HB 2124 common school districts; tuition; elimination (Udall)

As Transmitted to the Governor

- Makes the following changes to school district unification statutes:
  - Clarifies for the first year of operation of a newly formed unified school district, a consolidated budget will be prepared based on student counts from the school districts comprising the new unified district.
  - Removes authority for a unified district to charge tuition for high school students that reside in an elementary district located within the boundaries of a former high school district, but allows them to be included in the unified district’s student count.
- Removes authority for a high school district to charge tuition for students attending from an elementary district not within the high school district.
  - States that for the purposes of determining the HS district student count and the provision of a Free and Appropriate Special Education, those students will be deemed enrolled in their district of attendance.
- Requires tuition to be charged a student who is a resident of a transporting district that does not offer instruction in the student’s grade level, and who is admitted to a high school district.
  - States that for the purposes of determining district student count, these students are deemed to be enrolled in their district of residence.
- Clarifies the number of students from a transporting district for whom tuition may be charged is equal to the average daily membership in the district of attendance from the transporting district in the prior fiscal year. Allows that number to be adjusted if the transporting district increases its Revenue Control Limit (RCL) and District Support Level (DSL).
- Removes caps on school district per-student expenditures for debt service when calculating non-resident tuition for students without a certificate of educational convenience (CEC).
- States that elementary school districts not within a high school district and transporting districts must subtract students admitted to a high school district as resident students from their District Additional Assistance (DAA) calculation. Except:
  - Transporting districts shall receive 50% of the DAA amount per student for high school students the district transports.
- Requires the county board of supervisors to levy an additional property tax in each common school district not within a high school district equal to the countywide average per-pupil equalization base for high school students by the number of resident high school students in the common school district not within a high school district during the prior school year.
- Requires these additional tax monies collected to be added to the county aid for equalization assistance.
• Allows the Nadaburg Unified School District to continue computing its budget as a common school district not within a high school district through FY2022 and repeals those provisions as of June 30, 2023.
• Requires the department of education to accept and review requests from the extraordinary special education needs fund by school districts that offer high school to offset the costs of special education students who had previously been funded by tuition until FY2026
• States all of the provisions of the bill except the Nadaburg provisions are effective from and after June 30, 2023.