

1 **Number of School Days Amendments**

2025 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jordan D. Teuscher

Senate Sponsor:

3 **LONG TITLE**

4 **General Description:**

5 This bill allows a local education agency governing board to determine a school term.

6 **Highlighted Provisions:**

7 This bill:

- 8 ▶ makes technical and conforming changes;
- 9 ▶ removes the requirement to set a school term from the State Board of Education;
- 10 ▶ requires a local education agency governing board to set a school term; and
- 11 ▶ makes technical and conforming changes.

12 **Money Appropriated in this Bill:**

13 None

14 **Other Special Clauses:**

15 This bill provides a special effective date.

16 **Utah Code Sections Affected:**

17 AMENDS:

18 **53F-2-102**, as last amended by Laws of Utah 2022, Chapter 17

19 **53F-3-202**, as last amended by Laws of Utah 2024, Chapter 471

20 **53F-3-203**, as last amended by Laws of Utah 2024, Chapter 471

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

23 Section 1. Section **53F-2-102** is amended to read:

24 **53F-2-102 . Definitions.**

25 As used in this chapter:

- 26 (1) "Basic state-supported school program," "basic program," or "basic school program"
- 27 means public education programs for kindergarten, elementary, and secondary school
- 28 students that are operated and maintained for the amount derived by multiplying the
- 29 number of weighted pupil units for each school district or charter school by the value
- 30 established each year in the enacted public education budget, except as otherwise

31 provided in this chapter.

32 (2) "LEA governing board" means a local school board or charter school governing board.

33 (3) "Pupil in average daily membership" or "ADM" means a full-day equivalent pupil.

34 (4)(a) "Minimum School Program" means the state-supported public school programs
35 for kindergarten, elementary, and secondary schools as described in this Subsection
36 (4).

37 (b) The Minimum School Program established in school districts and charter schools
38 shall include~~[the equivalent of]~~ a school term ~~[of nine months as determined by the~~
39 ~~state board]~~ as an LEA governing board determines.

40 (c)(i) ~~[The state board]~~ An LEA governing board shall establish the number of days or
41 equivalent instructional hours that school is held for an academic school year.

42 (ii) Education, enhanced by utilization of technologically enriched delivery systems,
43 when approved by an LEA governing board, shall receive full support by the state
44 board as it pertains to fulfilling the attendance requirements, excluding time spent
45 viewing commercial advertising.

46 (d)(i) An LEA governing board may ~~[reallocate]~~ designate up to 32 instructional
47 hours or four school days established under Subsection (4)(c) for teacher
48 preparation time or teacher professional development.

49 (ii) A ~~[reallocation]~~ designation of instructional hours or school days under
50 Subsection (4)(d)(i) is subject to the approval of two-thirds of the members of an
51 LEA governing board voting in a regularly scheduled meeting:

52 (A) at which a quorum of the LEA governing board is present; and

53 (B) held in compliance with Title 52, Chapter 4, Open and Public Meetings Act.

54 (iii) If an LEA governing board ~~[reallocates]~~ designates instructional hours or school
55 days as provided by this Subsection (4)(d), the school district or charter school
56 shall notify students' parents of the school calendar at least:

57 (A) 90 days before the beginning of the school year; or

58 (B) for the 2021-2022 and 2022-2023 school years, due to circumstances within
59 the LEA or a given school due to the COVID-19 pandemic, at least 14 calendar
60 days before the reallocated instructional hours or school days.

61 (iv) Instructional hours or school days ~~[reallocated]~~ an LEA governing board
62 designates for teacher preparation time or teacher professional development
63 pursuant to this Subsection (4)(d) is considered part of a school term referred to in
64 Subsection (4)(b).

65 (e) The Minimum School Program includes a program or allocation funded by a line
66 item appropriation or other appropriation designated as follows:

- 67 (i) Basic School Program;
- 68 (ii) Related to Basic Programs;
- 69 (iii) Voted and Board Levy Programs; or
- 70 (iv) Minimum School Program.

71 (5) "Weighted pupil unit or units or WPU or WPU's" means the unit of measure of factors
72 that is computed in accordance with this chapter for the purpose of determining the costs
73 of a program on a uniform basis for each school district or charter school.

74 Section 2. Section **53F-3-202** is amended to read:

75 **53F-3-202 . Capital Outlay Foundation Program created -- Distribution formulas**
76 **-- Allocations.**

77 (1) As used in this section:

- 78 (a) "ADM" or "pupil in average daily membership" means the same as that term is
79 defined in Section 53F-2-102 excluding a pupil [~~fully~~]enrolled in [~~an~~] a full-time
80 equivalent online education program[~~for at least 180 days~~].
- 81 (b) "Foundation guarantee level per ADM" means a minimum revenue amount per
82 ADM generated by the base tax effort rate, including the following:
 - 83 (i) the revenue generated locally from a school district's combined capital levy rate;
 - 84 and
 - 85 (ii) the revenue allocated to a school district by the state board in accordance with
86 Section 53F-3-203.
- 87 (c) "Qualifying school district" means a school district with a property tax yield per
88 ADM less than the foundation guarantee level per ADM.
- 89 (d) "Small school district" means a school district that has fewer than 1,000 pupils in
90 average daily membership.

