

PUBLIC EDUCATION BUDGET AMENDMENTS

2020 FIFTH SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Lyle W. Hillyard

LONG TITLE

General Description:

This bill supplements or reduces appropriations otherwise provided for the support and operation of public education for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

Highlighted Provisions:

This bill:

- ▶ provides appropriations for the use and support of school districts, charter schools, and state education agencies;
- ▶ increases the value of the weighted pupil unit (WPU) by 1.8% over the value of the WPU for fiscal year 2020 to set the value at \$3,596 for fiscal year 2021;
- ▶ repeals uncodified sections containing all appropriations and intent language in S.B. 2, Chapter 330, Laws of Utah 2020, General Session;
- ▶ repeals certain programs for which funding has been eliminated;
- ▶ amends and enacts provisions related to certain appropriations for public education, including:
 - a requirement for a reading benchmark assessment;
 - a requirement for a mathematics benchmark assessment;
 - foreign exchange student weighted pupil units;
 - small district base funding;
 - small charter school base funding; and
 - additional amounts related to state guaranteed local levy increments;
- ▶ makes technical and conforming changes; and

30 ▶ provides intent language.

31 **Money Appropriated in this Bill:**

32 This bill appropriates \$3,820,200 in operating and capital budgets for fiscal year 2020,
33 all of which is from the Education Fund.

34 This bill appropriates \$58,114,600 in operating and capital budgets for fiscal year 2021,
35 including:

- 36 ▶ (\$236,300) from the General Fund;
- 37 ▶ (\$45,511,600) from the Education Fund; and
- 38 ▶ \$100,862,500 from various sources as detailed in this bill.

39 This bill appropriates \$34,050,000 in restricted fund and account transfers for fiscal
40 year 2021, including:

- 41 ▶ \$32,300,000 from the Education Fund; and
- 42 ▶ \$1,750,000 from various sources as detailed in this bill.

43 This bill appropriates \$213,000 in transfers to unrestricted funds for fiscal year 2021.

44 **Other Special Clauses:**

45 This bill provides a special effective date.

46 **Utah Code Sections Affected:**

47 AMENDS:

48 **53E-4-307**, as last amended by Laws of Utah 2020, Chapter 355

49 **53E-4-307.5**, as enacted by Laws of Utah 2020, Chapter 174

50 **53F-2-203**, as last amended by Laws of Utah 2020, Chapter 359

51 **53F-2-208 (Contingently Effective 01/01/21)**, as enacted by Laws of Utah 2020,
52 Chapter 207

53 **53F-2-301.5 (Effective 07/01/20)**, as last amended by Laws of Utah 2020, Chapters
54 167 and 330

55 **53F-2-303**, as last amended by Laws of Utah 2020, Chapter 408

56 **53F-2-304 (Effective 07/01/20)**, as last amended by Laws of Utah 2020, Chapters 224,
57 330, and 408

58 **53F-2-601**, as last amended by Laws of Utah 2020, Chapter 364

59 **53F-4-201**, as last amended by Laws of Utah 2020, Chapter 355

60 **53G-6-204**, as last amended by Laws of Utah 2020, Chapter 20

61 ENACTS:

62 **53F-2-706**, Utah Code Annotated 1953

63 REPEALS:

64 **53F-2-306 (Effective 07/01/20)**, as last amended by Laws of Utah 2020, Chapter 330

65 **53F-2-309**, as last amended by Laws of Utah 2020, Chapter 408

66 **53F-2-501 (Superseded 07/01/20)**, as last amended by Laws of Utah 2019, Chapter

67 186

68 **53F-2-501 (Effective 07/01/20)**, as last amended by Laws of Utah 2020, Chapter 365

69 **53F-2-505**, as last amended by Laws of Utah 2020, Chapter 359 and last amended by

70 Coordination Clause, Laws of Utah 2020, Chapter 359

71 **53F-2-521**, as enacted by Laws of Utah 2019, Chapter 283

72 **53F-5-216**, as enacted by Laws of Utah 2020, Chapter 224

73 **Uncodified Material Affected:**

74 REPEALS UNCODIFIED MATERIAL:

75 **Uncodified Section 11, Fiscal Year 2020 Appropriations, Laws of Utah 2020, Chapter**
76 **330**

77 **Uncodified Section 11 (a), Operating and Capital Budgets, Laws of Utah 2020, Chapter**
78 **330**

79 **Uncodified Section 12, Fiscal Year 2021 Appropriations, Laws of Utah 2020, Chapter**
80 **330**

81 **Uncodified Section 12 (a), Operating and Capital Budgets, Laws of Utah 2020, Chapter**
82 **330**

83 **Uncodified Section 12 (b), Restricted Fund and Account Transfers, Laws of Utah 2020,**
84 **Chapter 330**

85 ENACTS UNCODIFIED MATERIAL

86

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

88 Section 1. Section 53E-4-307 is amended to read:

89 **53E-4-307. Benchmark assessments in reading -- Report to parent.**

90 (1) As used in this section, "competency" means a demonstrable acquisition of a
91 specified knowledge, skill, or ability that has been organized into a hierarchical arrangement
92 leading to higher levels of knowledge, skill, or ability.

93 (2) The state board shall approve a benchmark assessment for use statewide by school
94 districts and charter schools to assess the reading competency of students in grades 1 through 6
95 as provided by this section.

96 (3) A school district or charter school shall:

97 (a) administer benchmark assessments to students in grades 1, 2, and 3 at the
98 beginning, middle, and end of the school year using the benchmark assessment approved by the
99 state board; and

100 (b) after administering a benchmark assessment, report the results to a student's parent.

101 (4) If a benchmark assessment or supplemental reading assessment indicates a student
102 lacks competency in a reading skill, or is lagging behind other students in the student's grade in
103 acquiring a reading skill, the school district or charter school shall:

104 (a) provide focused individualized intervention to develop the reading skill;

105 (b) administer formative assessments to measure the success of the focused
106 intervention;

107 (c) inform the student's parent of activities that the parent may engage in with the
108 student to assist the student in improving reading proficiency; and

109 (d) provide information to the parent regarding appropriate interventions available to
110 the student outside of the regular school day that may include tutoring, before and after school
111 programs, or summer school.

112 (5) (a) In accordance with Section [53F-4-201](#) and except as provided in Subsection
113 (5)(b), the state board shall contract with one or more educational technology providers for a

114 benchmark assessment system for reading for students in kindergarten through grade 6.

115 (b) If revenue is insufficient for the benchmark assessment system for the grades
116 described in Subsection (5)(a), the state board shall first prioritize funding a benchmark
117 assessment for students in kindergarten through grade 3.

118 Section 2. Section **53E-4-307.5** is amended to read:

119 **53E-4-307.5. Mathematics benchmark assessment.**

120 (1) As used in this section, "early mathematics benchmark assessment" or "benchmark
121 assessment" means a standardized assessment to measure the acquisition of mathematics skills
122 in kindergarten and grades 1 through 3 that includes predictive indicators of academic
123 achievement based on measures of early mathematics, computation, and problem solving.

124 (2) The state board [~~shall~~] may approve a benchmark assessment for use statewide by
125 LEAs to assess the mathematics competency of students in kindergarten and grades 1 through
126 3.

127 (3) [~~Am~~] If the state board approves a benchmark assessment for statewide use under
128 Subsection (2), an LEA shall:

129 (a) administer benchmark assessments to students at the beginning, middle, and end of
130 the school year using the mathematics benchmark assessment in:

131 (i) kindergarten, as an optional assessment; and

132 (ii) grades 1 through 3, as a required assessment; and

133 (b) after administering a benchmark assessment described in Subsection (3)(a) to a
134 student, report the results to the student's parent.

