

Office of the
Legislative Fiscal Analyst

FY 2002 Budget Recommendations

Joint Appropriations Subcommittee for
Public Education

Utah State Office of Education
Minimum School Program

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1.0 Minimum School Program

Summary

The Minimum School Program is codified in statute in section 53A-17a. It supports public school programs for kindergarten, elementary, and secondary schools. The Basic state-supported school program provides support to public schools in each of forty local school districts to enable education for all children in the State. Distribution of State money is made on a formula basis to equalize wealth between "poorer" districts and "richer" districts. The basis for the distribution of the basic program is the Weighted Pupil Unit (WPU). A weighted pupil unit, in general, is one full time student. Specific programs may have other formulas to define a "Weighted Pupil Unit; i.e., one kindergarten student equals .55 of a weighted pupil unit.

The Minimum School Program Act was established to: ". . . provide a minimum school program for the State of Utah in accordance with constitutional mandate." It is the purpose of the Act to describe the manner in which the State and the school districts shall jointly pay for the costs.

The Act specifies the manner by which school districts may qualify for participation in the Minimum School Program and of making tax levies that provide additional school services and programs.

The Minimum School Program Act is unique in comparison with other budgetary acts in that it is amended and revised each year by the Legislature. The specifics of the bill are adjusted each year bringing relevant laws into review each Legislative Session.

2.0 Issues: Minimum School Program

The Analyst's recommendations represented in this report are developed within the guidelines established by the Executive Appropriations Committee of the Legislature.

2.1 Student Enrollment Growth is computed at a 0.24 percent increase

The method utilized to project student enrollment has historically provided a relatively accurate basis for Legislative appropriations. Over a seven year period the percent of error has averaged at 0.00049 percent. The Legislative Analyst, Governor's Office, and the State Office of Education, using differing methodologies, work together to agree on a projection. If agreement is not reached recommendations cannot be comparable.

After three years of negative growth the pendulum has swung and new projections now show enrollments to be on the rise again. The actual fall enrollment count for FY 2001 is 475,269 compared to the committee estimate a year ago of 475,832 or an overestimate of 563, a 0.15 percent change from the prior year actual enrollments. The fall enrollment estimate for FY 2002 is 476,418, an increase of 1149 for a growth of 0.24 percent. Costs resulting from growth for FY 2002 are calculated to be \$4,616,682.

2.2 Voted and Board Leeway's increase; and local revenues provide additional funds

The Voted and Board Leeway Programs have increased by \$19,551,639 while the local revenue has increased by \$17,166,749, thus requiring \$2,384,890 more in state matching funding from the uniform school.

2.3 Basic Levy Growth provides new funds of \$7.58 million

New construction growth in the state applied against the Basic School Tax Levy estimated at .001768 provides new local revenue for the Minimum School Program of \$7,578,945 for FY 2002.

2.4 Retirement rate reduction reduces expenditures by \$36.3 million.

There is a calculated retirement rate reduction of 21.86 percent for non-contributory and contributory retirement plans. This reduction in the Minimum School Program results in savings of \$36,298,700. This saving allows funds to be concentrated on other program needs.

2.5 School Trust Program redistributes \$6.975 million

House Bill 350, Use of Interest on State School Fund, passed by the 1999 Legislature, redirects Uniform School Funds in the amount of \$6,975,000 for FY 2002. This amount is no longer unrestricted Uniform School Funds but become restricted under the terms of House Bill. The distribution of these funds is governed by the Legislation. The amount has been added as a line item in the Minimum School Program.

2.6 Other funding issues total over \$126.5 million

The State Board of Education prioritized budget requests of \$167,834,708. This included an increase in the weighted pupil unit of 5 percent costing \$83,726,337, textbooks, supplies and library media at \$15,000,000 in one time funding, local discretionary programs at \$66,981,070, \$4,000,000 for Literacy staff developers, technology life careers and work based learning for \$3,387,400, and staff development at \$3,258,800. For each one- percent increase in the value of the weighted pupil unit it will cost approximately \$16.2 to \$16.8 million, depending on final numbers of weighted pupil units approved for funding. In addition, the State Board of Education identified another \$52,178,205 in "general education needs.

2.61 Voted and Board Leeway State Guarantee Increase

During the FY 2000 interim, the "Funding Task Force for Public Education" studied the sources of revenue that may be utilized for Education expenditure needs currently and in the future. One of the recommendations from that task force was to increase the state guarantee for the voted and board leeway. The interim Education committee adopted this recommendation. Estimated increased costs to implement the proposal for FY 2002 is \$6,143,437.

