

SB089 L.005

SENATE COMMITTEE OF REFERENCE AMENDMENT

Committee on Education.SB20-089 be amended as follows:

- 1 Amend printed bill, page 7, after line 12 insert:
2 "(12) "TOTAL PROGRAM FUNDING" MEANS:
3 (a) FOR A SCHOOL DISTRICT, THE AMOUNT OF TOTAL PROGRAM
4 FUNDING CALCULATED ANNUALLY PURSUANT TO SECTION 22-54-104 (2)
5 FOR THE SCHOOL DISTRICT;
6 (b) FOR A CHARTER SCHOOL THAT IS AUTHORIZED BY A SCHOOL
7 DISTRICT, THE AMOUNT OF TOTAL PROGRAM FUNDING CALCULATED
8 ANNUALLY PURSUANT TO SECTION 22-54-104 (2) FOR THE AUTHORIZING
9 SCHOOL DISTRICT; AND
10 (c) FOR AN INSTITUTE CHARTER SCHOOL OR A SCHOOL OPERATED
11 BY A BOARD OF COOPERATIVE SERVICES, THE AMOUNT OF TOTAL PROGRAM
12 FUNDING CALCULATED ANNUALLY PURSUANT TO SECTION 22-54-104 (2)
13 FOR THE SCHOOL DISTRICT IN WHICH THE SCHOOL IS LOCATED."
- 14 Page 10, line 23, after "(3)" insert "(a)".
- 15 Page 10, strike lines 25 through 26 and substitute "SELECT FIRST THOSE
16 APPLICANTS THAT ARE IN EXTREME FINANCIAL NEED. AN APPLICANT IS
17 DEEMED TO BE IN EXTREME FINANCIAL NEED IF:
18 (I) THE APPLICANT REALIZES THE FULL AMOUNT OF REDUCTION IN
19 ITS TOTAL PROGRAM FUNDING AS A RESULT OF THE BUDGET STABILIZATION
20 FACTOR CALCULATED PURSUANT TO SECTION 22-54-104 (5)(g) FOR THE
21 BUDGET YEAR OF APPLICATION AND EACH OF THE THREE PRECEDING
22 BUDGET YEARS;
23 (II) THE APPLICANT IS A SCHOOL DISTRICT, OR A CHARTER SCHOOL
24 OF A SCHOOL DISTRICT, AND THE TOTAL AMOUNT OF ADDITIONAL LOCAL
25 REVENUE THAT THE SCHOOL DISTRICT ANNUALLY RECEIVES FROM THE
26 PROPERTY TAX MILL LEVIES APPROVED PURSUANT TO SECTION 22-40-102
27 (1.5) OR (1.7), 22-54-107.5, 22-54-108, 22-54-108.5, OR 22-54-108.7 AS
28 OF THE BUDGET YEAR OF APPLICATION IS LESS THAN FIVE PERCENT OF THE
29 SCHOOL DISTRICT'S TOTAL PROGRAM FUNDING FOR THE BUDGET YEAR OF
30 APPLICATION OR THE AMOUNT OF ADDITIONAL REVENUE THAT THE
31 CHARTER SCHOOL RECEIVES FROM THE SCHOOL DISTRICT IS LESS THAN
32 FIVE PERCENT OF THE CHARTER SCHOOL'S TOTAL PROGRAM FUNDING;
33 (III) THE APPLICANT IS AN INSTITUTE CHARTER SCHOOL AND THE
34 AMOUNT THAT THE APPLICANT RECEIVES FROM THE MILL LEVY
35 EQUALIZATION FUND PURSUANT TO SECTION 22-30.5-513.1 IS LESS THAN
36 FIVE PERCENT OF THE APPLICANT'S TOTAL PROGRAM FUNDING FOR THE
37 BUDGET YEAR OF APPLICATION; AND
38 (IV) FOR THE BUDGET YEAR OF APPLICATION AND EACH OF THE
39 THREE PRECEDING BUDGET YEARS, THE APPLICANT RECEIVES AN AMOUNT

