

House _____ Amendment NO. _____

Offered By

1 AMEND Senate Bill No. 827, Page 1, in the title, Line 2, by deleting the phrase "dyslexia" and
2 inserting in lieu thereof the phrase "elementary and secondary education"; and
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4 Further amend said page, Section A, Line 2, by inserting after all of said section and line the
5 following:
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7 "162.720. 1. Where a sufficient number of children are determined to be gifted and their
8 development requires programs or services beyond the level of those ordinarily provided in regular
9 public school programs, districts may establish special programs for such gifted children. 2.
10 The state board of education shall determine standards for such programs. Approval of such
11 programs shall be made by the state department of elementary and secondary education based upon
12 project applications submitted by July fifteenth of each year.

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

17 163.031. 1. The department of elementary and secondary education shall calculate and
18 distribute to each school district qualified to receive state aid under section 163.021 an amount
19 determined by multiplying the district's weighted average daily attendance by the state adequacy
20 target, multiplying this product by the dollar value modifier for the district, and subtracting from
21 this product the district's local effort and subtracting payments from the classroom trust fund under
22 section 163.043.

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

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

26 (a) For the 2008-09 school year, the state revenue per weighted average daily attendance
27 received by a district from the state aid calculation under subsections 1 and 4 of [this] section
28 163.031 as it existed on July 1, 2015, as applicable, and the classroom trust fund under section
29 163.043 shall not be less than the state revenue received by a district in the 2005-06 school year
30 from the foundation formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and
31 free textbook payment amounts multiplied by the dollar value modifier, and dividing this product by
Standing Action Taken _____ Date _____

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1 the weighted average daily attendance computed for the 2005-06 school year;

2 (b) For each year subsequent to the 2008-09 school year, the amount shall be no less than
3 that computed in paragraph (a) of this subdivision, multiplied by the weighted average daily
4 attendance pursuant to section 163.036, less any increase in revenue received from the classroom
5 trust fund under section 163.043;

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

8 (a) For the 2008-09 school year, the state revenue received by a district from the state aid
9 calculation under subsections 1 and 4 of [this] section 163.031 as it existed on July 1, 2015, as
10 applicable, and the classroom trust fund under section 163.043 shall not be less than the greater of
11 state revenue received by a district in the 2004-05 or 2005-06 school year from the foundation
12 formula, line 14, gifted, remedial reading, exceptional pupil aid, fair share, and free textbook
13 payment amounts multiplied by the dollar value modifier;

14 (b) For each year subsequent to the 2008-09 school year, the amount shall be no less than
15 that computed in paragraph (a) of this subdivision;

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

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

26 4. For any school district meeting the eligibility criteria for state aid as established in section
27 163.021, but which is considered an option district under section 163.042 and therefore receives no
28 state aid, the commissioner of education shall present a plan to the superintendent of the school
29 district for the waiver of rules and the duration of said waivers, in order to promote flexibility in the
30 operations of the district and to enhance and encourage efficiency in the delivery of instructional
31 services as provided in section 163.042.

32 5. (1) No less than seventy-five percent of the state revenue received under the provisions
33 of subsections 1 and 2 of this section shall be placed in the teachers' fund, and the remaining percent
34 of such moneys shall be placed in the incidental fund. No less than seventy-five percent of one-half
35 of the funds received from the school district trust fund distributed under section 163.087 shall be
36 placed in the teachers' fund. One hundred percent of revenue received under the provisions of
37 section 163.161 shall be placed in the incidental fund. One hundred percent of revenue received
38 under the provisions of sections 168.500 to 168.515 shall be placed in the teachers' fund.

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

41 (a) An amount equal to at least seventy-five percent of the state revenue received under the

provisions of subsections 1 and 2 of this section;

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

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

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

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

(2) In the 2017-18 school year and in each subsequent school year, if a district experiences a decrease in its gifted program enrollment of twenty percent or more from the previous school year, an amount equal to the product of the difference between the number of students enrolled in the gifted program in the current school year and the number of students enrolled in the gifted program in the previous school year multiplied by six hundred eighty dollars shall be subtracted from the district's current year payment amount. This subdivision shall not apply to any school with less than three hundred enrolled students.

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

Further amend said bill, Page 4, Section 633.420, Line 108, by inserting after all of said section and line the following:

1 "Section B. Section 163.031 of Section A of this act shall become effective July 1, 2017.";
2 and
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4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.