

Representative John Dougall proposes the following substitute bill:

REDUCTIONS TO EDUCATION MANDATES

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: John Dougall

Senate Sponsor: Wayne L. Niederhauser

LONG TITLE

General Description:

This bill amends provisions related to public school funding, administration, and reporting requirements.

Highlighted Provisions:

This bill:

- ▶ exempts school districts and charter schools from the requirement to administer the tenth grade basic skills competency test for two years;
- ▶ modifies the requirements to obtain a basic high school diploma for two years;
- ▶ exempts a local school board from the requirement to develop and administer certain activity disclosure statements for two years;
- ▶ exempts a school district from certain requirements related to the disposal of textbooks for two years;
- ▶ exempts a local school board from the requirement to prepare and present an annual presentation on adoption for two years;
- ▶ exempts a school district from certain requirements related to an independent evaluation of the purchasing of instructional materials for two years;
- ▶ eliminates the requirement to administer criterion-referenced tests for students in the second grade;



- 26 ▶ exempts the State Board of Education and public schools from complying with
- 27 certain school performance reporting requirements for two years;
- 28 ▶ requires the State Board of Education to review mandates or requirements in board
- 29 rule to determine if certain mandates could be waived for two years;
- 30 ▶ amends provisions related to the transportation levy; **§→ and**
- 31 ▶ [~~amends provisions related to a school district's or charter school's requirement to~~
- 32 ~~file certain information on the Utah Public Finance Website to allow a public school~~
- 33 ~~two years before complying with the requirements; and]~~ **←§**
- 34 ▶ makes technical changes.

35 **Monies Appropriated in this Bill:**

36 None

37 **Other Special Clauses:**

38 None

39 **Utah Code Sections Affected:**

40 AMENDS:

41 **53A-1-401**, as last amended by Laws of Utah 2005, First Special Session, Chapter 2

42 **53A-1-602**, as last amended by Laws of Utah 2009, Chapter 300

43 **53A-1-603**, as last amended by Laws of Utah 2009, Chapter 300

44 **53A-1-611**, as last amended by Laws of Utah 2009, Chapter 277

45 **53A-3-420**, as last amended by Laws of Utah 2007, Chapter 114

46 **53A-3-602.5**, as last amended by Laws of Utah 2009, Chapters 299 and 300

47 **53A-12-207**, as enacted by Laws of Utah 1991, Chapter 106

48 **53A-13-107**, as last amended by Laws of Utah 2002, Chapter 279

49 **53A-14-107**, as last amended by Laws of Utah 2008, Chapter 397

50 **53A-17a-127**, as last amended by Laws of Utah 2009, Chapter 391

51 **§→** [~~63A-3-405, as enacted by Laws of Utah 2009, Chapter 310]~~ **←§**



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

54 Section 1. Section **53A-1-401** is amended to read:

55 **53A-1-401. Powers of State Board of Education -- Adoption of rules --**

56 **Enforcement.**

57 (1) (a) The State Board of Education has general control and supervision of the state's
58 public education system.

59 (b) "General control and supervision" as used in Article X, Sec. 3, of the Utah
60 Constitution means directed to the whole system.

61 (2) The board may not govern, manage, or operate school districts, institutions, and
62 programs, unless granted that authority by statute.

63 (3) The board may adopt rules and policies in accordance with its responsibilities under
64 the constitution and state laws, and may interrupt disbursements of state aid to any district
65 which fails to comply with rules adopted in accordance with this Subsection (3).

66 (4) (a) The board may sell any interest it holds in real property upon a finding by the
67 board that the property interest is surplus.

68 (b) The board may use the money it receives from a sale under Subsection (4)(a) for
69 capital improvements, equipment, or materials, but not for personnel or ongoing costs.

70 (c) If the property interest under Subsection (4)(a) was held for the benefit of an agency
71 or institution administered by the board, the money may only be used for purposes related to
72 the agency or institution.

73 (d) The board shall advise the Legislature of any sale under Subsection (4)(a) and
74 related matters during the next following session of the Legislature.

75 (5) The board shall develop policies and procedures related to federal educational
76 programs in accordance with Title 53A, Chapter 1, Part 9, Implementing Federal Programs
77 Act.

78 (6) On or before December 31, 2010, the State Board of Education shall review
79 mandates or requirements provided for in board rule to determine whether certain mandates or
80 requirements could be waived to remove funding pressures on public schools on a temporary
81 basis.

