

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 113, Page 6, Section 30.750, Line 158, by inserting after all of said section
2 and line the following:

3
4 "162.720. 1. Where a sufficient number of children are determined to be gifted and their
5 development requires programs or services beyond the level of those ordinarily provided in regular
6 public school programs, districts may establish special programs for such gifted children. 2.
7 The state board of education shall determine standards for such programs. Approval of such
8 programs shall be made by the state department of elementary and secondary education based upon
9 project applications submitted by July fifteenth of each year.

10 3. No district shall make a determination as to whether a child is gifted based on the child's
11 participation in an advanced placement course or international baccalaureate course. Districts shall
12 only determine a child is gifted if the child meets the definition of "gifted children" as provided in
13 section 162.675.

14 163.031. 1. The department of elementary and secondary education shall calculate and
15 distribute to each school district qualified to receive state aid under section 163.021 an amount
16 determined by multiplying the district's weighted average daily attendance by the state adequacy
17 target, multiplying this product by the dollar value modifier for the district, and subtracting from this
18 product the district's local effort and, in years not governed under subsection 4 of this section,
19 subtracting payments from the classroom trust fund under section 163.043.

20 2. Other provisions of law to the contrary notwithstanding:

21 (1) For districts with an average daily attendance of more than three hundred fifty in the
22 school year preceding the payment year:

23 (a) For the 2006-07 school year, the state revenue per weighted average daily attendance
24 received by a district from the state aid calculation under subsections 1 and 4 of this section, as
25 applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue
26 received by a district in the 2005-06 school year from the foundation formula, line 14, gifted,
27 remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by
28 the sum of one plus the product of one-third multiplied by the remainder of the dollar value modifier
29 minus one, and dividing this product by the weighted average daily attendance computed for the
30 2005-06 school year;

Action Taken _____ Date _____

Action Taken _____ Date _____

1 (b) For the 2007-08 school year, the state revenue per weighted average daily attendance
2 received by a district from the state aid calculation under subsections 1 and 4 of this section, as
3 applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue
4 received by a district in the 2005-06 school year from the foundation formula, line 14, gifted,
5 remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by
6 the sum of one plus the product of two-thirds multiplied by the remainder of the dollar value
7 modifier minus one, and dividing this product by the weighted average daily attendance computed
8 for the 2005-06 school year;

9 (c) For the 2008-09 school year, the state revenue per weighted average daily attendance
10 received by a district from the state aid calculation under subsections 1 and 4 of this section, as
11 applicable, and the classroom trust fund under section 163.043 shall not be less than the state revenue
12 received by a district in the 2005-06 school year from the foundation formula, line 14, gifted,
13 remedial reading, exceptional pupil aid, fair share, and free textbook payment amounts multiplied by
14 the dollar value modifier, and dividing this product by the weighted average daily attendance
15 computed for the 2005-06 school year;

16 (d) For each year subsequent to the 2008-09 school year, the amount shall be no less than
17 that computed in paragraph (c) of this subdivision, multiplied by the weighted average daily
18 attendance pursuant to section 163.036, less any increase in revenue received from the classroom
19 trust fund under section 163.043;

20 (2) For districts with an average daily attendance of three hundred fifty or less in the school
21 year preceding the payment year:

22 (a) For the 2006-07 school year, the state revenue received by a district from the state aid
23 calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund
24 under section 163.043 shall not be less than the greater of state revenue received by a district in the
25 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading,
26 exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one
27 plus the product of one-third multiplied by the remainder of the dollar value modifier minus one;

28 (b) For the 2007-08 school year, the state revenue received by a district from the state aid
29 calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund
30 under section 163.043 shall not be less than the greater of state revenue received by a district in the
31 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading,
32 exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the sum of one
33 plus the product of two-thirds multiplied by the remainder of the dollar value modifier minus one;

34 (c) For the 2008-09 school year, the state revenue received by a district from the state aid
35 calculation under subsections 1 and 4 of this section, as applicable, and the classroom trust fund
36 under section 163.043 shall not be less than the greater of state revenue received by a district in the
37 2004-05 or 2005-06 school year from the foundation formula, line 14, gifted, remedial reading,
38 exceptional pupil aid, fair share, and free textbook payment amounts multiplied by the dollar value
39 modifier;

40 (d) For each year subsequent to the 2008-09 school year, the amount shall be no less than
41 that computed in paragraph (c) of this subdivision;

1 (3) The department of elementary and secondary education shall make an addition in the
2 payment amount specified in subsection 1 of this section to assure compliance with the provisions
3 contained in this subsection.

