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Utah State Legislature

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November 19, 2019

Senator Jerry W. Stevenson, Senate Chair
Representative Bradley G. Last, House Chair
Executive Appropriations Committee
Utah State Legislature
Salt Lake City, UT 84114

Dear Senator Stevenson and Representative Last,

The Public Education Appropriations Subcommittee is pleased to report our actions during the 2019 Interim. In response to new requirements in HJR 18 (2019 General Session), you asked us to meet three times (June, August and October) to review accountable process budgets. We also deliberated on items that were required by intent language, pending from the 2019 General Session, or otherwise emerging in advance of the 2020 General Session.

As required by JR3-2-501, as amended in HJR 18, we identified approximately 20 percent of our budget for the accountable budget process, ensuring that each program within our purview is subject to the process at least once every five years. We presented our plan to you during your May 14, 2019 meeting. Please find a copy of our plan [here](#) and attached to this report.

Per HJR 18, the accountable budget process is “a review of a line item or program... to determine whether or the extent to which to recommend the line item or program be included in a budget for the upcoming fiscal year.”

During the August and October meetings, the analysts presented on twelve programs including both the program and administration for the Enhancement for At-Risk Students, Youth in Custody, Adult Education programs; the School Building Programs; Intergenerational Poverty Interventions; Partnerships for Student Success; School Turnaround and Leadership Development; and Educational Improvement Opportunities Outside of the Regular School Day.

In October, the Committee considered and voted on a number of motions related to the accountable budget process. These included motions to not include funding in the base budget for the following programs: Youth in Custody, Intergenerational Poverty Interventions, Partnerships for Student Success, and School Turnaround and Leadership Development. The motions indicate that funding will be put on hold until Committee staff and staff from the State Board of Education can address issues relating to formulas and target metrics for these programs. The other motions the Committee voted on are provided in the attachments.

The following attachments detail the results of our accountable budget process:

1. Actions taken by the subcommittee; and
2. A schedule of future review categories under the Accountable Budget process.

In addition to reviewing accountable process budgets, we also reviewed the following items and took the actions noted below each one:

1. *June*: The Committee heard a presentation from USBE about the issues relating to the statewide RISE testing that occurred during the 2019-2020 school year.
2. *August*: The Committee reviewed an audit from the Legislative Auditor's Office titled "A Performance Audit of the University Neuropsychiatric Institute and Crisis Services." The Committee recommended that this audit also be reviewed by the Higher Education Appropriations Subcommittee. The Committee also heard from local school districts on recent changes to teacher compensation and benefits.
3. *October*: The Committee reviewed suggested amendments to performance measures included in the Public Education base budget. The Committee also heard a presentation from representatives of the Regional Service Centers (RSCs) on a study that the Legislature commissioned during the 2019 General Session. The RSC representatives presented on a number of recommendations, including changing the centers to "Regional Education Service Agencies (RESAs)," a change that will allow the RESAs to more seamlessly work with USBE. Committee response to these recommendations was overwhelmingly positive.

Sincerely,

Chairs of the Public Education Appropriations Subcommittee.

Sen. Lyle W. Hillyard, Co-Chair

Rep. Steve Eliason, Co-Chair

Rep. Steve Waldrip, House Vice Chair

Public Education: Accountable Budget Process – Motions

October 15, 2019 | Public Education Appropriations Subcommittee

Background

House Joint Resolution 18, 2019 General Session, requires each appropriations subcommittee to develop an Accountable Budget Process plan. The objective is to review 20 percent of the budgets that fall within the subcommittee’s jurisdiction each year, ensuring that each budget is the subject of a review at least once every five years. This brief includes a summary of the Accountable Budget Process for the Public Education Appropriations Subcommittee including motions approving budgets and staff recommendations, intent language, and other actions for the 2020 General Session Public Education Base Budget bill.

Motions for Consideration

Part A: Initial High-Level Program Reviews

The subcommittee reviewed the revenues, expenditures, distribution formulas, performance measures, and general use of funding appropriated for each of the following programs. This initial review of FY 2020 appropriations did not result in recommendations for detailed programmatic review.

