

HOUSE BILL NO. 93

INTRODUCED BY DONALDSON, SAUNDERS, CURTISS

IN THE HOUSE

January 5, 1983	Introduced and referred to Committee on Education and Cultural Resources.
January 10, 1983	On motion by Chief Sponsor, Representative Curtiss was added as a sponsor to the bill.
February 16, 1983	Committee recommend bill do pass as amended. Report adopted.
February 17, 1983	Bill printed and placed on members' desks.
February 18, 1983	Second reading, do pass.
February 19, 1983	Considered correctly engrossed.
February 21, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 1, 1983	Introduced and referred to Committee on Education and Cultural Resources.
March 23, 1983	Committee recommend bill be concurred in as amended. Report adopted.
March 24, 1983	Second reading, concurred in.
March 28, 1983	Third reading, concurred in. Ayes, 47; Noes, 0.

IN THE HOUSE

March 28, 1983

Returned to House with
amendments.

April 1, 1983

Second reading, amendments
concurred in.

April 4, 1983

Third reading, amendments
concurred in.

Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 93
 2 INTRODUCED BY Donaldson Saunders
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW AN ELEMENTARY
 5 SCHOOL THAT ANTICIPATES AN ANB OF AT LEAST 14 BUT LESS THAN
 6 18 PUPILS TO APPLY FOR TWO-TEACHER FUNDING AND TO RECEIVE AN
 7 APPROPRIATE MAXIMUM GENERAL FUND BUDGET AMOUNT; AMENDING
 8 SECTIONS 20-9-316 AND 20-9-318, MCA."

9
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 NEW SECTION. Section 1. Maximum general fund budget
 12 for two-teacher elementary schools — eligibility — budget
 13 options. (1) Any elementary school that anticipates an ANB
 14 of at least 14 but less than 18 pupils for the ensuing
 15 school fiscal year may determine the maximum general fund
 16 budget amount under the provisions of 20-9-316(4) or
 17 20-9-318(4) if eligibility is approved in accordance with
 18 the following provisions:

19 (a) No later than May 10 of each year, the school
 20 district shall submit its application for approval for
 21 two-teacher funding to the superintendent of public
 22 instruction. The application shall include:

23 (i) the previous year's ANB;
 24 (ii) an estimate of the current school fiscal year's
 25 ANB, as calculated under the provisions of 20-9-314(1), and

1 the number of grade levels being taught on May 1 of the
 2 current year;

3 (iii) an estimate of the ANB and the number of grade
 4 levels anticipated for the ensuing school fiscal year;

5 (iv) the factual information on which such estimates
 6 are based; and

7 (v) any other information or data that may be required
 8 by the superintendent of public instruction.

9 (b) The superintendent of public instruction shall
 10 immediately review all the factors of the application and
 11 shall approve the application if the anticipated ANB is at
 12 least 14 but less than 18 pupils and a minimum of five grade
 13 levels are being taught as of May 1 of the current year or
 14 documentation is provided which indicates that the
 15 anticipated ANB will require a minimum of five grade levels
 16 to be taught in the ensuing school year.

17 (2) Whenever a school district applies for and is
 18 approved for two-teacher funding under the provisions of
 19 subsection (1) but elects to hire an aide or half-time
 20 teacher instead of another full-time teacher, its funding
 21 must be reduced by one-half the difference between
 22 one-teacher and two-teacher funding levels for the school
 23 ANB.

24 Section 2. Section 20-9-316, MCA, is amended to read:
 25 "20-9-316. Elementary school maximum budget schedule

INTRODUCED BILL

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for 1981-82. (1) For each elementary school having an ANB of nine or fewer pupils, the maximum shall be \$15,578 if said school is approved as an isolated school.

(2) For schools with an ANB of 10 pupils but less than 18 pupils, the maximum shall be \$15,578 plus \$651 per pupil on the basis of the average number belonging over nine.

(3) For schools with an ANB of 18 pupils and employing one teacher, the maximum shall be \$21,438 plus \$651 per pupil on the basis of the average number belonging over 18, not to exceed an ANB of 25.