82 Section 2. Section **53A-1-602** is amended to read:

83 **53A-1-602. Definitions.**

84 As used in this part:

85 (1) (a) "Achievement test" means a standardized test which measures or attempts to
86 measure the level of performance which a student has attained in one or more courses of study.

87 (b) "Achievement test" includes a norm-referenced or criterion-referenced test.

88 (2) "Basic skills course" means a subject which requires mastery of specific functions,
89 as defined under rules made by the State Board of Education, to include reading, language arts,
90 mathematics through intermediate algebra, science, in grades 4 through 12, and effectiveness of
91 written expression.

92 (3) "Utah Performance Assessment System for Students" or "U-PASS" means:

93 (a) systematic norm-referenced achievement testing of all students in grades 3, 5, and 8
94 required by this part in all schools within each school district by means of tests designated by
95 the State Board of Education;

96 (b) criterion-referenced achievement testing of students in grades [~~2~~] 3 through 12 in
97 basic skills courses;

98 (c) an online writing assessment in grades 5 and 8;

99 (d) a tenth grade basic skills competency test as detailed in Section 53A-1-611;

100 (e) the use of student behavior indicators in assessing student performance; and

101 (f) [~~beginning with the 2007-08 school year,~~] testing of students in grade 3 to measure
102 reading grade level.

103 Section 3. Section **53A-1-603** is amended to read:

104 **53A-1-603. Duties of State Board of Education.**

105 (1) Except as provided in Subsection (5), the State Board of Education shall:

106 (a) require each school district and charter school to implement the Utah Performance
107 Assessment System for Students, hereafter referred to as U-PASS;

108 (b) require the state superintendent of public instruction to submit and recommend
109 criterion-referenced and norm-referenced achievement tests, a tenth grade basic skills
110 competency test, an online writing assessment for grades 5 and 8, and a test for students in
111 grade 3 to measure reading grade level to the board for approval and adoption and distribution
112 to each school district and charter school by the state superintendent;

113 (c) develop an assessment method to uniformly measure statewide performance, school
114 district performance, and school performance of students in grades [~~2~~] 3 through 12 in
115 mastering basic skills courses; and

116 (d) provide for the state to participate in the National Assessment of Educational
117 Progress state-by-state comparison testing program.

118 (2) Except as provided in Subsection (5) and Subsection 53A-1-611(6), under

119 U-PASS, the state office shall annually require that each district and charter school, as
120 applicable, administer:

- 121 (a) a statewide norm-referenced test to all students in grades 3, 5, and 8;
- 122 (b) statewide criterion-referenced tests in grades [~~2~~] 3 through 12 and courses in basic
123 skill areas of the core curriculum;
- 124 (c) an online writing assessment to all students in grades 5 and 8;
- 125 (d) a tenth grade basic skills competency test as detailed in Section 53A-1-611; and
- 126 (e) a test to all students in grade 3 to measure reading grade level.

127 (3) The board shall adopt rules for the conduct and administration of U-PASS to
128 include the following:

129 (a) the computation of student performance based on information that is disaggregated
130 with respect to race, ethnicity, gender, limited English proficiency, and those students who
131 qualify for free or reduced price school lunch;

132 (b) security features to maintain the integrity of the system, which could include
133 statewide uniform testing dates, multiple test forms, and test administration protocols;

134 (c) the exemption of student test scores, by exemption category, such as limited
135 English proficiency, mobility, and students with disabilities, with the percent or number of
136 student test scores exempted being publically reported at a district level;

137 (d) compiling of criterion-referenced and online writing test scores and test score
138 averages at the classroom level to allow for:

139 (i) an annual review of those scores by parents of students and professional and other
140 appropriate staff at the classroom level at the earliest point in time;

141 (ii) the assessment of year-to-year student progress in specific classes, courses, and
142 subjects;

143 (iii) a teacher to review, prior to the beginning of a new school year, test scores from
144 the previous school year of students who have been assigned to the teacher's class for the new
145 school year; and

146 (iv) allowing a school district or charter school to have its tests administered and
147 scored electronically to accelerate the review of test scores and their usefulness to parents and
148 educators under Subsections (3)(d)(i), (ii), and (iii), without violating the integrity of U-PASS;
149 and

150 (e) providing that:

151 (i) scores on the tests and assessments required under Subsection (2)(b) shall be
152 considered in determining a student's academic grade for the appropriate course and whether a
153 student shall advance to the next grade level; and

154 (ii) except as provided in Subsection 53A-1-611(6), the student's score on the tenth
155 grade basic skills competency test shall be recorded on the student's transcript of credits.