2.62 Assessment and Accountability (UPASS)

House Bill 177, "Assessing, Reporting, and Evaluating Student Performance," as passed during the 2000 Legislative Session implemented the State's Assessment and Accountability program for Public Education. Continuation costs for this program for FY 2002 will require new appropriations of \$3,970,000.

2.63 Staff Development

The Utah State Office of Education and the Governor have both proposed \$3,258,800 additional funding for staff development. Staff development has been considered a necessity in states that have implemented standards and accountability legislation. It is recommended that funding be provided to facilitate adequate training. There are various ways to provide for this training including extra teacher days for training. The method will determine what kind of funding will be required. The cost for an extra school day for teachers only is approximately \$5,000,000.

2.64 Local Discretionary Programs

The Utah State Office of Education has requested \$66,981,070 for discretionary funding to be allocated to local school districts. The Governor recommends an amount of \$49,965,000. There are currently two Minimum School Programs that deliver funding to the local districts. The "Unrestricted Local Program has a base budget of \$23,167,294 and is a Weighted Pupil Unit (WPU) driven programs. The second program was funded for the first time by the 2000 Legislature for \$1,113,100 and called "Local Discretionary Programs." This program is not WPU driven.

2.65 Youth-in-Custody

The Governor has recommended \$1,257,300 for the Youth-in-Custody program. This amount is to replace one-time money from collected deferred revenue as was granted by the 2000 Legislature. It is recommended that this amount be funded to continue current programs.

2.66 Youth-at-Risk

An amount of \$210,000 for education programs at a new facility opening in Washington School District is recommended to be funded for FY 2002. The Governor also recommended an additional \$283,100 for an inflationary increase for all programs funded under the Youth-at-Risk category. The analyst recommends that the general program increase be considered with appropriate increases in the value of the weighted pupil unit.

The Governor also recommended \$250,000 for the Math, Engineering, Science Achievement program (MESA). The Analyst recommends this funding as well.

2.67 Necessarily Existent Small Schools

The Governor recommends a FY 2002 appropriation of \$544,300 to fully fund the small schools formula that was revised by the 2000 Legislature. While there is sufficient funding for the small schools, the formula distributes the funding such that the shortage for some schools would equal the amount requested. The Analyst recommends that the USOE be allowed to make formula adjustments rather than providing additional funding.

2.68 Highly Impacted Schools

The Governor recommends an additional \$500,000 for Highly Impacted Schools for FY 2002. These funds are recommended for enhancement of existing programs in schools currently approved for funding.

The Analyst does not recommend this funding. The request is for salary and benefit costs for previous years. This would defeat the purpose of programs "below the line." If this is to be valid ongoing funding, consideration should be made to move it into WPU funding where it will get inflationary increases. Also, it is the opinion of the Analyst that if trial programs are valid and something that schools want to support they should supplement the funding until such time as it receives WPU funding status thereby showing their commitment.

2.69 Reading Specialists

The Governor proposes the hiring of one hundred reading specialists for elementary schools with the greatest need for remedial assistance and recommends a \$4,000,000 appropriation. This continues the Governor's emphasis on reading and literacy in the Public Schools. The current base budget for the Governor's reading initiative is \$5,000,000.

2.70 Comprehensive Guidance

The Utah State Board of Education and the Governor have recommended \$377,700 increase for the Comprehensive Guidance program. The base budget is \$7,420,659. The request is for continuation costs and inflationary increases. The Analyst does not recommend this funding. The request for inflationary increases should be considered when computing the increase in the value of the weighted pupil unit.

2.71 Alternative Language Services

The Utah State Board of Education requested an increase in funding of \$500,000 for the Alternative Language Services program. The Governor recommended \$250,000. The Analyst recommends that if any additional funding is considered that the USOE be required to submit a plan for the use of the funding and provide performance data to support existing and new funding if made available. The current base budget is \$3,328,564.

2.72 School Nurses

The USBE and the Governor both recommend an increase of \$500,000 for school nurses. The request is to help bring the nurse to student ratio to 1:5000. Previous funding has brought the ratio to 1:6,378. The current base budget is \$496,949. The Analyst recommends that if the Legislature determines to provide significant funding to local school districts through discretionary grants that this be one of the areas for local school districts to focus attention according to their needs.

2.73 Math and Science Teachers Incentive

The Governor proposes new funding as an incentive to improve and meet the demand for better and more qualified math and science teachers. The recommendation is for \$2,400,000 in ongoing funding and \$16,600,000 in one time funding.

