

**Amendment 5 to Council Bill 61-2017**

**BY: Jon Weinstein**

**Legislative Day No: 14  
Date: Nov. 6, 2017**

**Amendment No. 5**

1       *(This amendment proposes to:*

- 2             1. *Add the high school level to the schools test;*  
3             2. *Set the school capacity chart capacity utilization threshold at 105 percent for*  
4             *elementary schools, 110 percent for middle schools, and 115 percent for high*  
5             *schools percent or up to 110%, 115%, and 120%, respectively, under specified*  
6             *conditions;*  
7             3. *Eliminate a separate elementary school region capacity test; and*  
8             4. *Phase implementation to allow the Board of Education to incorporate changes*  
9             *in the school capacity test into its planning for its next capital budget process.)*

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11            On page 7, strike beginning in line 9 with the colon and continuing through “([[ii]]2)  
12 The” in line 13 and substitute “THE”.

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14            On page 7, in line 13, strike “and” and substitute a comma. In the same line,  
15 immediately following “middle” insert “, AND HIGH”.

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17            On page 7, in line 18, strike “elementary school regions and which”. On the same line,  
18 strike “schools and” and substitute a comma. Also in the same line, immediately following  
19 “middle” insert “, AND HIGH”.

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21            On page 16, immediately following line 27, insert:

22            “(1) FOR A SCHOOL CAPACITY CHART ADOPTED PRIOR TO JANUARY 1, 2019, OPEN HAS  
23 THE FOLLOWING MEANINGS:”.

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25            On the same page, in line 28, strike “1” and substitute “I”.

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27            On the same page, in line 30, strike “2” and substitute “II”.

1  
2 On page 17, in line 1, strike “3” and substitute “III”.

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4 On page 17, immediately following line 2, insert:

5 “(2) FOR A SCHOOL CAPACITY CHART ADOPTED AFTER JANUARY 1, 2019, OPEN HAS  
6 THE FOLLOWING MEANINGS:

7 (I) ELEMENTARY SCHOOL – OPEN MEANS THAT:

8 A. THE PROJECTED ENROLLMENT OF THE ELEMENTARY SCHOOL IS BELOW 105  
9 PERCENT OF THE PROGRAM CAPACITY OF THE SCHOOL; OR

10 B. THE PROJECTED ENROLLMENT OF THE ELEMENTARY SCHOOL IS BELOW 110  
11 PERCENT OF THE PROGRAM CAPACITY OF THE SCHOOL AND THE PROJECTED  
12 ENROLLMENT OF THE ELEMENTARY SCHOOL REGION IS BELOW 100 PERCENT OF  
13 THE PROGRAM CAPACITY OF THE ELEMENTARY SCHOOLS WITHIN THE REGION.

14 (II) MIDDLE SCHOOL – OPEN MEANS THAT:

15 A. THE PROJECTED ENROLLMENT OF THE MIDDLE SCHOOL IS BELOW 110 PERCENT  
16 OF THE PROGRAM CAPACITY OF THE SCHOOL; OR

17 B. THE PROJECTED ENROLLMENT OF THE MIDDLE SCHOOL IS BELOW 115 PERCENT  
18 OF THE PROGRAM CAPACITY OF THE SCHOOL AND THE PROJECTED ENROLLMENT  
19 OF THE MIDDLE SCHOOL REGION IS BELOW 100 PERCENT OF THE PROGRAM  
20 CAPACITY OF THE MIDDLE SCHOOLS WITHIN THE REGION.

21 (III) HIGH SCHOOL – OPEN MEANS THAT:

22 A. THE PROJECTED ENROLLMENT OF THE HIGH SCHOOL IS BELOW 115 PERCENT OF  
23 THE PROGRAM CAPACITY OF THE SCHOOL; OR

24 B. THE PROJECTED ENROLLMENT OF THE HIGH SCHOOL IS BELOW 120 PERCENT OF  
25 THE PROGRAM CAPACITY OF THE SCHOOL AND THE AVERAGE PROJECTED  
26 ENROLLMENT OF THE TESTED SCHOOL AND THE TWO HIGH SCHOOLS CLOSEST TO  
27 THE DEVELOPMENT, OTHER THAN THE TESTED SCHOOL, IS BELOW 105  
28 PERCENT.”

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30 On page 17, in line 18, strike “8” and substitute “12”.

31  
32 On page 19, in lines 8-9, strike “WHICH ELEMENTARY SCHOOL REGIONS AND”.

1           Also on page 19, in line 9, strike “SCHOOLS AND” and substitute a comma. In the same  
2 line, immediately following “middle” insert “, AND HIGH”.

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4           Also on page 19, in line 10, after “RESIDENTIAL DEVELOPMENT” insert “AND REGIONAL  
5 CAPACITY UTILIZATION RATES BASED ON THE TOTAL ENROLLMENT OF ALL SCHOOLS IN THE  
6 REGION AND THE COMBINED PROGRAM CAPACITY FOR ALL SCHOOLS IN THE REGION”.

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8           Also on page 19, in lines 12-13, strike “ELEMENTARY SCHOOL REGION AND”.

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10           Also on page 19, in line 13, strike “SCHOOL AND” and substitute a comma. In the same  
11 line, immediately following “MIDDLE” insert “, AND HIGH”.

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13           Also on page 19, in line 17, after “ELEMENTARY” INSERT “, MIDDLE, OR HIGH”.

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