

AMENDMENT #19

OFFERED IN THE SENATE
TO: SCS CSHB 57(FIN)

BY SENATOR MYERS
HUGHES

1 Page 1, line 1, following "schools;":

2 Insert "**relating to education funding;**"

3

4 Page 2, following line 14:

5 Insert a new bill section to read:

6 **** Sec. 4.** AS 14.03.410(e) is amended to read:

7 (e) A student in an early education program may not be counted in a district's
8 ADM under AS 14.17.600 [AS 14.17.500] unless the department has approved the
9 program."

10

11 Renumber the following bill sections accordingly.

12

13 Page 4, following line 11:

14 Insert new bill sections to read:

15 **** Sec. 6.** AS 14.11.100(o) is amended to read:

16 (o) The total amount of school construction projects approved for
17 reimbursement by the department under (a)(10) of this section

18 (1) may not exceed \$190,644,901; and

19 (2) after June 30, 1998, and until July 1, 2006, shall be allocated as
20 follows:

21 (A) \$77,897,000 to projects in a municipality with a public
22 school enrollment of 25,000 or more students in fiscal year 2000, as
23 determined under former AS 14.17.500;

1 (B) \$14,571,000 to projects in a municipality with a public
2 school enrollment of at least 15,000 but less than 25,000 students in fiscal year
3 2000, as determined under **former** AS 14.17.500;

4 (C) \$14,143,000 to projects in a municipality with a public
5 school enrollment of at least 10,000 but less than 15,000 students in fiscal year
6 2000, as determined under **former** AS 14.17.500;

7 (D) \$7,429,000 to projects in a municipality with a public
8 school enrollment of at least 7,500 but less than 10,000 students in fiscal year
9 2000, as determined under **former** AS 14.17.500;

10 (E) \$20,712,912 to projects in a municipality with a public
11 school enrollment of at least 5,000 but less than 7,500 students in fiscal year
12 2000, as determined under **former** AS 14.17.500;

13 (F) \$2,660,000 to projects in a municipality with a public
14 school enrollment of at least 2,750 but less than 3,000 students in fiscal year
15 2000, as determined under **former** AS 14.17.500;

16 (G) \$454,000 to projects in a municipality with a public school
17 enrollment of at least 2,400 but less than 2,750 students in fiscal year 2000, as
18 determined under **former** AS 14.17.500;

19 (H) \$46,869,989 to projects in a municipality with a public
20 school enrollment of at least 2,050 but less than 2,400 students in fiscal year
21 2000, as determined under **former** AS 14.17.500;

22 (I) \$329,000 to projects in a municipality with a public school
23 enrollment of at least 1,700 but less than 1,750 students in fiscal year 2000, as
24 determined under **former** AS 14.17.500;

25 (J) \$286,000 to projects in a municipality with a public school
26 enrollment of at least 650 but less than 725 students in fiscal year 2000, as
27 determined under **former** AS 14.17.500;

28 (K) \$519,000 to projects in a municipality with a public school
29 enrollment of at least 500 but less than 525 students in fiscal year 2000, as
30 determined under **former** AS 14.17.500;

31 (L) \$2,224,000 to projects in a municipality with a public

1 school enrollment of at least 425 but less than 482 students in fiscal year 2000,
2 as determined under **former** AS 14.17.500;

3 (M) \$2,550,000 to projects in a municipality with a public
4 school enrollment of at least 290 but less than 305 students in fiscal year 2000,
5 as determined under **former** AS 14.17.500.

6 * **Sec. 7.** AS 14.11.100(p) is amended to read:

7 (p) The total amount of school construction projects approved for
8 reimbursement by the department under (a)(13) and (a)(14) of this section

9 (1) may not exceed \$177,256,000;

10 (2) after June 30, 1999, and until October 31, 2006, shall be allocated
11 as follows:

12 (A) \$61,925,000 to projects in a municipality with a public
13 school enrollment of 45,000 or more students in fiscal year 2005, as
14 determined under **former** AS 14.17.500;

15 (B) \$40,570,000 to projects in a municipality with a public
16 school enrollment of at least 14,600 but less than 20,000 students in fiscal year
17 2005, as determined under **former** AS 14.17.500;

18 (C) \$20,000,000 to projects in a municipality with a public
19 school enrollment of at least 10,000 but less than 14,600 students in fiscal year
20 2005, as determined under **former** AS 14.17.500;

21 (D) \$2,588,000 to projects in a municipality with a public
22 school enrollment of at least 7,500 but less than 10,000 students in fiscal year
23 2005, as determined under **former** AS 14.17.500;

24 (E) \$5,995,000 to projects in a municipality with a public
25 school enrollment of at least 4,000 but less than 6,000 students in fiscal year
26 2005, as determined under **former** AS 14.17.500;