91 (2) There is created the Capital Outlay Foundation Program to provide capital outlay
92 funding to a school district based on a district's local property tax effort and property tax
93 yield per student compared to a foundation guarantee funding level.

94 (3)(a) The state board shall determine the foundation guarantee level per ADM that fully
95 allocates the funds appropriated to the state board for distribution under this section.

96 (b) In determining the foundation guarantee level per ADM and a school district's
97 allocation of funds under this section, the state board shall use data from the fiscal
98 year that is two years prior to the fiscal year the school district receives the

- 99 allocation, including the:
- 100 (i) number of pupils in average daily membership;
- 101 (ii) tax rates; and
- 102 (iii) derived net taxable value.
- 103 (4) By June 1, a county treasurer shall report to the state board the actual collections of
- 104 property taxes in the school districts located within the county treasurer's county for the
- 105 period beginning April 1 through the following March 31 immediately preceding that
- 106 June 1.
- 107 (5) If a qualifying school district imposes a combined capital levy rate that is greater than or
- 108 equal to the base tax effort rate, the state board shall allocate to the qualifying school
- 109 district an amount equal to the product of the following:
- 110 (a) the qualifying school district's ADM; and
- 111 (b) an amount equal to the difference between the following:
- 112 (i) the foundation guarantee level per ADM, as determined in accordance with
- 113 Subsection (3); and
- 114 (ii) the qualifying school district's property tax yield per ADM.
- 115 (6) If a qualifying school district imposes a combined capital levy rate less than the base tax
- 116 effort rate, the state board shall allocate to the qualifying school district an amount equal
- 117 to the product of the following:
- 118 (a) the qualifying school district's ADM;
- 119 (b) an amount equal to the difference between the following:
- 120 (i) the foundation guarantee level per ADM; and
- 121 (ii) the qualifying school district's property tax yield per ADM; and
- 122 (c) a percentage equal to:
- 123 (i) the qualifying school district's combined capital levy rate; divided by
- 124 (ii) the base tax effort rate.
- 125 (7)(a) The state board shall allocate:
- 126 (i) a minimum of \$200,000 to each small school district with a property tax base per
- 127 ADM less than or equal to the statewide average property tax base per ADM;
- 128 (ii) a minimum of \$100,000 to each small school district with a property tax base per
- 129 ADM that is:
- 130 (A) greater than the statewide average property tax base per ADM; and
- 131 (B) less than or equal to two times the statewide average property tax base per
- 132 ADM; and

133 (iii) a minimum of \$50,000 to each small school district with a property tax base per
134 ADM that is:

135 (A) greater than two times the statewide average property tax base per ADM; and

136 (B) less than or equal to five times the statewide average property tax base per
137 ADM.

138 (b) The state board shall incorporate the minimum allocations described in Subsection
139 (7)(a) in its calculation of the foundation guarantee level per ADM determined in
140 accordance with Subsection (3).

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

142 **53F-3-203 . Capital Outlay Enrollment Growth Program created -- Distribution**
143 **formulas -- Allocations.**

144 (1) As used in this section:

145 (a) "Average annual net enrollment increase" means the quotient of:

146 (i)(A) enrollment in the prior fiscal year, based on October 1 enrollment counts
147 excluding a pupil [~~fully~~]enrolled in [~~an~~] a full-time equivalent online education
148 program[~~for at least 180 days~~]; minus

149 (B) enrollment in the year four years prior, based on October 1 enrollment counts
150 excluding a pupil [~~fully~~]enrolled in [~~an~~] a full-time equivalent online education
151 program[~~for at least 180 days~~]; divided by

152 (ii) three.

153 (b) "Eligible district" or "eligible school district" means a school district that:

154 (i) has an average annual net enrollment increase; and

155 (ii) has a property tax base per ADM in the year two years prior that is less than two
156 times the statewide average property tax base per ADM in the year two years prior.

157 (2) There is created the Capital Outlay Enrollment Growth Program to provide capital
158 outlay funding to school districts experiencing net enrollment increases.

159 (3) The state board shall annually allocate appropriated funds to eligible school districts in
160 accordance with Subsection (4).

161 (4) The state board shall allocate to an eligible school district an amount equal to the
162 product of:

163 (a) the quotient of:

164 (i) the eligible school district's average annual net enrollment increase; divided by

165 (ii) the sum of the average annual net enrollment increase in all eligible school
166 districts; and

167 (b) the total amount appropriated for the Capital Outlay Enrollment Growth Program in
168 that fiscal year.

169 Section 4. **Effective Date.**

170 This bill takes effect on July 1, 2025.