

Amendment: D15

Representative **Whitmire** proposes the following amendment:

SECTION 1 - DEPARTMENT OF EDUCATION

1.92. (SDE: Capital Funding for Disadvantaged Schools) The funds appropriated for Capital Funding for Disadvantaged Schools shall be prioritized by the Department of Education pursuant to subsections (A) and (B).

(A) Up to ~~\$15,000,000~~ \$25,000,000 of the funds shall be made available first to a local school district or districts that is consolidating with another school district. ~~with an average daily membership that is less than 5000, based on the most recent student count received by the department, and that is located within a county ranked as Tier IV pursuant to Section 12-6-3360(B) for 2018 which chooses to consolidate with another school district located in the same county, or to a school district that is under state takeover and is consolidating school buildings as directed by the State Superintendent of Education.~~ The funds may be used to support costs directly related to the consolidation which shall include, but are not limited to, salary adjustments, facilities, debt mitigation, millage rate adjustments, transportation, technology and other factors for which the district or districts demonstrates are necessary to complete consolidation. On or before August 1, the eligible districts must submit a preliminary plan and timeline for pursuing consolidation, including the use of the consolidation funds requested, to the Department of Education for review and approval. When the department has approved the final plan, the districts shall forward the plan to the local legislative delegation outlining the specific request that local legislation be enacted to effect the consolidation. The legislation may include, but is not limited to, composition of the consolidated board, transition procedures, and disposition and/or assumption of district assets and liabilities. Upon approval of a consolidation plan, the department shall make an initial allocation to the impacted districts and shall allocate remaining funds upon enactment of legislation formally consolidating the districts for the benefit of the consolidated district.

(B) The remaining funds shall be set aside by the department to create a source of state funding for local school district infrastructure based on need. Additional funds may be appropriated by the General Assembly with either recurring or non-recurring funds from the General Fund, EIA or lottery. Federal funds authorized by a federal agency or authorized by the General Assembly may also be included in this fund. The fund may also accept gifts from private sources.

The department shall submit recommendations to the Senate Finance Committee and the House Ways and Means Committee to establish guidelines for the program consisting of award criteria, conditions for the awards and any match requirements by December 31. Criteria shall include, but not be limited to, consideration of a district's index of taxpaying ability, consideration of a district's or county's per capita income and the age and condition of the district's existing academic buildings as well as the ability to commence construction in a timely matter and the quality of the application.

For purposes of this provision, school infrastructure shall not include unimproved real property, centralized district administration facilities, or other facilities, including those normally identified with interscholastic sports activities.

(C)The Department of Education must submit to the General Assembly by June 30 of each year a report documenting at a minimum the number of applications received and approved, information on the types of infrastructure supported by these funds, and the projected and final costs of each project.

Unexpended funds may be carried forward from the prior fiscal year into the current fiscal year to be expended for the same purposes by the department and school districts.