

House Bill 665

In The House

| | |
|-------------------|--|
| February 6, 1981 | Introduced and referred to Committee on Education. |
| February 9, 1981 | Fiscal note requested. |
| February 14, 1981 | Fiscal note returned. |
| February 20, 1981 | Committee recommend bill do pass as amended. |
| February 21, 1981 | Bill printed and placed on members' desks. |
| | Second reading pass consideration. |
| February 23, 1981 | Second reading do pass as amended. |
| | Second reading segregated. |
| | Rereferred to Committee on Appropriations. |
| March 17, 1981 | Fiscal note requested. |
| March 20, 1981 | Fiscal note returned. |
| April 23, 1981 | Died in Committee. |

1 HOUSE BILL NO. 665
 2 INTRODUCED BY *Menahan Harvath Parly*
 3 *Russell Julian Richard E. Manning D. Lyndell*
 4 A BILL FOR AN ACT ENTITLED: *Kenny* *Harlowe* TO ALLOW A SCHOOL
 5 DISTRICT THAT EXPERIENCES A DECREASE IN SCHOOL ENROLLMENT
 6 DURING THE CURRENT SCHOOL FISCAL YEAR TO RECEIVE FOUNDATION
 7 PROGRAM FUNDS FOR THE ENSUING SCHOOL YEAR BASED ON A 3-YEAR
 8 AVERAGE OF THE DISTRICT'S AVERAGE NUMBER BELONGING; AMENDING
 9 SECTION 20-9-311, MCA."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 20-9-311, MCA, is amended to read:
 13 "20-9-311. Calculation of average number belonging
 14 (ANB). (1) Average number belonging shall be computed by
 15 determining the total of the aggregate days of attendance by
 16 regularly enrolled, full-time pupils during the current
 17 school fiscal year plus the aggregate days of absence by
 18 regularly enrolled, full-time pupils during the current
 19 school fiscal year and by dividing such total by 180.
 20 However, when a school district has approval to operate less
 21 than 180 school days under 20-9-804, such total shall be
 22 calculated in accordance with the provisions of 20-9-805.
 23 Attendance for a part of a morning session or a part of an
 24 afternoon session by a pupil shall be counted as attendance
 25 for one-half day. In calculating the ANB for pupils enrolled

1 in a program established under 20-7-117 prior to January 1,
 2 1974, or pursuant to 20-7-117(1), attendance at or absence
 3 from a regular session of the program for at least 2 hours
 4 of either a morning or an afternoon session will be counted
 5 as one-half of a day attended or absent as the case may be.
 6 If a variance has been granted as provided in 20-1-502, ANB
 7 will be computed in a manner prescribed by the
 8 superintendent of public instruction, but in no case shall
 9 the ANB exceed one-half for each kindergarten pupil. When
 10 any pupil has been absent, with or without excuse, for more
 11 than 10 consecutive school days, including
 12 pupil-instruction-related days, his absence after the 10th
 13 day of absence shall not be included in the aggregate days
 14 of absence and his enrollment in the school shall not be
 15 considered in the calculation of the average number
 16 belonging until he resumes attendance at school.
 17 (2) If a student spends less than half his time in the
 18 regular program and the balance of his time in school in the
 19 special education program, he shall be considered a
 20 full-time special pupil but shall not be considered
 21 regularly enrolled for ANB purposes. If a student spends
 22 half or more of his time in school in the regular program
 23 and the balance of his time in the special education
 24 program, he shall be considered regularly enrolled for ANB
 25 purposes.

-2- INTRODUCED BILL
 HB 665

1 (3) The average number belonging of the regularly
2 enrolled, full-time pupils for the public schools of a
3 district shall be calculated individually for each school,
4 except that when:

5 (a) more than one school of a district, other than a
6 junior high school in an elementary district which has been
7 approved and accredited as a junior high school, is located
8 within the incorporated limits of a city or town, the
9 average number belonging of such schools shall be based on
10 the aggregate of all the regularly enrolled, full-time
11 pupils attending such schools located within the
12 incorporated limits of a city or town;

13 (b) a junior high school which has been approved and
14 accredited as a junior high school is located within the
15 incorporated limits of a city or town in which a high school
16 is located, all of the regularly enrolled, full-time pupils
17 of the junior high school shall be considered as high school
18 district pupils for the purposes of calculating the average
19 number belonging of the high schools located within the
20 incorporated limits of such city or town;