27 (F) \$1,237,000 to projects in a municipality with a public
28 school enrollment of at least 2,400 but less than 2,800 students in fiscal year
29 2005, as determined under **former** AS 14.17.500;

30 (G) \$1,100,000 to projects in a municipality with a public
31 school enrollment of at least 2,200 but less than 2,400 students in fiscal year

1 2005, as determined under **former** AS 14.17.500;

2 (H) \$7,164,000 to projects in a municipality with a public
3 school enrollment of at least 1,300 but less than 1,500 students in fiscal year
4 2005, as determined under **former** AS 14.17.500;

5 (I) \$1,260,000 to projects in a municipality with a public
6 school enrollment of at least 740 but less than 757 students in fiscal year 2005,
7 as determined under **former** AS 14.17.500;

8 (J) \$608,000 to projects in a municipality with a public school
9 enrollment of at least 650 but less than 700 students in fiscal year 2005, as
10 determined under **former** AS 14.17.500;

11 (K) \$32,000,000 to projects in a municipality with a public
12 school enrollment of at least 500 but less than 600 students in fiscal year 2005,
13 as determined under **former** AS 14.17.500;

14 (L) \$2,809,000 to projects in a municipality with a public
15 school enrollment of at least 370 but less than 390 students in fiscal year 2005,
16 as determined under **former** AS 14.17.500.

17 * **Sec. 8.** AS 14.11.100(q) is amended to read:

18 (q) The total amount of school construction projects approved for
19 reimbursement by the department under (a)(15) of this section

20 (1) may not exceed \$14,644,000;

21 (2) after June 30, 1999, and until October 31, 2006, shall be allocated

22 as follows:

23 (A) \$6,522,000 to projects in a municipality with a public
24 school enrollment of at least 1,925 but less than 2,025 students in fiscal year
25 2005, as determined under **former** AS 14.17.500;

26 (B) \$8,122,000 to projects in a municipality with a public
27 school enrollment of at least 398 but less than 400 students in fiscal year 2005,
28 as determined under **former** AS 14.17.500.

29 * **Sec. 9.** AS 14.16.050(a) is amended to read:

30 (a) The following provisions apply with respect to the operation and
31 management of a state boarding school as if it were a school district:

- 1 (1) requirements relating to school district operations:
- 2 (A) AS 14.03.030 - 14.03.050 (defining the school term, day in
- 3 session, and school holidays);
- 4 (B) AS 14.03.083 - 14.03.140 (miscellaneous provisions
- 5 applicable to school district operations);
- 6 (C) regulations adopted by the board under authority of
- 7 AS 14.07.020(a) that are applicable to school districts and their schools, unless
- 8 the board specifically exempts state boarding schools from compliance with a
- 9 regulation;
- 10 (D) AS 14.12.150 (authorizing school districts to establish and
- 11 participate in the services of a regional resource center);
- 12 (E) AS 14.14.050 (imposing the requirement of an annual
- 13 audit);
- 14 (F) AS 14.14.110 (authorizing cooperation with other school
- 15 districts);
- 16 (G) AS 14.14.140(b) (establishing a prohibition on
- 17 employment of a relative of the chief school administrator);
- 18 (H) AS 14.18 (prohibiting discrimination based on sex in
- 19 public education);
- 20 (2) requirements relating to the public school funding program and the
- 21 receipt and expenditure of that funding:
- 22 (A) [AS 14.17.500 (RELATING TO STUDENT COUNT
- 23 ESTIMATES);
- 24 (B)] AS 14.17.505 (relating to school operating fund balances);
- 25 **(B) AS 14.17.505 - 14.17.910** [(C) AS 14.17.500 - 14.17.910]
- 26 (setting out the procedure for payment of public school funding and imposing
- 27 general requirements and limits on money paid);
- 28 (3) requirements relating to teacher employment and retirement:
- 29 (A) AS 14.14.105 and 14.14.107 (relating to sick leave);
- 30 (B) AS 14.20.095 - 14.20.215 (relating to the employment and
- 31 tenure of teachers);

1 (C) AS 14.20.280 - 14.20.350 (relating to sabbatical leave
2 provisions for teachers);

3 (D) AS 23.40.070 - 23.40.260 (authorizing collective
4 bargaining by certificated employees), except with regard to teachers who are
5 administrators and except that the board may delegate some or all of its
6 responsibilities under those statutes;

7 (E) AS 14.25 (provisions regarding the teachers' retirement
8 system);

9 (4) requirements relating to students and educational programs:

10 (A) AS 14.30.180 - 14.30.350 (relating to educational services
11 for children with disabilities);

12 (B) AS 14.30.360 - 14.30.370 (establishing health education
13 program standards);

14 (C) AS 14.30.400 - 14.30.410 (relating to bilingual and
15 bicultural education).

