

**160-5-4-.05 REGULAR ADVANCE AND LOW-WEALTH FUNDING.**

**(1) REQUIREMENTS.**

(a) A local school system shall meet the following conditions to qualify for regular advance funding.

1. The school system shall have a current approved facilities plan in which the advance funded project is identified as the next priority.
2. The requested project will require a minimum of five years of regular capital outlay program entitlement earnings after regular accumulated entitlement has been deducted to construct the project.
3. The system shall have no remaining entitlement due on previous advance funded or low-wealth projects.
4. The project applied for shall not be in addition to other projects funded in a given year under the regular capital outlay program.
5. Regular advance funding applications shall be for only one project as required by law.
6. School systems seeking regular advance funding for across-system-line schools shall be required to utilize up to five year's combined entitlements.
7. Systems applying for regular advance funding for an across-system-line school shall have executed a 25 year contract as specified by law.

(b) Systems applying for advance funding under the provisions of law relating to schools certified as hazards to health and safety shall provide the following appropriate certification with the application.

1. Certification from the appropriate Department of Human Resources District/ Unit Health Director that such hazards exist.
2. Certification by the State Fire Marshal's Office specifying the life safety code violation.

(c) To qualify for low-wealth funding under the provisions of O.C.G.A. § 20-2-262, a school system shall meet the following conditions:

1. Sales tax revenues per Full-Time Equivalent (FTE) for the school system shall

be in the bottom 25 percent of the statewide sales tax revenues per FTE, and the Value of property per FTE for the school system shall be in the bottom 25 percent of the statewide property wealth per FTE.

Or

A system ranked in the bottom 25 percent of special purpose local option sales tax revenues (SPLOST) may apply for a low-wealth specific project, and

2. The school system's millage rate for maintenance and operation shall be at least 12 mills, and

3. A special purpose local option sales tax (SPLOST) is in effect in the local school district or the local school system has in place a millage rate for debt service on bonds, or both, and

4. The school system cannot have a current advance funding or low-wealth project, and

5. The school system must use prototypical specifications approved by the Georgia Department of Education in the design and construction of the facility.

(d) The Required Local Participation (RLP) for low-wealth projects is 8 percent.

(e) A reduction of 1 percent in the RLP will be applied for every one mill or equivalent mill levied by the system for each mill or equivalent mill levied by the school system at the time of the application.

(f) If the local funds needed for a project will be in excess of five years of projected SPLOST revenues (verified by the GaDOE), additional state funds will be applied to the project. The local funds needed will be equivalent to five years of projected SPLOST revenues.

Authority O.C.G.A. § 20-2-260; 20-2-262.

**Adopted:** May 10, 2012

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