Summary

The total Minimum School Program is illustrated on the following page. A comparison is made with the prior 2001 fiscal year appropriations. The funding representations for FY 2002 is for base budget plus growth only. Allocations for additional funding have not been made at this time. The budget shows a decrease from prior year funding in total. This results from a major reduction in retirement costs and one time funding has been removed. This budget for the Minimum School Program does not include appropriations recommended for agencies governed by the Board of Education. These include the Utah State Office of Education, Utah State Office of Rehabilitation, Applied Technology Centers and Applied Technology Education Service Regions, Utah Schools for the Deaf and the Blind, Fine Arts and Sciences, Educational Contracts, Child Nutrition, and School Building Programs.

Page	1/19/01 11:28 AM Financing	MINIMUM SCHOOL PROGRAM					
		FY 2001 Appropriation		FY 2002 Recommendations		Percent	FY 2002 Difference
		2000-01 W P U's	Funding @ \$2,006	2001-02 W P U'S	Funding @ \$2,006	% Diff. 2001-02	
	Local Revenue:						
	A. Basic Tax Levy	0.001847	\$189,329,826	0.001768	\$196,908,771	4.0%	\$7,578,945
	B. Voted Leeway		110,412,316		124,307,548	12.6%	13,895,232
	C. Board Leeway		31,970,524		35,242,041	10.2%	3,271,517
	Total Local Contribution (A, B, & C)		\$331,712,666		\$356,458,360	7.5%	\$24,745,694
	State Revenue:						
	A. Uniform School Fund		\$1,535,119,246		\$1,496,855,573	-2.5%	(\$38,263,673)
	B. Uniform School Fund - One Time		10,400,000			-100%	(10,400,000)
	Total Revenue Program		\$1,877,231,912		\$1,853,313,933	-1.3%	(\$23,917,979)
	I. Basic Program						
	A. Regular Basic School Programs						
12	1. Kindergarten	20,222	\$40,565,332	20,616	\$41,355,696	1.9%	\$790,364
13	2. Grades 1-12	426,422	\$85,402,532	427,244	\$87,051,464	0.2%	1,648,932
13	3. Necessarily Existent Small Schools	7,080	14,202,480	7,336	14,716,016	3.6%	513,536
15	4. Professional Staff	41,394	83,036,364	41,394	83,036,364		
16	5. Administrative Costs	1,655	3,319,930	1,655	3,319,930		
	Total Regular Basic School Programs (1-5)	496,773	\$996,526,638	498,245	\$999,479,470	0.3%	\$2,952,832
	B. Restricted Basic School Programs						
	1. Special Education-Regular Program						
17	a. Special Education add-on WPU's	52,697	\$105,710,182	53,153	\$106,624,918	0.9%	\$914,736
17	b. Self-Contained Regular WPU's	12,299	24,671,794	12,466	25,006,796	1.4%	335,002
18	2. Special Education - Pre-School	5,038	10,106,228	5,114	10,258,684	1.5%	152,456
18	3. Extended Year Program for Severely Disabled	237	475,422	237	475,422		
19	4. Special Education-State Programs	1,350	2,708,100	1,350	2,708,100		
	Total Special Education (1-4)	71,621	\$143,671,726	72,320	\$145,073,920	1.0%	\$1,402,194
Tab 15	5. Applied Technology Education - District	19,464	\$39,044,784	19,464	\$39,044,784		
	6. Applied Tech. Education-District Set Aside	989	1,983,934	989	1,983,934		
	Total Applied Technology Ed. (5 - 6)	20,453	\$41,028,718	20,453	\$41,028,718		
19	7. Adult Education	3,407	\$6,834,442	3,407	\$6,834,442		
27	8. At Risk Programs	10,039	20,138,234	9,939	19,937,634	-1.0%	(\$200,600)
21	9. Accelerated Learning Programs	3,841	7,705,046	3,841	7,705,046		
30	10. Career Ladder	24,253	48,651,518	24,253	48,651,518		
33	11. Class Size Reduction	29,577	59,331,462	29,577	59,331,462		
	Total Other Restricted Programs (7-11)	71,117	\$142,660,702	71,017	\$142,460,102	-0.1%	(\$200,600)
34	C. Unrestricted Local Program	11,549	\$23,167,294	11,549	\$23,167,294		
	Total Basic School Programs (A - C)	671,513	\$1,347,055,078	673,584	\$1,351,209,504	0.3%	\$4,154,426
	D. Related to Basic Programs						
35	1. Social Security & Retirement		\$253,325,728		\$217,288,684	-14.2%	(\$36,037,044)
35	2. Pupil Transportation		53,236,772		53,349,772	0.2%	113,000
37	3. Contingency Fund		419,246		419,246		
38	4. Incentives for Excellence		614,911		614,911		
40	5. Regional Service Centers		1,172,733		1,172,733		
40	6. Staff Development		1,965,577		1,965,577		
41	7. Comprehensive Guidance		7,420,659		7,420,659		
51	8. Educational Technology Initiative- Maintenance		8,970,322		8,970,322		
52	9. Families, Agencies & Communities Together		1,250,670		1,250,670		
55	10. Alternative Language Services		3,328,564		3,328,564		
57	11. Character Education		397,680		397,680		
56	12. Highly Impacted Schools		4,873,207		4,873,207		
59	13. School Nurses		496,949		496,949		
58	14. Technology/Life Careers/School to Work		2,235,000		2,235,000		
60	15. Truancy Intervention and Prevention		150,000		150,000		
60	16. Guarantee Transportation Levy		225,000		225,000		
61	17. Reading Initiative		5,000,000		5,000,000		
64	18. Reading Performance Improvement Awards		18,000		18,000		
64	19. Alternative Middle School		2,000,000		2,000,000		
65	20. Experimental/Developmental Programs		5,933,056		5,933,056		
68	21. School Land Trust Program		477,500		6,975,000	46.1%	2,200,000
34	22. Local Discretionary Programs		111,310		1,113,100		
	23. Assessment and Accountability		350,000			-100.0%	(3,500,000)
	Total Related to Basic Programs (1 - 24)		\$362,422,174		\$325,198,130	-10.3%	(\$37,224,044)
	II. Board and Voted Leeway Programs:						
71	A. Voted Leeway Program		\$121,242,797		\$137,274,866	13.2%	\$16,032,069
73	B. Board Leeway Program		36,111,863		39,631,433	9.7%	3,519,570
	Total Board and Voted Leeway Programs		\$157,354,660		\$176,906,299	12.4%	\$19,551,639
	III. One-Time Appropriations						
	1. Textbooks and Supplies		6,000,000			-100.0%	(6,000,000)
	2. Teacher Supplies & Materials		4,400,000			-100.0%	(4,400,000)
	Total One Time Appropriations		\$10,400,000			-100.0%	(\$10,400,000)
	Total Minimum School Program		\$1,877,231,912		\$1,853,313,933	-1.3%	(\$23,917,979)
	Assessed Value = \$104,931,000,000	Student Growth Factor = (0.24 %)					