(4) For schools with an ANB of 18 pupils and employing two full-time teachers and for schools with an ANB of at least 14 pupils that qualify for two-teacher funding under the provisions of [section 1], the maximum shall be ~~\$34,227~~ ~~\$32,598~~ plus \$407.70 per pupil on the basis of the average number belonging over ~~18~~ 14, not to exceed an ANB of 50.

(5) For schools having an ANB in excess of 40, the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

(a) For a school having an ANB of more than 40 and employing a minimum of three teachers, the maximum of \$1,513 shall be decreased at the rate of \$1.47 for each additional pupil until the total number (ANB) shall have reached a total of 100 pupils.

(b) For a school having an ANB of more than 100

pupils, the maximum of \$1,424 shall be decreased at the rate of \$1.34 for each additional pupil until the ANB shall have reached 300 pupils.

(c) For a school having an ANB of more than 300 pupils, the maximum shall not exceed \$1,156 for each pupil.

(6) The maximum per pupil for all pupils (ANB) and for all elementary schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil (ANB). All elementary schools operated within the incorporated limits of a city or town shall be treated as one school for the purpose of this schedule."

Section 3. Section 20-9-318, MCA, is amended to read:

"20-9-318. Elementary school maximum budget schedule for 1982-83 and succeeding years. (1) For each elementary school having an ANB of nine or fewer pupils, the maximum shall be \$17,915 if said school is approved as an isolated school.

(2) For schools with an ANB of 10 pupils but less than 18 pupils, the maximum shall be \$17,915 plus \$748.70 per pupil on the basis of the average number belonging over nine.

(3) For schools with an ANB of 18 pupils and employing one teacher, the maximum shall be \$24,654 plus \$748.70 per pupil on the basis of the average number belonging over 18, not to exceed an ANB of 25.

(4) For schools with an ANB of 18 pupils and employing two full-time teachers and for schools with an ANB of at least 14 pupils that qualify for two-teacher funding under the provisions of [section 1], the maximum shall be ~~\$99,364~~ ~~\$37,485~~ plus \$468.90 per pupil on the basis of the average number belonging over 18 14, not to exceed an ANB of 50.

(5) For schools having an ANB in excess of 40, the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

(a) For a school having an ANB of more than 40 and employing a minimum of three teachers, the maximum of \$1,740 shall be decreased at the rate of \$1.69 for each additional pupil until the total number (ANB) shall have reached a total of 100 pupils.

(b) For a school having an ANB of more than 100 pupils, the maximum of \$1,638 shall be decreased at the rate of \$1.54 for each additional pupil until the ANB shall have reached 300 pupils.

(c) For a school having an ANB of more than 300 pupils, the maximum shall not exceed \$1,329 for each pupil.

(6) The maximum per pupil for all pupils (ANB) and for all elementary schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil (ANB). All elementary schools operated within the incorporated limits of a city or town shall be treated as

one school for the purpose of this schedule."

NEW SECTION. Section 4. Codification Instruction.

Section 1 is intended to be codified as an integral part of Title 20, chapter 9, part 3, and the provisions of Title 20 apply to section 1.

-End-

STATE OF MONTANA

REQUEST NO. 056-83

FISCAL NOTE

Form BD-15

In compliance with a written request received January 6, , 19 83 , there is hereby submitted a Fiscal Note for House Bill 93 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:

House Bill 93 allows an elementary school that anticipates an ANB of at least 14 but less than 18 pupils to apply for two-teacher funding and to receive an appropriate maximum general fund budget amount.

ASSUMPTIONS:

1. All schools between 14 ANB and 18 ANB will be eligible for two teachers.
2. The enrollments of the school will remain the same for the next three years.
3. The Foundation Program will remain unchanged.
4. The number of schools will not change.
5. All affected districts levy the 9 mills for the permissive portion of their budgets.

