

# HB0331S01 compared with HB0331

~~text~~ shows text that was in HB0331 but was deleted in HB0331S01.

text shows text that was not in HB0331 but was inserted into HB0331S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Steve Eliason proposes the following substitute bill:

## EDUCATION PROVISIONS

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Steve Eliason**

Senate Sponsor: \_\_\_\_\_

---

### 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~~ make recommendations on reporting certain school expenditures;
- ▶ enacts language related to reimbursement for a teacher who receives a certificate;
- ▶ amends the Teacher Salary Supplement Program to include ~~a~~ certain certificate ~~teacher~~ teachers; and
- ▶ makes technical and conforming corrections.

#### Money Appropriated in this Bill:

## HB0331S01 compared with HB0331

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

---

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

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

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

(1) As used in this section:

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

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

(i) a school district; or

(ii) a charter school.

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

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

Practices Act; and

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

(2) ~~The~~ (a) On or before October 31, 2017, the board or the board's designee shall ~~publish an LEA's total expenditures annually~~ make recommendations to the Education Interim Committee regarding the feasibility of reporting certain school level expenditures on the board's website.

(b) The school level expenditures to be reported on the board's website ~~by providing~~ may include the following information ~~for each school within the LEA~~:

~~(a)~~ (i) total teacher salary expenditures;

~~(b)~~ (ii) capital expenditures;

~~(c)~~ (iii) overhead and other expenditures not reported under Subsection (2) ~~(a)~~ ~~(b)~~ (i) or

## HB0331S01 compared with HB0331

~~(b)(ii)~~:

~~(d)(iv)~~ the average per pupil funding; and

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

(3) An LEA shall provide the information described in ~~{Subsections}~~ Subsection

~~(2)(a) through (e)(b)~~ as requested by the board or the board's designee.

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

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

(1) As used in this section:

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

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

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

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

(i) a school district;

(ii) a charter school; or

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

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

(b) The board may only issue a reimbursement under Subsection (2)(a) for a certification attained or renewed after July 1, 2016.

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

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

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

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

(1) As used in this section:

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

(b) "Certificate teacher" means a teacher who ~~{~~

~~(i) } holds a National Board certification; and~~

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

## HB0331S01 compared with HB0331

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

(i) has an assignment to teach:

(A) a secondary school level mathematics course;

(B) integrated science in grade seven or eight;

(C) chemistry;

(D) physics; or

(E) computer science;

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

(iii) has qualifying educational background; and

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

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

(d) "National Board certification" means the same as that term is defined in Section

53A-6-103.

~~(c)~~ (e) "Qualifying educational background" means:

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

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

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

requirements that are substantially equivalent to the course requirements for a bachelor's degree major, master's degree, or doctoral degree in mathematics;

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

(A) integrated science;

(B) chemistry;

(C) physics;

(D) physical science;

(E) general science; or

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

(iii) for a teacher who is assigned a computer science course, a bachelor's degree major,

## HB0331S01 compared with HB0331

master's degree, or doctoral degree in:

- (A) computer science;
- (B) computer information technology; or
- (C) a bachelor's degree major, master's degree, or doctoral degree that has course

requirements that are substantially equivalent to the course requirements of those required for a degree listed in Subsections (1)(~~(e)~~)((e))(iii)(A) and (B).

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

(g) "Title I school certificate teacher" means a certificate teacher who is assigned to teach at a Title I school.

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

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

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

(3) (a) (i) The annual salary supplement for an eligible teacher who is assigned full time to teach one or more courses listed in Subsections (1)(~~(b)~~)((c))(i)(A) through (E) is \$4,100.

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

(b) The annual salary supplement for a certificate teacher is ~~+\$2~~\$1,500.

(c) The annual salary supplement for a Title I school certificate teacher is, in addition to the supplement described in Subsection (3)(b), \$2,500.

(4) The board shall:

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

## HB0331S01 compared with HB0331

(b) determine if a teacher:

(i) (A) is an eligible teacher; and

~~(ii)~~ (B) has a course assignment as listed in Subsections (1)~~(b)~~(c)(i)(A) through (E);

~~[and]~~ ~~{or}~~

(ii) is a certificate teacher; or

(iii) is a Title I school certificate teacher;

(c) verify, as needed, the determinations made under Subsection (4)(b) with school district and school administrators~~[-]; and~~

(d) certify a list of eligible teachers, certificate teachers, and Title I school certificate teachers.

(5) (a) An eligible teacher~~{}~~, a certificate teacher, or a Title I school certificate teacher shall apply with the board before the conclusion of a school year to receive the salary supplement authorized in this section.

(b) An eligible teacher~~{}~~, a certificate teacher, or a Title I school certificate teacher may apply with the board, after verification that the requirements under this section have been satisfied, to receive a salary supplement after the completion of:

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

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

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

(b) (i) The appeal process established in Subsection (6)(a) shall allow a teacher to appeal eligibility as an eligible teacher on the basis that the teacher has a degree or degree major with course requirements that are substantially equivalent to the course requirements for a degree listed in:

(A) Subsection (1)~~(c)~~(e)(i)(A);

(B) Subsections (1)~~(c)~~(e)(ii)(A) through (E); or

(C) Subsections (1)~~(c)~~(e)(iii)(A) and (B).

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

## HB0331S01 compared with HB0331

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

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

~~(i) holds a current certificate; or~~

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

~~(d) A teacher shall provide to the board:~~

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

~~(ii).~~

(d) (i) The appeal process established under Subsection (6)(a) shall allow a teacher to appeal eligibility as a Title I school certificate teacher on the basis that the teacher:

(A) holds a current certificate; and

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

(ii) A teacher shall provide to the board:

(A) information described in Subsection (6)(c)(ii); and

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

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

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

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

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

(b) The salary supplement is part of the teacher's base pay, subject to the teacher's qualification as an eligible teacher~~(i)~~, a certificate teacher, or a Title I school certificate teacher

## **HB0331S01 compared with HB0331**

every year, semester, or trimester.

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

†

**Legislative Review Note**

**Office of Legislative Research and General Counsel†**