Table A	State Funds Only			
	FY 2020 Total	Less FY 2020 One-time	Rec. Changes	FY 2021 Base
Minimum School Program				
1. Enhancement for Accelerated Students	\$5,483,300	\$0	\$0	\$5,483,300
2. Centennial Scholarship Program	\$269,300	\$0	\$0	\$269,300
3. Concurrent Enrollment	\$11,750,900	\$0	\$0	\$11,750,900
4. Title I - Paraeducators	\$300,000	\$0	\$0	\$300,000
5. Early Graduation - Competency	\$55,700	\$0	\$0	\$55,700
6. Dual Immersion	\$5,030,000	\$0	\$0	\$5,030,000
7. Year-Round Math & Science (USTAR)	\$6,200,000	\$0	\$0	\$6,200,000
State Board of Education				
8. Dual Immersion	\$611,700	(\$100,000)	\$0	\$511,700
9. Student Advocacy Services	\$2,859,800	(\$300,400)	\$0	\$2,559,400
10. Student Achievement	\$314,300	(\$600)	\$0	\$313,700
11. ELL Software Licenses	\$3,000,000	\$0	\$0	\$3,000,000
12. General Financial Literacy	\$382,600	(\$400)	\$0	\$382,200
13. Competency-Based Education Grants	\$2,300,000	\$0	\$0	\$2,300,000
14. Interventions for Reading Difficulties	\$350,000	\$0	\$0	\$350,000

Motion for Part A:

I move that the subcommittee has reviewed the programs and budget amounts in Table A and that these programs be included in the Public Education Base Budget bill for the 2020 General Session.

Public Education: Accountable Budget Process – Motions

Part B: Detailed Program Reviews with Recommendations

The subcommittee selected the following programs for a more detailed budget review. The detailed review included 5-year history of revenues, expenditures, and distributions to local education agencies (LEAs), as well as, performance measures and the use of funding. In many cases, subcommittee staff provided recommendations for the consideration of the subcommittee. The motions following Table B implement these recommendations and other discussions by the subcommittee.

Table B	State Funds Only			
	FY 2020 Total	FY 2020 One-time	Rec. Changes	FY 2021 Base
Minimum School Program				
1. Enhancement for At-Risk Students	\$44,836,000	\$0	\$0	\$44,836,000
2. Youth in Custody	\$25,222,500	\$0	(\$25,222,500)	\$0
3. Adult Education	\$14,175,400	\$0	\$0	\$14,175,400
School Building Program				
4. Foundation Program	\$27,610,900	\$0	\$0	\$27,610,900
5. Enrollment Growth Program	\$5,638,800	\$0	\$0	\$5,638,800
State Board of Education				
6. Enhancement for At-Risk Students	\$504,900	(\$10,000)	\$0	\$494,900
7. Youth in Custody	\$1,188,800	(\$1,700)	\$0	\$1,187,100
8. Adult Education	\$295,500	(\$700)	\$0	\$294,800
9. Intergenerational Poverty Interventions	\$1,001,100	\$0	(\$1,001,100)	\$0
10. Partnerships for Student Success	\$3,006,400	\$0	(\$3,006,400)	\$0
11. School Turnaround & Leadership Development	\$7,014,700	(\$600)	\$0	\$7,014,100
12. Educational Improvement Opportunities Outside of Regular School Day	\$126,200	\$0	\$0	\$126,200

Additional detail on the detailed program reviews can be found online through the following links:

[Enhancement for At-Risk Students](#)

[Youth in Custody](#)

[Adult Education](#)

[Intergenerational Poverty Interventions](#)

[Partnerships for Student Success](#)

[School Turnaround & Leadership Development](#)

[Educational Improvement Opportunities Outside of the Regular School Day](#)

Public Education: Accountable Budget Process – Motions

Motions for Part B:

1. Base Budget

I move that the subcommittee has reviewed the following programs and budget amounts in Table A and that these programs be included in the Public Education Base Budget bill for the 2020 General Session.