4 3. School districts that meet the requirements of section 163.021 shall receive categorical
5 add-on revenue as provided in this subsection. The categorical add-on for the district shall be the
6 sum of: seventy-five percent of the district allowable transportation costs under section 163.161; the
7 career ladder entitlement for the district, as provided for in sections 168.500 to 168.515; the
8 vocational education entitlement for the district, as provided for in section 167.332; and the district
9 educational and screening program entitlements as provided for in sections 178.691 to 178.699. The
10 categorical add-on revenue amounts may be adjusted to accommodate available appropriations.

11 4. In the 2006-07 school year and each school year thereafter for five years, those districts
12 entitled to receive state aid under the provisions of subsection 1 of this section shall receive state aid
13 in an amount as provided in this subsection.

14 (1) For the 2006-07 school year, the amount shall be fifteen percent of the amount of state
15 aid calculated for the district for the 2006-07 school year under the provisions of subsection 1 of this
16 section, plus eighty-five percent of the total amount of state revenue received by the district for the
17 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional
18 pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

19 (2) For the 2007-08 school year, the amount shall be thirty percent of the amount of state aid
20 calculated for the district for the 2007-08 school year under the provisions of subsection 1 of this
21 section, plus seventy percent of the total amount of state revenue received by the district for the
22 2005-06 school year from the foundation formula, line 14, gifted, remedial reading, exceptional
23 pupil aid, fair share, and free textbook payments less any amounts received under section 163.043.

24 (3) For the 2008-09 school year, the amount of state aid shall be forty-four percent of the
25 amount of state aid calculated for the district for the 2008-09 school year under the provisions of
26 subsection 1 of this section plus fifty-six percent of the total amount of state revenue received by the
27 district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading,
28 exceptional pupil aid, fair share, and free textbook payments less any amounts received under section
29 163.043.

30 (4) For the 2009-10 school year, the amount of state aid shall be fifty-eight percent of the
31 amount of state aid calculated for the district for the 2009-10 school year under the provisions of
32 subsection 1 of this section plus forty-two percent of the total amount of state revenue received by
33 the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial
34 reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received
35 under section 163.043.

36 (5) For the 2010-11 school year, the amount of state aid shall be seventy-two percent of the
37 amount of state aid calculated for the district for the 2010-11 school year under the provisions of
38 subsection 1 of this section plus twenty-eight percent of the total amount of state revenue received by
39 the district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial
40 reading, exceptional pupil aid, fair share, and free textbook payments less any amounts received
41 under section 163.043.

1 (6) For the 2011-12 school year, the amount of state aid shall be eighty-six percent of the
2 amount of state aid calculated for the district for the 2011-12 school year under the provisions of
3 subsection 1 of this section plus fourteen percent of the total amount of state revenue received by the
4 district for the 2005-06 school year from the foundation formula, line 14, gifted, remedial reading,
5 exceptional pupil aid, fair share, and free textbook payments less any amounts received under section
6 163.043.

7 (7) (a) [a.] For the 2006-07 school year, if a school district experiences a decrease in
8 summer school average daily attendance of more than twenty percent from the district's 2005-06
9 summer school average daily attendance, an amount equal to the product of the percent reduction
10 that is in excess of twenty percent of the district's summer school average daily attendance multiplied
11 by the funds generated by the district's summer school program in the 2005-06 school year shall be
12 subtracted from the district's current year payment amount.

13 [b.] (b) For the 2007-08 school year, if a school district experiences a decrease in summer
14 school average daily attendance of more than thirty percent from the district's 2005-06 summer
15 school average daily attendance, an amount equal to the product of the percent reduction that is in
16 excess of thirty percent of the district's summer school average daily attendance multiplied by the
17 funds generated by the district's summer school program in the 2005-06 school year shall be
18 subtracted from the district's payment amount.

19 [c.] (c) For the 2008-09 school year, if a school district experiences a decrease in summer
20 school average daily attendance of more than thirty-five percent from the district's 2005-06 summer
21 school average daily attendance, an amount equal to the product of the percent reduction that is in
22 excess of thirty-five percent of the district's summer school average daily attendance multiplied by
23 the funds generated by the district's summer school program in the 2005-06 school year shall be
24 subtracted from the district's payment amount.