16 * **Sec. 10.** AS 14.17.450(d) is amended to read:

17 (d) If a charter school has a student count of at least 75 but less than 150 **in a**
18 **fiscal quarter** [FOR THE CURRENT YEAR] and is in the first three years of
19 operation or had a student count of at least 75 in the previous **fiscal quarter** [YEAR]
20 of operation,

21 (1) the adjusted student count for the school shall be calculated by
22 multiplying the student count by the student rate for a school that has a student count
23 of 150; and

24 (2) not later than February 15, the charter school shall submit for
25 approval of the governing board of the district a plan for the following school year that
26 includes a statement about whether the school will continue to operate if the student
27 count remains **at least 75 but less than 150** [THE SAME THAT YEAR] and, if so, a
28 projection of the funding anticipated from the state and other sources, a proposed
29 budget, and a description of anticipated changes to the school staff, program, and
30 curriculum; if the school intends to close if the student count remains **at least 75 but**
31 **less than 150** [THE SAME THE FOLLOWING YEAR], the plan must describe

1 transfer plans for students, staff, facilities, and materials.

2 * **Sec. 11.** AS 14.17.450(e) is amended to read:

3 (e) If an alternative school has a student count of more than 120 but less than
4 175 **in a fiscal quarter** [FOR THE CURRENT YEAR] and is in the first year of
5 operation or had a student count of 175 or more in the previous **fiscal quarter**
6 [YEAR] of operation, the adjusted student count for the school shall be calculated by
7 multiplying the student count by 95 percent of the student rate for a school that has a
8 student count of 175."
9

10 Renumber the following bill sections accordingly.

11
12 Page 4, following line 14:

13 Insert new bill sections to read:

14 ** **Sec. 13.** AS 14.17.600(a) is amended to read:

15 (a) **Once a quarter each fiscal year** [WITHIN TWO WEEKS AFTER THE
16 END OF THE 20-SCHOOL-DAY PERIOD ENDING THE FOURTH FRIDAY IN
17 OCTOBER], each district shall **calculate its ADM using a seven-school-day period**
18 **that occurs during the quarter and** transmit a report to the department that, under
19 regulations adopted by the department, reports its ADM for that count period and
20 other student count information that will aid the department in making a determination
21 of its state aid under the public school funding program. [FOR CENTRALIZED
22 CORRESPONDENCE STUDY, THE OCTOBER REPORT SHALL BE BASED ON
23 THE PERIOD FROM JULY 1 THROUGH THE FOURTH FRIDAY IN OCTOBER.]
24 The department may make necessary corrections in the report submitted and shall
25 notify the district of changes made. **The district and the department shall, by**
26 **mutual agreement, specify the dates included in the seven-school-day count**
27 **period for each quarter and the date in the quarter by which the district's report**
28 **must be transmitted to the department.** The commissioner shall notify the governor
29 of additional appropriations the commissioner estimates to be necessary to fully
30 finance the public school funding program for the current fiscal year.

31 * **Sec. 14.** AS 14.17.600 is amended by adding new subsections to read:

1 (c) Part-time students shall be included in the student count data in accordance
2 with regulations adopted by the department.

3 (d) When reporting a district's ADM, a part-time student who is a
4 correspondence student may not be counted as more than one full-time equivalent
5 student.

6 (e) Except as provided in (f) - (h) of this section, a student in a district-wide
7 early education program provided by a district and approved by the department under
8 AS 14.07.020(a)(8) is counted as one-half of a full-time equivalent student.

9 (f) A district may not include in a school's ADM students who are four and
10 five years of age if the students are enrolled in an early education program that
11 receives state or federal funding other than funding under this chapter.

12 (g) A district may not include in a school's ADM students who are four and
13 five years of age if inclusion of the students would result in an increase of total state
14 aid attributable to district-wide early education programs approved under
15 AS 14.03.410 of more than \$3,000,000 from the previous fiscal year. The department
16 shall prioritize the funding of district-wide early education programs, giving priority to
17 districts with lower performance, based on the department's ranking of districts under
18 AS 14.03.410(c). When the number of students in a district-wide early education
19 program will result in an increase of total state aid attributable to district-wide early
20 education programs approved under AS 14.03.410 of more than \$3,000,000 from the
21 previous fiscal year, the department may identify the amount, up to \$3,000,000,
22 available for the district's district-wide early education program.

23 (h) For purposes of AS 14.09.010, a student in a district-wide early education
24 program provided by a district and approved by the department under
25 AS 14.07.020(a)(8) is counted as a full-time equivalent student.

