

EDUCATION PROVISIONS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Howard A. Stephenson

LONG TITLE

General Description:

This bill enacts provisions related to school expenditure reporting and funding for educators.

Highlighted Provisions:

This bill:

- ▶ requires the State Board of Education to report certain school expenditures;
- ▶ enacts language related to reimbursement for a teacher who receives a certificate;
- ▶ amends the Teacher Salary Supplement Program to include a certificate teacher; and
- ▶ makes technical and conforming corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-17a-156, as last amended by Laws of Utah 2015, Chapter 122

ENACTS:

53A-1-414, Utah Code Annotated 1953

53A-6-114, Utah Code Annotated 1953



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

29 Section 1. Section **53A-1-414** is enacted to read:

30 **53A-1-414. School expenditures -- Report.**

31 (1) As used in this section:

32 (a) "Board" means the State Board of Education.

33 (b) "Local education agency" or "LEA" means:

34 (i) a school district; or

35 (ii) a charter school.

36 (c) "Teacher" means an individual employed by an LEA who:

37 (i) is licensed under Title 53A, Chapter 6, Educator Licensing and Professional

38 Practices Act; and

39 (ii) has an assignment to teach in a classroom.

40 (2) The board or the board's designee shall publish an LEA's total expenditures

41 annually on the board's website by providing the following information for each school within

42 the LEA:

43 (a) total teacher salary expenditures;

44 (b) capital expenditures;

45 (c) overhead and other expenditures not reported under Subsection (2)(a) or (b);

46 (d) the average per pupil funding; and

47 (e) the percent of teacher turnover from the prior school year.

48 (3) An LEA shall provide the information described in Subsections (2)(a) through (e)

49 as requested by the board or the board's designee.

50 Section 2. Section **53A-6-114** is enacted to read:

51 **53A-6-114. National Board certification reimbursement.**

52 (1) As used in this section:

53 (a) "Eligible educator" means an educator who:

54 (i) holds a current National Board certification; and

55 (ii) is employed as an educator by an LEA.

56 (b) "Local education agency" or "LEA" means:

57 (i) a school district;

58 (ii) a charter school; or

59 (iii) the Utah Schools for the Deaf and the Blind.

60 (2) Subject to legislative appropriations, the board shall reimburse an eligible educator
61 for the cost to attain or renew a National Board certification.

62 (3) The board shall reimburse an eligible educator under this section on a first come,
63 first served basis.

64 (4) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah
65 Administrative Rulemaking Act, specifying procedures and timelines for reimbursing costs
66 under Subsection (2).

67 Section 3. Section **53A-17a-156** is amended to read:

68 **53A-17a-156. Teacher Salary Supplement Program -- Appeal process.**

69 (1) As used in this section:

70 (a) "Board" means the State Board of Education.

71 (b) "Certificate teacher" means a teacher who:

72 (i) holds a National Board certification; and

73 (ii) is assigned to teach at a Title I school.

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

75 (i) has an assignment to teach:

76 (A) a secondary school level mathematics course;

77 (B) integrated science in grade seven or eight;

78 (C) chemistry;

79 (D) physics; or

80 (E) computer science;

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

82 (iii) has qualifying educational background; and

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

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

85 (d) "National Board certification" means the same as that term is defined in Section
86 [53A-6-103](#).

87 [~~(e)~~] (e) "Qualifying educational background" means:

88 (i) for a teacher who is assigned a secondary school level mathematics course:

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

90 (B) a bachelor's degree major, master's degree, or doctoral degree that has course
91 requirements that are substantially equivalent to the course requirements for a bachelor's degree
92 major, master's degree, or doctoral degree in mathematics;

93 (ii) for a teacher who is assigned a grade seven or eight integrated science course,
94 chemistry course, or physics course, a bachelor's degree major, master's degree, or doctoral
95 degree in:

96 (A) integrated science;

97 (B) chemistry;

98 (C) physics;

99 (D) physical science;

100 (E) general science; or

101 (F) a bachelor's degree major, master's degree, or doctoral degree that has course
102 requirements that are substantially equivalent to the course requirements of those required for a
103 degree listed in Subsections (1)~~(c)~~(e)(ii)(A) through (E);

104 (iii) for a teacher who is assigned a computer science course, a bachelor's degree major,
105 master's degree, or doctoral degree in:

106 (A) computer science;

107 (B) computer information technology; or

108 (C) a bachelor's degree major, master's degree, or doctoral degree that has course
109 requirements that are substantially equivalent to the course requirements of those required for a
110 degree listed in Subsections (1)~~(c)~~(e)(iii)(A) and (B).