25 [d.] (d) Notwithstanding the provisions of this [paragraph] subdivision, no such reduction
26 shall be made in the case of a district that is receiving a payment under section 163.044 or any
27 district whose regular school term average daily attendance for the preceding year was three hundred
28 fifty or less.

29 [e.] (e) This [paragraph] subdivision shall not be construed to permit any reduction applied
30 under this [paragraph] subdivision to result in any district receiving a current-year payment that is
31 less than the amount calculated for such district under subsection 2 of this section.

32 [(b) If a school district experiences a decrease in its gifted program enrollment of more than
33 twenty percent from its 2005-06 gifted program enrollment in any year governed by this subsection,
34 an amount equal to the product of the percent reduction in the district's gifted program enrollment
35 multiplied by the funds generated by the district's gifted program in the 2005-06 school year shall be
36 subtracted from the district's current year payment amount.]

37 5. For any school district meeting the eligibility criteria for state aid as established in section
38 163.021, but which is considered an option district under section 163.042 and therefore receives no
39 state aid, the commissioner of education shall present a plan to the superintendent of the school
40 district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the
41 operations of the district and to enhance and encourage efficiency in the delivery of instructional

1 services as provided in section 163.042.

2 6. (1) No less than seventy-five percent of the state revenue received under the provisions of
3 subsections 1, 2, and 4 of this section shall be placed in the teachers' fund, and the remaining percent
4 of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half
5 of the funds received from the school district trust fund distributed under section 163.087 shall be
6 placed in the teachers' fund. One hundred percent of revenue received under the provisions of
7 section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received
8 under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

9 (2) A school district shall spend for certificated compensation and tuition expenditures each
10 year:

11 (a) An amount equal to at least seventy-five percent of the state revenue received under the
12 provisions of subsections 1, 2, and 4 of this section;

13 (b) An amount equal to at least seventy-five percent of one-half of the funds received from
14 the school district trust fund distributed under section 163.087 during the preceding school year; and

15 (c) Beginning in fiscal year 2008, as much as was spent per the second preceding year's
16 weighted average daily attendance for certificated compensation and tuition expenditures the
17 previous year from revenue produced by local and county tax sources in the teachers' fund, plus the
18 amount of the incidental fund to teachers' fund transfer calculated to be local and county tax sources
19 by dividing local and county tax sources in the incidental fund by total revenue in the incidental
20 fund.

21
22 In the event a district fails to comply with this provision, the amount by which the district fails to
23 spend funds as provided herein shall be deducted from the district's state revenue received under the
24 provisions of subsections 1, 2, and 4 of this section for the following year, provided that the state
25 board of education may exempt a school district from this provision if the state board of education
26 determines that circumstances warrant such exemption.

27 7. (1) If a school district's annual audit discloses that students were inappropriately
28 identified as eligible for free and reduced lunch, special education, or limited English proficiency
29 and the district does not resolve the audit finding, the department of elementary and secondary
30 education shall require that the amount of aid paid pursuant to the weighting for free and reduced
31 lunch, special education, or limited English proficiency in the weighted average daily attendance on
32 the inappropriately identified pupils be repaid by the district in the next school year and shall
33 additionally impose a penalty of one hundred percent of such aid paid on such pupils, which penalty
34 shall also be paid within the next school year. Such amounts may be repaid by the district through
35 the withholding of the amount of state aid.

36 (2) Beginning in the 2016-2017 school year and in each school year after that, if a district
37 experiences a decrease in its gifted program enrollment of twenty percent or more from the previous
38 school year, an amount equal to the product of the difference between the number of students
39 enrolled in the gifted program in the current school year and the number of students enrolled in the
40 gifted program in the previous school year multiplied by six hundred eighty dollars shall be
41 subtracted from the district's current year payment amount.

1 8. Notwithstanding any provision of law to the contrary, in any fiscal year during which the
2 total formula appropriation is insufficient to fully fund the entitlement calculation of this section, the
3 department of elementary and secondary education shall adjust the state adequacy target in order to
4 accommodate the appropriation level for the given fiscal year. In no manner shall any payment
5 modification be rendered for any district qualified to receive payments under subsection 2 of this
6 section based on insufficient appropriations."; and

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8 Further amend said bill, Section 174.770, Page 17, Line 28, by inserting after all of said section and
9 line the following:

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11 "Section B. Section 163.031 of Section A of this act shall become effective July 1, 2016.";
12 and

13
14 Further amend said bill by amending the title, enacting clause, and intersectional references
15 accordingly.