135 (4) In making the approval described in Subsection (2), the state board shall:

136 (a) prioritize the assessment's reliability, validity, speed, and efficiency; and

137 (b) ensure the mathematics benchmark assessment's ability to:

138 (i) identify students who may be at risk for mathematics difficulties; and

139 (ii) measure students' progress through data.

140 Section 3. Section **53F-2-203** is amended to read:

141 **53F-2-203. Reduction of LEA governing board allocation based on insufficient**

142 **revenues.**

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

145 (a) an appropriation for a state guaranteed local levy increment as described in Section
146 [53F-2-601](#); and

147 (b) the appropriation to charter schools to replace local property tax revenues pursuant
148 to Section [53F-2-704](#).

149 (2) If the Legislature reduces appropriations made to support public schools under this
150 chapter because an Education Fund budget deficit, as defined in Section [63J-1-312](#), exists, the
151 state board, after consultation with each LEA governing board, shall allocate the reduction
152 among school districts and charter schools in proportion to each school district's or charter
153 school's percentage share of Minimum School Program funds.

154 (3) Except as provided in Subsection (5) and subject to the requirements of Subsection
155 (7), an LEA governing board shall determine which programs are affected by a reduction
156 pursuant to Subsection (2) and the amount each program is reduced.

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

159 (5) An LEA governing board may not reduce or reallocate spending of funds distributed
160 to the school district or charter school for the following programs:

161 (a) educator salary adjustments provided in Section [53F-2-405](#);

162 (b) the Teacher Salary Supplement Program provided in Section [53F-2-504](#);

163 (c) the extended year for special educators provided in Section [53F-2-310](#);

164 [~~(d) the Math and Science Opportunities for Students and Teachers Program provided~~
165 ~~in Section [53F-2-505](#);~~]

166 [(~~e~~)] (d) the School LAND Trust Program described in Sections [53F-2-404](#) and
167 [53G-7-1206](#); or

168 [(~~f~~)] (e) a special education program within the basic school program.

169 (6) An LEA governing board may not reallocate spending of funds distributed to the

170 school district or charter school to a reserve account.

171 (7) An LEA governing board that reduces or reallocates funds in accordance with this
172 section shall report all transfers into, or out of, Minimum School Program programs to the state
173 board as part of the school district or charter school's Annual Financial and Program report.

174 Section 4. Section **53F-2-208 (Contingently Effective 01/01/21)** is amended to read:

175 **53F-2-208 (Contingently Effective 01/01/21). Cost of adjustments for growth and**
176 **inflation.**

177 (1) In accordance with Subsection (2), the Legislature shall annually determine:

178 (a) the estimated state cost of adjusting for inflation in the next fiscal year, based on a
179 rolling five-year average ending in the current fiscal year, ongoing state tax fund appropriations
180 to the following programs:

181 (i) education for youth in custody, described in Section [53E-3-503](#);

182 (ii) the Basic Program, described in Title 53F, Chapter 2, Part 3, Basic Program
183 (Weighted Pupil Units)~~], except for charter school administration described in Section~~
184 [53F-2-306](#)];

185 (iii) the Adult Education Program, described in Section [53F-2-401](#);

186 (iv) state support of pupil transportation, described in Section [53F-4-402](#);

187 (v) the Enhancement for Accelerated Students Program, described in Section
188 [53F-2-408](#);

189 (vi) the Concurrent Enrollment Program, described in Section [53F-2-409](#); and

190 (vii) the Enhancement for At-Risk Students Program, described in Section [53F-2-410](#);

191 and

192 [~~(viii) Centennial Scholarships, described in Section [53F-2-501](#); and]~~

193 (b) the estimated state cost of adjusting for enrollment growth, in the next fiscal year,
194 the current fiscal year's ongoing state tax fund appropriations to the following programs:

195 (i) a program described in Subsection (1)(a)~~], including charter school administration~~
196 ~~described in Section [53F-2-306](#)];~~

197 (ii) educator salary adjustments, described in Section [53F-2-405](#);

198 (iii) the Teacher Salary Supplement Program, described in Section 53F-2-504;
199 (iv) the Voted and Board Local Levy Guarantee programs, described in Section
200 53F-2-601; and
201 (v) charter school local replacement funding, described in Section 53F-2-702.

202 (2) (a) In or before December each year, the Executive Appropriations Committee shall
203 determine:

204 (i) the cost of the inflation adjustment described in Subsection (1)(a); and
205 (ii) the cost of the enrollment growth adjustment described in Subsection (1)(b).

206 (b) The Executive Appropriations Committee shall make the determinations described
207 in Subsection (2)(a) based on recommendations developed by the Office of the Legislative
208 Fiscal Analyst, in consultation with the state board and the Governor's Office of Management
209 and Budget.

210 Section 5. Section 53F-2-301.5 (Effective 07/01/20) is amended to read:
211 **53F-2-301.5 (Effective 07/01/20). Minimum basic tax rate for a fiscal year that**
212 **begins on July 1, 2018, 2019, 2020, 2021, or 2022.**

213 (1) The provisions of this section are in effect for a fiscal year that begins before July 1,
214 2023.

215 (2) As used in this section:

216 (a) "Basic levy increment rate" means a tax rate that will generate an amount of
217 revenue equal to \$75,000,000.

218 (b) "Combined basic rate" means a rate that is the sum of:
219 (i) the rate floor; and
220 (ii) the WPU value rate.

221 (c) "Commission" means the State Tax Commission.

222 (d) "Equity pupil tax rate" means the tax rate that is:
223 (i) calculated by subtracting the minimum basic tax rate from the rate floor; or
224 (ii) zero, if the rate calculated in accordance with Subsection (2)(d)(i) is zero or less.

225 (e) "Minimum basic local amount" means an amount that is:

- 226 (i) equal to the sum of:
- 227 (A) the school districts' contribution to the basic school program the previous fiscal
- 228 year;
- 229 (B) the amount generated by the basic levy increment rate; and
- 230 (C) the eligible new growth, as defined in Section 59-2-924 and rules of the State Tax
- 231 Commission multiplied by the minimum basic tax rate; and
- 232 (ii) set annually by the Legislature in Subsection (3)(a).
- 233 (f) "Minimum basic tax rate" means a tax rate certified by the commission that will
- 234 generate an amount of revenue equal to the minimum basic local amount described in
- 235 Subsection (3)(a).
- 236 (g) "Rate floor" means a rate that is the greater of:
- 237 (i) a .0016 tax rate; or
- 238 (ii) the minimum basic tax rate.
- 239 (h) "Weighted pupil unit value" or "WPU value" means the amount established each
- 240 year in the enacted public education budget that is multiplied by the number of weighted pupil
- 241 units to yield the funding level for the basic school program.
- 242 (i) "WPU value amount" means an amount that is:
- 243 (i) equal to the product of:
- 244 (A) the WPU value increase limit; and
- 245 (B) the percentage share of local revenue to the cost of the basic school program in the
- 246 prior fiscal year; and
- 247 (ii) set annually by the Legislature in Subsection (4)(a).
- 248 (j) "WPU value increase limit" means the lesser of:
- 249 (i) the total cost to the basic school program to increase the WPU value over the WPU
- 250 value in the prior fiscal year; or
- 251 (ii) the total cost to the basic school program to increase the WPU value by 4% over
- 252 the WPU value in the prior fiscal year.
- 253 (k) "WPU value rate" means a tax rate certified by the commission that will generate

254 an amount of revenue equal to the WPU value amount described in Subsection (4)(a).