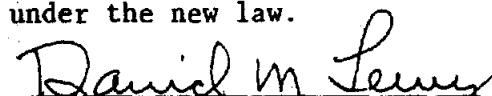
FISCAL IMPACT:

	<u>FY 1984</u>		<u>FY 1985</u>		<u>Total Biennium</u>	
	<u>Found.</u>	<u>Permis.</u>	<u>Found.</u>	<u>Permis.</u>	<u>Found.</u>	<u>Permis.</u>
Expenditures Under Proposed Law 19 Schools	\$342,984	\$85,748	\$342,984	\$85,748	\$685,968	\$171,496
Expenditures Under Existing Law 19 Schools	<u>\$578,400</u>	<u>\$144,601</u>	<u>\$578,400</u>	<u>\$144,601</u>	<u>\$1,156,800</u>	<u>\$289,202</u>
Increased Expend. Under Proposed Law State General Fund 19 Schools	<u>\$235,416</u>	<u>\$58,853</u>	<u>\$235,416</u>	<u>\$58,853</u>	<u>\$470,832</u>	<u>\$117,706</u>

COMMENTS:

If any of the affected districts levy less than the 9 mill permissive levy, any increased permissive cost would be funded at the district level until the full 9 mills had been levied. This would reduce the amount of state support needed to fund the districts permissive budget for elementary schools qualifying under the new law.

FISCAL NOTE1:AA/1



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-10-83

App. by comm. on education
and cultural resources

HOUSE BILL NO. 93

INTRODUCED BY DONALDSON, SAUNDERS, CURTISS

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW AN ELEMENTARY SCHOOL THAT ANTICIPATES AN ANB OF AT LEAST 14 BUT LESS THAN 18 PUPILS TO APPLY FOR TWO-TEACHER INSTRUCTIONAL AIDE FUNDING AND TO RECEIVE AN APPROPRIATE MAXIMUM GENERAL FUND BUDGET AMOUNT; AMENDING SECTIONS 20-9-316 AND 20-9-318, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Maximum general fund budget for two-teacher elementary schools ~~---eligibility---budget options of FOURTEEN THROUGH SEVENTEEN PUPILS---~~ INSTRUCTIONAL AIDE FUNDING. (1) Any elementary school that anticipates an ANB of at least 14 but less than 18 pupils for the ensuing school fiscal year may determine the maximum general fund budget amount under the provisions of ~~20-9-316(4)~~ 20-9-316(3) or ~~20-9-318(4)~~ 20-9-318(3) if eligibility is approved in accordance with the following provisions:

(a) No later than May 10 of each year, the school district shall submit its application for approval for two-teacher INSTRUCTIONAL AIDE funding to the superintendent of public instruction. The application shall include:

(i) the previous year's ANB;

(ii) an estimate of the current school fiscal year's ANB, as calculated under the provisions of 20-9-314(1), and the number of grade levels being taught on May 1 of the current year;

(iii) an estimate of the ANB and the number of grade levels anticipated for the ensuing school fiscal year;

(iv) the factual information on which such estimates are based; and

(v) any other information or data that may be required by the superintendent of public instruction.

(b) The superintendent of public instruction shall immediately review all the factors of the application and shall approve the application if the anticipated ANB is at least 14 but less than 18 pupils and a minimum of five grade levels are being taught as of May 1 of the current year or documentation is provided which indicates that the anticipated ANB will require a minimum of five grade levels to be taught in the ensuing school year.

(2) Whenever a school district applies for and is approved for two-teacher INSTRUCTIONAL AIDE funding under the provisions of subsection (1) ~~but elects to hire an aide or half-time teacher instead of another full-time teacher~~ its funding must be reduced by one-half the difference between one-teacher and two-teacher funding levels for the

~~school-ANB THE DISTRICT MUST HIRE AN INSTRUCTIONAL AIDE.~~

~~(3) FOR THE PURPOSES OF THIS SECTION, THE TERM "INSTRUCTIONAL AIDE" MEANS A PARAPROFESSIONAL WHO IS UNDER THE DIRECT SUPERVISION OF A TEACHER OR A CERTIFIED TEACHER.~~

Section 2. Section 20-9-316, MCA, is amended to read:

"20-9-316. Elementary school maximum budget schedule for 1981-82. (1) For each elementary school having an ANB of nine or fewer pupils, the maximum shall be \$15,578 if said school is approved as an isolated school.

