

AMENDMENTS TO LB 305

(Amendments to AM2055)

1 1. Insert the following new sections:

2 "Sec. 8. Section 79-1007.01, Revised Statutes
3 Supplement, 2000, is amended to read:

4 79-1007.01. (1) ~~For school fiscal year 1998-99 and each~~
5 ~~school fiscal year thereafter, the~~ The adjusted formula students
6 for each local system shall be calculated by:

7 (a) Multiplying the formula students in each grade range
8 by the corresponding weighting factors to calculate the weighted
9 formula students for each grade range as follows:

10 (i) The weighting factor for kindergarten is five-tenths;

11 (ii) The weighting factor for grades one through six,
12 including full-day kindergarten, is one;

13 (iii) The weighting factor for grades seven and eight is
14 one and two-tenths; and

15 (iv) The weighting factor for grades nine through twelve
16 is one and four-tenths;

17 (b) Adding the weighted formula students for each grade
18 range to calculate the weighted formula students for the local
19 system; and

20 (c) Adjusting the weighted formula students by adding the
21 following demographic factors:

22 (i) The Indian-land factor shall equal 0.25 times the
23 average daily attendance of students who reside on Indian land as

1 reported by the United States Department of Education in
2 calculating the local system's payment pursuant to 20 U.S.C. 7701
3 et seq., as such sections existed on the effective date of this
4 act;

5 (ii) The limited English proficiency factor shall equal
6 0.25 times the formula students in the local system with limited
7 English proficiency as defined under rules and regulations of the
8 United States Department of Education promulgated pursuant to Title
9 VI of the Civil Rights Act of 1964, as such act existed on the
10 effective date of this act;

11 (iii) The department shall calculate the number of
12 formula students to whom the poverty factor shall apply. The
13 department shall calculate a ratio of the formula students to the
14 total children under nineteen years of age residing in the local
15 system and shall apply the ratio to the low-income children within
16 the local system, in order to determine the number of low-income
17 students within such local system. The number of children under
18 nineteen years of age used in this calculation shall be derived
19 from income tax information. The poverty factor shall equal the
20 number of low-income students or the formula students qualified for
21 free lunches or free milk under United States Department of
22 Agriculture child nutrition programs, whichever is greater,
23 multiplied by the following factors:

24 (A) 0 for the qualified formula students comprising the
25 first five percent of the formula students in the local system;

26 (B) 0.05 for the qualified formula students comprising
27 more than five percent and not more than ten percent of the formula

1 students in the local system;

2 (C) 0.10 for the qualified formula students comprising
3 more than ten percent and not more than fifteen percent of the
4 formula students in the local system;

5 (D) 0.15 for the qualified formula students comprising
6 more than fifteen percent and not more than twenty percent of the
7 formula students in the local system;

8 (E) 0.20 for the qualified formula students comprising
9 more than twenty percent and not more than twenty-five percent of
10 the formula students in the local system;

11 (F) 0.25 for the qualified formula students comprising
12 more than twenty-five percent and not more than thirty percent of
13 the formula students in the local system; and

14 (G) 0.30 for the qualified formula students comprising
15 more than thirty percent of the formula students in the local
16 system; and

17 (iv) The extreme remoteness factor shall equal 0.125
18 times the formula students in the local system for each local
19 system that has fewer than two hundred formula students, more than
20 six hundred square miles in the local system, less than
21 three-tenths formula student per square mile in the local system,
22 and more than twenty-five miles between the high school attendance
23 center and the next closest high school attendance center on paved
24 roads.

25 (2) The total adjusted formula students for each local
26 system shall equal the weighted formula students plus the
27 demographic factors, except that (a) for local systems qualifying

1 for the extreme remoteness factor, the total adjusted formula
2 students shall be greater than or equal to one hundred fifty
3 adjusted formula students, (b) the total adjusted formula students
4 for a local system shall not include the extreme remoteness factor
5 or any adjustment to the adjusted formula students resulting from
6 qualification for the extreme remoteness factor for the calculation
7 of the average formula cost per student in each cost grouping
8 pursuant to ~~subdivision~~ subsection (2) of section 79-1007.02, and
9 (c) the total adjusted formula students for a local system shall
10 include the extreme remoteness factor and any adjustment to the
11 adjusted formula students resulting from qualification for the
12 extreme remoteness factor for the calculation of the local system's
13 formula need pursuant to ~~subdivision~~ subsection (3) of section
14 79-1007.02.