255 (3) (a) The minimum basic local amount for the fiscal year that begins on July 1, 2020,
256 is \$547,951,600 in revenue statewide.

257 (b) The preliminary estimate for the minimum basic tax rate for the fiscal year that
258 begins on July 1, 2020, is .001576.

259 (4) (a) The WPU value amount for the fiscal year that begins on July 1, 2020, is
260 [~~\$20,600,000~~] \$9,300,000 in revenue statewide.

261 (b) The preliminary estimate for the WPU value rate for the fiscal year that begins on
262 July 1, 2020, is [~~.000060~~] .000027.

263 (5) (a) On or before June 22, the commission shall certify for the year:

264 (i) the minimum basic tax rate; and

265 (ii) the WPU value rate.

266 (b) The estimate of the minimum basic tax rate provided in Subsection (3)(b) and the
267 estimate of the WPU value rate provided in Subsection (4)(b) is based on a forecast for
268 property values for the next calendar year.

269 (c) The certified minimum basic tax rate described in Subsection (5)(a)(i) and the
270 certified WPU value rate described in Subsection (5)(a)(ii) are based on property values as of
271 January 1 of the current calendar year, except personal property, which is based on values from
272 the previous calendar year.

273 (6) (a) To qualify for receipt of the state contribution toward the basic school program
274 and as a school district's contribution toward the cost of the basic school program for the school
275 district, a local school board shall impose the combined basic rate.

276 (b) (i) The state is not subject to the notice requirements of Section [59-2-926](#) before
277 imposing the tax rates described in this Subsection (6).

278 (ii) The state is subject to the notice requirements of Section [59-2-926](#) if the state
279 authorizes a tax rate that exceeds the tax rates described in this Subsection (6).

280 (7) (a) The state shall contribute to each school district toward the cost of the basic
281 school program in the school district an amount of money that is the difference between the

282 cost of the school district's basic school program and the sum of the revenue generated by the
283 school district by the following:

- 284 (i) the minimum basic tax rate;
- 285 (ii) the basic levy increment rate;
- 286 (iii) the equity pupil tax rate; and
- 287 (iv) the WPU value rate.

288 (b) (i) If the difference described in Subsection (7)(a) equals or exceeds the cost of the
289 basic school program in a school district, no state contribution shall be made to the basic
290 school program for the school district.

291 (ii) The proceeds of the difference described in Subsection (7)(a) that exceed the cost
292 of the basic school program shall be paid into the Uniform School Fund as provided by law and
293 by the close of the fiscal year in which the proceeds were calculated.

294 (8) Upon appropriation by the Legislature, the Division of Finance shall deposit an
295 amount equal to the proceeds generated statewide:

296 (a) by the basic levy increment rate into the Minimum Basic Growth Account created
297 in Section 53F-9-302;

298 (b) by the equity pupil tax rate into the Local Levy Growth Account created in Section
299 53F-9-305; and

300 (c) by the WPU value rate into the Teacher and Student Success Account created in
301 Section 53F-9-306.

302 Section 6. Section 53F-2-303 is amended to read:

303 **53F-2-303. Foreign exchange student weighted pupil units.**

304 (1) A school district or charter school may include foreign exchange students in the
305 district's or school's membership and attendance count for the purpose of apportionment of
306 state money, except as provided in Subsections (2) through [~~(4)~~] (5).

307 (2) (a) Notwithstanding Section 53F-2-302, foreign exchange students may not be
308 included in average daily membership for the purpose of determining the number of weighted
309 pupil units in the grades 1-12 basic program.

310 (b) Subject to the limitation in Subsection (3), and except as provided in Subsection
311 (5), the number of weighted pupil units in the grades 1-12 basic program attributed to foreign
312 exchange students shall be equal to the number of foreign exchange students who were:

313 (i) enrolled in a school district or charter school on October 1 of the previous fiscal
314 year; and

315 (ii) sponsored by an agency approved by the district's local school board or charter
316 school's governing board.

317 (3) (a) [~~The~~] Except as provided in Subsection (5), the total number of foreign
318 exchange students in the state that may be counted for the purpose of apportioning state money
319 under Subsection (2) shall be the lesser of:

320 (i) the number of foreign exchange students enrolled in public schools in the state on
321 October 1 of the previous fiscal year; or

322 (ii) 328 foreign exchange students.

323 (b) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah
324 Administrative Rulemaking Act, to administer the cap on the number of foreign exchange
325 students that may be counted for the purpose of apportioning state money under Subsection (2).

326 (4) Notwithstanding Section 53F-2-601, weighted pupil units in the grades 1-12 basic
327 program for foreign exchange students, as determined by Subsections (2) and (3), may not be
328 included for the purposes of determining a school district's state guarantee money under
329 Section 53F-2-601.

330 (5) This section does not apply to the 2020-2021 academic year.

331 Section 7. Section 53F-2-304 (Effective 07/01/20) is amended to read:

332 **53F-2-304 (Effective 07/01/20). Necessarily existent small schools -- Computing**
333 **additional weighted pupil units -- Consolidation of small schools.**

334 (1) As used in this section, "necessarily existent small schools funding balance" means
335 the difference between:

336 (a) the amount appropriated for the necessarily existent small schools program in a
337 fiscal year; and

338 (b) the amount distributed to school districts for the necessarily existent small schools
339 program in the same fiscal year.

340 (2) (a) Upon application by a local school board, the state board shall, in consultation
341 with the local school board, classify schools in the school district as necessarily existent small
342 schools, in accordance with this section and state board rules adopted under Subsection (3).

343 (b) An application must be submitted to the state board before April 2, and the state
344 board must report a decision to a local school board before June 2.

345 (3) The state board shall adopt standards and make rules, in accordance with Title 63G,
346 Chapter 3, Utah Administrative Rulemaking Act, to:

347 (a) govern the approval of necessarily existent small schools consistent with principles
348 of efficiency and economy that serve the purpose of eliminating schools where consolidation is
349 feasible by participation in special school units; and

350 (b) ensure that school districts are not building secondary schools in close proximity to
351 one another where economy and efficiency would be better served by one school meeting the
352 needs of secondary students in a designated geographical area.

353 (4) The state board shall prepare and publish objective standards and guidelines for
354 determining which small schools are necessarily existent after consultation with local school
355 boards.

356 (5) (a) Additional weighted pupil units for schools classified as necessarily existent
357 small schools shall be computed using distribution formulas adopted by the state board.

358 (b) The distribution formulas establish the following maximum sizes for funding under
359 the necessarily existent small school program:

- | | |
|---|-----|
| 360 (i) an elementary school | 160 |
| 361 (ii) a one or two-year secondary school | 300 |
| 362 (iii) a three-year secondary school | 450 |
| 363 (iv) a four-year secondary school | 500 |
| 364 (v) a six-year secondary school | 600 |

365 (c) An elementary school with fewer than 10 students shall receive the same add-on

366 weighted pupil units as an elementary school with 10 students.

367 (d) A secondary school with fewer than 15 students shall receive the same add-on
368 weighted pupil units as a secondary school with 15 students.

369 (e) If a necessarily existent small school generates ADM in both elementary and
370 secondary grades, the state board may divide the school's ADM between an elementary and
371 secondary distribution formula.

372 (f) The state board shall prepare and distribute an allocation table based on the
373 distribution formula to each school district.