Items 1 & 6 – Enhancement for At-Risk Students

Items 3 & 8 – Adult Education

Item 4 – Foundation Program

Item 5 – Enrollment Growth Program

Item 7 – Youth in Custody

Item 11 – School Turnaround & Leadership Development

Item 12 – Educational Improvement Opportunities Outside of the Regular School Day

2. Enhancement for At-Risk Students (EARS)

- a. I move to use the baseline performance and 2020 achievement targets outlined by the State Board of Education in their “Utah Achievement Gap” publication during the 2023 review of the EARS program as required in statute.
- b. I move that the State Board of Education provide recommendations during the 2020 General Session on additional data, or non-data, elements not captured in the performance targets that the subcommittee should consider in its evaluation of the EARS program in 2023.
- c. I move to include that during the 2023 review of the EARS program that the Legislature study converting the program to a weighted student-based add-on formula to generate Weighted Pupil Units (WPU) for the program and distribute funding to local education agencies.

3. Youth in Custody (YIC)

- a. I move to direct staff that when calculating the annual enrollment growth adjustment for YIC in FY 2021, to base the growth adjustment on the percentage change in the number of students in YIC programs and not the general student population.
- b. I move to direct staff to work with the subcommittee chairs to draft the following statutory changes for the YIC program to be included in the Public Education Base Budget Bill or subsequent bill:
 - i. Include annual funding adjustments for student enrollment growth as outlined above and for the percentage increase in the WPU Value.
 - ii. Clarify that the purpose of the YIC program appropriation. Namely, that the program is intended for students in the custody of the Department of Human Services (DHS) and not counted by a LEA for WPU purposes.

Public Education: Accountable Budget Process – Motions

- c. I move to request that the State Board of Education report during the 2020 General Session on YIC program amounts expended for students in custody of DHS and not counted by a LEA for WPU purposes vs. those students “under the jurisdiction” of DHS and counted by a LEA for WPU purposes.
 - d. I move to not include the \$25,222,800 in funding for the YIC program in the 2020 General Session Public Education Base Budget Bill in order to continue further review of the program by the subcommittee during the session.
4. Intergenerational Poverty Interventions
 - a. I move to request that the State Board of Education develop expected outcomes and goals for the Intergenerational Poverty Interventions program and report the measures to the Public Education Appropriations Subcommittee during the 2020 General Session.
 - b. I move to not include the \$1,001,100 in funding for the Intergenerational Poverty Interventions program in the 2020 General Session Public Education Base Budget Bill in order to continue further review of the program by the subcommittee.
 5. Partnerships for Student Success
 - a. I move to request that the State Board of Education develop expected outcomes and goals for the Partnerships for Student Success program and report these measures to the Public Education Appropriations Subcommittee during the 2020 General Session.
 - b. I move to not include the \$3,006,400 in funding for the Partnerships for Student Success program in the 2020 General Session Public Education Base Budget bill in order to continue further review of the program by the subcommittee.
 6. Educational Opportunities Outside of the Regular School Day
 - a. I move to rename the program “Afterschool Program Quality Enhancement Grants.”
 7. School Turnaround and Leadership Development
 - a. I move to include the following intent language in the 2020 General Session Public Education Base Budget bill:

The Legislature intends that the State Board of Education report on School Turnaround and Leadership Development performance outcomes, funding levels and uses, and any recommended changes for the program to the Public Education Appropriations Subcommittee by October 31, 2020.

Public Education: Accountable Budget Process – Motions

Part C: Performance Measures

I move to include in the 2020 General Session Public Education Base Budget Bill all of the performance measures included in the 2019 General Session Public Education Base Budget Bill with the requested changes identified by the State Board of Education in their presentation titled “Line Item Performance Measures” presented to the subcommittee on October 15, 2019.

Part D: Motion Prepare the 2020 General Session Public Education Base Budget Bill

Under Joint Rule 3-2-101 and 3-2-402, I move to authorize legislative staff to prepare and number the base budget bill for the Public Education Appropriations Subcommittee, to be presented to the Executive Appropriations Committee no later than the third Wednesday in December, in preparation for the 2020 General Session. Staff shall include in these bills:

1. The accountable process budget changes adopted today;
2. Ongoing General, Education, and Uniform School Fund appropriations defined in the current year’s appropriations acts;
3. Federal Fund, Dedicated Credit, Restricted fund and account amounts that are the lesser of current year ongoing appropriations or agency budget requests; and
4. Adjustments to nonlapsing balances, transfers, and other dependent amounts as calculated.