156 (4) The State Board of Education shall consider administering the basic skills
157 competency test on a Saturday to preserve instructional time.

158 (5) (a) The State Board of Education may exempt a school district or charter school
159 from the testing requirements specified in Subsection (2) if the school district or charter school
160 pilots an assessment system that incorporates:

161 (i) online classroom-based assessment that utilizes adaptive testing in all grades;

162 (ii) online writing assessments in grades 4 through 12; and

163 (iii) assessments administered in grades 8, 10, and 11 to determine readiness for
164 postsecondary education.

165 (b) A school district or charter school that receives an exemption under Subsection
166 (5)(a) is subject to an accountability plan and high school graduation standards that are:

167 (i) based on the assessment system described in Subsections (5)(a)(i) through (iii); and

168 (ii) developed and adopted by the State Board of Education.

169 (c) By the November 2009 meeting of the Education Interim Committee, the State
170 Board of Education shall submit recommendations to the committee on the state's assessment
171 system.

172 (d) The State Board of Education may only provide the following exemptions under
173 this Subsection (5):

174 (i) up to three rural school districts;

175 (ii) up to two urban school districts; and

176 (iii) up to five charter schools.

177 (6) (a) A school district or charter school, as applicable, is encouraged to administer an
178 online writing assessment to students in grade 11.

179 (b) The State Board of Education may award a grant to a school district or charter
180 school to pay for an online writing assessment and instruction program that may be used to

181 assess the writing of students in grade 11.

181a **§→ (7)(a) On or before the 2010 October meeting of the Education Interim Committee, the State**
 181b **Board of Education shall prepare and present its plan for a pilot program for the 2010-11 and 2011-12**
 181c **school years to:**

181d **(i) replace the tenth grade basic skills competency test with computer adaptive testing of basic**
 181e **skills; and**

181f **(ii) administer the ACT exam to secondary students.**

181g **(b) The State Board of Education shall implement the pilot program described in Subsection**
 181h **(7)(a) for the 2010-11 and 2011-12 school years.**

181i **(c) The State Board of Education shall re-direct the money saved by not administering the**
 181j **tenth grade basic skills competency test pursuant to Subsection 53A-1-611(6) to fund the**
 181k **implementation of the pilot program described in Subsection (7)(b) for fiscal years 2010-11 and**
 181l **2011-12. ←§**

182 Section 4. Section **53A-1-611** is amended to read:

183 **53A-1-611. Standards and assessment processes to measure student performance**
 184 **-- Basic skills competency test.**

185 (1) The Legislature recognizes the need for the State Board of Education to develop
 186 and implement standards and assessment processes to ensure that student progress is measured
 187 and that school boards and school personnel are accountable.

188 (2) (a) In addition to its responsibilities under Sections 53A-1-603 through 53A-1-605,
 189 the State Board of Education, through the state superintendent of public instruction, shall
 190 design a basic skills competency test to be administered in the tenth grade.

191 (b) Except as provided in [~~Subsection (5)~~] Subsections (5) and (6) and Section
 192 53A-11-1404, a student must pass the basic skills competency test, in addition to the
 193 established requirements of the state and local board of education of the district in which the
 194 student attends school, in order to receive a basic high school diploma of graduation.

195 (c) The state board shall include in the test, at a minimum, components on English
 196 language arts and reading and mathematics.

197 (d) Except as provided in [~~Subsection (5)~~] Subsections (5) and (6) and Section
 198 53A-11-1404, a student who fails to pass all components of the test may not receive a basic
 199 high school diploma but may receive a certificate of completion or alternative completion
 200 diploma under rules made by the State Board of Education in accordance with Title 63G,
 201 Chapter 3, Utah Administrative Rulemaking Act.

202 (e) The state board shall make rules:

203 (i) to allow students who initially fail the test to retake all or part of the test; and

204 (ii) that take into account and are consistent with federal law relating to students with
205 disabilities in the administration of the test.