374 (6) (a) To avoid penalizing a school district financially for consolidating the school
375 district's small schools, additional weighted pupil units may be allowed a school district each
376 year, not to exceed two years.

377 (b) The additional weighted pupil units may not exceed the difference between what
378 the school district receives for a consolidated school and what the school district would have
379 received for the small schools had the small schools not been consolidated.

380 (7) (a) The state board may allocate up to ~~[200]~~ 208 weighted pupil units to support
381 schools that:

382 (i) have isolating conditions, as defined by the state board, including geographic
383 isolation; and

384 (ii) do not qualify for necessarily existent small schools funding due to formula
385 limitations.

386 (b) The state board shall review funding allocations under this Subsection ~~[(8)]~~ (7) at
387 least once every five calendar years.

388 (8) If the state board classifies a school as a necessarily existent small school in
389 accordance with this section, the state board shall, subject to legislative appropriation,
390 distribute small district base funding to the relevant school district in the following amounts:

391 (a) for a district with 250 students or less, 83 additional weighted pupil units;

392 (b) for a district with 251 to 500 students, 56 additional weighted pupil units;

393 (c) for a district with 501 to 1,000 students, 28 additional weighted pupil units; and

394 (d) for a district with 1,001 to 2,000 students, 14 additional weighted pupil units.

395 [~~(8)~~] (9) Subject to legislative appropriation, the state board shall give first priority
396 from an appropriation made under this section to funding an expense approved by the state
397 board as described in Subsection [53G-6-305\(3\)\(a\)](#).

398 [~~(9)~~] (10) (a) Subject to Subsection [~~(9)~~] (10)(b) and after a distribution made under
399 Subsection [~~(8)~~] (9), the state board may distribute a portion of necessarily existent small
400 schools funding:

401 (i) in accordance with a formula adopted by the state board that considers the tax effort
402 of a local school board; or

403 (ii) to isolated small schools, as identified by the state board.

404 (b) The amount distributed in accordance with Subsection [~~(9)~~] (10)(a) may not exceed
405 the necessarily existent small schools fund in balance of the prior fiscal year.

406 [~~(10)~~] (11) A local school board may use the money allocated under this section for
407 maintenance and operation of school programs or for other school purposes as approved by the
408 state board.

409 Section 8. Section **53F-2-601** is amended to read:

410 **53F-2-601. State guaranteed local levy increments -- Appropriation to increase**
411 **number of guaranteed local levy increments -- No effect of change of minimum basic tax**
412 **rate -- Voted and board local levy funding balance -- Use of guaranteed local levy**
413 **increment funds.**

414 (1) As used in this section:

415 (a) "Board local levy" means a local levy described in Section [53F-8-302](#).

416 (b) "Guaranteed local levy increment" means a local levy increment guaranteed by the
417 state:

418 (i) for the board local levy, described in Subsections (2)(a)(ii)(A) and (2)(b)(ii)(B); or

419 (ii) for the voted local levy, described in Subsections (2)(a)(ii)(B) and (2)(b)(ii)(A).

420 (c) "Local levy increment" means .0001 per dollar of taxable value.

421 (d) (i) "Voted and board local levy funding balance" means the difference between:

422 (A) the amount appropriated for the guaranteed local levy increments in a fiscal year;
423 and

424 (B) the amount necessary to fund in the same fiscal year the guaranteed local levy
425 increments as determined under this section.

426 (ii) "Voted and board local levy funding balance" does not include appropriations
427 described in Subsection (2)(b)(i).

428 (e) "Voted local levy" means a local levy described in Section [53F-8-301](#).

429 (2) (a) (i) In addition to the revenue collected from the imposition of a voted local levy
430 or a board local levy, the state shall guarantee that a school district receives, subject to
431 Subsections (2)(b)(ii)(C) and (3)(a), for each guaranteed local levy increment, an amount
432 sufficient to guarantee for a fiscal year that begins on July 1, 2018, \$43.10 per weighted pupil
433 unit.

434 (ii) Except as provided in Subsection (2)(b)(ii), the number of local levy increments
435 that are subject to the guarantee amount described in Subsection (2)(a)(i) are:

436 (A) for a board local levy, the first four local levy increments a local school board
437 imposes under the board local levy; and

438 (B) for a voted local levy, the first 16 local levy increments a local school board
439 imposes under the voted local levy.

440 (b) (i) Subject to future budget constraints and Subsection (2)(c), the Legislature shall
441 annually appropriate money from the Local Levy Growth Account established in Section
442 [53F-9-305](#) for purposes described in Subsection (2)(b)(ii).

443 (ii) The state board shall, for a fiscal year beginning on or after July 1, 2018, and
444 subject to Subsection (2)(c), allocate funds appropriated under Subsection (2)(b)(i) in the
445 following order of priority by increasing:

446 (A) by up to four increments the number of voted local levy guaranteed local levy
447 increments above 16;

448 (B) by up to 16 increments the number of board local levy guaranteed local levy
449 increments above four; and

450 (C) the guaranteed amount described in Subsection (2)(a)(i).

451 (c) The number of guaranteed local levy increments under this Subsection (2) for a
452 school district may not exceed 20 guaranteed local levy increments, regardless of whether the
453 guaranteed local levy increments are from the imposition of a voted local levy, a board local
454 levy, or a combination of the two.

455 ~~[(d) (i) As used in this Subsection (2)(d), "cost for the guarantee" means the total cost~~
456 ~~for the guarantee described in this section, excluding the cost of the adjustments described in~~
457 ~~Subsection (2)(b)(ii).]~~

458 ~~[(ii) In addition to an appropriation for the adjustment described in Subsection~~
459 ~~(2)(b)(ii), if the state cost for the guarantee for the upcoming fiscal year is less than the amount~~
460 ~~appropriated for the cost for the guarantee for the current fiscal year, the Legislature may~~
461 ~~appropriate an additional amount to fund all or part of the difference.]~~

462 ~~[(iii) The state board shall allocate an appropriation described in Subsection (2)(d)(ii)~~
463 ~~to increase the guarantee amount for each guaranteed local levy increment.]~~

464 (3) (a) The guarantee described in Subsection (2)(a)(i) is indexed each year to the value
465 of the weighted pupil unit by making the value of the guarantee equal to .011962 times the
466 value of the prior year's weighted pupil unit.

467 (b) The guarantee shall increase by .0005 times the value of the prior year's weighted
468 pupil unit for each year subject to the Legislature appropriating funds for an increase in the
469 guarantee.

470 (4) (a) The amount of state guarantee money that a school district would otherwise be
471 entitled to receive under this section may not be reduced for the sole reason that the school
472 district's board local levy or voted local levy is reduced as a consequence of changes in the
473 certified tax rate under Section [59-2-924](#) pursuant to changes in property valuation.

474 (b) Subsection (4)(a) applies for a period of five years following a change in the
475 certified tax rate as described in Subsection (4)(a).

476 (5) The guarantee provided under this section does not apply to the portion of a voted
477 local levy rate that exceeds the voted local levy rate that was in effect for the previous fiscal

478 year, unless an increase in the voted local levy rate was authorized in an election conducted on
479 or after July 1 of the previous fiscal year and before December 2 of the previous fiscal year.

480 (6) (a) If a voted and board local levy funding balance exists for the prior fiscal year,
481 the state board shall:

482 (i) use the voted and board local levy funding balance to increase the value of the state
483 guarantee per weighted pupil unit described in Subsection (3)(a) in the current fiscal year; and

484 (ii) distribute guaranteed local levy increment funds to school districts based on the
485 increased value of the state guarantee per weighted pupil unit described in Subsection (6)(a)(i).