(2) For schools with an ANB of 10 pupils but less than 18 pupils, the maximum shall be \$15,578 plus \$651 per pupil on the basis of the average number belonging over nine.

~~(3) FOR SCHOOLS WITH AN ANB OF AT LEAST 14 PUPILS BUT LESS THAN 18 PUPILS THAT QUALIFY FOR INSTRUCTIONAL AIDE FUNDING UNDER [SECTION 1], THE MAXIMUM SHALL BE \$26,533 PLUS \$651 PER PUPIL ON THE BASIS OF THE AVERAGE NUMBER BELONGING OVER 14.~~

~~(3)(4) For schools with an ANB of 18 pupils and employing one teacher, the maximum shall be \$21,438 plus \$651 per pupil on the basis of the average number belonging over 18, not to exceed an ANB of 25.~~

~~(4)(5) For schools with an ANB of 18 pupils and employing two full-time teachers and for schools with an ANB of at least 14 pupils that qualify for two-teacher funding under the provisions of [section 1], the maximum shall be~~

\$34,227 ~~\$32,526~~ ~~\$34,227~~ plus \$407.70 per pupil on the basis of the average number belonging over ~~to 18~~, not to exceed an ANB of 50.

~~(5)(6)~~ For schools having an ANB in excess of 40, the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

(a) For a school having an ANB of more than 40 and employing a minimum of three teachers, the maximum of \$1,513 shall be decreased at the rate of \$1.47 for each additional pupil until the total number (ANB) shall have reached a total of 100 pupils.

(b) For a school having an ANB of more than 100 pupils, the maximum of \$1,424 shall be decreased at the rate of \$1.34 for each additional pupil until the ANB shall have reached 300 pupils.

(c) For a school having an ANB of more than 300 pupils, the maximum shall not exceed \$1,156 for each pupil.

~~(6)(7)~~ The maximum per pupil for all pupils (ANB) and for all elementary schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil (ANB). All elementary schools operated within the incorporated limits of a city or town shall be treated as one school for the purpose of this schedule."

Section 3. Section 20-9-318, MCA, is amended to read:

"20-9-318. Elementary school maximum budget schedule

1 for 1982-83 and succeeding years. (1) For each elementary
2 school having an ANB of nine or fewer pupils, the maximum
3 shall be \$17,915 if said school is approved as an isolated
4 school.

5 (2) For schools with an ANB of 10 pupils but less than
6 18 pupils, the maximum shall be \$17,915 plus \$748.70 per
7 pupil on the basis of the average number belonging over
8 nine.

9 ~~(3) FOR SCHOOLS WITH AN ANB OF AT LEAST 14 PUPILS BUT~~
10 ~~LESS THAN 18 PUPILS THAT QUALIFY FOR INSTRUCTIONAL AIDE~~
11 ~~FUNDING UNDER [SECTION 1], THE MAXIMUM SHALL BE \$29,358 PLUS~~
12 ~~\$748.70 PER PUPIL ON THE BASIS OF THE AVERAGE NUMBER~~
13 ~~BELONGING OVER 14.~~

14 ~~(3)(4)~~ For schools with an ANB of 18 pupils and
15 employing one teacher, the maximum shall be \$24,654 plus
16 \$748.70 per pupil on the basis of the average number
17 belonging over 18, not to exceed an ANB of 25.

18 ~~(4)(5)~~ For schools with an ANB of 18 pupils and
19 employing two full-time teachers ~~and for schools with an ANB~~
20 ~~of at least 14 pupils that qualify for two-teacher funding~~
21 ~~under the provisions of [section 1], the maximum shall be~~
22 ~~\$39,361 \$27,485 \$22,361~~ plus \$468.90 per pupil on the basis
23 of the average number belonging over ~~18~~ 18, not to exceed
24 an ANB of 50.

25 ~~(5)(6)~~ For schools having an ANB in excess of 40, the

1 maximum on the basis of the total pupils (ANB) in the
2 district for elementary pupils will be as follows:

3 (a) For a school having an ANB of more than 40 and
4 employing a minimum of three teachers, the maximum of \$1,740
5 shall be decreased at the rate of \$1.69 for each additional
6 pupil until the total number (ANB) shall have reached a
7 total of 100 pupils.