21 (c) a middle school has been approved and accredited,
22 in which case pupils below the 7th grade shall be considered
23 elementary school pupils for ANB purposes and the 7th and
24 8th grade pupils shall be considered high school pupils for
25 ANB purposes; or

1 (d) a school has not been accredited by the board of
2 public education, the regularly enrolled, full-time pupils
3 attending the nonaccredited school shall not be eligible for
4 average number belonging calculation purposes, nor will an
5 average number belonging for the nonaccredited school be
6 used in determining the foundation program for such
7 district.

8 (4) When 11th or 12th grade students are regularly
9 enrolled on a part-time basis, high schools may calculate
10 the ANB to include an "equivalent ANB" for those students.
11 The method for calculating an equivalent ANB shall be
12 determined in a manner prescribed by the superintendent of
13 public instruction.

14 ~~(5) When the average number belonging for the current~~
15 ~~school year, as calculated according to the provisions of~~
16 ~~this section, is less than the ANB for the previous school~~
17 ~~year, the current year's calculation shall be averaged with~~
18 ~~the ANB amounts from the two previous school years to~~
19 ~~determine the ANB for the ensuing school fiscal years."~~

-End-

STATE OF MONTANA

REQUEST NO. 336-81

FISCAL NOTE

Revised

Form BD-15

In compliance with a written request received March 17, 19 81, there is hereby submitted a Fiscal Note for House Bill 665 revised pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

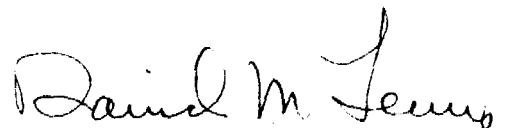
Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Purpose of the Bill: To give aid to school districts showing a decline in enrollment by allowing the averaging the last three years ANB and using the resultant figure for budgeting.

Assumptions:

1. Foundation program rates in HB 610 (18% and 15%).
2. Declines in enrollment will continue the pattern set between FY80 and FY81.
3. Any school district with an ANB loss exceeding 6% will receive a funding increment for the entire ANB loss.
(This contrasts with the mechanism which would provide funding only for that portion of the loss in excess of 6%.)
4. One fourth of the elementary students in large districts will be funded at the high school foundation program rate.

| | <u>1982</u> | <u>1983</u> |
|---|-------------|-------------|
| Additional Expenditures: | | |
| Foundation Program | \$5.72M | \$6.58M |
| State Share of Permissive | <u>1.43</u> | <u>1.65</u> |
| Total required additional funds (General Fund) | \$7.15M | \$8.23M |



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-20-81

STATE OF MONTANA

REQUEST NO. 336-81

FISCAL NOTE

Form BD-15

In compliance with a written request received February 9, 19 81, there is hereby submitted a Fiscal Note for House Bill 665 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation

An act to allow a school district that experiences a decrease in school enrollment during the current school fiscal year to receive foundation program funds for the ensuing school year based on a 3-year average of the district's average number belonging (ANB).

Assumptions

1. Computations based on current school schedules.
2. Average Number Belonging will drop an average of 2% in the Elementary grades and 6% at the High School level.
3. Increased Permissive costs will be covered by the state.

Fiscal Impact

Revenue:

No impact at the state level. Because of increased state support for those districts with declining enrollment, some districts would require less local assistance for their district financing.

| Expenditure: | FY 1982 | | | FY 1983 | | |
|--------------|--|---|-----------------------|--|---|-----------------------|
| | Estimated Amount Using Current ANB and Schedules | Estimated Amount Using Proposed Average and Current Schedule | Estimated Increase | Estimated Amount Using Current ANB and Schedules | Estimated Amount Using Proposed Average and Current Schedule | Estimated Increase |
| | \$166,783,000 | \$172,925,000 | \$6,953,000 | \$160,925,000 | \$166,783,000 | \$5,858,000 |

Estimated
GF Expen-
diture
Impact

\$6,953,000

\$5,858,000

Technical Notes

Because of time constraints, it is not feasible to calculate the district by district impact. Due to this problem, statewide averages were used to determine overall impacts.