486 (b) The state board shall report action taken under Subsection (6)(a) to the Office of the
487 Legislative Fiscal Analyst and the Governor's Office of Management and Budget.

488 (7) A local school board of a school district that receives funds described in this section
489 shall budget and expend the funds for public education purposes.

490 Section 9. Section **53F-2-706** is enacted to read:

491 **53F-2-706. Small Charter School Base Funding.**

492 (1) Subject to legislative appropriation, the state board shall distribute small charter
493 school base funding in the following amounts to charter schools with 2,000 or less students:

494 (a) for a charter school with 300 students or less, \$40,000;

495 (b) for a charter school with 301 to 400 students, \$35,000;

496 (c) for a charter school with 401 to 500 students, \$30,000;

497 (d) for a charter school with 501 to 600 students, \$25,000;

498 (e) for a charter school with 601 to 1,000 students, \$20,000; and

499 (f) for a charter school with 1,001 to 2,000 students, \$15,000.

500 (2) A charter school's eligibility for small charter school base funding is determined by
501 the charter school's student enrollment on October 1 of a given year.

502 Section 10. Section **53F-4-201** is amended to read:

503 **53F-4-201. State board required to contract for a benchmark assessment system**
504 **for reading.**

505 (1) (a) As described in Section **53E-4-307**, the state board shall approve a benchmark

506 assessment for use statewide by school districts and charter schools.

507 (b) The state board shall contract with one or more educational technology providers,
508 selected through a request for proposals process, for a benchmark assessment system for
509 reading [~~for students in kindergarten through grade 6~~] described in Section 53E-4-307 that
510 meets the requirements of this section.

511 (2) Subject to legislative appropriations, a benchmark assessment system for reading
512 shall be made available to school districts and charter schools that apply to use a benchmark
513 assessment for reading beginning in the 2011-12 school year.

514 (3) A benchmark assessment system for reading for students [~~in kindergarten through~~
515 ~~grade 6~~] described in Subsection (1) shall:

516 (a) be in a digital format;

517 (b) include benchmark assessments of reading proficiency to be administered at the
518 beginning, in the middle, and at the end of kindergarten and [~~grades 1 through 6~~] the grades for
519 which the state board approves the benchmark assessment;

520 (c) include formative assessments to be administered every two to four weeks for
521 students who are at high risk of not attaining proficiency in reading;

522 (d) align with the language arts core standards for Utah public schools adopted by the
523 state board; and

524 (e) include a data analysis component hosted by the provider that:

525 (i) has the capacity to generate electronic information immediately and produce
526 individualized student progress reports, class summaries, and class groupings for instruction;

527 (ii) may have the capability of identifying lesson plans that may be used to develop
528 reading skills;

529 (iii) enables teachers, administrators, and designated supervisors to access reports
530 through a secured password system;

531 (iv) produces electronic printable reports for parents and administrators; and

532 (v) has the capability for principals to monitor usage by teachers.

533 Section 11. Section **53G-6-204** is amended to read:

534 **53G-6-204. School-age children exempt from school attendance.**

535 (1) (a) A local school board or charter school governing board may excuse a school-age
536 child from attendance for any of the following reasons:

537 (i) a school-age child over age 16 may receive a partial release from school to enter
538 employment, or attend a trade school, if the school-age child has completed grade 8; or

539 (ii) on an annual basis, a school-age child may receive a full release from attending a
540 public, regularly established private, or part-time school or class if:

541 (A) the school-age child has already completed the work required for graduation from
542 high school~~[, or has demonstrated mastery of required skills and competencies in accordance~~
543 ~~with Subsection 53F-2-501(1)];~~

544 (B) the school-age child is in a physical or mental condition, certified by a competent
545 physician if required by the local school board or charter school governing board, which
546 renders attendance inexpedient and impracticable;

547 (C) proper influences and adequate opportunities for education are provided in
548 connection with the school-age child's employment; or

549 (D) the district superintendent or charter school governing board has determined that a
550 school-age child over the age of 16 is unable to profit from attendance at school because of
551 inability or a continuing negative attitude toward school regulations and discipline.

552 (b) A school-age child receiving a partial release from school under Subsection
553 (1)(a)(i) is required to attend:

554 (i) school part time as prescribed by the local school board or charter school governing
555 board; or

556 (ii) a home school part time.

557 (c) In each case, evidence of reasons for granting an exemption under Subsection (1)
558 must be sufficient to satisfy the local school board or charter school governing board.

559 (d) A local school board or charter school governing board that excuses a school-age
560 child from attendance as provided by this Subsection (1) shall issue a certificate that the child
561 is excused from attendance during the time specified on the certificate.

562 (2) (a) A local school board shall excuse a school-age child from attendance, if the
563 school-age child's parent files a signed and notarized affidavit with the school-age child's
564 school district of residence, as defined in Section 53G-6-302, that:

- 565 (i) the school-age child will attend a home school; and
- 566 (ii) the parent assumes sole responsibility for the education of the school-age child,
567 except to the extent the school-age child is dual enrolled in a public school as provided in
568 Section 53G-6-702.

569 (b) A signed and notarized affidavit filed in accordance with Subsection (2)(a) shall
570 remain in effect as long as:

- 571 (i) the school-age child attends a home school; and
- 572 (ii) the school district where the affidavit was filed remains the school-age child's
573 district of residence.

574 (c) A parent of a school-age child who attends a home school is solely responsible for:

- 575 (i) the selection of instructional materials and textbooks;
- 576 (ii) the time, place, and method of instruction; and
- 577 (iii) the evaluation of the home school instruction.

578 (d) A local school board may not:

- 579 (i) require a parent of a school-age child who attends a home school to maintain
580 records of instruction or attendance;
- 581 (ii) require credentials for individuals providing home school instruction;
- 582 (iii) inspect home school facilities; or
- 583 (iv) require standardized or other testing of home school students.

584 (e) Upon the request of a parent, a local school board shall identify the knowledge,
585 skills, and competencies a student is recommended to attain by grade level and subject area to
586 assist the parent in achieving college and career readiness through home schooling.

587 (f) A local school board that excuses a school-age child from attendance as provided by
588 this Subsection (2) shall annually issue a certificate stating that the school-age child is excused
589 from attendance for the specified school year.

590 (g) A local school board shall issue a certificate excusing a school-age child from
591 attendance:

592 (i) within 30 days after receipt of a signed and notarized affidavit filed by the
593 school-age child's parent pursuant to this Subsection (2); and

594 (ii) on or before August 1 each year thereafter unless:

595 (A) the school-age child enrolls in a school within the school district;

596 (B) the school-age child's parent notifies the school district that the school-age child no
597 longer attends a home school; or

598 (C) the school-age child's parent notifies the school district that the school-age child's
599 school district of residence has changed.

600 (3) A parent who files a signed and notarized affidavit as provided in Subsection (2)(a)
601 is exempt from the application of Subsections 53G-6-202(2), (5), and (6).

602 (4) Nothing in this section may be construed to prohibit or discourage voluntary
603 cooperation, resource sharing, or testing opportunities between a school or school district and a
604 parent of a child attending a home school.

