

INSTRUCTIONAL EXPENSES REQUIREMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Gregory H. Hughes

Senate Sponsor: _____

LONG TITLE

General Description:

This bill requires school districts to spend a certain portion of General Fund expenditures on instructional expenditures.

Highlighted Provisions:

This bill:

- requires each school district to spend at least 65% of its General Fund expenditures on instructional expenditures, with certain exceptions;

- provides for waivers of the expenditure standards from the State Board of Education; and

- defines terms.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53A-3-404.5, Utah Code Annotated 1953

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

Section 1. Section **53A-3-404.5** is enacted to read:



53A-3-404.5. Instructional expenditures standards.

(1) As used in this section:

(a) "General Fund expenditures" means expenditures accounted for in a school district's General Fund, as defined in the U.S. Department of Education publication, "Financial Accounting for Local and State School Systems."

(b) "Instructional expenditures" means expenditures for ~~the~~ **[instruction]** the following ~~as defined in the~~

U.S. Department of Education publication, "Financial Accounting for Local and State School

Systems ~~the~~ **[]** ~~:~~ ~~the~~ "

(i) instruction;

(ii) guidance services;

(iii) health services;

(iv) psychological services;

(v) speech pathology and audiology services;

(vi) occupational therapy-related services;

(vii) library/media services; and

(viii) academic student assessment. ~~the~~

(2) (a) Each school district shall spend at least 65% of its General Fund expenditures on instructional expenditures.

(b) If a school district's instructional expenditures in fiscal year 2005-06 are less than 65% of its General Fund expenditures, the school district shall increase instructional expenditures as a percent of General Fund expenditures by two percentage points per year beginning in fiscal year 2006-07.

(3) (a) A school district that is unable to meet the expenditure standards established under Subsection (2) may apply to the State Board of Education for a waiver. The waiver request shall specify:

(i) the reasons why the school district is unable to meet the expenditure standards; and

(ii) actions the school district will take to meet the expenditure standards in the following year.

(b) The State Board of Education shall grant or deny the waiver request within 60 days of receiving the request.

Legislative Review Note
as of 12-8-05 10:57 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note**Instructional Expenses Requirements***26-Jan-06***Bill Number HB0143***8:17 AM*

State Impact

Implementation of this bill may require a school district to adjust expenditures from the school district's general fund to meet the expenditure provisions outlined in this bill.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst