved by the
1147 ~~[state board]~~ State Board of Education, or has not submitted reports required by law or the
1148 ~~[state board]~~ State Board of Education.

1149 (i) Disbursements shall be resumed upon request of the ~~[state board]~~ State Board of
1150 Education.

1151 (ii) Back disbursements shall be included in the next regular disbursement, and the
1152 amount disbursed certified to the State Division of Finance and state treasurer by the ~~[state~~
1153 ~~board]~~ State Board of Education.

1154 (e) The State Board of Education may authorize exceptions to the 1/12 per month
1155 disbursement formula for grant funds if the ~~[board]~~ State Board of Education determines that a
1156 different disbursement formula would better serve the purposes of the grant.

1157 (5) (a) If money in the Uniform School Fund is insufficient to meet the state's
1158 contribution to the minimum school program as appropriated, the amount of the deficiency thus
1159 created shall be carried as a deficiency in the Uniform School Fund until the next session of the
1160 Legislature, at which time the Legislature shall appropriate funds to cover the deficiency.

1161 (b) If there is an operating deficit in public education Uniform School Fund
1162 appropriations, the Legislature shall eliminate the deficit by:

1163 (i) budget transfers or other legal means;

1164 (ii) appropriating money from the Education Budget Reserve Account;

1165 (iii) appropriating up to 25% of the balance in the General Fund Budget Reserve
1166 Account; or

1167 (iv) some combination of Subsections (5)(b)(i), (ii), and (iii).

1168 (c) Nothing in Subsection (5)(b) precludes the Legislature from appropriating more
1169 than 25% of the balance in the General Fund Budget Reserve Account to fund operating

1170 deficits in public education appropriations.

1171 Section 29. Section **53A-17a-145** is amended to read:

1172 **53A-17a-145. Additional levy by local school board for debt service, school sites,**
1173 **buildings, buses, textbooks, and supplies.**

1174 (1) Except as provided in Subsection (5), a [~~school district~~] local school board may
1175 elect to increase [~~its~~] the school district's tax rate by up to 10% of the cost of the basic program.

1176 (2) The proceeds from the increase may only be used for debt service, the construction
1177 or remodeling of school buildings, or the purchase of school sites, buses, equipment, textbooks,
1178 and supplies.

1179 (3) This section does not prohibit a school district or local school board from
1180 exercising the authority granted by other laws relating to tax rates.

1181 (4) This increase in the tax rate is not included in determining the apportionment of the
1182 State School Fund, and is in addition to other tax rates authorized by law.

1183 (5) Beginning January 1, 2012, a local school [~~district~~] board may not:

1184 (a) levy a tax rate in accordance with this section; or

1185 (b) increase its tax rate as described in Subsection (1).

1186 Section 30. Section **53A-17a-146** is amended to read:

1187 **53A-17a-146. Reduction of local ~~H~~→ [school] education ←~~H~~ board allocation**
1187a **based on insufficient**
1188 **revenues.**

1189 (1) As used in this section, "Minimum School Program funds" means the total of state
1190 and local funds appropriated for the minimum school program, excluding:

1191 (a) the state-supported voted local levy program pursuant to Section 53A-17a-133;

1192 (b) the state-supported board local levy program pursuant to Section 53A-17a-164; and

1193 (c) the appropriation to charter schools to replace local property tax revenues pursuant
1194 to Section 53A-1a-513.

1195 (2) If the Legislature reduces appropriations made to support public schools under this
1196 chapter because an Education Fund budget deficit, as defined in Section 63J-1-312, exists, the
1197 State Board of Education, after consultation with each [~~school district and charter school~~] local
1198 education board, shall allocate the reduction among school districts and charter schools in
1199 proportion to each school district's or charter school's percentage share of Minimum School
1200 Program funds.