

HOUSE BILL NO. 340

INTRODUCED BY DONALDSON

BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

IN THE HOUSE

JANUARY 21, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
FEBRUARY 17, 1987	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 18, 1987	PRINTING REPORT.
FEBRUARY 19, 1987	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
FEBRUARY 20, 1987	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
FEBRUARY 21, 1987	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
FEBRUARY 23, 1987	SECOND READING, DO PASS AS AMENDED.
FEBRUARY 24, 1987	ENGROSSING REPORT.
FEBRUARY 25, 1987	THIRD READING, PASSED. AYES, 85; NOES, 10. TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 2, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
MARCH 23, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 26, 1987	SECOND READING, CONCURRED IN.

MARCH 28, 1987

THIRD READING, CONCURRED IN.
AYES, 47; NOES, 3.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 7, 1987

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

APRIL 8, 1987

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

1 House BILL NO. 340
 2 INTRODUCED BY Smallson
 3 BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE METHOD OF
 6 CALCULATING THE AVERAGE NUMBER BELONGING OF A SCHOOL
 7 DISTRICT FOR SCHOOL FUNDING PURPOSES; AND AMENDING SECTION
 8 20-9-311, MCA."

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

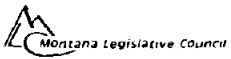
11 Section 1. Section 20-9-311, MCA, is amended to read:

12 "20-9-311. Calculation of average number belonging
 13 (ANB). (1) Average number belonging shall be computed by
 14 determining the total of the aggregate days of attendance by
 15 regularly enrolled, full-time pupils during the current
 16 school fiscal year plus the aggregate days of absence by
 17 regularly enrolled, full-time pupils during the current
 18 school fiscal year and by dividing such total by 180.
 19 However, when a school district has approval to operate less
 20 than 180 school days under 20-9-804, such total shall be
 21 calculated in accordance with the provisions of 20-9-805.
 22 Attendance for a part of a morning session or a part of an
 23 afternoon session by a pupil shall be counted as attendance
 24 for one-half day. In calculating the ANB for pupils enrolled
 25 in a program established under 20-7-117 prior to January 1,

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

16 (2) If a student spends less than half his time in the
 17 regular program and the balance of his time in school in the
 18 special education program, he shall be considered a
 19 full-time special pupil but shall not be considered
 20 regularly enrolled for ANB purposes. If a student spends
 21 half or more of his time in school in the regular program
 22 and the balance of his time in the special education
 23 program, he shall be considered regularly enrolled for ANB
 24 purposes.

25 (3) The average number belonging of the regularly



1 enrolled, full-time pupils for the public schools of a
 2 district ~~shall be calculated individually for each school,~~
 3 ~~except that when:~~

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

12 (a) a school of the district is located within 3 miles
 13 beyond the incorporated limits of a city or town, all of the
 14 regularly enrolled, full-time pupils of the school must be
 15 calculated individually for ANB purposes;

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
 23 incorporated limits of such city or town;

24 (c) a middle school has been approved and accredited,
 25 in which case pupils below the 7th grade shall be considered

1 elementary school pupils for ANB purposes and the 7th and
 2 8th grade pupils shall be considered high school pupils for
 3 ANB purposes; or

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

11 (4) When 11th or 12th grade students are regularly
 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 NEW SECTION. Section 2. Extension of authority. Any
 18 existing authority of the superintendent of public
 19 instruction to make rules on the subject of the provisions
 20 of this act is extended to the provisions of this act.

-End-

APPROVED BY COMM. ON EDUCATION AND CULTURAL RESOURCES

HOUSE BILL NO. 340

INTRODUCED BY DONALDSON

BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE METHOD OF CALCULATING THE AVERAGE NUMBER BELONGING OF A SCHOOL DISTRICT FOR SCHOOL FUNDING PURPOSES; AND AMENDING SECTION 20-9-311, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