1 OF REVENUE FROM PRIVATE GIFTS, GRANTS, OR DONATIONS THAT IS LESS
2 THAN TEN PERCENT OF THE APPLICANT'S TOTAL PROGRAM FUNDING. IF THE
3 APPLICANT IS A MEMBER OF A CHARTER SCHOOL NETWORK, ANY REVENUE
4 THAT THE APPLICANT RECEIVES FROM THE CHARTER SCHOOL NETWORK IS
5 INCLUDED AS REVENUE FROM PRIVATE GIFTS, GRANTS, OR DONATIONS.

6 (b) IF THE AMOUNT APPROPRIATED FOR THE PROGRAM IS
7 INSUFFICIENT TO FULLY FUND ALL OF THE APPLICANTS WHO ARE DEEMED
8 TO BE IN EXTREME FINANCIAL NEED AS DESCRIBED IN SUBSECTION (3)(a)
9 OF THIS SECTION, THE DEPARTMENT AND THE STATE BOARD SHALL
10 PRIORITIZE THOSE APPLICANTS BASED ON THE CRITERIA SPECIFIED IN
11 SUBSECTION (4) OF THIS SECTION.

12 (4) IF ALL OF THE APPLICANTS THAT ARE DEEMED TO BE IN
13 EXTREME FINANCIAL NEED AS DESCRIBED IN SUBSECTION (3)(a) OF THIS
14 SECTION ARE PARTICIPATING IN THE PROGRAM, THE DEPARTMENT AND THE
15 STATE BOARD SHALL PRIORITIZE AMONG THE REMAINING APPLICANTS
16 THOSE APPLICANTS THAT DEMONSTRATE THE GREATEST FINANCIAL NEED,
17 WHICH THE DEPARTMENT AND THE STATE BOARD SHALL DETERMINE BY
18 APPLYING THE FOLLOWING MINIMUM CRITERIA:".

19 Page 11, line 1, strike "NUMBER" and substitute "PERCENTAGE".

20 Page 11, line 3, strike "AMOUNT;" and substitute "AMOUNT IS HIGH
21 RELATIVE TO OTHER APPLICANTS;".

22 Page 11, line 5, strike "NUMBER" and substitute "PERCENTAGE".

23 Page 11, line 7, strike "AMOUNT;" and substitute "AMOUNT IS HIGH
24 RELATIVE TO OTHER APPLICANTS;".

25 Page 11, line 10, strike "APPLICANT'S" and substitute "APPLICANT HAS
26 LIMITED".

27 Page 11, line 16, strike "YEARS;" and substitute "YEARS IS LOW RELATIVE
28 TO OTHER APPLICANTS;".

29 Page 11, strike line 17 and substitute:

30 "(d) RELATIVE TO OTHER APPLICANTS, THE APPLICANT RECEIVES
31 A LOW AMOUNT ANNUALLY FROM".

32 Page 11, lines 18 and 19, strike "WHETHER THE APPLICANT IS" and
33 substitute "THE APPLICANT IS NOT".

1 Page 11, strike lines 21 through 25 and substitute:
2 "(e) RELATIVE TO OTHER APPLICANTS, THE APPLICANT MAINTAINS
3 A LARGE AMOUNT OF RESERVES THAT ARE NOT COMMITTED TO A SPECIFIC
4 USE OR PROJECT, NOT INCLUDING THE RESERVE REQUIRED BY SECTION 20
5 (5) OF ARTICLE X OF THE STATE CONSTITUTION, OR THE APPLICANT
6 CARRIES OVER A LARGE AMOUNT OF UNEXPENDED AND UNCOMMITTED
7 MONEY FROM ONE BUDGET YEAR TO THE NEXT BUDGET YEAR."

** ** ** ** **