In consultation with the Co-Chairs of the Public Education Appropriations Subcommittee or the Co-Chairs of the Executive Appropriations Committee, staff may make any technical changes necessary, including balancing between the General Fund and Education Fund, in order to balance the overall budget.

Public Education Appropriations Subcommittee - Accountable Budget Review by Year						
Programs by Line Item	FY 2020	Interim Year				
	Appropriated	2019	2020	2021	2022	2023
<u>Minimum School Program</u>						
<u>Basic School Program</u>						
Kindergarten	\$96,342,400		X			
Grades 1-12	\$2,119,030,500					X
Foreign Exchange	\$1,158,500					X
Necessarily Existent Small Schools	\$34,366,300				X	
Professional Staff	\$197,505,900			X		
Administrative Costs	\$5,262,700				X	
SpEd Add-on	\$297,463,000		X			
SpEd Self Contained	\$48,695,700		X			
SpEd Preschool	\$39,484,200		X			
SpEd Extended Year	\$1,596,500		X			
SpEd Impact Aid	\$7,191,200		X			
SpEd Intensive Services	\$2,776,200		X			
SpEd Ext. Year for Educators	\$3,210,600		X			
Career & Technical Education	\$101,583,900					X
Class Size Reduction	\$147,895,400		X			
<u>Related to Basic School Program</u>						
Pupil Transportation - To & From	\$98,461,900				X	
Pupil Transportation - Rural Transportation Grants	\$1,000,000				X	
Pupil Transportation - Rural School Reimbursement	\$500,000				X	
Flexible Allocation	\$7,788,000				X	
Charter School Local Replacement	\$195,042,300				X	
Charter School Administrative Costs	\$8,112,200				X	
Enhancement for At-Risk Students	\$44,836,000	X				
Youth in Custody	\$25,222,500	X				
Adult Education	\$14,175,400	X				
Enhancement for Accelerated Students	\$5,483,300	X				
Centennial Scholarship Program	\$269,300	X				
Concurrent Enrollment	\$11,750,900	X				
Title I - Paraeducators	\$300,000	X				
Early Literacy Program	\$14,550,000		X			
Early Intervention	\$7,500,000		X			
Early Graduation - Competency	\$0	X				
Educator Salary Adjustments	\$177,945,500			X		
Teacher Salary Supplement	\$18,928,600			X		
National Board Certified Teacher	\$246,300			X		
Teacher Supplies & Materials	\$5,500,000			X		
Effective Teachers in High Poverty	\$250,000			X		
Grants for Educators in High-need Schools	\$500,000			X		
Elementary School Counselors	\$2,100,000			X		
School LAND Trust	\$82,663,100				X	
Teacher and Student Success Program	\$98,950,000			X		
Student Health and Counseling	\$16,000,000			X		
School Library Books & Electronic Resources	\$850,000				X	
Matching Fund for School Nurses	\$1,002,000			X		
Dual Immersion	\$5,030,000	X				
Year-Round Math & Science (USTAR)	\$6,200,000	X				
Beverly Taylor Sorenson Elem. Arts	\$11,880,000			X		
Digital Teaching & Learning	\$19,852,400					X
<u>Voted & Board Local Levies</u>						
Voted Local Levy	\$520,950,100				X	
Board Local Levy	\$251,254,400				X	
Board Local Levy - Early Literacy Program	\$15,000,000		X			