605 **Section 12. Repealer.**

606 This bill repeals:

607 Section 53F-2-306 (Effective 07/01/20), **Weighted pupil units for small school**
608 **district administrative costs -- Appropriation for charter school administrative costs.**

609 Section 53F-2-309, **Appropriation for intensive special education costs.**

610 Section 53F-2-501 (Superseded 07/01/20), **Early graduation incentives -- Incentive**
611 **to school district -- Partial tuition scholarship for student -- Payments.**

612 Section 53F-2-501 (Effective 07/01/20), **Early graduation incentives -- Incentive to**
613 **school district -- Partial tuition scholarship for student -- Payments.**

614 Section 53F-2-505, **Math and Science Opportunities for Students and Teachers**
615 **Program.**

616 Section 53F-2-521, **Salary supplement for National Board certified teachers.**

617 Section 53F-5-216, **Rural school extracurricular activities reimbursement.**

618 Section 13. **Repeal of uncodified sections in S.B. 2, Chapter 330, Laws of Utah**
619 **2020, General Session.**

620 The following uncodified sections of S.B. 2, Chapter 330, Laws of Utah 2020, General
621 Session are repealed:

- 622 (1) Section 11, Fiscal Year 2020 Appropriations;
- 623 (2) Section 11 (a), Operating and Capital Budgets;
- 624 (3) Section 12, Fiscal Year 2021 Appropriations;
- 625 (4) Section 12 (a), Operating and Capital Budgets; and
- 626 (5) Section 12 (b), Restricted Fund and Account Transfers.

627 Section 14. **Fiscal Year 2020 Appropriations.**

628 The following sums of money are appropriated for the fiscal year beginning July 1,
629 2019 and ending June 30, 2020. These are additions to amounts otherwise appropriated for
630 fiscal year 2020. Notwithstanding any restrictive intent language relating to the use of
631 nonlapsing funds that is included in any appropriation for fiscal year 2019, the Legislature
632 intends that an agency is not limited to the restrictive intent language and may also use the
633 nonlapsing funds in fiscal year 2020 for general costs if the nonlapsing funds are increased in
634 this bill.

635 Section 14(a). **Operating and Capital Budgets.**

636 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
637 Legislature appropriates the following sums of money from the funds or accounts indicated for
638 the use and support of the government of the state of Utah.

639 PUBLIC EDUCATION

640 STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM

641 ITEM 1 To State Board of Education - Minimum School Program - Related to Basic School
642 Programs

643 From Education Fund, One-Time \$3,500,200

644 Schedule of Programs:

645 Teacher Salary Supplement \$3,820,200

646	<u>Student Health and Counseling Support Program</u>	<u>\$(320,000)</u>
647	<u>STATE BOARD OF EDUCATION</u>	
648	<u>ITEM 2 To State Board of Education - MSP Categorical Program Administration</u>	
649	<u>From Education Fund, One-Time</u>	<u>\$320,000</u>
650	<u>Schedule of Programs:</u>	
651	<u>Student Health and Counseling Support Program</u>	<u>\$320,000</u>
652	Section 15. Fiscal Year 2021 Appropriations.	
653	<u>(1) The following sums of money are appropriated for the fiscal year beginning July 1,</u>	
654	<u>2020, and ending June 30, 2021. These are additions to amounts previously appropriated for</u>	
655	<u>fiscal year 2021.</u>	
656	<u>(2) The value of each weighted pupil unit (WPU) for fiscal year 2021 is increased from</u>	
657	<u>the value of the WPU for fiscal year 2021 established in H.B. 1, Chapter 2, Laws of Utah 2020,</u>	
658	<u>General Session, and set at \$3,596.</u>	
659	Section 15(a). Operating and Capital Budgets.	
660	<u>Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the</u>	
661	<u>Legislature appropriates the following sums of money from the funds or accounts indicated for</u>	
662	<u>the use and support of the government of the state of Utah.</u>	
663	<u>PUBLIC EDUCATION</u>	
664	<u>STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM</u>	
665	<u>ITEM 3 To State Board of Education - Minimum School Program - Basic School Program</u>	
666	<u>From Education Fund</u>	<u>\$42,361,200</u>
667	<u>From Education Fund, One-Time</u>	<u>\$(1,179,500)</u>
668	<u>From Local Revenue</u>	<u>\$9,300,000</u>
669	<u>Schedule of Programs:</u>	
670	<u>Kindergarten</u>	<u>\$1,747,700</u>
671	<u>Grades 1 - 12</u>	<u>\$38,785,000</u>
672	<u>Foreign Exchange (-328 WPUs)</u>	<u>\$(1,158,500)</u>
673	<u>Necessarily Existent Small Schools (847 WPUs)</u>	<u>\$3,668,600</u>

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674	<u>Professional Staff</u>	<u>\$3,620,700</u>
675	<u>Administrative Costs (-1,515 WPU)</u>	<u>\$(5,262,700)</u>
676	<u>Special Education - Add-on</u>	<u>\$5,524,300</u>
677	<u>Special Education - Self-Contained</u>	<u>\$846,700</u>
678	<u>Special Education - Preschool</u>	<u>\$724,000</u>
679	<u>Special Education - Extended School Year</u>	<u>\$29,300</u>
680	<u>Special Education - Impact Aid</u>	<u>\$131,800</u>
681	<u>Special Education - Intensive Services (-795 WPU)</u>	<u>\$(2,807,900)</u>
682	<u>Special Education - Extended Year for Special Educators</u>	<u>\$58,200</u>
683	<u>Career and Technical Education - Add-on</u>	<u>\$1,862,400</u>
684	<u>Class Size Reduction</u>	<u>\$2,712,100</u>
685	<u>ITEM 4 To State Board of Education - Minimum School Program - Related to Basic School</u>	
686	<u>Programs</u>	
687	<u>From Education Fund</u>	<u>\$(17,450,900)</u>
688	<u>From Education Fund, One-Time</u>	<u>\$(35,800,000)</u>
689	<u>From Teacher and Student Success Account</u>	<u>\$(11,300,000)</u>
690	<u>From Uniform School Fund Rest. - Trust Distribution Account</u>	<u>\$6,166,000</u>
691	<u>Schedule of Programs:</u>	
692	<u>Pupil Transportation To and From School</u>	<u>\$1,793,300</u>
693	<u>Flexible Allocation - WPU Distribution</u>	<u>\$(37,788,000)</u>
694	<u>Enhancement for At-Risk Students</u>	<u>\$852,400</u>
695	<u>Youth in Custody</u>	<u>\$25,681,900</u>
696	<u>Adult Education</u>	<u>\$258,200</u>
697	<u>Enhancement for Accelerated Students</u>	<u>\$99,900</u>
698	<u>Centennial Scholarship Program</u>	<u>\$(272,500)</u>
699	<u>Concurrent Enrollment</u>	<u>\$(1,565,300)</u>
700	<u>School Land Trust Program</u>	<u>\$6,166,000</u>
701	<u>Charter School Local Replacement</u>	<u>\$(18,426,100)</u>