8 (b) For a school having an ANB of more than 100
9 pupils, the maximum of \$1,638 shall be decreased at the rate
10 of \$1.54 for each additional pupil until the ANB shall have
11 reached 300 pupils.

12 (c) For a school having an ANB of more than 300
13 pupils, the maximum shall not exceed \$1,329 for each pupil.

14 ~~(6)(7)~~ The maximum per pupil for all pupils (ANB) and
15 for all elementary schools shall be computed on the basis of
16 the amount allowed herein on account of the last eligible
17 pupil (ANB). All elementary schools operated within the
18 incorporated limits of a city or town shall be treated as
19 one school for the purpose of this schedule."

20 ~~NEW SECTION.~~ Section 4. Codification instruction.
21 Section 1 is intended to be codified as an integral part of
22 Title 20, chapter 9, part 3, and the provisions of Title 20
23 apply to section 1.

24 ~~SECTION 5. EFFECTIVE DATE. THIS ACT IS EFFECTIVE JULY~~
25 ~~1, 1983.~~

-End-

HOUSE BILL NO. 93

INTRODUCED BY DONALDSON, SAUNDERS, CURTISS

A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW AN ELEMENTARY SCHOOL THAT ANTICIPATES AN ANB OF AT LEAST 14 BUT LESS THAN 18 PUPILS TO APPLY FOR TWO-TEACHER INSTRUCTIONAL AIDE FUNDING AND TO RECEIVE AN APPROPRIATE MAXIMUM GENERAL FUND BUDGET AMOUNT; AMENDING SECTIONS 20-9-316 AND 20-9-318, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

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(a) No later than May 10 of each year, the school district shall submit its application for approval for two-teacher INSTRUCTIONAL AIDE funding to the superintendent of public instruction. The application shall include:

- (i) the previous year's ANB;
 - (ii) an estimate of the current school fiscal year's ANB, as calculated under the provisions of 20-9-314(1), and the number of grade levels being taught on May 1 of the current year;
 - (iii) an estimate of the ANB and the number of grade levels anticipated for the ensuing school fiscal year;
 - (iv) the factual information on which such estimates are based; and
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- (b) The superintendent of public instruction shall immediately review all the factors of the application and shall approve the application if the anticipated ANB is at least 14 but less than 18 pupils and a minimum of five grade levels are being taught as of May 1 of the current year or documentation is provided which indicates that the anticipated ANB will require a minimum of five grade levels to be taught in the ensuing school year.
- (2) Whenever a school district applies for and is approved for two-teacher INSTRUCTIONAL AIDE funding under the provisions of subsection (1) ~~but elects to hire an aide or half-time teacher instead of another full-time teacher~~ ~~its funding must be reduced by one-half the difference between one-teacher and two-teacher funding levels for the~~

1 school-~~AND THE DISTRICT MUST HIRE AN INSTRUCTIONAL AIDE.~~

2 ~~(3) FOR THE PURPOSES OF THIS SECTION, THE TERM~~
3 ~~"INSTRUCTIONAL AIDE" MEANS A PARAPROFESSIONAL WHO IS UNDER~~
4 ~~THE DIRECT SUPERVISION OF A TEACHER OR A CERTIFIED TEACHER.~~

5 Section 2. Section 20-9-316, MCA, is amended to read:

6 "20-9-316. Elementary school maximum budget schedule
7 for 1981-82. (1) For each elementary school having an ANB of
8 nine or fewer pupils, the maximum shall be \$15,578 if said
9 school is approved as an isolated school.

10 (2) For schools with an ANB of 10 pupils but less than
11 18 pupils, the maximum shall be \$15,578 plus \$651 per pupil
12 on the basis of the average number belonging over nine.