15 Sec. 9. Section 79-1007.02, Revised Statutes Supplement,
16 2000, is amended to read:

17 79-1007.02. ~~For state aid calculated for school fiscal~~
18 ~~year 1998-99 and each school fiscal year thereafter.~~

19 (1) Using data from the annual financial reports for the
20 second school fiscal year immediately preceding the school fiscal
21 year in which aid is to be paid, the annual statistical summary
22 reports for the school fiscal year immediately preceding the school
23 fiscal year in which aid is to be paid, the fall membership reports
24 and supplements thereto for the school fiscal year immediately
25 preceding the school fiscal year in which aid is to be paid, and
26 the school district census as reported under sections 79-524 and
27 79-578 for the second school fiscal year preceding the school

1 fiscal year in which aid is to be paid, the department shall divide
2 the local systems into three cost groupings prior to the
3 certification of state aid based upon the following criteria:

4 (a) The very sparse cost grouping will consist of local
5 systems that have (i)(A) less than one-half student per square mile
6 in each county in which each high school attendance center is
7 located, based on the school district census, (B) less than one
8 formula student per square mile in the local system, and (C) more
9 than fifteen miles between the high school attendance center and
10 the next closest high school attendance center on paved roads or
11 (ii)(A) more than four hundred fifty square miles in the local
12 system, (B) less than one-half student per square mile in the local
13 system, and (C) more than fifteen miles between each high school
14 attendance center and the next closest high school attendance
15 center on paved roads;

16 (b) The sparse cost grouping will consist of local
17 systems that do not qualify for the very sparse cost grouping but
18 which meet the following criteria:

19 (i)(A) Less than two students per square mile in the
20 county in which each high school is located, based on the school
21 district census, (B) less than one formula student per square mile
22 in the local system, and (C) more than ten miles between each high
23 school attendance center and the next closest high school
24 attendance center on paved roads;

25 (ii)(A) Less than one and one-half formula students per
26 square mile in the local system and (B) more than fifteen miles
27 between each high school attendance center and the next closest

1 high school attendance center on paved roads;

2 (iii)(A) Less than one and one-half formula students per
3 square mile in the local system and (B) more than two hundred
4 seventy-five square miles in the local system; or

5 (iv)(A) Less than two formula students per square mile in
6 the local system and (B) the local system includes an area equal to
7 ninety-five percent or more of the square miles in the largest
8 county in which a high school attendance center is located in the
9 local system; and

10 (c) The standard cost grouping will consist of local
11 systems that do not qualify for the very sparse or the sparse cost
12 groupings.

13 For purposes of ~~subdivision (1) of this section~~ this
14 subsection, if a local system did not operate and offer instruction
15 in grades nine through twelve within the boundaries of the local
16 system during the school fiscal year immediately preceding the
17 school fiscal year in which aid is to be paid, the local system
18 shall not be considered to have a high school attendance center. †

19 (2) The department shall calculate the average formula
20 cost per student in each cost grouping by dividing the total
21 estimated general fund operating expenditures for the cost grouping
22 by the total adjusted formula students for all local systems in the
23 cost grouping. ~~For the calculation of state aid for school fiscal~~
24 ~~year 1999-00 and for each school fiscal year thereafter, the~~ The
25 average formula cost per student in each cost grouping shall not be
26 recalculated for the final calculation of state aid pursuant to
27 section 79-1065. The calculation of total adjusted formula

