

1           **TEACHER SALARY SUPPLEMENT PROGRAM AMENDMENTS**

2                                   2011 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Marie H. Poulson**

5                           Senate Sponsor: Karen W. Morgan

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7 **LONG TITLE**

8 **General Description:**

9           This bill establishes an appeal process for the Teacher Salary Supplement Program.

10 **Highlighted Provisions:**

11           This bill:

- 12           ▶ requires the Department of Human Resource Management to establish and
- 13 administer an appeal process for a teacher who applies and does not receive the
- 14 Teacher Salary Supplement;
- 15           ▶ requires a teacher to provide documentation to the department to substantiate an
- 16 appeal;
- 17           ▶ requires the State Board of Education to provide certain information; and
- 18           ▶ makes technical changes.

19 **Money Appropriated in this Bill:**

20           None

21 **Other Special Clauses:**

22           None

23 **Utah Code Sections Affected:**

24 AMENDS:

25           **53A-17a-156**, as enacted by Laws of Utah 2008, Chapter 397

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

28           Section 1. Section **53A-17a-156** is amended to read:

29           **53A-17a-156. Teacher Salary Supplement Program -- Appeal process.**

30 (1) As used in this section:

31 (a) "Department" means the Department of Human Resource Management, established  
32 in Section 67-19-5.

33 [~~a~~] (b) "Eligible teacher" means a teacher who:

34 (i) has an assignment to teach:

35 (A) a secondary school level mathematics course;

36 (B) integrated science in grade [7] seven or [8] eight;

37 (C) chemistry; or

38 (D) physics;

39 (ii) holds the appropriate endorsement for the assigned course;

40 (iii) has qualifying educational background; and

41 (iv) (A) is a new employee; or

42 (B) received a satisfactory rating or above on the teacher's most recent evaluation.

43 [~~b~~] (c) "Qualifying educational background" means:

44 (i) for a teacher who is assigned a secondary school level mathematics course[;]:

45 (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics;

46 [~~and~~] or

47 (B) a bachelor's degree major, master's degree, or doctoral degree that has course

48 requirements that are substantially equivalent to the course requirements for a bachelor's degree

49 major, master's degree, or doctoral degree in mathematics; and

50 (ii) for a teacher who is assigned a grade [7] seven or [8] eight integrated science

51 course, chemistry course, or physics course, a bachelor's degree major, master's degree, or

52 doctoral degree in:

53 [~~i~~] (A) integrated science;

54 [~~ii~~] (B) chemistry;

55 [~~iii~~] (C) physics;

56 [~~iv~~] (D) physical science; [~~or~~]

57 [~~v~~] (E) general science[;]; or

58 (F) a bachelor's degree major, master's degree, or doctoral degree that has course  
59 requirements that are substantially equivalent to the course requirements of those required for a  
60 degree listed in Subsections (1)(c)(ii)(A) through (E).

61 (2) (a) Subject to future budget constraints, the Legislature shall annually appropriate  
62 money to the Teacher Salary Supplement Restricted Account established in Section  
63 53A-17a-157 to fund the Teacher Salary Supplement Program.

64 (b) Money appropriated for the Teacher Salary Supplement Program shall include  
65 money for the following employer-paid benefits:

- 66 (i) retirement;
- 67 (ii) workers' compensation;
- 68 (iii) Social Security; and
- 69 (iv) Medicare.

70 (3) (a) Beginning in fiscal year 2008-09, the annual salary supplement is \$4,100 for an  
71 eligible teacher who:

72 (i) is assigned full time to teach one or more courses listed in Subsections  
73 (1)[(a)](b)(i)(A) through (D); and

74 (ii) meets the requirements of Subsections (1)[(a)](b)(ii) and (iii) for each course  
75 assignment.