13 ~~(3) FOR SCHOOLS WITH AN ANB OF AT LEAST 18 PUPILS BUT~~
14 ~~LESS THAN 18 PUPILS THAT QUALIFY FOR INSTRUCTIONAL AIDE~~
15 ~~FUNDING UNDER SECTION 1), THE MAXIMUM SHALL BE \$26,533 PLUS~~
16 ~~\$651 PER PUPIL ON THE BASIS OF THE AVERAGE NUMBER BELONGING~~
17 ~~OVER 14.~~

18 ~~(4)(1) For schools with an ANB of 10 pupils and~~
19 ~~employing one teacher, the maximum shall be \$21,438 plus~~
20 ~~\$651 per pupil on the basis of the average number belonging~~
21 ~~over 18, not to exceed an ANB of 25.~~

22 ~~(4)(2) For schools with an ANB of 18 pupils and~~
23 ~~employing two full-time teachers and for schools with an ANB~~
24 ~~of not less than 18 pupils that qualify for two-teacher funding~~
25 ~~under the provisions of Section 1), the maximum shall be~~

1 ~~\$34,827 \$32,526 \$34,221~~ plus \$407.70 per pupil on the basis
2 of the average number belonging over ~~18 14 18~~, not to exceed
3 an ANB of 50.

4 ~~(5)(1)~~ For schools having an ANB in excess of 40, the
5 maximum on the basis of the total pupils (ANB) in the
6 district for elementary pupils will be as follows:

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8 employing a minimum of three teachers, the maximum of \$1,513
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13 pupils, the maximum of \$1,424 shall be decreased at the rate
14 of \$1.34 for each additional pupil until the ANB shall have
15 reached 300 pupils.

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17 pupils, the maximum shall not exceed \$1,156 for each pupil.

18 ~~(4)(2)~~ The maximum per pupil for all pupils (ANB) and
19 for all elementary schools shall be computed on the basis of
20 the amount allowed herein on account of the last eligible
21 pupil (ANB). All elementary schools operated within the
22 incorporated limits of a city or town shall be treated as
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~~(3) FOR SCHOOLS WITH AN ANB OF AT LEAST 14 PUPILS BUT LESS THAN 18 PUPILS THAT QUALIFY FOR INSTRUCTIONAL AIDE FUNDING UNDER [SECTION 1], THE MAXIMUM SHALL BE \$29,358 PLUS \$748.70 PER PUPIL ON THE BASIS OF THE AVERAGE NUMBER BELONGING OVER 14.~~

~~(3)(1)~~ For schools with an ANB of 18 pupils and employing one teacher, the maximum shall be \$24,654 plus \$748.70 per pupil on the basis of the average number belonging over 18, not to exceed an ANB of 25.

~~(4)(1)~~ For schools with an ANB of 18 pupils and employing two full-time teachers ~~and for schools with an ANB of at least 14 pupils that qualify for two-teacher funding under the provisions of [section 1],~~ the maximum shall be ~~\$39,361 \$37,485 \$32,361~~ plus \$468.90 per pupil on the basis of the average number belonging over ~~to 14~~ 18, not to exceed an ANB of 50.

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NEW SECTION. Section 4. Codification instruction. Section 1 is intended to be codified as an integral part of Title 20, chapter 9, part 3, and the provisions of Title 20 apply to section 1.

SECTION 5. EFFECTIVE DATE. THIS ACT IS EFFECTIVE JULY 1, 1983.

-End-

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March 23, 1983

SENATE STANDING COMMITTEE REPORT
(Education & Cultural Resources)

That House Bill No. 93 be amended as follows:

1. Page 3, line 3.

Following: "MEANS"

Insert: "(a)"

Following: "A"

Strike: "PARAPROFESSIONAL"

Insert: "person"

2. Page 3, line 4.

Following: "TEACHER"

Insert: ";

Following: "OR"

Insert: "(b)"

3. Page 6.

Following: line 23

Insert: "NEW SECTION. Section 5. Coordination. If House Bill 544 is passed by the 48th Legislature and approved the dollar amounts amended into this act are to be increased by the same percentage that dollar amounts are increased in House Bill 544 as follows:

(1) the dollar amounts amended into 20-9-316 by this act are to increased by the same percentage that the dollar amounts in 20-9-316(2) were increased by its amendment in House Bill 544; and

(2) the dollar amounts amended into 20-9-318 by this act are to be increased by the same percentage that the dollar amounts in 20-9-318(2) were increased by its amendment in House Bill 544."