PUBLIC EDUCATION							
	Summary	FY 2002	USOE	USOE	FY 2002	Governor	Analyst
	<u>Minimum School Program</u>	USOE	One Time	Total	Governor	One Time	FY 2002 Total
	Uniform School Fund Base	\$1,535,119,246		\$1,535,119,246	\$1,535,119,246		\$1,535,119,246
	Base Adjustments -	(3,700,600)		(3,700,600)	(3,700,600)		(3,700,600)
	Funding Base	\$1,531,418,646		\$1,531,418,646	\$1,531,418,646		\$1,531,418,646
	Enrollment Growth	5,767,549		5,767,549	3,556,184		4,616,682
	Weighted pupil unit Increase	83,726,337		\$83,726,337	\$99,930,000		\$99,930,000
	Retirement Reduction - rate change				(36,298,700)		(36,298,700)
	Necessarily Existant Small Schools				544,300		544,300
	Preschool Special Education	1,851,538		1,851,538			
5	Pre-School Formula Change	1,200,000		1,200,000			
	Board and Voted Leeways	19,326,216		19,326,216	19,323,300		19,551,639
	Board and Voted Leeways increase				7,150,000		7,150,000
	Board and Voted Leeway Levy Growth	(16,819,459)		(16,819,459)	(16,819,500)		(17,166,749)
	Youth-In-Custody	1,235,696		1,235,696	1,257,300		1,257,300
	Highly Impacted Schools				500,000		500,000
	Math and Science teachers incentives				2,400,000	16,600,000	19,000,000
	Local Discretionary Programs	66,981,070		66,981,070	49,965,000		49,965,000
	Textbooks and Supplies		10,000,000	10,000,000		30,600,000	30,600,000
	Library Media		5,000,000	5,000,000		10,000,000	10,000,000
6	Other at Risk	238,714		238,714	493,200		493,200
	Math,Engineering,Science Achieve.				250,000		250,000
	Transportation	939,106		939,106			113,000
11	Alternative Language Services	500,000		500,000	250,000		250,000
1	Staff Development	3,258,800		3,258,800	3,258,800		3,258,800
	Property Tax Basic Levy Growth	(7,578,945)		(7,578,945)	(7,578,900)		(7,578,945)
10	Concurrent Enrollment	1,666,986		1,666,986	1,951,816	1,400,000	3,351,816
	School Nurses Incentive Program	500,000		500,000	500,000		500,000
	School Trust Land Program	2,200,000		2,200,000	425,000		2,200,000
3	Technology,Life, Careers	3,387,400		3,387,400			
	Educational Technology Initiative	3,500,000		3,500,000		15,000,000	15,000,000
	Technology Equipment at Schools					4,400,000	4,400,000
2	Literacy Staff Developers	4,000,000		4,000,000	4,000,000		4,000,000
	Alternative Middle Schools	883,500		883,500			
	Comprehensive Guidance				377,700		377,700
	Pilot Elem. Counseling and Guidance	1,500,000		1,500,000			
	Elementary Fine Arts Curriculum	1,800,000		1,800,000			
	Character Education	200,000		200,000			
	Schools for the 21st Century		1,060,000	1,060,000		1,060,000	1,060,000
	EDNET Proctors	1,002,900		1,002,900			
8	Advanced Readers At Risk	500,000		500,000			
	School District ATE Equipment		1,500,000	1,500,000		1,500,000	1,500,000
	Teacher Materials and Supplies		4,806,000	4,806,000		5,000,000	5,000,000
	Total MSP Additions	\$181,767,408	\$22,366,000	\$204,133,408	\$135,435,500	\$85,560,000	\$220,995,500
							(\$34,563,073)

