

1                   **CURRENT SCHOOL YEAR SUPPLEMENTAL PUBLIC**  
2                   **EDUCATION BUDGET ADJUSTMENTS**

3                                   2011 GENERAL SESSION

4                                   STATE OF UTAH

5                                   **Chief Sponsor: D. Chris Buttars**

6                                   House Sponsor: Merlynn T. Newbold

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8                   **LONG TITLE**

9                   **General Description:**

10                   This bill modifies education funding for school districts, charter schools, and certain  
11 state agencies for the fiscal year beginning July 1, 2010 and ending June 30, 2011 and  
12 modifies related budgetary provisions.

13                   **Highlighted Provisions:**

14                   This bill:

- 15                   ▶ requires a school district or charter school to report certain transfers between  
16 programs to the State Board of Education as part of the Annual Financial and  
17 Program report;
- 18                   ▶ modifies funding related to the voted and board leeway guarantee programs;
- 19                   ▶ appropriates funding to school districts and charter schools for a certain federal  
20 educator jobs program;
- 21                   ▶ reduces state funding for the Minimum School Program;
- 22                   ▶ appropriates funding to the State Board of Education for certain administrative costs  
23 related to the federal educator jobs program;
- 24                   ▶ appropriates money for:
  - 25                   • educator salary adjustments; and
  - 26                   • library books and electronic resources; and
- 27                   ▶ makes technical changes.

28                   **Money Appropriated in this Bill:**

29                   This bill appropriates for fiscal year 2011:

- 30           ▶ \$30,000,000 from the Uniform School Fund;
- 31           ▶ (\$78,271,500) from the Education Fund; and
- 32           ▶ \$110,007,200 from other sources as detailed in this bill.

**33 Other Special Clauses:**

34           This bill provides an immediate effective date.

**35 Utah Code Sections Affected:**

36 AMENDS:

37           **53A-17a-146**, as last amended by Laws of Utah 2010, Chapters 3 and 399

**38 Uncodified Material Affected:**

39 ENACTS UNCODIFIED MATERIAL



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

42           Section 1. Section **53A-17a-146** is amended to read:

43           **53A-17a-146. Reduction of district allocation based on insufficient revenues.**

44           (1) As used in this section, "Minimum School Program funds" means the total of state  
45 and local funds appropriated for the Minimum School Program, excluding:

- 46           (a) the state-supported voter leeway pursuant to Section 53A-17a-133;
- 47           (b) the state-supported board leeway pursuant to Section 53A-17a-134; and
- 48           (c) the appropriation to charter schools to replace local property tax revenues pursuant  
49 to Section 53A-1a-513.

50           (2) If the Legislature reduces appropriations made to support public schools under Title  
51 53A, Chapter 17a, Minimum School Program Act, because an Education Fund budget deficit,  
52 as defined in Section 63J-1-312, exists, the State Board of Education, after consultation with  
53 each school district and charter school, shall allocate the reduction among school districts and  
54 charter schools in proportion to each school district's or charter school's percentage share of  
55 Minimum School Program funds.

56           (3) Except as provided in Subsection (5) and subject to the requirements of Subsection  
57 (7), a school district or charter school shall determine which programs are affected by a

58 reduction pursuant to Subsection (2) and the amount each program is reduced.

59 (4) Except as provided in Subsections (5) and (6), the requirement to spend a specified  
60 amount in any particular program is waived if reductions are made pursuant to Subsection (2).

61 (5) A school district or charter school may not reduce or reallocate spending of funds  
62 distributed to the school district or charter school for the following programs:

- 63 (a) educator salary adjustments provided in Section 53A-17a-153;
- 64 (b) the Teacher Salary Supplement Program provided in Section 53A-17a-156;
- 65 (c) the extended year for special educators provided in Section 53A-17a-158;
- 66 (d) USTAR centers provided in Section 53A-17a-159;
- 67 (e) the School LAND Trust Program created in Section 53A-16-101.5; or
- 68 (f) a special education program within the Basic School Program.

69 (6) A school district or charter school may not reallocate spending of funds distributed  
70 to the school district or charter school to a reserve account.

71 (7) A school district or charter school that reduces or reallocates funds in accordance  
72 with this section shall report all transfers into, or out of, Minimum School Program programs  
73 to the State Board of Education as part of the school district or charter school's Annual  
74 Financial and Program report.

75 Section 2. **Appropriation.**

76 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
77 following sums of money are appropriated from resources not otherwise appropriated, or  
78 reduced from amounts previously appropriated, out of the funds or fund accounts indicated for  
79 distribution to state agencies, school districts, and charter schools for the fiscal year beginning  
80 July 1, 2010 and ending June 30, 2011. These appropriations are additions to amounts  
81 previously appropriated for fiscal year 2010-11.

82 BASIC SCHOOL PROGRAM

83 ITEM 1 To Basic School Program

84	From Uniform School Fund, One-time	\$30,000,000
85	From Education Fund, One-time	(\$30,000,000)

**S.B. 4****Enrolled Copy**

86	From Nonlapping Balances - MSP - Voted and Board Leeways	\$7,800,000
87	Schedule of Programs:	
88	Grades 1 - 12	\$7,800,000
89	RELATED TO BASIC PROGRAMS	
90	ITEM 2 To Related to Basic Programs	
91	From Education Fund, One-time	(\$50,000,000)
92	From Federal Funds	\$101,004,000
93	Schedule of Programs:	
94	Flexible Allocation - WPU Distribution	(\$50,000,000)
95	Education Jobs Fund - WPU Distribution	\$101,004,000
96	ITEM 3 To Related to Basic Programs	
97	From Education Fund, One-time	\$1,728,500
98	From Nonlapping Balances - MSP - Voted and Board Leeways	\$200,000
99	Schedule of Programs:	
100	Educator Salary Adjustments	\$1,728,500
101	Library Books & Electronic Resources	\$200,000
102	STATE BOARD OF EDUCATION	
103	ITEM 4 To State Board of Education - State Office of Education	
104	From Federal Funds	\$300,000
105	Schedule of Programs:	
106	Board of Education - Administration	\$300,000
107	ITEM 5 To State Board of Education - Educator Licensing Professional Practices	
108	From Uniform School Fund Restricted - Professional Practices	\$703,200
109	Schedule of Programs:	
110	Educator Licensing	\$703,200
111	Section 3. <b>Effective date.</b>	
112	<u>If approved by two-thirds of all the members elected to each house, this bill takes effect</u>	
113	<u>upon approval by the governor, or the day following the constitutional time limit of Utah</u>	

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