206 (3) The state board shall implement the tenth grade basic skills competency test, no
207 later than the beginning of the 2003-04 school year.

208 (4) The requirements of this section are to be complementary to the other achievement
209 testing provisions of this part.

210 (5) A student enrolled in a school district or charter school that is exempt from
211 administering the tenth grade basic skills competency test is subject to high school graduation

212 standards adopted by the State Board of Education pursuant to Section 53A-1-603.

213 (6) (a) A student is exempt from the requirements of Subsection (2) if:

214 (i) the student is enrolled in the tenth grade during:

215 (A) the 2010-11 school year; or

216 (B) the 2011-12 school year; or

217 (ii) the student:

218 (A) was enrolled in the tenth grade during:

219 (I) the 2008-09 school year; or

220 (II) the 2009-10 school year; and

221 (B) did not pass the tenth grade basic skills competency test while the student was in
222 tenth grade.

223 (b) School districts and charter schools are exempt from administering the tenth grade
224 basic skills competency test during the 2010-11 and 2011-12 school year.

225 Section 5. Section **53A-3-420** is amended to read:

226 **53A-3-420. Activity disclosure statements.**

227 (1) [~~A~~] For a school year beginning with or after the 2012-13 school year, a local
228 school board shall require the development of activity disclosure statements for each
229 school-sponsored group or program which involves students and faculty in grades 9 through 12
230 in contests, performances, events, or other activities that require them to miss normal class time
231 or takes place outside regular school time.

232 (2) The activity disclosure statements shall be disseminated to the students desiring
233 involvement in the specific activity or to the students' parents or legal guardians or to both
234 students and their parents.

235 (3) An activity disclosure statement shall contain the following information:

236 (a) the specific name of the team, group, or activity;

237 (b) the maximum number of students involved;

238 (c) whether or not tryouts are used to select students, specifying date and time
239 requirements for tryouts, if applicable;

240 (d) beginning and ending dates of the activity;

241 (e) a tentative schedule of the events, performances, games, or other activities with
242 dates, times, and places specified if available;

243 (f) if applicable, designation of any nonseason events or activities, including an
244 indication of the status, required, expected, suggested, or optional, with the dates, times, and
245 places specified;

246 (g) personal costs associated with the activity;

247 (h) the name of the school employee responsible for the activity; and

248 (i) any additional information considered important for the students and parents to
249 know.

250 Section 6. Section **53A-3-602.5** is amended to read:

251 **53A-3-602.5. School performance report -- Components -- Annual filing.**

252 (1) [~~The~~] For a school year beginning with or after the 2012-13 school year, the State
253 Board of Education in collaboration with the state's school districts and charter schools shall
254 develop a school performance report to inform the state's residents of the quality of schools and
255 the educational achievement of students in the state's public education system.

256 (2) The report described in Subsection (1) shall be written and include the following
257 statistical data for each school in each school district and each charter school, as applicable,
258 and shall also aggregate the data at the district and state level:

259 (a) except as provided in Subsection (2)(a)(ii), test scores over the previous year on:

260 (i) norm-referenced achievement tests;

261 (ii) criterion-referenced tests to include the scores aggregated for all students:

262 (A) by grade level or course for the previous two years and an indication of whether
263 there was a sufficient magnitude of gain in the scores between the two years; and

264 (B) by class;

265 (iii) online writing assessments required under Section 53A-1-603; and

266 (iv) tenth grade basic skills competency tests required under Section 53A-1-603;

267 (b) college entrance examinations data, including the number and percentage of each
268 graduating class taking the examinations for the previous four years;

269 (c) advanced placement and concurrent enrollment data, including:

270 (i) the number of students taking advanced placement and concurrent enrollment
271 courses;

272 (ii) the number and percent of students taking a specific advanced placement course
273 who take advanced placement tests to receive college credit for the course;

274 (iii) of those students taking the test referred to in Subsection (2)(c)(ii), the number and
275 percent who pass the test; and

276 (iv) of those students taking a concurrent enrollment course, the number and percent of
277 those who receive college credit for the course;

278 (d) the number and percent of students in grade 3 reading at or above grade level;

279 (e) the number and percent of students who were absent from school 10 days or more
280 during the school year;

281 (f) achievement gaps that reflect the differences in achievement of various student
282 groups as defined by State Board of Education rule;

283 (g) the number and percent of "student dropouts" within the district as defined by State
284 Board of Education rule;