1 students for purposes of this ~~subdivision~~ subsection shall take
2 into account the requirements of subsection (2) of section
3 79-1007.01. The total estimated general fund operating
4 expenditures for the cost grouping is equal to the total adjusted
5 general fund operating expenditures for all local systems in the
6 cost grouping multiplied by a cost growth factor. The cost growth
7 factor for each cost grouping is equal to the sum of: (a) One; plus
8 (b) the product of two times the ratio of the difference between
9 the formula students attributable to the cost grouping without
10 weighting or adjustment pursuant to section 79-1007.01 and the
11 average daily membership attributable to the cost grouping for the
12 most recently available complete data year divided by the average
13 daily membership attributable to the cost grouping for the most
14 recently available complete data year, except that the ratio shall
15 not be less than zero; plus (c) the basic allowable growth rate
16 pursuant to section 79-1025 for the school fiscal year in which the
17 aid is to be distributed; plus (d) the basic allowable growth rate
18 pursuant to section 79-1025 for the school fiscal year immediately
19 preceding the school fiscal year in which the aid is to be
20 distributed; plus (e) ~~one-half of any additional growth rate~~
21 ~~allowed by special action of school boards for the school fiscal~~
22 ~~year in which the aid is to be distributed as determined for the~~
23 ~~school fiscal year immediately preceding the school fiscal year~~
24 ~~when aid is to be distributed; plus (f) one-half of any additional~~
25 ~~growth rate allowed by special action of the school boards for the~~
26 ~~school fiscal year immediately preceding the school fiscal year~~
27 ~~when the aid is to be distributed ; and one percent.~~

1 (3) Each local system's formula need will be equal to the
2 local system's transportation allowance plus the local system's
3 special receipts allowance plus the product of the local system's
4 adjusted formula students multiplied by the average formula cost
5 per student in the local system's cost grouping. The calculation
6 of total adjusted formula students for purposes of this ~~subdivision~~
7 subsection shall take into account the requirements of subsection
8 (2) of section 79-1007.01.

9 Sec. 10. Section 79-1029, Revised Statutes Supplement,
10 2000, is amended to read:

11 79-1029. (1)(a) A Class II, III, IV, V, or VI district
12 may exceed the basic allowable growth rate prescribed in section
13 79-1025 upon an affirmative vote of at least seventy-five percent
14 of the board. ~~The~~ Except as otherwise provided in subdivision (b)
15 of this subsection, the total growth shall not exceed the
16 applicable allowable growth percentage certified for the local
17 system under section 79-1026 plus one percent.

18 (b) For Class II, III, IV, V, or VI districts which (a)
19 are budgeting for the applicable school fiscal year an increase in
20 salaries for first-year teachers of at least six percent and (b)
21 are part of a local system which has below average spending for
22 their cost grouping, based on the local system's adjusted general
23 fund operating expenditures divided by the local system's formula
24 students compared to the cost grouping aggregate adjusted general
25 fund operating expenditures divided by the cost grouping aggregate
26 formula students, the total growth shall not exceed the applicable
27 allowable growth percentage certified for the local system under

1 section 79-1026 plus three percent. A Class II, III, IV, V, or VI
2 district may exceed the basic allowable growth rate by the
3 applicable allowable growth percentage plus three percent as
4 provided in this subdivision for only one school fiscal year during
5 the period beginning with school fiscal year 2001-02 and ending
6 with school fiscal year 2003-04.

7 (c) The vote shall be taken at a public meeting of the
8 board following a special public hearing called for the purpose of
9 receiving testimony on such proposed increase. The board shall
10 give at least five calendar days' notice of such public hearing and
11 shall publish such notice at least once in a newspaper of general
12 circulation in the local system.

13 (2) A Class II, III, IV, V, or VI district may exceed the
14 applicable allowable growth percentage prescribed in section
15 79-1026 by an amount approved by a majority of legal voters voting
16 on the issue at a primary, general, or special election called for
17 such purpose upon the recommendation of the board or upon the
18 receipt by the county clerk or election commissioner of a petition
19 requesting an election signed by at least five percent of the legal
20 voters of the district. The recommendation of the board or the
21 petition of the legal voters shall include the amount and
22 percentage by which the board would increase its general fund
23 budget of expenditures for the ensuing school year over and above
24 the current year's general fund budget of expenditures. The county
25 clerk or election commissioner shall place the question on the
26 primary or general election ballot or call for a special election
27 on the issue after the receipt of such board recommendation or

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1 legal voter petition. The election shall be held pursuant to the
2 Election Act or section 77-3444, and all costs for a special
3 election shall be paid by the district. A vote to exceed the
4 applicable allowable growth percentage may be approved on the same
5 question as a vote to exceed the levy limits provided in section
6 77-3444.".

7 2. Amend the repealer, renumber the remaining sections,
8 and correct internal references accordingly.