3.0 Minimum School Program

Recommendation

Executive Committee Guidelines

The Analyst's recommendations represented in this report are developed within the guidelines established by the Executive Committee. The Appropriations subcommittee is directed to allocate within the various agencies and departments of Public Education as they deem most appropriate. The Analyst's recommendations are developed within the same restrictions. **These recommendations, while representing the best advice based on current data and information available, acknowledge that the subcommittee on Public Education, and ultimately, the Legislature has the final authority and responsibility to allocate the resources based on all factors contributed during the Legislative process.**

The Analyst recommends increased program funding of \$26,481,321, and reductions in the base budget of \$50,399,000. The reductions are: \$36,298,700 retirement rate savings, \$3,500,000 transfer for Accountability and Assessment funding to the Utah State Office of Education, and \$200,600 transfer from At Risk programs to the State Office of Education for a specialist and associated costs for minority students. Funding for the Voted and Board Leeway programs are increased by \$19,551,639. Local increased revenues of \$17,16,749 help fund this mandated cost. Also included is \$2,200,000 for increases in the trusts lands program and \$113,000 transportation growth for pass through to the Schools for the Deaf and the Blind.

Distribution basis is the Weighted Pupil Unit

The Minimum School Program provides State support to the public schools in each local school district to enable them to provide education for all children in the State from kindergarten through grade 12. Distribution of State money is made on a formula basis in order to equalize wealth between poorer districts and richer districts. The basis for the distribution of State funds is the Weighted Pupil Unit (WPU). A weighted pupil unit, in general, is one full time student. Specific programs may have other formulas to define a "Weighted Pupil Unit; i.e., one kindergarten student equals .55 of a weighted pupil unit.

Average Student growth is .24 percent

After three years of negative growth the pendulum has swung and new projections now show enrollments to be on the rise again. The actual fall enrollment count for FY 2001 is 475,269 compared to the committee estimate a year ago of 475,832 or an overestimate of 563, a 0.15 percent change from the prior year actual enrollments. The fall enrollment estimate for FY 2002 is 476,418, an increase of 1149 for a growth of 0.24 percent. Costs resulting from growth for FY 2002 are calculated to be \$4,616,682.