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702	<u>Charter School Administration</u>	<u>\$(8,014,500)</u>
703	<u>Teacher Salary Supplement</u>	<u>\$3,300,000</u>
704	<u>School Library Books and Electronic Resources</u>	<u>\$(85,000)</u>
705	<u>Math & Science Opportunities for Students and</u>	
706	<u>Teachers (MOST)</u>	<u>\$(7,100,000)</u>
707	<u>Early Intervention</u>	<u>\$(5,000,000)</u>
708	<u>Effective Teachers in High Poverty Schools Incentive</u>	
709	<u>Program</u>	<u>\$(428,200)</u>
710	<u>Early Graduation from Competency-Based Education</u>	<u>\$(55,700)</u>
711	<u>Teacher and Student Success Program</u>	<u>\$(11,300,000)</u>
712	<u>Student Health and Counseling Support Program</u>	<u>\$(520,000)</u>
713	<u>National Board Certified Teacher Program</u>	<u>\$(246,300)</u>
714	<u>Grants for New and Aspiring Principals</u>	<u>\$(4,800,000)</u>
715	<u>Grants for Professional Learning</u>	<u>\$(3,935,000)</u>
716	<u>Rural School Extracurricular Activities Reimbursement</u>	<u>\$(100,000)</u>
717	<u>Charter School Funding Base Program</u>	<u>\$3,100,000</u>
718	<u>ITEM 5 To State Board of Education - Minimum School Program - Voted and Board Local</u>	
719	<u>Levy Programs</u>	
720	<u>From Education Fund</u>	<u>\$(19,000,000)</u>
721	<u>Schedule of Programs:</u>	
722	<u>Voted Local Levy Program</u>	<u>\$(19,000,000)</u>
723	<u>STATE BOARD OF EDUCATION - SCHOOL BUILDING PROGRAMS</u>	
724	<u>ITEM 6 To State Board of Education - School Building Programs - Capital Outlay Programs</u>	
725	<u>Under Item 48 in H.B. 1, Chapter 2, Laws of Utah 2020, General Session, the</u>	
726	<u>Legislature intends that the State Board of Education:</u>	
727	<u>(1) study the distribution formulas for the Capital Outlay Foundation Program created</u>	
728	<u>in Section 53F-3-202 and Capital Outlay Enrollment Growth Program created in Section</u>	
729	<u>53F-3-203, including:</u>	

- 730 (a) the impact on the Capital Outlay Foundation Program formula distribution
 731 associated with the equal weighting of local property tax revenues from district Capital and
 732 Debt Service levies, including whether adjusting the balance would provide for a broader
 733 distribution among districts;
 734 (b) addressing how to adjust distribution formulas to improve equity and distribution to
 735 a wider array of school districts;
 736 (c) addressing whether using a WPU-based formula like the Voted & Board Local
 737 Levy Guarantee could improve distributional equity among districts; and
 738 (d) making recommendations on potential statutory changes; and
 739 (2) report to the Public Education Appropriations Subcommittee on the study described
 740 in Subsection (1):
 741 (a) preliminarily before February 1, 2021; and
 742 (b) finally on recommendations before September 30, 2021.

743 STATE BOARD OF EDUCATION

744 ITEM 7 To State Board of Education - Child Nutrition

745	<u>From Education Fund</u>	<u>\$(144,200)</u>
746	<u>From Federal Funds</u>	<u>\$(48,700)</u>
747	<u>From Federal Funds, One-Time</u>	<u>\$2,800</u>
748	<u>From Dedicated Credit - Liquor Tax</u>	<u>\$127,200</u>
749	<u>From Dedicated Credit - Liquor Tax, One-Time</u>	<u>\$(2,800)</u>
750	<u>Schedule of Programs:</u>	
751	<u>Child Nutrition</u>	<u>\$(65,700)</u>

752 ITEM 8 To State Board of Education - Educator Licensing

753	<u>From Education Fund</u>	<u>\$(3,836,600)</u>
754	<u>From Education Fund, One-Time</u>	<u>\$(1,200,000)</u>
755	<u>Schedule of Programs:</u>	
756	<u>Educator Licensing</u>	<u>\$(36,600)</u>
757	<u>STEM Endorsement Incentives</u>	<u>\$(5,000,000)</u>

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758	<u>ITEM 9 To State Board of Education - Fine Arts Outreach</u>	
759	<u>From Education Fund</u>	<u>\$(200,000)</u>
760	<u>Schedule of Programs:</u>	
761	<u>Professional Outreach Programs in the Schools</u>	<u>\$(200,000)</u>
762	<u>ITEM 10 To State Board of Education - Initiative Programs</u>	
763	<u>From General Fund</u>	<u>\$(2,700)</u>
764	<u>From Education Fund</u>	<u>\$2,686,200</u>
765	<u>From Education Fund, One-Time</u>	<u>\$(7,539,100)</u>
766	<u>Schedule of Programs:</u>	
767	<u>Carson Smith Scholarships</u>	<u>\$(2,400)</u>
768	<u>Contracts and Grants</u>	<u>\$(375,000)</u>
769	<u>Early Warning Pilot Program</u>	<u>\$(125,000)</u>
770	<u>Electronic Elementary Reading Tool</u>	<u>\$(1,500,000)</u>
771	<u>ELL Software Licenses</u>	<u>\$(3,000,000)</u>
772	<u>General Financial Literacy</u>	<u>\$498,200</u>
773	<u>Intergenerational Poverty Interventions</u>	<u>\$1,000,500</u>
774	<u>Kindergarten Supplement Enrichment Program</u>	<u>\$3,000,000</u>
775	<u>Partnerships for Student Success</u>	<u>\$3,005,500</u>
776	<u>ProStart Culinary Arts Program</u>	<u>\$(201,600)</u>
777	<u>School Turnaround and Leadership Development Act</u>	<u>\$(7,018,600)</u>
778	<u>UPSTART</u>	<u>\$(2,400)</u>
779	<u>ULEAD</u>	<u>\$(4,500)</u>
780	<u>Educational Improvement Opportunities Outside of the</u>	
781	<u>Regular School Day Grant Program</u>	<u>\$(300)</u>
782	<u>Competency-Based Education Grants</u>	<u>\$(230,000)</u>
783	<u>Education Technology Management System</u>	<u>\$100,000</u>
784	<u>ITEM 11 To State Board of Education - MSP Categorical Program Administration</u>	
785	<u>From Education Fund</u>	<u>\$(884,300)</u>

786	<u>Schedule of Programs:</u>	
787	<u>Adult Education</u>	<u>\$(3,300)</u>
788	<u>Beverly Taylor Sorenson Elem. Arts Learning Program</u>	<u>\$(3,000)</u>
789	<u>CTE Comprehensive Guidance</u>	<u>\$(3,300)</u>
790	<u>Digital Teaching and Learning</u>	<u>\$(8,400)</u>
791	<u>Dual Immersion</u>	<u>\$(2,700)</u>
792	<u>Enhancement for At-Risk Students</u>	<u>\$(6,300)</u>
793	<u>Special Education State Programs</u>	<u>\$(3,300)</u>
794	<u>Youth-in-Custody</u>	<u>\$(6,600)</u>
795	<u>State Safety and Support Program</u>	<u>\$(2,400)</u>
796	<u>Student Health and Counseling Support Program</u>	<u>\$320,000</u>
797	<u>Early Learning Training and Assessment</u>	<u>\$(1,065,000)</u>
798	<u>Math and Science Opportunities for Students and Teachers</u>	<u>\$(100,000)</u>
799	<u>ITEM 12 To State Board of Education - State Administrative Office</u>	
800	<u>From General Fund</u>	<u>\$(31,600)</u>
801	<u>From Education Fund</u>	<u>\$(70,200)</u>
802	<u>From Education Fund, One-Time</u>	<u>\$(15,000)</u>
803	<u>From Federal Funds</u>	<u>\$(142,200)</u>
804	<u>From Federal Funds, One-Time</u>	<u>\$97,011,500</u>
805	<u>From General Fund Restricted - Mineral Lease</u>	<u>\$(9,600)</u>
806	<u>From General Fund Restricted - School Readiness Account</u>	<u>\$(900)</u>
807	<u>From Revenue Transfers</u>	<u>\$(121,500)</u>
808	<u>From Uniform School Fund Rest. - Trust Distribution Account</u>	<u>\$(8,400)</u>
809	<u>Schedule of Programs:</u>	
810	<u>Board and Administration</u>	<u>\$(52,300)</u>
811	<u>Data and Statistics</u>	<u>\$(18,300)</u>
812	<u>Financial Operations</u>	<u>\$594,000</u>
813	<u>Indirect Cost Pool</u>	<u>\$328,500</u>