Because the new schedule amounts are not decided at this time, current schedule costs are used. The schedules will increase so the number will be materially affected. However, the ratio between the number above should remain constant with the new schedule adjustments.

Daniel M. Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-14-81

Approved by Committee
on Education

1 HOUSE BILL NO. 665

2 INTRODUCED BY MENAHAN, HARRINGTON, DAILY, DUSSAULT,

3 QUILICI, R. MANNING, O'CONNELL, MEYER,

4 KEEDY, PAVLOVICH

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW A SCHOOL
7 DISTRICT THAT EXPERIENCES A SIX PERCENT OR MORE DECREASE IN
8 SCHOOL ENROLLMENT DURING THE CURRENT SCHOOL FISCAL YEAR TO
9 RECEIVE FOUNDATION PROGRAM FUNDS FOR THE ENSUING SCHOOL YEAR
10 BASED ON A 3-YEAR AVERAGE OF THE DISTRICT'S AVERAGE NUMBER
11 BELONGING; AMENDING SECTION 20-9-311, MCA; AND PROVIDING AN
12 EFFECTIVE DATE."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 20-9-311, MCA, is amended to read:

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17 (ANB). (1) Average number belonging shall be computed by
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20 school fiscal year plus the aggregate days of absence by
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22 school fiscal year and by dividing such total by 180.
23 However, when a school district has approval to operate less
24 than 180 school days under 20-9-804, such total shall be
25 calculated in accordance with the provisions of 20-9-805.

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2 afternoon session by a pupil shall be counted as attendance
3 for one-half day. In calculating the ANB for pupils enrolled
4 in a program established under 20-7-117 prior to January 1,
5 1974, or pursuant to 20-7-117(1), attendance at or absence
6 from a regular session of the program for at least 2 hours
7 of either a morning or an afternoon session will be counted
8 as one-half of a day attended or absent as the case may be.
9 If a variance has been granted as provided in 20-1-302, ANB
10 will be computed in a manner prescribed by the
11 superintendent of public instruction, but in no case shall
12 the ANB exceed one-half for each kindergarten pupil. When
13 any pupil has been absent, with or without excuse, for more
14 than 10 consecutive school days, including
15 pupil-instruction-related days, his absence after the 10th
16 day of absence shall not be included in the aggregate days
17 of absence and his enrollment in the school shall not be
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19 belonging until he resumes attendance at school.

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21 regular program and the balance of his time in school in the
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25 half or more of his time in school in the regular program

1 and the balance of his time in the special education
 2 program, he shall be considered regularly enrolled for ANB
 3 purposes.

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 5 enrolled, full-time pupils for the public schools of a
 6 district shall be calculated individually for each school,
 7 except that when:

8 (a) more than one school of a district, other than a
 9 junior high school in an elementary district which has been
 10 approved and accredited as a junior high school, is located
 11 within the incorporated limits of a city or town, the
 12 average number belonging of such schools shall be based on
 13 the aggregate of all the regularly enrolled, full-time
 14 pupils attending such schools located within the
 15 incorporated limits of a city or town;

16 (b) a junior high school which has been approved and
 17 accredited as a junior high school is located within the
 18 incorporated limits of a city or town in which a high school
 19 is located, all of the regularly enrolled, full-time pupils
 20 of the junior high school shall be considered as high school
 21 district pupils for the purposes of calculating the average
 22 number belonging of the high schools located within the
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 25 in which case pupils below the 7th grade shall be considered

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 2 8th grade pupils shall be considered high school pupils for
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4 (d) a school has not been accredited by the board of
 5 public education, the regularly enrolled, full-time pupils
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 7 average number belonging calculation purposes, nor will an
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 10 district.

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 12 enrolled on a part-time basis, high schools may calculate
 13 the ANB to include an "equivalent ANB" for those students.
 14 The method for calculating an equivalent ANB shall be
 15 determined in a manner prescribed by the superintendent of
 16 public instruction.

17 (5) When the average number belonging for the current
 18 school year, as calculated according to the provisions of
 19 this section, is 6% less than the ANB for the previous
 20 school year, the current year's calculation shall MAY be
 21 averaged with the ANB amounts from the two previous school
 22 years to determine the ANB for the ensuing school fiscal
 23 year."

24 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE JULY
 25 1, 1982.