26 * **Sec. 15.** AS 14.17.600(e), enacted by sec. 14 of this Act, is amended to read:

27 (e) **A district may not include in the district's ADM** [EXCEPT AS
28 PROVIDED IN (f) - (h) OF THIS SECTION,] a student in a district-wide early
29 education program provided by **the** [A] district [AND APPROVED BY THE
30 DEPARTMENT UNDER AS 14.07.020(a)(8) IS COUNTED AS ONE-HALF OF A
31 FULL-TIME EQUIVALENT STUDENT].

1 * **Sec. 16.** AS 14.17.610(a) is amended to read:

2 (a) The department shall determine the state aid for each school district in a
3 fiscal year on the basis of the district's student count data reported under
4 AS 14.17.600. On or before the 15th day of each **quarter** [OF THE FIRST NINE
5 MONTHS] of each fiscal year, **one-quarter** [ONE-TWELFTH] of each district's state
6 aid shall be distributed on the basis of the data reported for the preceding **quarter**
7 [FISCAL YEAR. ON OR BEFORE THE 15TH DAY OF EACH OF THE LAST
8 THREE MONTHS OF EACH FISCAL YEAR, ONE-THIRD OF THE BALANCE
9 OF EACH DISTRICT'S STATE AID SHALL BE DISTRIBUTED, AFTER THE
10 BALANCE HAS BEEN RECOMPUTED ON THE BASIS OF STUDENT COUNT
11 AND OTHER DATA REPORTED FOR THE CURRENT FISCAL YEAR].

12 * **Sec. 17.** AS 14.17.905(a) is amended to read:

13 (a) For purposes of this chapter, the determination of the number of schools in
14 a district is subject to the following:

15 (1) a community with an ADM of at least 10, but not more than 100,
16 shall be counted as one school;

17 (2) a community with an ADM of at least 101, but not more than 425,
18 shall be counted as

19 (A) one elementary school, which includes those students in
20 grades kindergarten through six and, except as provided in **AS 14.17.600**
21 [AS 14.17.500], in an early education program provided by a school district
22 and approved by the department under AS 14.07.020(a)(8); and

23 (B) one secondary school, which includes students in grades
24 seven through 12;

25 (3) in a community with an ADM of greater than 425, each facility that
26 is administered as a separate school shall be counted as one school, except that each
27 alternative school with an ADM of less than 175 shall be counted as a part of the
28 school in the district with the highest ADM.

29 * **Sec. 18.** AS 14.20.150(b) is amended to read:

30 (b) In this section, a full school year of employment means employment that
31 begins on or before the first student count day required by the department **under**

1 AS 14.17.600 in a school year or October 15, whichever occurs first, and continues
2 through the remainder of the school year.

3 * **Sec. 19.** AS 14.30.650 is amended to read:

4 **Sec. 14.30.650. Funding.** Each fiscal year, the department shall allocate to the
5 agency not less than \$23.13 times the number of students in the state in average daily
6 membership **based on the highest student count period conducted** in the preceding
7 fiscal year as determined under AS 14.17.600. Money to carry out the provisions of
8 this section may be appropriated annually by the legislature. If amounts are
9 insufficient to meet the allocation authorized under this section for a fiscal year, the
10 allocation shall be reduced pro rata."

11
12 Renumber the following bill sections accordingly.

13
14 Page 5, following line 26:

15 Insert new bill sections to read:

16 "* **Sec. 22.** Section 47, ch. 40, SLA 2022, is amended to read:

17 Sec. 47. AS 14.03.120(h), 14.03.410, 14.03.420; [AS 14.17.500(e),
18 14.17.500(f), 14.17.500(g);] AS 14.20.020(l); AS 14.30.760, 14.30.765, 14.30.770,
19 14.30.775, 14.30.780, and 14.30.800 are repealed.

20 * **Sec. 23.** AS 14.17.500 and 14.17.600(b) are repealed.

21 * **Sec. 24.** AS 14.17.600(f), 14.17.600(g), and 14.17.600(h) are repealed."

22
23 Renumber the following bill sections accordingly.

24
25 Page 7, line 8:

26 Delete "Section 3 of this Act applies"

27 Insert "Sections 3, 4, 6 - 11, 13, 14, 16 - 19, and 23 of this Act apply"

28
29 Page 7, line 9, following "date":

30 Insert "of secs. 3, 4, 6 - 11, 13, 14, 16 - 19, and 23"

1 Page 7, line 10:

2 Delete all material and insert:

3 **"* Sec. 27.** Sections 15 and 24 of this Act take effect on the effective date of sec. 47, ch. 40,
4 SLA 2022.

5 *** Sec. 28.** Except as provided in sec. 27 of this Act, this Act takes effect July 1, 2025."