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

"20-9-311. Calculation of average number belonging (ANB). (1) Average number belonging shall be computed by determining the total of the aggregate days of attendance by regularly enrolled, full-time pupils during the current school fiscal year plus the aggregate days of absence by regularly enrolled, full-time pupils during the current school fiscal year and by dividing such total by 180. However, when a school district has approval to operate less than 180 school days under 20-9-804, such total shall be calculated in accordance with the provisions of 20-9-805. Attendance for a part of a morning session or a part of an afternoon session by a pupil shall be counted as attendance for one-half day. In calculating the ANB for pupils enrolled in a program established under 20-7-117 prior to January 1,

1974, or pursuant to 20-7-117(1), attendance at or absence from a regular session of the program for at least 2 hours of either a morning or an afternoon session will be counted as one-half of a day attended or absent as the case may be. If a variance has been granted as provided in 20-1-302, ANB will be computed in a manner prescribed by the superintendent of public instruction, but in no case shall the ANB exceed one-half for each kindergarten pupil. When any pupil has been absent, with or without excuse, for more than 10 consecutive school days, including pupil-instruction-related days, his absence after the 10th day of absence shall not be included in the aggregate days of absence and his enrollment in the school shall not be considered in the calculation of the average number belonging until he resumes attendance at school.

(2) If a student spends less than half his time in the regular program and the balance of his time in school in the special education program, he shall be considered a full-time special pupil but shall not be considered regularly enrolled for ANB purposes. If a student spends half or more of his time in school in the regular program and the balance of his time in the special education program, he shall be considered regularly enrolled for ANB purposes.

(3) The average number belonging of the regularly



1 enrolled, full-time pupils for the public schools of a
 2 district ~~shall be calculated individually for each school,~~
 3 ~~except that when:~~

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

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 13 THAN 3 miles beyond the incorporated limits of a city or
 14 town OR FROM ANOTHER SCHOOL OF THE DISTRICT, all of the
 15 regularly enrolled, full-time pupils of the school must be
 16 calculated individually for ANB purposes;

17 (b) a junior high school which has been approved and
 18 accredited as a junior high school ~~is located within the~~
 19 ~~incorporated limits of a city or town in which a high school~~
 20 ~~is located,~~ all of the regularly enrolled, full-time pupils
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 19 existing authority of the superintendent of public
 20 instruction to make rules on the subject of the provisions
 21 of this act is extended to the provisions of this act.

22 NEW SECTION. SECTION 3. APPLICABILITY. THIS ACT IS
 23 APPLICABLE TO THE ANB CALCULATED IN DETERMINING FUNDING FOR
 24 SCHOOL FISCAL YEAR 1989 FOR USE IN SCHOOL FISCAL YEAR 1990.

-End-

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23 APPLICABLE TO THE ANB CALCULATED IN DETERMINING FUNDING FOR
24 SCHOOL FISCAL YEAR YEARS COMMENCING IN 1989 1988 FOR USE IN
25 SCHOOL FISCAL YEAR 1990 1989, AND THEREAFTER.

-End-

-4-

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 23 APPLICABLE TO THE ANB CALCULATED IN DETERMINING PUNDING FOR
 24 SCHOOL FISCAL YEAR YEARS COMMENCING IN 1989 1988 FOR USE IN
 25 ON THE ATTENDANCE DURING THE SCHOOL FISCAL YEAR 1988-89, AND

HB 0340/04

- 1 USED FOR BUDGETING FOR THE SCHOOL FISCAL YEAR 1990 1989
- 2 1989-90, AND THEREAFTER.

-End-

STANDING COMMITTEE REPORT

SENATE

MARCH 20, 1987

MR. PRESIDENT

We, your committee on EDUCATION AND CULTURAL RESOURCES

having had under consideration HOUSE BILL No. 340

third reading copy (blue color)

REVISE METHOD OF CALCULATING THE ANB OF A SCHOOL DISTRICT

DONALDSON (REGAN)

Respectfully report as follows: That HOUSE BILL No. 340

Be amended as follows:

1. Page 4, lines 23 and 24.

Strike: "IN DETERMINING" on line 23 through "USE IN" on line 24

Insert: "on the attendance during the school fiscal year 1988-1989, and used for budgeting for the"

2. Page 4, line 25.

Strike: "1989"

Insert: "1989-1990"

NK

EXRASS

EXNRKASS

Bob Brown

SENATOR BOB BROWN,

Chairman.

5-20-87
JF
h:10