

APA-2
11/96

STATE DEPARTMENT OF EDUCATION

NOTICE OF INTENDED ACTION

AGENCY NAME: State Department of Education

RULE NO. & TITLE: 290-2-1-.01 Annual Apportionment of the Foundation
Program Funds
290-2-1-.02 Annual Apportionment of Current Units
Funds

INTENDED ACTION: Amendment

SUBSTANCE OF PROPOSED ACTION: The amended chapter will provide the annual changes for the apportionment of funds to local boards of education.

TIME, PLACE, MANNER OF PRESENTING VIEWS: A public hearing will be held at 10:00 a.m., October 13, 2016 Auditorium, Plaza Level, Gordon Persons Building, 50 North Ripley Street, Montgomery, Alabama. All persons wishing to express their views should contact the State Superintendent of Education (334-242-9700) no later than October 12, 2016, in order to be scheduled on the agenda. All persons wishing to express their views in writing to the State Superintendent of Education should address all written comments to the State Superintendent of Education, Gordon Persons Building, P.O. Box 302101, Montgomery, Alabama 36130-2101.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: October 13, 2016

CONTACT PERSON AT AGENCY: Mr. Andy Craig
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Philip C. Cleveland

290-2-1-.02 Annual Apportionment of Current Units.

(1) Using the previous three years' ADM for the first 20 days following Labor Day, a projection shall be made for the next year's current units. Using the state average of foundation program cost per unit, an amount of state funds shall be set apart to fund earned current units as defined below.

(2) Using a local board's first 20 days following Labor Day ADM for the current year and the first 20 days following Labor Day ADM of the prior year, current units shall be calculated as follows: The ADM difference, current year less prior year, for each grade shall be divided by the applicable grade divisor. The total of this calculation over grade kindergarten through grade 12 will be the number of earned current units if the total is a positive number. The number of earned current units multiplied by the average foundation program cost per unit shall be the maximum current unit allotment for each local board earning current units. If the number of current units earned is greater than the number projected, the amount per unit will be prorated to allocate no more ETF funds than have been set aside. If the number of current units earned is less than the number projected, each unit will be allocated at the rate established in the projection. The balance will be distributed to all local boards on the same basis as other current expense in the cost calculations of the foundation program. After the first 20 days following Labor Day ADM is finalized and verified, the current unit allocation will be converted to a monthly allocation based on the number of months remaining in the fiscal year and the local board's monthly allocation will be appropriately adjusted.

(3) Funds appropriated for current units may be used for start-up public charter schools and ~~start-up city~~ boards of education as determined by the State Superintendent.

(4) The State Superintendent may exclude from a local board's ADM the ADM of students displaced as a result of a natural disaster.

Author: Ed Richardson.

Statutory Authority: Ala. Code §§16-13-230 et. seq. (1975).

History: Amended 8-12-93, effective 9-17-93; emergency rules 7-21-94, new rules 9-8-94, effective 10-13-94; emergency rules 9-14-95, effective 9-14-95; emergency rules 7-9-96, effective 7-9-96; emergency rules 10-10-97, effective 10-10-97; emergency rules 7-14-98, effective 8-7-98; amended 11-18-99, effective 12-23-99; amended 2-9-06, effective 3-16-06; amended 11-9-06, effective 12-14-06; amended 9-13-07, effective 10-18-07; amended 11-13-08, effective 12-18-08; amended 10-8-15, effective 11-12-15; amended.