Renumber: subsequent section

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(ii) an estimate of the current school fiscal year's ANB, as calculated under the provisions of 20-9-314(1), and the number of grade levels being taught on May 1 of the current year;

(iii) an estimate of the ANB and the number of grade levels anticipated for the ensuing school fiscal year;

(iv) the factual information on which such estimates are based; and

(v) any other information or data that may be required by the superintendent of public instruction.

(b) The superintendent of public instruction shall immediately review all the factors of the application and shall approve the application if the anticipated ANB is at least 14 but less than 18 pupils and a minimum of five grade levels are being taught as of May 1 of the current year or documentation is provided which indicates that the anticipated ANB will require a minimum of five grade levels to be taught in the ensuing school year.

(2) Whenever a school district applies for and is approved for two-teacher INSTRUCTIONAL AIDE funding under the provisions of subsection (1) ~~but elects to hire on-site or half-time teacher instead of another full-time teacher, its funding must be reduced by one-half the difference between one-teacher and two-teacher funding levels for the~~

1 ~~school~~ AND THE DISTRICT MUST HIRE AN INSTRUCTIONAL AIDE.

2 (3) FOR THE PURPOSES OF THIS SECTION, THE TERM
3 "INSTRUCTIONAL AIDE" MEANS:

4 (A) A PARAPROFESSIONAL PERSON WHO IS UNDER THE DIRECT
5 SUPERVISION OF A TEACHER; OR

6 (B) A CERTIFIED TEACHER.

7 Section 2. Section 20-9-316, MCA, is amended to read:

8 "20-9-316. Elementary school maximum budget schedule
9 for 1981-82. (1) For each elementary school having an ANB of
10 nine or fewer pupils, the maximum shall be \$15,578 if said
11 school is approved as an isolated school.

12 (2) For schools with an ANB of 10 pupils but less than
13 18 pupils, the maximum shall be \$15,578 plus \$651 per pupil
14 on the basis of the average number belonging over nine.

15 (3) ~~FOR SCHOOLS WITH AN ANB OF AT LEAST 14 PUPILS BUT~~
16 ~~LESS THAN 18 PUPILS THAT QUALIFY FOR INSTRUCTIONAL AIDE~~
17 ~~FUNDING UNDER [SECTION 1], THE MAXIMUM SHALL BE \$26,533 PLUS~~
18 ~~\$651 PER PUPIL ON THE BASIS OF THE AVERAGE NUMBER BELONGING~~
19 ~~OVER 14.~~

20 (3)(4) For schools with an ANB of 18 pupils and
21 employing one teacher, the maximum shall be \$21,438 plus
22 \$651 per pupil on the basis of the average number belonging
23 over 18, not to exceed an ANB of 25.

24 (4)(5) For schools with an ANB of 18 pupils and
25 employing two full-time teachers ~~and for schools with an ANB~~

1 ~~of at least 14 pupils that qualify for two teacher funding~~
2 ~~under the provisions of [section 1],~~ the maximum shall be
3 \$34,227 ~~\$32,526~~ \$34,227 plus \$407.70 per pupil on the basis
4 of the average number belonging over ~~10~~ ~~14~~ 14, not to exceed
5 an ANB of 50.

6 (5)(6) For schools having an ANB in excess of 40, the
7 maximum on the basis of the total pupils (ANB) in the
8 district for elementary pupils will be as follows:

9 (a) For a school having an ANB of more than 40 and
10 employing a minimum of three teachers, the maximum of \$1,513
11 shall be decreased at the rate of \$1.47 for each additional
12 pupil until the total number (ANB) shall have reached a
13 total of 100 pupils.

14 (b) For a school having an ANB of more than 100
15 pupils, the maximum of \$1,424 shall be decreased at the rate
16 of \$1.34 for each additional pupil until the ANB shall have
17 reached 300 pupils.

18 (c) For a school having an ANB of more than 300
19 pupils, the maximum shall not exceed \$1,156 for each pupil.