285 (h) course-taking patterns and trends in secondary schools;

286 (i) student mobility;

287 (j) staff qualifications, to include years of professional service and the number and
288 percent of staff who have a degree or endorsement in their assigned teaching area and the
289 number and percent of staff who have a graduate degree;

290 (k) the number and percent of parents who participate in SEP, SEOP, and
291 parent-teacher conferences;

292 (l) average class size by grade level and subject;

293 (m) average daily attendance as defined by State Board of Education rule, including
294 every period in secondary schools; and

295 (n) enrollment totals disaggregated with respect to race, ethnicity, gender, limited
296 English proficiency, and those students who qualify for free or reduced price school lunch.

297 (3) ~~[The]~~ For a school year beginning with or after the 2012-13 school year, the State
298 Board of Education, in collaboration with the state's school districts and charter schools, shall
299 provide for the collection and electronic reporting of the following data for each school in each
300 school district and each charter school:

301 (a) test scores and trends over the previous four years on the tests referred to in
302 Subsection (2)(a);

303 (b) the average grade given in each math, science, and English course in grades 9
304 through 12 for which criteria-referenced tests are required under Section 53A-1-603;

305 (c) incidents of student discipline as defined by State Board of Education rule,
306 including suspensions, expulsions, and court referrals; and

307 (d) the number and percent of students receiving fee waivers and the total dollar
308 amount of fees waived.

309 (4) (a) (i) The State Board of Education shall adopt common definitions and data
310 collection procedures for local school boards and charter schools to use in collecting and
311 forwarding the data required under Subsections (2) and (3) to the state superintendent of public
312 instruction.

313 (ii) Average class size by grade and subject shall be calculated for the purposes of
314 Subsection (2)(1) in accordance with the following:

315 (A) for kindergarten through grade six, average class size by grade shall be calculated
316 by dividing grade membership on October 1 by the number of classes in the corresponding
317 grade; and

318 (B) for grades seven through 12, average class size shall be calculated for core
319 language arts, mathematics, and science courses by dividing membership on October 1 in core
320 language arts, mathematics, or science course classes by the number of classes for the
321 corresponding course.

322 (b) The state board, through the state superintendent of public instruction, shall adopt
323 standard reporting forms and provide a common template for collecting and reporting the data,
324 which shall be used by all school districts and charter schools.

325 (c) The state superintendent shall use the automated decision support system referred to
326 in Section 53A-1-301 to collect and report the data required under Subsections (2) and (3).

327 (5) ~~[The state board]~~ For a school year beginning with or after the 2012-13 school year,
328 the State Board of Education, through the state superintendent of public instruction, shall issue
329 its report annually by October 1 to include the required data from the previous school year or
330 years as indicated in Subsections (2) and (3).

331 (6) (a) Each local school board and each charter school shall receive a written or an
332 electronic copy of the report from the state superintendent of public instruction containing the
333 data for that school district or charter school in a clear summary format and have it distributed,
334 on a one per household basis, to the residence of students enrolled in the school district before
335 November 30th of each year.

336 (b) Each local school board, each charter school, and the state board shall have a
337 complete report of the statewide data available for copying or in an electronic format at their
338 respective offices.

339 Section 7. Section **53A-12-207** is amended to read:

340 **53A-12-207. Disposal of textbooks.**

341 ~~[A]~~ (1) For a school year beginning with or after the 2012-13 school year, a local
342 school district may not dispose of textbooks used in its public schools without first notifying all
343 other school districts in the state of its intent to dispose of the textbooks. ~~[This provision]~~

344 (2) Subsection (1) does not apply to textbooks that have been damaged, mutilated, or
345 worn out.

346 (3) The State ~~[Office]~~ Board of Education ~~[will]~~ shall develop rules and procedures
347 directing the disposal of textbooks.

348 Section 8. Section **53A-13-107** is amended to read:

349 **53A-13-107. Adoption information.**

350 (1) ~~[Each]~~ For a school year beginning with or after the 2012-13 school year, a local
351 school board shall ensure that an annual presentation on adoption is given to its secondary
352 school students in grades 7-12, so that each student receives the presentation at least once
353 during grades 7-9 and at least once during grades 10-12.

354 (2) The presentation shall be made by a licensed teacher as part of the health education
355 core.

356 Section 9. Section **53A-14-107** is amended to read:

357 **53A-14-107. Instructional materials alignment with core curriculum.**

358 (1) ~~[A]~~ For a school year beginning with or after the 2012-13 school year, a school
359 district may not purchase primary instructional materials unless the primary instructional
360 materials provider:

361 (a) contracts with an independent party to evaluate and map the alignment of the
362 primary instructional materials with the core curriculum adopted under Section 53A-1-402;

363 (b) provides a detailed summary of the evaluation under Subsection (1)(a) on a public
364 website at no charge, for use by teachers and the general public; and

365 (c) pays the costs related to the requirements of this Subsection (1).

366 (2) The requirements under Subsection (1) may not be performed by:

- 367 (a) the State Board of Education;
- 368 (b) the superintendent of public instruction or the State Office of Education;
- 369 (c) the State Instructional Materials Commission appointed pursuant to Section
- 370 53A-14-101;
- 371 (d) a local school board or a school district; or
- 372 (e) the instructional materials creator or publisher.

373 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 374 State Board of Education shall make rules that establish:

- 375 (a) the qualifications of the independent parties who may evaluate and map the
- 376 alignment of the primary instructional materials in accordance with the provisions of
- 377 Subsection (1)(a); and
- 378 (b) requirements for the detailed summary of the evaluation and its placement on a
- 379 public website in accordance with the provisions of Subsection (1)(b).

380 Section 10. Section **53A-17a-127** is amended to read:

381 **53A-17a-127. Eligibility for state-supported transportation -- Approved bus**
 382 **routes -- Additional local tax.**

383 (1) A student eligible for state-supported transportation means:

- 384 (a) a student enrolled in ~~§~~→ [f] **kindergarten through grade six** [f] [~~an elementary~~
- 384a ~~school~~] ←~~§~~ who
- 385 lives at least 1-1/2 miles from school;

- 386 (b) a student enrolled in ~~§~~→ [f] **grades seven through 12** [f] [~~a secondary school~~] ←~~§~~ who
- 386a lives at
- 387 least ~~§~~→ [f] **two** [f] [~~three~~] ←~~§~~ miles from school; and

388 (c) a student enrolled in a special program offered by a school district and approved by
 389 the State Board of Education for trainable, motor, multiple-disabled, or other students with
 390 severe disabilities who are incapable of walking to school or where it is unsafe for students to
 391 walk because of their disabling condition, without reference to distance from school.

392 (2) If a school district implements double sessions as an alternative to new building
 393 construction, with the approval of the State Board of Education, those affected elementary
 394 school students residing less than 1-1/2 miles from school may be transported one way to or
 395 from school because of safety factors relating to darkness or other hazardous conditions as
 396 determined by the local school board.

397 (3) (a) The State Board of Education shall distribute transportation monies to school

398 districts based on:

- 399 (i) an allowance per mile for approved bus routes;
400 (ii) an allowance per hour for approved bus routes; and
401 (iii) a minimum allocation for each school district eligible for transportation funding.

402 (b) The State Board of Education shall distribute appropriated transportation funds
403 based on the prior year's eligible transportation costs as legally reported under Subsection
404 53A-17a-126(3).

405 (c) The State Board of Education shall annually review the allowance per mile and the
406 allowance per hour and adjust the allowances to reflect current economic conditions.

407 (4) (a) Approved bus routes for funding purposes shall be determined on fall data
408 collected by October 1.

409 (b) Approved route funding shall be determined on the basis of the most efficient and
410 economic routes.

411 (5) A Transportation Advisory Committee with representation from local school
412 superintendents, business officials, school district transportation supervisors, and the state
413 superintendent's staff shall serve as a review committee for addressing school transportation
414 needs, including recommended approved bus routes.

415 (6) (a) A local school board may provide for the transportation of students [~~who are not~~
416 ~~eligible under Subsection (1);~~] regardless of the distance from school, from:

- 417 (i) general funds of the district; and
418 (ii) a tax rate not to exceed .0003 per dollar of taxable value imposed on the district.

419 (b) A local school board may use revenue from the tax described in Subsection
420 (6)(a)(ii) to pay for transporting [~~participating students to interscholastic activities, night~~
421 ~~activities, and educational field trips approved by the board~~] students and for the replacement
422 of school buses.

423 (c) (i) If a local school board levies a tax under Subsection (6)(a)(ii) of at least .0002,
424 the state may contribute an amount not to exceed 85% of the state average cost per mile,
425 contingent upon the Legislature appropriating funds for a state contribution.

426 (ii) The state superintendent's staff shall distribute the state contribution according to
427 rules enacted by the State Board of Education.

428 (d) (i) The amount of state guarantee money which a school district would otherwise be

429 entitled to receive under Subsection (6)(c) may not be reduced for the sole reason that the
 430 district's levy is reduced as a consequence of changes in the certified tax rate under Section
 431 59-2-924 due to changes in property valuation.

432 (ii) Subsection (6)(d)(i) applies for a period of two years following the change in the
 433 certified tax rate.

434 **§→** [~~Section 11. Section 63A-3-405 is amended to read:~~

435 ~~63A-3-405. Participation by local entities.~~

436 ~~(1) (a) Not later than May 15, 2010, [the following participating local entities] public~~
 437 ~~transit districts created under Title 17B, Chapter 2a, Part 8, Public Transit District Act, in~~
 438 ~~conformity with the rules established under Section 63A-3-404, shall provide public financial~~
 439 ~~information through the Utah Public Finance Website or their own website and provide a link~~
 440 ~~to their website through the Utah Public Finance Website[:].~~

441 ~~——— [(i) school districts;]~~

442 ~~——— [(ii) charter schools; and]~~

443 ~~——— [(iii) public transit districts created under Title 17B, Chapter 2a, Part 8, Public Transit~~
 444 ~~District Act.]~~

445 ~~——— (b) Participating local entities subject to this Subsection (1) shall permit information~~
 446 ~~that is generated not later than the fiscal year that begins July 1, 2009 to be accessible via the~~
 447 ~~website.~~

448 ~~——— (2) (a) Not later than May 15, 2011, the following participating local entities, in~~
 449 ~~conformity with the rules established under Section 63A-3-404, shall be required to provide~~
 450 ~~public financial information through the Utah Public Finance Website or their own website and~~
 451 ~~provide a link to their website through the Utah Public Finance Website:~~

452 ~~——— (i) counties;~~

453 ~~——— (ii) municipalities;~~

454 ~~——— (iii) local districts under Title 17B, Limited Purpose Local Government Entities - Local~~
 455 ~~Districts, that are not already required to report; and~~

456 ~~——— (iv) special service districts under Title 17D, Chapter 1, Special Service District Act.~~

457 ~~——— (b) Participating local entities subject to this Subsection (2) shall permit information~~
 458 ~~that is generated not later than the fiscal year that begins July 1, 2010 to be accessible via the~~
 459 ~~website.] ←§~~

460 ~~§→ (3) (a) Not later than May 15, 2012, the following participating local entities, in~~
461 ~~conformity with the rules established under Section 63A-3-404, shall be required to provide~~
462 ~~public financial information through the Utah Public Finance Website or their own website and~~
463 ~~provide a link to their website through the Utah Public Finance Website:~~
464 ~~—— (i) school districts; and~~
465 ~~—— (ii) charter schools;~~
466 ~~—— (b) Participating local entities subject to this Subsection (3) shall permit information~~
467 ~~that is generated not later than the fiscal year that begins July 1, 2011, to be accessible via the~~
468 ~~website.] ←§~~

H.B. 166 1st Sub. (Buff) - Reductions to Education Mandates - As Amended

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill eliminates the required Criterion-Referenced Tests in the second grade, saving the state approximately \$200,000 in Uniform School Funds. Further, provisions in this bill delays the implementation of the Utah Basic Skills Competency Test (UBSCT) for two school years. Bill provisions require that the state fund savings generated from the UBSCT delay support a pilot program established in the bill.

	<u>FY 2010 Approp.</u>	<u>FY 2011 Approp.</u>	<u>FY 2012 Approp.</u>	<u>FY 2010 Revenue</u>	<u>FY 2011 Revenue</u>	<u>FY 2012 Revenue</u>
Uniform School Fund	\$0	(\$200,000)	(\$200,000)	\$0	\$0	\$0
Total	\$0	(\$200,000)	(\$200,000)	\$0	\$0	\$0

Individual, Business and/or Local Impact

School districts and charter schools may be able to reduce expenditures associated with meeting these program requirements for the associated fiscal years.