76 (b) An eligible teacher who has a part-time assignment to teach one or more courses  
77 listed in Subsections (1)[(a)](b)(i)(A) through (D) shall receive a partial salary supplement  
78 based on the number of hours worked in a course assignment that meets the requirements of  
79 Subsections (1)[(a)](b)(ii) and (iii).

80 (4) The department [~~of Human Resource Management~~] shall:

81 (a) create an online application system for a teacher to apply to receive a salary  
82 supplement through the Teacher Salary Supplement Program;

83 (b) determine if a teacher:

84 (i) is an eligible teacher; and

85 (ii) has a course assignment as listed in Subsections (1)[(a)](b)(i)(A) through (D);

86 (c) verify, as needed, the determinations made under Subsection (4)(b) with school  
87 district and school administrators; and

88 (d) certify a list of eligible teachers and the amount of their salary supplement, sorted  
89 by school district and charter school, to the Division of Finance.

90 (5) (a) An eligible teacher shall apply with the department [~~of Human Resource~~  
91 ~~Management prior to~~] before the conclusion of a school year to receive the salary supplement  
92 authorized in this section.

93 (b) An eligible teacher may apply with the department [~~of Human Resource~~  
94 ~~Management~~], after verification that the requirements under this section have been satisfied, to  
95 receive a salary supplement after the completion of:

96 (i) the school year as an annual award; or

97 (ii) a semester or trimester as a partial award based on the portion of the school year  
98 that has been completed.

99 (6) (a) The department shall establish and administer an appeal process for a teacher to  
100 follow if the teacher applies for the salary supplement and is not certified under Subsection  
101 (4)(d).

102 (b) (i) The appeal process established in Subsection (6)(a) shall allow a teacher to  
103 appeal on the basis that the teacher has a degree or degree major with course requirements that  
104 are substantially equivalent to the course requirements for a degree listed in Subsection  
105 (1)(c)(i)(A) or Subsections (1)(c)(ii)(A) through (E).

106 (ii) A teacher shall provide transcripts and other documentation to the department in  
107 order for the department to determine if the teacher has a degree or degree major with course  
108 requirements that are substantially equivalent to the course requirements for a degree listed in  
109 Subsection (1)(c)(i)(A) or Subsections (1)(c)(ii)(A) through (E).

110 [~~6~~] (7) (a) The Division of Finance shall distribute money from the Teacher Salary  
111 Supplement Restricted Account to school districts and charter schools for the Teacher Salary  
112 Supplement Program in accordance with the provisions of this section.

113 (b) The department [~~of Human Resource Management~~] shall include the employer-paid

114 benefits described under Subsection (2)(b) in the amount of each salary supplement certified to  
115 the Division of Finance.

116 (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the  
117 salary supplement limits described under Subsection (3).

118 ~~[(7)]~~ (8) (a) Money received from the Teacher Salary Supplement Restricted Account  
119 shall be used by a school district or charter school to provide a salary supplement equal to the  
120 amount specified for each eligible teacher.

121 (b) The salary supplement is part of the teacher's base pay, subject to the teacher's  
122 qualification as an eligible teacher every year, semester, or trimester.

123 ~~[(8)]~~ (9) The State Board of Education shall cooperate with the department [~~of Human~~  
124 ~~Resource Management~~] as it administers the Teacher Salary Supplement Program by:

125 (a) providing or verifying teacher data, as requested; [~~and~~]

126 (b) making information technology resources available[-]; and

127 (c) providing course descriptions, degree requirements, and other information  
128 requested by the department in order for the department to determine if a teacher has a degree  
129 or degree major with course requirements that are substantially equivalent to the course  
130 requirements for a degree listed in Subsection (1)(c)(i)(A) or Subsections (1)(c)(ii)(A) through  
131 (E), as part of the appeal process described in Subsection (6).

132 ~~[(9)]~~ (10) Notwithstanding the provisions of this section, if the appropriation for the  
133 program is insufficient to cover the costs associated with salary supplements, the department  
134 [~~of Human Resource Management~~] may limit or reduce the salary supplements.