

SUPPLEMENTAL MINIMUM SCHOOL PROGRAM

ACT AMENDMENTS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Marda Dillree

This act modifies provisions related to the State System of Public Education by modifying the state contributions for the support of public schools in fiscal year 2001-02. This act modifies a hold harmless program for school districts impacted by block grants. This act has an immediate effective date.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

53A-17a-120, as last amended by Chapter 335, Laws of Utah 2001

53A-17a-121, as last amended by Chapter 335, Laws of Utah 2001

53A-17a-123, as repealed and reenacted by Chapter 335, Laws of Utah 2001

53A-17a-131.9, as last amended by Chapter 335, Laws of Utah 2001

53A-17a-131.19, as repealed and reenacted by Chapter 335, Laws of Utah 2001

53A-21-105, as last amended by Chapters 234 and 335, Laws of Utah 2001

REPEALS AND REENACTS:

53A-17a-131.16, as repealed and reenacted by Chapter 335, Laws of Utah 2001

This act enacts uncodified material.

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-17a-120** is amended to read:

53A-17a-120. Appropriation for accelerated learning programs.

(1) There is appropriated to the State Board of Education [~~\$9,551,074~~] \$9,251,074 for allocation to local school boards for accelerated learning programs in grades one through 12, which include programs for the gifted and talented, concurrent enrollment, and advanced placement.

(2) (a) A school participating in the concurrent enrollment programs offered under Section 53A-15-101 shall receive on a per student basis up to \$33.33 per quarter hour or \$50 per semester hour for each hour of higher education course work undertaken at the school.

(b) Each year the amounts specified in Subsection (2)(a) shall be adjusted in proportion to the increase in the value of the weighted pupil unit from the prior year established in Subsection 53A-17a-103(1).

(3) (a) Districts shall spend monies for these programs according to standards established by the State Board of Education in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

(b) The State Board of Education shall develop uniform and consistent policies for school districts to follow in utilizing advanced placement and concurrent enrollment monies.

Section 2. Section **53A-17a-121** is amended to read:

53A-17a-121. Appropriation for At-risk programs.

(1) There is appropriated to the State Board of Education [~~\$25,023,588~~] \$24,730,088 for the fiscal year beginning July 1, 2001, for allocation to local school boards for at-risk programs, including the following:

- (a) youth in custody;
- (b) adolescent pregnancy prevention;
- (c) homeless and disadvantaged minority students;
- (d) mathematics, engineering, and science achievement programs;
- (e) gang prevention and intervention; and
- (f) at-risk flow through.

(2) Districts shall spend monies for these programs according to standards established by the State Board of Education in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

(3) (a) From the amount appropriated for at-risk programs, the board shall allocate moneys for adolescent pregnancy prevention programs to school districts on the basis of a district's total number of students enrolled in classes as of October 1 that teach a curriculum of adolescent pregnancy prevention as compared to the total number of students enrolled in such programs in school districts throughout the state.

(b) The adolescent pregnancy prevention programs funded under this subsection shall require

written consent from parents or guardians for student participation, involve parents or guardians of participating students in a substantial and consistent manner, and comply with the requirements of Sections 76-7-321 through 76-7-325.

(c) To qualify for participation in the program, a district shall demonstrate to the state board through prior research and pilot studies with similar student populations that those students attained and retained knowledge, values, attitudes, and behaviors that promote abstinence from sexual activity before marriage, and that the students had a lower pregnancy rate than comparison groups that did not participate in the program.

(d) Further qualification requires approval by the local board and state board of all teaching materials, handouts, media materials, audiovisual materials, textbooks, curriculum materials, and course outlines to be used in the program.

(e) The state board may not use a district's participation in the adolescent pregnancy prevention program as an offset against the district's historical proportionate share of the remaining fund balance.

(f) A school district may spend any additional monies allocated for adolescent pregnancy prevention programs as long as the programs comply with the guidelines established in Subsections (3)(b), (c), and (d), if the need for such a program is greater than the allocation received under Subsection (3)(a).

(4) (a) From the amount appropriated for youth at risk programs, the board shall allocate moneys to school districts for homeless and disadvantaged minority students.

(b) Each district shall receive its allocation on the basis of:

(i) the total number of homeless students in the district;

(ii) added to 50% of the number of disadvantaged minority students in the district;

(iii) multiplying the total of Subsections (4)(b)(i) and (ii) by the value of the weighted pupil unit; and

(iv) prorating the amount under Subsection (4)(b)(iii) to the amount in Subsection (4)(a).

(5) (a) From the amount appropriated for at-risk programs, the board shall allocate monies for mathematics, engineering, and science achievement programs, MESA programs, in the districts.

