

36 ~~enrolled in charter schools on the previous October 1.~~
37 ~~—(b) "District local property tax revenues" means the sum of a school district's~~
38 ~~revenue~~
39 ~~received from the following levies:~~
40 ~~—(i) (A) a voted levy imposed under Section 53A-17a-133;~~
41 ~~—(B) a board levy imposed under Section 53A-17a-134;~~
42 ~~—(C) a 10% of basic levy imposed under Section 53A-17a-145;~~
43 ~~—(D) a tort liability levy imposed under Section 63G-7-704;~~
44 ~~—(E) a capital outlay levy imposed under Section 53A-16-107; and~~
45 ~~—(F) a voted capital outlay levy imposed under Section 53A-16-110; or~~
46 ~~—(ii) (A) a voted local levy imposed under Section 53A-17a-133;~~
47 ~~—(B) a board local levy imposed under Section 53A-17a-164, excluding revenues~~
48 ~~expended for:~~
49 ~~—(I) recreational facilities and activities authorized under Title 11, Chapter 2,~~
50 ~~Playgrounds;~~
51 ~~—(H) pupil transportation, up to the amount of revenue generated by a .0003 per~~
52 ~~dollar of~~
53 ~~taxable value of the school district's board local levy; and~~
54 ~~—(II) the K-3 Reading Improvement Program, up to the amount of revenue~~
55 ~~generated by~~
56 ~~a .000121 per dollar of taxable value of the school district's board local levy; and~~
57 ~~—(C) a capital local levy imposed under Section 53A-16-113.~~
58 ~~—(c) "District per pupil local revenues" means an amount equal to the following;~~
59 ~~using~~
60 ~~data from the most recently published school district annual financial reports and~~
61 ~~state~~
62 ~~superintendent's annual report:~~
63 ~~—(i) district local property tax revenues; divided by~~
64 ~~—(ii) the sum of:~~
65 ~~—(A) a school district's average daily membership; and~~
66 ~~—(B) the average daily membership of a school district's resident students who~~
67 ~~attend~~
68 ~~charter schools:~~
69 ~~—(d) "Resident student" means a student who is considered a resident of the~~



school

- 64 ~~district under Title 53A, Chapter 2, Part 2, District of Residency.~~
- 65 ~~—(e) "Statewide average debt service revenues" means the amount determined as~~
- 66 ~~follows, using data from the most recently published state superintendent's annual~~
- 67 ~~report:~~
- 68 ~~—(i) sum the revenues of each school district from the debt service levy imposed~~
- 69 ~~under~~
- 70 ~~Section 11-14-310; and~~
- 71 ~~—(ii) divide the sum calculated under Subsection (1)(e)(i) by statewide school~~
- 72 ~~district~~
- 73 ~~average daily membership.~~
- 74 ~~—(2) (a) Charter schools shall receive funding as described in this section, except~~
- 75 ~~Subsections (3) through (8) do not apply to charter schools described in Subsection~~
- 76 ~~(2)(b).~~
- 77 ~~—(b) Charter schools authorized by local school boards that are converted from~~
- 78 ~~district~~
- 79 ~~schools or operate in district facilities without paying reasonable rent shall receive~~
- 80 ~~funding as~~
- 81 ~~prescribed in Section 53A-1a-515.~~
- 82 ~~—(3) (a) Except as provided in Subsection (3)(b), a charter school shall receive~~
- 83 ~~state~~
- 84 ~~funds, as applicable, on the same basis as a school district receives funds.~~
- 85 ~~—(b) In distributing funds under Chapter 17a, Minimum School Program Act, to~~
- 86 ~~charter~~
- 87 ~~schools, charter school pupils shall be weighted, where applicable, as follows:~~
- 88 ~~—(i) .55 for kindergarten pupils;~~
- 89 ~~—(ii) .9 for pupils in grades 1 through 6;~~
- 90 ~~—(iii) .99 for pupils in grades 7 through 8; and~~
- 91 ~~—(iv) 1.2 for pupils in grades 9 through 12.~~
- 92 ~~—(4) (a) (i) A school district shall allocate a portion of school district revenues for~~
- 93 ~~each~~
- 94 ~~resident student of the school district who is enrolled in a charter school on October 1~~
- 95 ~~equal to~~
- 96 ~~[25%] 20.6% of [the lesser of: (A)] district per pupil local revenues[; or].~~

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87 ~~—(B) charter school students' average local revenues.]~~
88 ~~—(ii) Nothing in this Subsection (4)(a) affects the school bond guarantee program~~
89 ~~established under Chapter 28, Utah School Bond Guaranty Act.~~
90 ~~—(b) The State Board of Education shall:~~
91 ~~—(i) deduct an amount equal to the allocation provided under Subsection (4)(a)~~
92 ~~from~~
93 ~~state funds the school district is authorized to receive under Chapter 17a, Minimum~~
94 ~~School~~
95 ~~Program Act; and~~
96 ~~—(ii) remit the money to the student's charter school.]~~
97 ~~—(ii) use the money deducted under Subsection (4)(b)(i), together with money~~
98 ~~appropriated under Subsection (4)(d), to provide funds to charter schools in the~~
99 ~~amount of~~
100 ~~charter school students' average local revenues for each student enrolled in a charter~~
101 ~~school on~~
102 ~~October 1.~~
103 ~~—(c) Notwithstanding the method used to transfer school district revenues to~~
104 ~~charter~~
105 ~~schools as provided in Subsection (4)(b), a school district may deduct the allocations~~
106 ~~to charter~~
107 ~~schools under this section from:~~
108 ~~—(i) unrestricted revenues available to the school district; or~~
109 ~~—(ii) the revenue sources listed in Subsection (1)(b) based on the portion of the~~
110 ~~allocations to charter schools attributed to each of the revenue sources listed in~~
111 ~~Subsection~~
112 ~~(1)(b):~~
113 ~~—(d) (i) Subject to future budget constraints, the Legislature shall provide an~~
114 ~~appropriation for charter schools for each student enrolled on October 1 to~~
115 ~~supplement the~~
116 ~~allocation of school district revenues under Subsection (4)(a):~~
117 ~~—(ii) Except as provided in Subsection (4)(d)(iii), the amount of money provided~~
118 ~~by the~~
119 ~~state for a charter school student shall be the sum of:~~
120 ~~—(A) charter school students' average local revenues minus the allocation of~~



school

112 ~~district revenues under Subsection (4)(a); and~~
113 ~~—(B) statewide average debt service revenues;~~
114 ~~—(iii) If the total of a school district's allocation for a charter school student under~~
115 ~~Subsection (4)(a) and the amount provided by the state under Subsection (4)(d)(ii) is~~
~~less than~~
116 ~~\$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;~~

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

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continued

155 ~~attendance at the school.~~

~~4. Page 7, Lines 199 through 200:—~~

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

Respectfully,

Francis D. Gibson
Committee Chair

Voting: 12-0-3

3 HB0392.HC2.WPD 2/28/12 12:41 pm csteffen/CCS AOS/CCS

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