

Representative Afton B. Bradshaw proposes to substitute the following bill:

MODIFICATIONS OF SCHOOL CHOICE PROGRAM

2001 GENERAL SESSION

STATE OF UTAH

Sponsor: Afton B. Bradshaw

A. Lamont Tyler

The act modifies provisions related to the State System of Public Education by providing supplemental funding to school districts who enroll nonresident students under the state's school choice program. The act takes effect July 1, 2001.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

53A-2-210, as last amended by Chapter 119, Laws of Utah 1993

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

Section 1. Section **53A-2-210** is amended to read:

53A-2-210. Funding.

(1) A student who enrolls in a nonresident district is considered a resident of that district for purposes of state funding.

(2) (a) The State Board of Education shall adopt rules providing that the resident district pay the nonresident district, for each of the resident district's students who enroll in the nonresident district, 1/2 of the amount [~~by which the resident district's per student expenditure exceeds the value of the state's contribution.~~] determined under the following formula:

(i) in the most recent State Superintendent's Annual Report take the resident school district's total expenditures before interfund transfer for:

(A) maintenance and operation;

(B) tort liability; and

(C) capital projects;



26 (ii) subtract from the sum of Subsection (2)(a)(i):
27 (A) the resident district's taxes collected under Title 53A, Chapter 17a, Minimum School
28 Program Act;
29 (B) state revenue;
30 (C) federal revenue; and
31 (D) expenditures for site acquisition or new facility construction, which includes
32 remodeling that increases building square footage or other major remodeling, if approved by the
33 State Office of Education; and
34 (iii) divide the remaining amount under Subsection (2)(a)(ii) by the total student
35 membership of the school district as reported in the most recent State Superintendent's Annual
36 Report.
37 (b) The Legislature shall provide an appropriation for school districts for each of their
38 nonresident students under this section equal to the amount determined under Subsection (2)(a).
39 (3) (a) Except as provided in Subsection (3), the parent or guardian of a nonresident
40 student shall arrange for the student's own transportation to and from school.
41 (b) The State Board of Education may adopt rules under which nonresident students may
42 be transported to their schools of attendance if:
43 (i) the transportation of students to schools in other districts would relieve overcrowding
44 or other serious problems in the district of residence and the costs of transportation are not
45 excessive; or
46 (ii) the Legislature has granted an adequate specific appropriation for that purpose.
47 (c) A receiving district shall provide transportation for a nonresident student on the basis
48 of available space on an approved route within the district to the school of attendance if district
49 students would be eligible for transportation to the same school from that point on the bus route
50 and the student's presence does not increase the cost of the bus route.
51 (d) Nothing in this section shall be construed as prohibiting the resident district or the
52 receiving district from providing bus transportation on any approved route.
53 (e) Except as provided in Subsection (3)(b), the district of residence may not claim any
54 state transportation costs for students enrolled in other school districts.
55 Section 2. **Effective date.**
56 This act takes effect on July 1, 2001.