

1 **MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION**

2 **BUDGET AMENDMENTS**

3 2011 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Merlynn T. Newbold**

6 Senate Sponsor: D. Chris Buttars

8 **LONG TITLE**

9 **General Description:**

10 This bill supplements or reduces appropriations previously provided for school districts,
11 charter schools, and certain state education agencies for the fiscal year beginning July 1,
12 2011 and ending June 30, 2012 and modifies related budgetary provisions.

13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ provides budget increases and decreases for the use and support of certain state
16 education agencies;
- 17 ▶ provides budget increases and decreases for programs that support school districts
18 and charter schools;
- 19 ▶ provides intent language;
- 20 ▶ requires the State Board of Education to adopt rules regarding the distribution of
21 funds for youth in custody;
- 22 ▶ enacts provisions related to funding for International Baccalaureate programs;
- 23 ▶ provides that the State Board of Education may use a portion of an appropriation for
24 the K-3 Reading Improvement Program for computer-assisted instructional learning
25 and assessment programs;
- 26 ▶ provides a distribution formula for the appropriation for Teacher Supplies and
27 Materials;
- 28 ▶ provides that the State Board of Education may use a portion of an appropriation for
29 Early Intervention for adaptive learning technology and assessments;

- 30 ▶ establishes the value of the weighted pupil unit at \$2,816 for fiscal year 2011-12;
- 31 ▶ establishes the value of the weighted pupil unit at \$2,577 for fiscal year 2011-12,
- 32 for:
- 33 • the Special Education Add-on program; and
- 34 • the Career & Technical Ed District Add-on program; and
- 35 ▶ makes technical changes.

36 Money Appropriated in this Bill:

- 37 This bill appropriates for fiscal year 2012:
- 38 ▶ \$538,200 from the General Fund;
 - 39 ▶ \$10,000,000 from the Uniform School Fund;
 - 40 ▶ \$294,333,009 from the Education Fund; and
 - 41 ▶ \$13,605,700 from various sources as detailed in this bill.

42 Other Special Clauses:

- 43 This bill takes effect on July 1, 2011.
- 44 This bill coordinates with S.B. 1, Public Education Base Budget, by providing
- 45 superseding substantive amendments.

46 Utah Code Sections Affected:

- 47 AMENDS:
- 48 **53A-1-403**, as last amended by Laws of Utah 2003, Chapter 171
 - 49 **53A-1-708**, as enacted by Laws of Utah 2004, Chapter 265
 - 50 **53A-17a-112**, as last amended by Laws of Utah 2010, Chapter 3
 - 51 **53A-17a-150**, as enacted by Laws of Utah 2004, Chapter 305

52 ENACTS:

- 53 **53A-17a-164**, Utah Code Annotated 1953
- 54 **53A-17a-165**, Utah Code Annotated 1953

55 Utah Code Sections Affected by Coordination Clause:

- 56 **53A-17a-108**, as last amended by Laws of Utah 2010, Chapters 3 and 399
- 57 **53A-17a-164**, Utah Code Annotated 1953

58 53A-17a-165, Utah Code Annotated 1953

59 **Uncodified Material Affected:**

60 ENACTS UNCODIFIED MATERIAL

61

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

63 Section 1. Section 53A-1-403 is amended to read:

64 **53A-1-403. Education of persons under 21 in custody of state agency --**

65 **Establishment of coordinating council -- Advisory councils.**

66 (1) For purposes of this section, "board" means the State Board of Education.

67 ~~(1)~~ (2) (a) The ~~[State Board of Education]~~ board is directly responsible for the
68 education of all persons under the age of 21 who are:

69 ~~(a)~~ (i) in the custody of the Department of Human Services;

70 ~~(b)~~ (ii) in the custody of an equivalent agency of a Native American tribe recognized
71 by the United States Bureau of Indian Affairs and whose custodial parent or legal guardian
72 resides within the state; or

73 ~~(c)~~ (iii) being held in a juvenile detention facility.

74 (b) The board shall adopt rules, in accordance with Title 63G, Chapter 3, Utah
75 Administrative Rulemaking Act, to provide for the distribution of funds for the education of
76 persons described in Subsection (2)(a).

77 ~~(2)~~ (3) Subsection ~~[(1)(b)]~~ (2)(a)(ii) does not apply to persons taken into custody for
78 the primary purpose of obtaining access to education programs provided for youth in custody.

79 ~~(3)~~ (4) The board shall, where feasible, contract with school districts or other
80 appropriate agencies to provide educational, administrative, and supportive services, but the
81 board shall retain responsibility for the programs.

82 ~~(4)~~ (5) The Legislature shall establish and maintain separate education budget
83 categories for youth in custody who are under the jurisdiction of the following state agencies:

84 (a) detention centers and the Divisions of Juvenile Justice Services and Child and
85 Family Services;

86 (b) the Division of Substance Abuse and Mental Health; and

87 (c) the Division of Services for People with Disabilities.

88 [~~(5)~~] (6) (a) The Department of Human Services and the State Board of Education shall
89 appoint a coordinating council to plan, coordinate, and recommend budget, policy, and
90 program guidelines for the education and treatment of persons in the custody of the Division of
91 Juvenile Justice Services and the Division of Child and Family Services.

92 (b) The department and board may appoint similar councils for those in the custody of
93 the Division of Substance Abuse and Mental Health or the Division of Services for People with
94 Disabilities.

95 [~~(6)~~] (7) A school district contracting to provide services under Subsection [~~(3)~~] (4)
96 shall establish an advisory council to plan, coordinate, and review education and treatment
97 programs for persons held in custody in the district.

98 Section 2. Section **53A-1-708** is amended to read:

99 **53A-1-708. Grants for online delivery of U-PASS tests.**

100 (1) As used in this section:

101 (a) "Summative tests" means tests administered near the end of a course to assess
102 overall achievement of course goals[;].

103 (b) "Uniform online summative test system" means a single system for the online
104 delivery of summative tests required under U-PASS that:

105 (i) is coordinated by the Utah State Office of Education;

106 (ii) ensures the reliability and security of U-PASS tests; and

107 (iii) is selected through collaboration between Utah State Office of Education and
108 school district representatives with expertise in technology, assessment, and administration[;
109 and].

110 (c) "U-PASS" means the Utah Performance Assessment System for Students.

111 (2) The State Board of Education may award grants to school districts and charter
112 schools to implement a uniform online summative test system to enable parents of students and
113 school staff to review U-PASS test scores by the end of the school year.

114 (3) (a) Grant [~~monies~~] money may be used to pay for any of the following, provided it
115 is directly related to implementing a uniform online summative test system:

116 (i) computer equipment and peripherals, including electronic data capture devices
117 designed for electronic test administration and scoring;

118 (ii) software;

119 (iii) networking equipment;

120 (iv) upgrades of existing equipment or software;

121 (v) upgrades of existing physical plant facilities;

122 (vi) personnel to provide technical support or coordination and management; and

123 (vii) teacher professional development.

124 (b) Equipment purchased in compliance with Subsection (3)(a), when not in use for the
125 online delivery of summative tests required under U-PASS may be used for other purposes.

126 (4) The State Board of Education may award grants only to school districts and charter
127 schools that intend to implement a uniform online summative test system.

128 (5) [~~(a)~~] The State Board of Education shall make rules [~~specifying~~]:

129 [(i)] (a) establishing procedures for applying for and awarding grants;

130 [(ii)] (b) specifying how grant [~~monies~~] money shall be allocated among school
131 districts and charter schools that qualify to receive grants under Subsection (4); and

132 [(iii)] (c) requiring reporting of grant money expenditures and evidence showing that
133 the grant [~~monies have~~] money has been used to implement a uniform online summative test
134 system.

135 [~~(b) To ensure that small school districts and charter schools receive adequate funds to~~
136 ~~implement a uniform online summative test system, grant monies shall be allocated on a 25%~~
137 ~~base, with the remaining 75% distributed on a per pupil basis.]~~

138 (6) If a school district or charter school uses grant [~~monies~~] money for purposes other
139 than those stated in Subsection (3), the school district or charter school is liable for reimbursing
140 the State Board of Education in the amount of the grant [~~monies~~] money improperly used.

141 Section 3. Section **53A-17a-112** is amended to read:

142 **53A-17a-112. Preschool special education appropriation -- Extended year**
143 **program appropriation -- Appropriation for special education programs in state**
144 **institutions -- Appropriations for stipends for special educators.**

145 (1) (a) Money appropriated to the State Board of Education for the preschool special
146 education program shall be allocated to school districts to provide a free, appropriate public
147 education to preschool students with a disability, ages three through five.

148 (b) The money shall be distributed on the basis of a school district's previous year
149 December 1 disabled preschool child count as mandated by federal law.

150 (2) Money appropriated for the extended school year program for the severely disabled
151 shall be limited to students with severe disabilities with education program goals identifying
152 significant regression and recoument disability as approved by the State Board of Education.

153 (3) (a) Money appropriated for self-contained regular special education programs may
154 not be used to supplement other school programs.

155 (b) Money in any of the other restricted line item appropriations may not be reduced
156 more than 2% to be used for purposes other than those specified by the appropriation, unless
157 otherwise provided by law.

158 (4) (a) The State Board of Education shall compute preschool funding by a factor of
159 1.47 times the current December 1 child count of eligible preschool aged three, four, and
160 five-year-olds times the WPU value, limited to 8% growth over the prior year December 1
161 count.

162 (b) The board shall develop guidelines to implement the funding formula for preschool
163 special education, and establish prevalence limits for distribution of the money.

164 (5) Of the money appropriated for Special Education - State Programming, the State
165 Board of Education shall distribute the revenue generated from 909 WPUs to school districts,
166 charter schools, and the Utah Schools for the Deaf and the Blind for stipends to special
167 educators for additional days of work pursuant to the requirements of Section 53A-17a-158.

168 Section 4. Section **53A-17a-150** is amended to read:

169 **53A-17a-150. K-3 Reading Improvement Program.**

- 170 (1) As used in this section:
- 171 (a) "Program" means the K-3 Reading Improvement Program~~[-and]~~.
- 172 (b) "Program [~~monies~~] money" means:
- 173 (i) school district revenue from the levy authorized under Section 53A-17a-151;
- 174 (ii) school district revenue allocated to the program from other [~~monies~~] money
- 175 available to the school district, except [~~monies~~] money provided by the state, for the purpose of
- 176 receiving state funds under this section; and
- 177 (iii) [~~monies~~] money appropriated by the Legislature to the program.
- 178 (2) The K-3 Reading Improvement Program consists of program [~~monies~~] money and
- 179 is created to achieve the state's goal of having third graders reading at or above grade level.
- 180 (3) Subject to future budget constraints, the Legislature may annually appropriate
- 181 money to the K-3 Reading Improvement Program.
- 182 (4) (a) Prior to using program [~~monies~~] money, a school district or charter school shall
- 183 submit a plan to the State Board of Education for reading proficiency improvement that
- 184 incorporates the following components:
- 185 (i) assessment;
- 186 (ii) intervention strategies;
- 187 (iii) professional development;
- 188 (iv) reading performance standards; and
- 189 (v) specific measurable goals that are based upon gain scores.
- 190 (b) The State Board of Education shall provide model plans which a school district or
- 191 charter school may use, or the district or school may develop its own plan.
- 192 (c) Plans developed by a school district or charter school shall be approved by the State
- 193 Board of Education.
- 194 (5) (a) There is created within the K-3 Reading Achievement Program three funding
- 195 programs:
- 196 [~~(a)~~] (i) the Base Level Program;
- 197 [~~(b)~~] (ii) the Guarantee Program; and

198 [~~(e)~~] (iii) the Low Income Students Program.

199 (b) The State Board of Education may use no more than \$7,500,000 from an
200 appropriation described in Subsection (3) for computer-assisted instructional learning and
201 assessment programs.

202 (6) [~~Monies~~] Money appropriated to the State Board of Education for the K-3 Reading
203 Improvement Program and not used by the State Board of Education for computer-assisted
204 instructional learning and assessments as described in Subsection (5)(b), shall be allocated to
205 the three funding programs as follows:

- 206 (a) 8% to the Base Level Program;
- 207 (b) 46% to the Guarantee Program; and
- 208 (c) 46% to the Low Income Students Program.

209 (7) (a) To participate in the Base Level Program, a school district or charter school
210 shall submit a reading proficiency improvement plan to the State Board of Education as
211 provided in Subsection (4) and must receive approval of the plan from the board.

212 (b) (i) Each school district qualifying for Base Level Program funds and the qualifying
213 elementary charter schools combined shall receive a base amount.

214 (ii) The base amount for the qualifying elementary charter schools combined shall be
215 allocated among each school in an amount proportionate to:

216 (A) each existing charter school's prior year fall enrollment in grades kindergarten
217 through grade 3; and

218 (B) each new charter school's estimated fall enrollment in grades kindergarten through
219 grade 3.

220 (8) (a) A school district that applies for program [~~monies~~] money in excess of the Base
221 Level Program funds shall choose to first participate in either the Guarantee Program or the
222 Low Income Students Program.

223 (b) A school district must fully participate in either the Guarantee Program or the Low
224 Income Students Program before it may elect to either fully or partially participate in the other
225 program.

226 (c) To fully participate in the Guarantee Program, a school district shall:
227 (i) levy a tax rate of .000056 under Section 53A-17a-151;
228 (ii) allocate to the program other [monies] money available to the school district,
229 except [monies] money provided by the state, equal to the amount of revenue that would be
230 generated by a tax rate of .000056; or
231 (iii) levy a tax under Section 53A-17a-151 and allocate to the program other [monies]
232 money available to the school district, except [monies] money provided by the state, so that the
233 total revenue from the combined revenue sources equals the amount of revenue that would be
234 generated by a tax rate of .000056.

235 (d) To fully participate in the Low Income Students Program, a school district shall:
236 (i) levy a tax rate of .000065 under Section 53A-17a-151;
237 (ii) allocate to the program other [monies] money available to the school district,
238 except [monies] money provided by the state, equal to the amount of revenue that would be
239 generated by a tax rate of .000065; or
240 (iii) levy a tax under Section 53A-17a-151 and allocate to the program other [monies]
241 money available to the school district, except [monies] money provided by the state, so that the
242 total revenue from the combined revenue sources equals the amount of revenue that would be
243 generated by a tax rate of .000065.

244 (9) (a) [~~A~~] Except as provided in Subsection (9)(c), a school district that fully
245 participates in the Guarantee Program shall receive state funds in an amount that is:
246 (i) equal to the difference between \$21 times the district's total WPU's and the revenue
247 the school district is required to generate or allocate under Subsection (8)(c) to fully participate
248 in the Guarantee Program; and
249 (ii) not less than \$0.

250 (b) [~~A~~] Except as provided in Subsection (9)(c), an elementary charter school shall
251 receive under the Guarantee Program an amount equal to \$21 times the school's total WPU's.

252 (c) The State Board of Education may adjust the \$21 guarantee amount described in
253 Subsections (9)(a) and (b) to account for actual appropriations and money used by the State

254 Board of Education for computer-assisted instructional learning and assessments.

255 (10) The State Board of Education shall distribute Low Income Students Program
256 funds in an amount proportionate to the number of students in each school district or charter
257 school who qualify for free or reduced price school lunch multiplied by two.

258 (11) A school district that partially participates in the Guarantee Program or Low
259 Income Students Program shall receive program funds based on the amount of district revenue
260 generated for or allocated to the program as a percentage of the amount of revenue that could
261 have been generated or allocated if the district had fully participated in the program.

262 (12) (a) Each school district and charter school shall use program [monies] money for
263 reading proficiency improvement in grades kindergarten through grade three.

264 (b) Program [monies] money may not be used to supplant funds for existing programs,
265 but may be used to augment existing programs.

266 (13) (a) Each school district and charter school shall annually submit a report to the
267 State Board of Education accounting for the expenditure of program [monies] money in
268 accordance with its plan for reading proficiency improvement.

269 (b) If a school district or charter school uses program [monies] money in a manner that
270 is inconsistent with Subsection (12), the school district or charter school is liable for
271 reimbursing the State Board of Education for the amount of program [monies] money
272 improperly used, up to the amount of program [monies] money received from the State Board
273 of Education.

274 (14) (a) The State Board of Education shall make rules to implement the program.

275 (b) (i) The rules under Subsection (14)(a) shall require each school district or charter
276 school to annually report progress in meeting goals stated in the district's or charter school's
277 plan for student reading proficiency as measured by gain scores.

278 (ii) If a school district or charter school does not meet or exceed the goals, the school
279 district or charter school shall prepare a new plan which corrects deficiencies. The new plan
280 must be approved by the State Board of Education before the school district or charter school
281 receives an allocation for the next year.

282 (15) If after 36 months of program operation, a school district fails to meet goals stated
283 in the district's plan for student reading proficiency as measured by gain scores, the school
284 district shall terminate any levy imposed under Section 53A-17a-151.

285 Section 5. Section **53A-17a-164** is enacted to read:

286 **53A-17a-164. Enhancement for At-Risk Students Program.**

287 (1) (a) Subject to the requirements of Subsection (1)(b), the State Board of Education
288 shall distribute money appropriated for the Enhancement for At-Risk Students Program to
289 school districts and charter schools according to a formula adopted by the State Board of
290 Education, after consultation with school districts and charter schools.

291 (b) (i) The State Board of Education shall appropriate \$1,200,000 from the
292 appropriation for Enhancement for At-Risk Students for a gang prevention and intervention
293 program designed to help students at-risk for gang involvement stay in school.

294 (ii) Money for the gang prevention and intervention program shall be distributed to
295 school districts and charter schools through a request for proposals process.

296 (2) In establishing a distribution formula under Subsection (1)(a), the State Board of
297 Education shall use the following criteria:

298 (a) low performance on U-PASS tests;

299 (b) poverty;

300 (c) mobility; and

301 (d) limited English proficiency.

302 (3) A school district or charter school shall use money distributed under this section to
303 improve the academic achievement of students who are at risk of academic failure.

304 (4) The State Board of Education shall develop performance criteria to measure the
305 effectiveness of the Enhancement for At-Risk Students Program and make an annual report to
306 the Public Education Appropriations Subcommittee on the effectiveness of the program.

307 Section 6. Section **53A-17a-165** is enacted to read:

308 **53A-17a-165. Enhancement for Accelerated Students Program.**

309 (1) The State Board of Education shall distribute money appropriated for the

310 Enhancement for Accelerated Students Program to school districts and charter schools
311 according to a formula adopted by the State Board of Education, after consultation with school
312 districts and charter schools.

313 (2) A distribution formula adopted under Subsection (1) may include an allocation of
314 money for:

315 (a) advanced placement courses;

316 (b) gifted and talented programs, including professional development for teachers of
317 high ability students; and

318 (c) International Baccalaureate programs.

319 (3) The greater of 1.5% or \$100,000 of the appropriation for the Enhancement for
320 Accelerated Students Program may be allowed for International Baccalaureate programs.

321 (4) A school district or charter school shall use money distributed under this section to
322 enhance the academic growth of students whose academic achievement is accelerated.

323 (5) The State Board of Education shall develop performance criteria to measure the
324 effectiveness of the Enhancement for Accelerated Students Program and make an annual report
325 to the Public Education Appropriations Subcommittee on the effectiveness of the program.

326 **Section 7. One-time appropriation for classroom supplies.**

327 (1) (a) The State Board of Education shall distribute money appropriated for Teacher
328 Supplies and Materials to classroom teachers in school districts, the Utah Schools for the Deaf
329 and the Blind, and charter schools on the basis of the number of classroom teachers in each
330 school as compared to the total number of classroom teachers.

331 (b) Teachers shall receive up to the following amounts:

332 (i) a teacher on salary schedule steps one through three teaching in grades kindergarten
333 through six or preschool handicapped - \$250;

334 (ii) a teacher on salary schedule steps one through three teaching in grades seven
335 through twelve - \$200;

336 (iii) a teacher on salary schedule step four or higher teaching in grades kindergarten
337 through six or preschool handicapped - \$175; and

338 (iv) a teacher on salary schedule step four or higher teaching in grades seven through
339 twelve - \$150.

340 (c) If the appropriation is not sufficient to provide to each teacher the full amount
341 allowed under Subsection (1)(b), teachers on salary schedule steps one through three shall
342 receive the full amount allowed with the remaining money apportioned to all other teachers.

343 (2) Teachers shall spend money appropriated for classroom supplies and materials for
344 school supplies, materials, or field trips under rules adopted by the State Board of Education.

345 (3) As used in this section, "classroom teacher" or "teacher" means permanent teacher
346 positions filled by one teacher or two or more job-sharing teachers:

347 (a) who are licensed personnel;

348 (b) who are paid on the teacher's salary schedule;

349 (c) who are hired for an entire contract period; and

350 (d) whose primary function is to provide instructional or a combination of instructional
351 and counseling services to students in public schools.

352 **Section 8. Appropriation.**

353 (1) Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act,
354 as applicable, the following sums of money are appropriated from resources not otherwise
355 appropriated, or reduced from amounts previously appropriated, out of the funds or fund
356 accounts indicated for distribution to state education agencies, school districts, and charter
357 schools for the fiscal year beginning July 1, 2011 and ending June 30, 2012. These
358 appropriations are additions to amounts previously appropriated for fiscal year 2011-12.

359 (2) Except as provided in Subsection (3), the value of each weighted pupil unit (WPU)
360 for fiscal year 2011-12 is increased by \$239 over the value of the WPU for fiscal year 2011-12
361 established in S.B. 1, Public Education Base Budget, for a total WPU value of \$2,816.

362 (3) The value of the weighted pupil unit (WPU) for the following programs is \$2,577:

363 (a) Special Education - Add-on; and

364 (b) Career & Technical Ed District Add-on.

365 BASIC SCHOOL PROGRAM

H.B. 2**Enrolled Copy**

366	ITEM 1 To Basic School Program	
367	From Uniform School Fund, One-time	\$12,000,000
368	From Education Fund	\$166,817,280
369	From Education Fund, One-time	(\$12,000,000)
370	Schedule of Programs:	
371	Kindergarten	\$6,457,302
372	Grades 1 - 12	\$125,069,656
373	Necessarily Existent Small Schools	\$1,828,111
374	Professional Staff	\$11,683,754
375	Administrative Costs (1,535 WPU's)	\$4,322,530
376	Special Education - Pre-school	\$2,195,932
377	Special Education - Self-contained	\$3,380,894
378	Special Education - Extended Year	\$96,317
379	Special Education - State Programs (909 WPU's)	\$2,995,202
380	Class Size Reduction	\$8,787,552
381	The Legislature intends that the State Board of Education review reports required of	
382	local education agencies in statute or board rule, and that the State Board of Education submit	
383	any recommended report eliminations to the Education Interim Committee by the October	
384	meeting of the Education Interim Committee in 2011.	
385	RELATED TO BASIC PROGRAMS	
386	ITEM 2 To Related to Basic Programs	
387	From Education Fund	\$117,445,129
388	From Education Fund, One-time	\$13,500,000
389	From Uniform School Fund Restricted - Interest and Dividends Account	\$2,600,000
390	From Nonlapsing Balances - MSP - Basic Program	\$6,300,000
391	From Nonlapsing Balances - MSP - Related to Basic Program	\$4,000,000
392	Schedule of Programs:	
393	To and From School - Pupil Transportation	\$63,062,465

394	Flexible Allocation - WPU Distribution	\$22,698,864
395	Guarantee Transportation Levy	\$500,000
396	Adult Education	\$9,000,000
397	School LAND Trust Program	\$2,600,000
398	Charter School Administration	\$4,627,800
399	K-3 Reading Improvement	\$15,000,000
400	USFR Teacher Salary Supplement Restricted	
401	Account	\$1,374,000
402	Library Books & Electronic Resources	\$400,000
403	Matching Funds for School Nurses	\$882,000
404	USTAR Centers (Year-Round Math & Science)	\$6,200,000
405	Teacher Supplies and Materials	\$5,000,000
406	Beverly Taylor Sorenson Elementary Arts	\$4,000,000
407	Early Intervention	\$7,500,000
408	Pilot Assessment	\$1,000,000

409 The Legislature intends that the appropriation for the Flexible Allocation - WPU
410 Distribution program be distributed to school districts and charter schools on the basis of the
411 number of weighted pupil units in a school district or charter school compared to the total
412 number of weighted pupil units and that the State Board of Education provide for the reporting
413 of school districts' and charter schools' expenditures of the program money.

414 The Legislature intends that the State Board of Education issue a request for proposals
415 for computer-assisted instructional learning and assessments for the K-3 Reading Improvement
416 Program and that the State Board of Education may use no more than \$7,500,000 from the
417 appropriation for K-3 Reading Improvement for computer-assisted instructional learning and
418 assessment programs. The Legislature intends that the State Board of Education provide
419 copies of all requests for proposals submitted for a computer-assisted instructional learning and
420 assessment program for the K-3 Reading Improvement Program to the Governor's Office of
421 Planning and Budget.

422 The Legislature intends that the State Board of Education issue a request for proposals
 423 for adaptive learning technology and assessments for Early Intervention and that the State
 424 Board of Education may use no more than \$2,500,000 from the appropriation for Early
 425 Intervention for adaptive learning technology and assessments. The Legislature intends that the
 426 State Board of Education provide copies of all requests for proposals submitted for an adaptive
 427 learning technology and assessment program for Early Intervention to the Governor's Office of
 428 Planning and Budget.

429 The Legislature intends that the State Board of Education allocate all of the
 430 appropriation for Pilot Assessment to large school districts for online delivery of U-PASS tests
 431 in accordance with Section 53A-1-708.

432 The Legislature intends that enrollment in charter schools in the 2012-13 school year
 433 may increase up to 7,100 students over the projected enrollment of 46,278 in the 2011-12
 434 school year.

435 STATE BOARD OF EDUCATION

436 ITEM 3 To State Board of Education - State Office of Education

437	From Education Fund	\$2,816,900
438	From Education Fund, One-time	\$2,000,000
439	From Federal Funds	(\$200)

440 Schedule of Programs:

441	Board of Education - Administration	\$10,200
442	Student Achievement	\$4,806,500

443 ITEM 4 To State Board of Education - Utah State Office of Education - Initiative Programs

444	From General Fund	\$538,200
445	From Education Fund	\$299,900
446	From Education Fund, One-time	\$926,400

447 Schedule of Programs:

448	Contracts and Grants	\$1,764,500
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449 The Legislature intends that the State Board of Education allocate \$300,000 from the

478 \$100,000 of the appropriation for the Support Services program to construct an accessible
479 playground at the Salt Lake campus.

480 ITEM 10 To School Building Programs

481 From Education Fund, One-time (\$100,000)

482 Schedule of Programs:

483 Capital Outlay Foundation Program (\$100,000)

484 Section 9. **Effective date.**

485 This bill takes effect on July 1, 2011.

486 Section 10. **Coordinating H.B. 2 with S.B. 1 -- Superseding substantive**
487 **amendments.**

488 If this H.B. 2 and S.B. 1, Public Education Base Budget, both pass, it is the intent of the
489 Legislature that the Office of Legislative Research and General Counsel prepare the Utah Code
490 database for publication as follows:

491 (1) not give effect to the repeal of Section 53A-17a-108 in S.B. 1;

492 (2) Section 53A-17a-164 enacted in this bill supersedes the enactment of Section
493 53A-17a-164 in S.B. 1; and

494 (3) Section 53A-17a-165 enacted in this bill supersedes the enactment of Section
495 53A-17a-165 in S.B. 1.