111 (f) "Title I school" means a school that receives funds under the Elementary and
112 Secondary Education Act of 1965, Title I, 20 U.S.C. Sec. 6301 et seq.

113 (2) (a) Subject to future budget constraints, the Legislature shall annually appropriate
114 money to the Teacher Salary Supplement Restricted Account established in Section
115 [53A-17a-157](#) to fund the Teacher Salary Supplement Program.

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

118 (i) retirement;

119 (ii) workers' compensation;

120 (iii) Social Security; and

- 121 (iv) Medicare.
- 122 (3) (a) (i) The annual salary supplement for an eligible teacher who is assigned full
123 time to teach one or more courses listed in Subsections (1)[(b)](c)(i)(A) through (E) is \$4,100.
- 124 [(b)] (ii) An eligible teacher who has a part-time assignment to teach one or more
125 courses listed in Subsections (1)[(b)](c)(i)(A) through (E) shall receive a partial salary
126 supplement based on the number of hours worked in a course assignment that meets the
127 requirements of Subsections (1)[(b)](c)(ii) and (iii).
- 128 (b) The annual salary supplement for a certificate teacher is \$2,500.
- 129 (4) The board shall:
- 130 (a) create an online application system for a teacher to apply to receive a salary
131 supplement through the Teacher Salary Supplement Program;
- 132 (b) determine if a teacher:
- 133 (i) (A) is an eligible teacher; and
134 [(i)] (B) has a course assignment as listed in Subsections (1)[(b)](c)(i)(A) through (E);
135 [and] or
- 136 (ii) is a certificate teacher;
- 137 (c) verify, as needed, the determinations made under Subsection (4)(b) with school
138 district and school administrators[-]; and
- 139 (d) certify a list of eligible teachers and certificate teachers.
- 140 (5) (a) An eligible teacher or a certificate teacher shall apply with the board before the
141 conclusion of a school year to receive the salary supplement authorized in this section.
- 142 (b) An eligible teacher or a certificate teacher may apply with the board, after
143 verification that the requirements under this section have been satisfied, to receive a salary
144 supplement after the completion of:
- 145 (i) the school year as an annual award; or
146 (ii) a semester or trimester as a partial award based on the portion of the school year
147 that has been completed.
- 148 (6) (a) The board shall establish and administer an appeal process for a teacher to
149 follow if the teacher applies for the salary supplement and is not certified under Subsection (4).
- 150 (b) (i) The appeal process established in Subsection (6)(a) shall allow a teacher to
151 appeal eligibility as an eligible teacher on the basis that the teacher has a degree or degree

152 major with course requirements that are substantially equivalent to the course requirements for
153 a degree listed in:

- 154 (A) Subsection (1)~~(c)~~(e)(i)(A);
- 155 (B) Subsections (1)~~(c)~~(e)(ii)(A) through (E); or
- 156 (C) Subsections (1)~~(c)~~(e)(iii)(A) and (B).

157 (ii) A teacher shall provide transcripts and other documentation to the board in order
158 for the board to determine if the teacher has a degree or degree major with course requirements
159 that are substantially equivalent to the course requirements for a degree listed in:

- 160 (A) Subsection (1)~~(c)~~(e)(i)(A);
- 161 (B) Subsections (1)~~(c)~~(e)(ii)(A) through (E); or
- 162 (C) Subsections (1)~~(c)~~(e)(iii)(A) and (B).

163 (c) The appeal process established under Subsection (6)(a) shall allow a teacher to
164 appeal eligibility as a certificate teacher on the basis that the teacher:

- 165 (i) holds a current certificate; or
- 166 (ii) is assigned to teach at a Title I school.
- 167 (d) A teacher shall provide to the board:

168 (i) a certificate or other related documentation in order for the board to determine if the
169 teacher holds a current certificate; or

170 (ii) verification that the teacher is assigned to teach at a Title I school.

171 (7) (a) The board shall distribute money from the Teacher Salary Supplement
172 Restricted Account to school districts and charter schools for the Teacher Salary Supplement
173 Program in accordance with the provisions of this section.

174 (b) The board shall include the employer-paid benefits described under Subsection
175 (2)(b) in the amount of each salary supplement.

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

178 (8) (a) Money received from the Teacher Salary Supplement Restricted Account shall
179 be used by a school district or charter school to provide a salary supplement equal to the
180 amount specified in Subsection (3) for each eligible teacher or certificate teacher.

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

183 (9) Notwithstanding the provisions of this section, if the appropriation for the program
184 is insufficient to cover the costs associated with salary supplements, the board may limit or
185 reduce the salary supplements.

Legislative Review Note
Office of Legislative Research and General Counsel