

1 **NECESSARILY EXISTENT SMALL SCHOOLS FUNDING**

2 **AMENDMENTS**

3 2013 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Kraig Powell**

6 Senate Sponsor: Kevin T. Van Tassell

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 This bill provides an effective date.

21 **Utah Code Sections Affected:**

22 AMENDS:

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

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:

- 30 (a) "Board" means the State Board of Education.
- 31 (b) "Necessarily existent small schools funding balance" means the difference between:
- 32 (i) the amount appropriated for the necessarily existent small schools program in a
- 33 fiscal year; and
- 34 (ii) the amount distributed to school districts for the necessarily existent small schools
- 35 program in the same fiscal year.

36 ~~[(1)]~~ (2) (a) Upon application by ~~[each]~~ a school district, the ~~[State Board of~~
37 ~~Education]~~ board shall, in consultation with the local school ~~[boards]~~ board, classify
38 ~~[particular]~~ schools in ~~[each]~~ the district as necessarily existent small schools, in accordance
39 with this section and board rules adopted under this section.

40 ~~[(a) Applications]~~ (b) An application must be submitted to the ~~[state]~~ board before
41 April 2, and the board must report a decision to ~~[each]~~ a school district before June 2.

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

43 ~~[(i)]~~ (a) govern the approval of ~~[these]~~ necessarily existent small schools consistent
44 with principles of efficiency and economy and which shall serve the purpose of eliminating
45 schools where consolidation is feasible by participation in special school units; and

46 ~~[(ii)]~~ (b) ensure that districts are not building secondary schools in close proximity to
47 one another where economy and efficiency would be better served by one school meeting the
48 needs of secondary students in a designated geographical area.

49 ~~[(c)]~~ (4) A one or two-year secondary school that has received necessarily existent
50 small school money under this section prior to July 1, 2000, may continue to receive such
51 money in subsequent years under ~~[state]~~ board rule.

52 ~~[(2)]~~ (5) The ~~[state]~~ board shall prepare and publish objective standards and guidelines
53 for determining which small schools are necessarily existent after consultation with local
54 school boards.

55 ~~[(3) The additional]~~ (6) (a) Additional weighted pupil units for schools classified as
56 necessarily existent small schools ~~[are]~~ shall be computed using regression formulas adopted
57 by the ~~[state]~~ board.

58 [~~(a)~~] (b) The regression formulas establish the following maximum sizes for funding
59 under the necessarily existent small school program:

- 60 (i) [~~Elementary~~] an elementary school 160
- 61 (ii) [~~One~~] a one or two-year secondary school 300
- 62 (iii) [~~Three-year~~] a three-year secondary school 450
- 63 (iv) [~~Four-year~~] a four-year secondary school 500
- 64 (v) [~~Six-year~~] a six-year secondary school 600

65 [~~(b)~~] (c) Schools with fewer than 10 students shall receive the same add-on weighted
66 pupil units as schools with 10 students.

67 [~~(c)~~] (d) The [~~state~~] board shall prepare and distribute an allocation table based on the
68 regression formula to each school district.

69 [~~(4)~~] (7) (a) To avoid penalizing a district financially for consolidating its small
70 schools, additional weighted pupil units may be allowed a district each year, not to exceed two
71 years.

72 (b) The additional weighted pupil units may not exceed the difference between what
73 the district receives for a consolidated school and what it would have received for the small
74 schools had they not been consolidated.

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

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

80 [~~(c)~~] (9) A district may use the money allocated under this [~~subsection~~] section for
81 maintenance and operation of school programs or for other school purposes as approved by the
82 [~~state~~] board.

83 Section 2. **Effective date.**

84 This bill takes effect on July 1, 2013.