

160-5-4-20 INCENTIVE ADVANCE FUNDING.

(1) REQUIREMENTS.

(a) A school system shall continue to qualify for incentive advance funding under the law, rules, policies, and procedures in effect prior to July 1, 1994, if all the following conditions are met.

1. The school system submitted a facilities plan which was approved prior to July 1, 1992, that included projects eligible for incentive advance funding.
2. The school system's current approved facilities plan continues to meet all of the conditions and requirements regarding incentive advance funding stated in the law, rules, policies, and procedures that were in effect prior to July 1, 1994.
3. The school system continues to make satisfactory progress toward implementing their **original** plan to reorganize and/or consolidate schools.

(b) Any school system that desires to amend its facilities plan to meet the law, rules, policies, and procedures in effect after June 30, 1994, shall be eligible to request and receive incentive advance funding if all the following conditions have been met.

1. The school system submitted a facilities plan which was approved prior to July 1, 1992, that included projects eligible for incentive advance funding.
2. The department has completed a **new** school size and organizational study.
3. The school system has adopted a **comprehensive, systemwide** reorganization plan.
4. A comprehensive survey team and the State Board of Education have both approved the school system's proposed new facilities plan.
5. Only those projects that must be completed in order for the system's reorganization or consolidation to be accomplished shall be eligible for incentive advance funding.
6. Construction projects identified as eligible for incentive advance funding in the organizational study conducted by the department shall be incorporated into a schedule for funding that must be included in the system's amended facilities plan which has been approved by the local board of education and by the State Board of Education.
7. All other provisions of the amended law have been met.

160-5-4-.20 (Continued)

8. Entitlement earnings may be recalculated and incentive advance funding for any previously approved project(s) may be withheld and advance funding repayment schedules shall be revised if:

- (i) the system's amended plan includes any schools below the minimum sizes,
- (ii) other projects in the system's amended plan are affected by the existence of the school(s) below minimum size, and
- (iii) all the incentive advance funding has not already been obligated by an executed construction contract nor expended to complete the project.

9. Funds previously appropriated for projects that no longer qualify for incentive advance funding, but have not yet been expended, will be returned to the State Board of Education for reallocation to eligible incentive advance funded projects.

Authority O. C.G.A. § 20-2-260.

Adopted: September 8, 1994

Effective: October 9, 1994