(b) The board shall make the distribution to school districts on a competitive basis by application under guidelines established by the board.

(6) (a) From the amount appropriated for at-risk programs, the board shall distribute moneys for gang prevention and intervention programs at the district or school level.

(b) The board shall make the distribution to school districts under guidelines established by the board consistent with Section 53A-15-601.

(7) (a) From the amount appropriated for at-risk programs, the board shall distribute moneys for programs for youth in custody.

(b) The board shall allocate these moneys to school districts which operate programs for youth in custody in accordance with standards established by the board.

(8) From the amount appropriated for at-risk programs, the board shall allocate monies based on:

(a) a formula which takes into account prior year WPU's per district and a district's low income population; and

(b) a minimum base of no less than \$18,600 for small school districts.

Section 3. Section **53A-17a-123** is amended to read:

53A-17a-123. State contribution for local discretionary block grant program.

(1) There is appropriated to the State Board of Education for the fiscal year beginning July 1, 2001, [~~\$49,948,636~~] \$49,748,636 for a local discretionary block grant program comprised of the following components:

- (a) truancy intervention and prevention;
- (b) an unrestricted local program;
- (c) incentives for excellence;
- (d) the Educational Technology Initiative;
- (e) character education;
- (f) school nurses;
- (g) alternative middle schools;
- (h) reading initiative;

(i) experimental-developmental programs; and

(j) a local discretionary program.

(2) The board shall distribute the appropriation on the basis of the intent language provided under Subsection (3) of the Intent Language provision of ~~[this act]~~ Chapter 335, Laws of Utah 2001.

(3) Notwithstanding current statutory provisions for programs in the local discretionary block grant and the special population programs, which are Families, Agencies, and Communities Together, Alternative Language Services, Highly Impacted Schools, At-risk Programs, Adult Education and Accelerated Learning, and with the exception of those programs for which funds are awarded based on successful completion through a request of proposal, a school district may spend the allocation for any or all programs within the appropriated block.

Section 4. Section **53A-17a-131.9** is amended to read:

53A-17a-131.9. State contribution to agencies coming together for children and youth at risk.

(1) There is appropriated [~~\$1,250,670~~] \$774,470 to the State Board of Education for the fiscal year beginning July 1, 2001, to maintain Title 63, Chapter 75, Families, Agencies, and Communities Together for Children and Youth At Risk Act.

(2) Participation in the at risk programs funded under this section shall require consent from a parent or legal guardian for the participant to receive initial or continuing services under the program.

(3) A participant's parent or legal guardian shall be actively involved in the program and all applicable state and federal laws and regulations shall be observed by the entities and individuals providing the services.

(4) The board shall use the appropriation to experiment on a community full-service delivery system level to provide data on the merits of moving the concept to a fully implemented statewide system.

Section 5. Section **53A-17a-131.16** is repealed and reenacted to read:

53A-17a-131.16. State contribution for school district hold harmless program.

(1) The state's contribution of \$3,897,110 for a school district hold harmless program for the

fiscal year beginning July 1, 2001, is appropriated to the State Board of Education for distribution to school districts impacted by the block grant programs established under Chapter 335, Laws of Utah 2001 for the fiscal year beginning July 1, 2001.

(2) (a) The board shall allocate the appropriation to school districts and the Utah Schools for the Deaf and the Blind as provided for in rules of the State Board of Education.

(b) The rules shall provide for a reallocation of the total appropriation based on final year end data.

(c) Each school district shall receive its equitable share of the total which may differ from the amount specified in Chapter 335, Laws of Utah 2001, Section 22.

(d) A district may not receive more or less than its equitable share of the total.

Section 6. Section **53A-17a-131.19** is amended to read:

53A-17a-131.19. State contribution to math and science beginning teacher recruitment program.

The state's contribution of [~~\$2,400,000~~] \$1,600,000 for a math and science beginning teacher recruitment program, for the fiscal year beginning July 1, 2001, is appropriated to the State Board of Education for distribution according to Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program.

Section 7. Section **53A-21-105** is amended to read:

53A-21-105. State contribution to capital outlay programs.

The state contribution toward the cost of the programs established under Section 53A-21-102 for the fiscal year beginning July 1, 2001, shall consist of an appropriation totaling [~~\$38,358,000~~] \$28,358,000 to the State Board of Education from the Uniform School Fund.

Section 8. **Appropriation reduced.**

The appropriation from the Uniform School Fund for fiscal year 2001-02 to the State Board of Education made by Chapter 338, Laws of Utah 2001 is reduced by \$200,000.

Section 9. **Effective date.**

If approved by two-thirds of all the members elected to each house, this act takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution

Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.