Programs by Line Item	FY 2020	Interim Year				
	Appropriated	2019	2020	2021	2022	2023
School Building Program						
Capital Outlay Programs						
Foundation Program	\$27,610,900	X				
Enrollment Growth Program	\$5,638,800	X				
Education Agencies (State Board of Education Line Items)						
School Building Revolving Account	\$1,465,600				X	
Education Tax Check Off	\$25,300				X	
Charter School Revolving Account	\$1,511,400				X	
Charter School Finance Authority	\$50,000				X	
Hospitality & Tourism	\$269,900				X	
Teaching and Learning - Student Access to High Quality School Readiness Progs	\$9,105,500		X			
MSP Categorical Program Administration						
Adult Education	\$279,200					X
Beverly Taylor Sorenson Elem. Arts	\$100,500			X		
CTE Comprehensive Guidance	\$164,600			X		
Digital Teaching & Learning	\$425,100					X
Dual Immersion	\$583,300	X				
Enhancement for At-Risk Students	\$457,200	X				
SpEd State Programs	\$211,200		X			
Youth in Custody	\$1,174,100	X				
State Administrative Office						
Board & Administration	\$4,309,900					X
Data & Statistics	\$2,263,900					X
Financial Operations	\$3,068,500					X
Indirect Cost Pool	\$6,589,900					X
Information Technology	\$27,417,700					X
Law & Legislation	\$197,300					X
Policy & Communication	\$1,514,600					X
School Trust	\$529,100				X	
Special Education	\$181,426,900		X			
Statewide Online Education Program	\$783,400					X
Student Advocacy Services	\$120,044,600	X				
General System Support						
Student Achievement	\$262,200	X				
Teaching & Learning	\$31,442,800			X		
Assessment & Accountability	\$20,779,900		X			
Career & Technical Educaiton	\$18,350,500			X		
Pilot Teacher Retention Grant Program	\$500,000			X		
Child Nutrition Programs						
Child Nutrition Programs	\$198,877,500				X	
CNP Commodities	\$19,159,300				X	
Regional Service Centers						
Regional Service Centers	\$2,000,000				X	
State Charter School Board						
State Charter School Board	\$3,953,800				X	
Educator Licensing & Professional Practices						
Educator Licensing	\$2,379,800			X		
STEM Endorsement Incentives	\$5,000,000			X		
Fine Arts Outreach						
Professional Outreach Program in the Schools (POPS)	\$4,906,000			X		
Provisional Program	\$200,000			X		
Subsidy Program	\$54,000			X		
Science Outreach						
Informal Science Education (iSEE)	\$5,265,000			X		
Provisional Program	\$225,000			X		

Programs by Line Item	FY 2020	Interim Year				
	Appropriated	2019	2020	2021	2022	2023
<u>Utah Schools for the Deaf and the Blind</u>						
Educational Services	\$390,800					X
Support Services	\$387,000					X
Administration	\$5,869,800					X
Transportation	\$4,257,300					X
USIMAC	\$1,876,200					X
School for the Deaf	\$17,281,900					X
School for the Blind	\$12,639,000					X
USDB Donation Fund	\$120,400					X
<u>Initiative Programs</u>						
Autism Awareness	\$50,700		X			
Carson Smith Scholarships	\$6,633,700		X			
Contracts & Grants	\$4,950,000				X	
Early Intervention Reading Software	\$10,600,000		X			
Early Warning Pilot	\$250,000		X			
Electronic Elementary Reading Tool	\$2,100,000		X			
ELL Software Licenses	\$3,000,000	X				
General Financial Literacy	\$382,600	X				
Intergenerational Poverty Interventions	\$1,001,100	X				
IT Academy	\$500,000					X
Kindergarten Supplemental Enrich.	\$2,905,800		X			
Paraeducator to Teacher Scholarships	\$24,500			X		
Partnerships for Student Success	\$2,986,800	X				
ProStart Culinary Arts Program	\$403,100					X
School Turnaround & Leadership Develop.	\$6,986,600	X				
UPSTART	\$15,263,900		X			
ULEAD	\$503,900		X			
Competency-Based Ed Grants	\$2,300,000	X				
Educational Improvement Opportunites Outside of Regular School Day	\$126,200	X				
Interventions for Reading Difficulties	\$350,000	X				
Computer Science Initiatives	\$3,150,000					X
School and Institutional Trust Funds Office						
School and Institutional Trust Funds Office						
School and Institutional Trust Funds Office	\$1,243,600				X	
Total Programs Reviewed by Year		25	24	25	24	25