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814	<u>Information Technology</u>	<u>\$(92,100)</u>
815	<u>Policy and Communication</u>	<u>\$(33,300)</u>
816	<u>School Trust</u>	<u>\$(8,400)</u>
817	<u>Special Education</u>	<u>\$(89,700)</u>
818	<u>Statewide Online Education Program</u>	<u>\$3,211,600</u>
819	<u>Student Support Services</u>	<u>\$96,934,400</u>
820	<u>Teaching and Learning</u>	<u>\$(162,300)</u>
821	<u>Statewide Financial Management System Grants</u>	<u>\$(4,000,000)</u>

822 The Legislature intends that the State Board of Education:

823 (1) evaluate the participation of home school and private school students in the

824 Statewide Online Education Program, including:

825 (a) ongoing funding levels;

826 (b) the mix between home and private school students;

827 (c) how to best manage future growth needs within appropriated funding; and

828 (d) the potential of using mechanisms to control costs, including implementing a fee

829 structure or requiring private and home school students to enroll in a local education agency;

830 and

831 (2) report to the Public Education Appropriations Subcommittee:

832 (a) preliminarily before February 1, 2021; and

833 (b) finally on recommendations before August 30, 2021.

834 ITEM 13 To State Board of Education - General System Support

835	<u>From General Fund</u>	<u>\$(202,100)</u>
836	<u>From General Fund, One-Time</u>	<u>\$100</u>
837	<u>From Education Fund</u>	<u>\$(1,053,600)</u>
838	<u>From Education Fund, One-Time</u>	<u>\$(11,300)</u>
839	<u>From Federal Funds</u>	<u>\$(19,200)</u>
840	<u>From Federal Funds, One-Time</u>	<u>\$9,700</u>
841	<u>From Dedicated Credits Revenue</u>	<u>\$(1,200)</u>

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842	<u>From Expendable Receipts, One-Time</u>	<u>\$1,400</u>
843	<u>From General Fund Restricted - Mineral Lease</u>	<u>\$200</u>
844	<u>From General Fund Restricted - Mineral Lease, One-Time</u>	<u>\$100</u>
845	<u>Schedule of Programs:</u>	
846	<u>Teaching and Learning</u>	<u>\$(1,174,600)</u>
847	<u>Assessment and Accountability</u>	<u>\$(46,800)</u>
848	<u>Career and Technical Education</u>	<u>\$(54,500)</u>
849	<u>The Legislature intends that the State Board of Education use any revenue or</u>	
850	<u>nonlapsing balances generated from the licensing of Readiness Improvement Success</u>	
851	<u>Empowerment (RISE) questions:</u>	
852	<u>(1) to develop additional assessment questions for all state assessments;</u>	
853	<u>(2) to provide professional learning for Utah educators; and</u>	
854	<u>(3) for risk mitigation expenditures.</u>	
855	<u>ITEM 14 To State Board of Education - State Charter School Board</u>	
856	<u>From Education Fund</u>	<u>\$(531,900)</u>
857	<u>Schedule of Programs:</u>	
858	<u>State Charter School Board</u>	<u>\$(531,900)</u>
859	<u>ITEM 15 To State Board of Education - Teaching and Learning</u>	
860	<u>From Education Fund</u>	<u>\$(900)</u>
861	<u>From Revenue Transfers</u>	<u>\$(900)</u>
862	<u>Schedule of Programs:</u>	
863	<u>Student Access to High Quality School Readiness</u>	
864	<u>Programs</u>	<u>\$(1,800)</u>
865	<u>ITEM 16 To State Board of Education - Utah Schools for the Deaf and the Blind</u>	
866	<u>From Education Fund</u>	<u>\$(1,641,500)</u>
867	<u>From Federal Funds</u>	<u>\$(1,500)</u>
868	<u>From Dedicated Credits Revenue</u>	<u>\$(22,200)</u>
869	<u>From Revenue Transfers</u>	<u>\$(227,700)</u>

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870	<u>Schedule of Programs:</u>	
871	<u>Administration</u>	<u>\$(1,275,200)</u>
872	<u>Transportation and Support Services</u>	<u>\$(206,100)</u>
873	<u>Utah State Instructional Materials Access Center</u>	<u>\$(29,700)</u>
874	<u>School for the Deaf</u>	<u>\$(199,200)</u>
875	<u>School for the Blind</u>	<u>\$(182,700)</u>
876	<u>SCHOOL AND INSTITUTIONAL TRUST FUND OFFICE</u>	
877	<u>ITEM 17 To School and Institutional Trust Fund Office</u>	
878	<u>From School and Institutional Trust Fund Management Account</u>	<u>\$150,400</u>
879	<u>Schedule of Programs:</u>	
880	<u>School and Institutional Trust Fund Office</u>	<u>\$150,400</u>
881	Section 15(b). Restricted Fund and Account Transfers.	
882	<u>The Legislature authorizes the State Division of Finance to transfer the following</u>	
883	<u>amounts between the following funds or accounts as indicated. Expenditures and outlays from</u>	
884	<u>the funds to which the money is transferred must be authorized by an appropriation.</u>	
885	<u>PUBLIC EDUCATION</u>	
886	<u>ITEM 18 To Uniform School Fund Restricted - Growth in Student Population Account</u>	
887	<u>From Education Fund</u>	<u>\$(52,000,000)</u>
888	<u>From Education Fund, One-Time</u>	<u>\$75,000,000</u>
889	<u>Schedule of Programs:</u>	
890	<u>Growth in Student Population Account</u>	<u>\$23,000,000</u>
891	<u>ITEM 19 To Underage Drinking Prevention Program Restricted Account</u>	
892	<u>From Liquor Control Fund</u>	<u>\$1,750,000</u>
893	<u>Schedule of Programs:</u>	
894	<u>Underage Drinking Prevention Program Restricted</u>	
895	<u>Account</u>	<u>\$1,750,000</u>
896	<u>ITEM 20 To Teacher and Student Success Account</u>	
897	<u>From Education Fund</u>	<u>\$9,300,000</u>

898 Schedule of Programs:

899 Teacher and Student Success Account \$9,300,000

900 Section 15(c). **Transfers to Unrestricted Funds.**

901 The Legislature authorizes the State Division of Finance to transfer the following
902 amounts to the unrestricted General Fund, Education Fund, or Uniform School Fund, as
903 indicated, from the restricted funds or accounts indicated. Expenditures and outlays from the
904 General Fund, Education Fund, or Uniform School Fund must be authorized by an
905 appropriation.

906 PUBLIC EDUCATION

907 ITEM 21 To Education Fund

908 From Nonlapsing Balances - From State Board of Education -

909 Initiatives Programs \$213,000

910 Schedule of Programs:

911 Education Fund, One-time \$213,000

912 Section 16. **Effective date.**

913 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members
914 elected to each house, this bill takes effect on July 1, 2020.

915 (2) If approved by two-thirds of all the members elected to each house, Section 14,
916 Fiscal Year 2020 Appropriations, and Section 14(a), Operating and Capital Budgets, take effect
917 upon approval by the governor, or the day following the constitutional time limit of Utah
918 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,
919 the date of veto override.