20 (6)(7) The maximum per pupil for all pupils (ANB) and
21 for all elementary schools shall be computed on the basis of
22 the amount allowed herein on account of the last eligible
23 pupil (ANB). All elementary schools operated within the
24 incorporated limits of a city or town shall be treated as
25 one school for the purpose of this schedule."

Section 3. Section 20-9-318, MCA, is amended to read:

"20-9-318. Elementary school maximum budget schedule for 1982-83 and succeeding years. (1) For each elementary school having an ANB of nine or fewer pupils, the maximum shall be \$17,915 if said school is approved as an isolated school.

(2) For schools with an ANB of 10 pupils but less than 18 pupils, the maximum shall be \$17,915 plus \$748.70 per pupil on the basis of the average number belonging over nine.

~~(3) FOR SCHOOLS WITH AN ANB OF AT LEAST 14 PUPILS BUT LESS THAN 18 PUPILS THAT QUALIFY FOR INSTRUCTIONAL AIDE FUNDING UNDER [SECTION 1], THE MAXIMUM SHALL BE \$29,358 PLUS \$748.70 PER PUPIL ON THE BASIS OF THE AVERAGE NUMBER BELONGING OVER 14.~~

~~(3)(4) For schools with an ANB of 18 pupils and employing one teacher, the maximum shall be \$24,654 plus \$748.70 per pupil on the basis of the average number belonging over 18, not to exceed an ANB of 25.~~

~~(4)(5) For schools with an ANB of 18 pupils and employing two full-time teachers and for schools with an ANB of at least 14 pupils that qualify for two-teacher funding under the provisions of [section 1], the maximum shall be \$39,361 plus \$468.90 per pupil on the basis of the average number belonging over 18, not to exceed~~

an ANB of 50.

~~(5)(6)~~ For schools having an ANB in excess of 40, the maximum on the basis of the total pupils (ANB) in the district for elementary pupils will be as follows:

(a) For a school having an ANB of more than 40 and employing a minimum of three teachers, the maximum of \$1,740 shall be decreased at the rate of \$1.69 for each additional pupil until the total number (ANB) shall have reached a total of 100 pupils.

(b) For a school having an ANB of more than 100 pupils, the maximum of \$1,638 shall be decreased at the rate of \$1.54 for each additional pupil until the ANB shall have reached 300 pupils.

(c) For a school having an ANB of more than 300 pupils, the maximum shall not exceed \$1,329 for each pupil.

~~(6)(7)~~ The maximum per pupil for all pupils (ANB) and for all elementary schools shall be computed on the basis of the amount allowed herein on account of the last eligible pupil (ANB). All elementary schools operated within the incorporated limits of a city or town shall be treated as one school for the purpose of this schedule."

NEW SECTION. Section 4. Codification Instruction. Section 1 is intended to be codified as an integral part of Title 20, chapter 9, part 3, and the provisions of Title 20 apply to section 1.

1 SECTION 5. COORDINATION. IF HOUSE BILL 544 IS PASSED
2 BY THE 48TH LEGISLATURE AND APPROVED, THE DOLLAR AMOUNTS
3 AMENDED INTO THIS ACT ARE TO BE INCREASED BY THE SAME
4 PERCENTAGE THAT DOLLAR AMOUNTS ARE INCREASED IN HOUSE BILL
5 544 AS FOLLOWS:

6 (1) THE DOLLAR AMOUNTS AMENDED INTO 20-9-316 BY THIS
7 ACT ARE TO BE INCREASED BY THE SAME PERCENTAGE THAT THE
8 DOLLAR AMOUNTS IN 20-9-316(2) WERE INCREASED BY ITS
9 AMENDMENT IN HOUSE BILL 544; AND

10 (2) THE DOLLAR AMOUNTS AMENDED INTO 20-9-318 BY THIS
11 ACT ARE TO BE INCREASED BY THE SAME PERCENTAGE THAT THE
12 DOLLAR AMOUNTS IN 20-9-318(2) WERE INCREASED BY ITS
13 AMENDMENT IN HOUSE BILL 544.

14 SECTION 6. EFFECTIVE DATE. THIS ACT IS EFFECTIVE JULY
15 1, 1983.

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