

1st Sub. S.B. 159
MATH EDUCATION INITIATIVE

Representative **John Dougall** proposes the following amendments:

1. *Page 2, Line 40:*

40 AMENDS:

= **53A-17a-148, as last amended by Laws of Utah 2008, Chapter 289**

2. *Page 6, Lines 153 through 156:*

153 (1) Subject to funding for the programs, ~~{beginning on July 1, 2010,}~~ the board may
154 award grants to institutions of higher education or nonprofit educational organizations for
155 programs that provide training leading to a secondary education license with an endorsement in
156 mathematics for an individual who:

3. *Page 6, Lines 165 through 166:*

165 (b) In awarding grants, the board shall consider the amount or percent of matching
166 funds provided by the grant recipient.

Section 8. Section 53A-17A-148 is amended to read:

53A-17a-148. Use of nonlapsing balances.

(1) As used in this section:

(a) "Education entity" means a school district, charter school, or the Utah Schools for the Deaf and the Blind.

(b) (i) "New educator" means a person who:

(A) is an educator as defined in Section 53A-17a-153;

(B) is hired by an education entity to begin teaching during the 2008-09 school year;

(C) did not work in this state as an educator for an education entity during the 2007-08 school year; and

(D) has never received a signing bonus in this state.

(ii) A new educator may include a person who is returning to education after one or more years of interrupted service.

(2) The State Board of Education may use Minimum School Program nonlapsing balances to restore special education funding as follows:

(a) up to \$902,538 is authorized in fiscal year 2005-06; and

(b) up to \$902,538 is authorized in fiscal year 2006-07.

(3) The State Board of Education shall use Minimum School Program nonlapsing balances in fiscal year 2008-09 as follows:

(a) \$5,000,000 shall be allocated to education entities to provide one-time signing bonuses for new

educators as provided under Subsection (4), including money for the following employer-paid benefits:

- (i) retirement;
- (ii) workers' compensation;
- (iii) Social Security; and
- (iv) Medicare; and

(b) \$20,000,000 shall be allocated to education entities to provide one-time performance-based compensation as provided under Subsection (5).

(4) (a) Subject to the availability of funding, education entities shall provide a one-time signing bonus of \$1,000 to a new educator.

(b) If the total cost of bonuses and employer-paid benefits under Subsection (4)(a) for all education entities exceeds \$5,000,000, all bonuses shall be reduced pro rata so that the total cost does not exceed \$5,000,000.

(c) To qualify for a bonus, a new educator shall:

- (i) be hired prior to October 1, 2008; and
- (ii) work for at least 90 days for the education entity.

(5) (a) The \$20,000,000 for performance-based compensation shall be allocated to qualifying education entities on a per pupil basis.

(b) (i) To receive an allocation under Subsection (5)(a), an education entity shall:

(A) submit, prior to July 1, 2008, a written performance-based compensation plan to the State Board of Education that conforms to guidelines established by the State Board of Education in rule; and

(B) receive approval of the plan by the State Board of Education.

(ii) The performance-based compensation plan shall provide specific information about how the education entity intends to spend its allocation, including:

- (A) who is eligible for the performance-based compensation;
- (B) criteria for awarding performance-based compensation;
- (C) the instruments or assessments that may be used to measure or evaluate performance;
- (D) the amount of performance-based compensation that may be awarded; and
- (E) whether the performance-based compensation will be based on individual, team, or school-based performance, or a combination of those.

(iii) The State Board of Education shall send the approved plans to the Executive Appropriations Committee and the Education Interim Committee by August 1, 2008 for review and comment.

(c) (i) An education entity shall award performance-based compensation from monies distributed under this section for employee performance during the 2008-09 school year.

(ii) Performance-based compensation monies may only be used in accordance with an education entity's performance-based compensation plan.

(iii) If an education entity uses performance-based compensation monies for purposes other than those stated in this Subsection (5) and its performance-based compensation plan, the education entity shall reimburse the monies that were improperly used.

(d) An education entity that awards performance-based compensation from monies distributed under this

section shall report the following information to the Executive Appropriations Committee by June 30, 2009:

- (i) the number of employees who received performance-based compensation;
- (ii) the total number of employees;
- (iii) the average performance-based compensation awarded to employees; and
- (iv) the maximum performance-based compensation awarded to an employee.

(6) The State Board of Education may make rules as necessary to administer this section, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

(7) In fiscal year 2009-10, the State Board of Education shall redirect the use of \$250,000 of Minimum School Program nonlapsing balances from the program created in Section 53A-17a-152 to improve mathematics achievement test scores of students in grades four through six to math teacher training programs as provided in Section 53A-13-409.

Renumber remaining sections accordingly.