The Analyst recommends a total of \$1.85 Billion

The Analyst's Minimum School Program budget for FY 2002 was prepared with the 2001 appropriated budget as a base and adjustments made for enrollment changes and other minor adjustments. The Analyst's total recommendation is \$1,853,313,933 with \$1,500,242,573 recommended from the Uniform School Fund and \$356,458,360 in local revenues. This represents a 02.3 percent decrease in Uniform School Funds, and a 7.5 percent increase in Local Revenues over the FY 2001 appropriation. The Local Revenue represents 19.20 percent of the total budget. The decrease in Uniform School fund results from a major retirement rate reduction of \$36,298,700 and exclusion of one time funding of \$10,400,000. Initial committee allocation from the executive committee amounts to \$26,481,321. An amount of \$24,745,694 is an entitlement of increased local revenues and the remaining amount helps to cover the cost of student growth and the school trusts lands program.

Each 1 percent increase in the Weighted Pupil Unit value costs approximately \$16,200,000.

Each one percent increase in the value of the Weighted Pupil Unit will cost approximately \$16,200,000 to \$16,800,000 depending on the number weighted pupil units approved by the Legislature.

3.1 Kindergarten

Recommendation

The Analyst recommends 20,616 Weighted Pupil Units, which represent an increase in kindergarten enrollment of 394 Weighted Pupil Units

Purpose

Section 53A-17a-106 of the State System of Public Education reads in part:

Kindergarten WPU's computed by multiplying ADM by 0.55

(2) The number of units is computed by adding the average daily membership of all pupils of the district enrolled in kindergarten and multiplying the total by .55.

(a) those districts that do not elect to hold kindergarten for a full nine-month term, the local school board may approve a shorter term of nine weeks' duration.

(b) Upon board approval, the number of pupils in average daily membership at the short-term kindergarten shall be counted for the purpose of determining the number of units allowed in the same ratio as the number of days the short-term kindergarten is held, not exceeding nine weeks, compared to the total number of days schools are held in that district in the regular school year.

(3) (a) The State Board of Education shall use prior year plus growth to determine average daily membership in distributing monies under the minimum school program where the distribution is based on kindergarten through grade 12 ADMs or weighted pupil units.

(b) Under prior year plus growth, kindergarten through grade 12 average daily membership for the current year is based on the actual kindergarten through grade 12 average daily membership for the previous year plus an estimated percentage growth factor.

(c) The growth factor is the percentage increase in total average daily

membership on the first school day of October in the current year as compared to the total average daily membership on the first school day of October of the previous year.

3.2 Grades 1 through 12

Recommendation

The Analyst recommends 427,244 Weighted Pupil Units, which is an increase of 822 Weighted Pupil Units from the FY 2001 appropriated number of 426,422.

Enrollment growth based on agreement using varied statistical methods

The process of projecting student growth is based on actual and projected birth statistics, the multiple year survival cohort statistical analysis method, and the preceding year's average survival rates of children enrolling in the next grade level. In addition, migration factors were incorporated into the formulas and computation process. The State Office of Education, the Analyst's Office and the Governor's Office do independent growth projections and then attempt to come to a consensus prior to budget presentation before the Legislative session. The Analyst, the State Board of Education, and the Governor have utilized the same estimates for FY 2002.

Grades One through Twelve make up 86 percent of the regular basic school programs.

3.3 Necessarily Existent Small Schools

Recommendation

The Analyst recommends 7,336 Weighted Pupil Units for Necessarily Existent Small Schools. This includes an increase of 256 weighted pupil units to accommodate program growth.

Extra funding provided for small schools where WPU funding formula would be inadequate

For every child in the school system, the minimum school program provides a certain amount of funding. However, in smaller schools there may not be enough children in one class to provide funds for even one teacher. For example, in a second-grade class of 25, the school might receive \$50,150 (based on a WPU value equal to \$2,006). However, in a smaller community where there are fewer students and smaller schools, there might only be eight students of second-grade age. The school would receive only \$16,048 - not enough for a teacher for the class or other expenditures associated with teaching those students. The Necessarily Existent Small Schools program provides extra funds for those schools.

*Qualifying
requirements differ
according to grade
level*

The requirements for Necessarily Existent Small Schools classification were modified by the 2000 Legislature and codified as follows:

53A-17a-109

(3) The additional units for schools classified as necessarily existent small schools are computed using regression formulas adopted by the state board.

(a) The regression formulas establish the following maximum sizes for funding under the necessarily existent small school program:

- | | |
|--|------------|
| <i>(i) Elementary</i> | <i>160</i> |
| <i>(ii) One or two-year secondary</i> | <i>300</i> |
| <i>(iii) Three-year secondary</i> | <i>450</i> |
| <i>(iv) Four-year secondary school</i> | <i>500</i> |
| <i>(v) Six-year secondary school</i> | <i>600</i> |

(b) Schools with fewer than ten students shall receive the same add-on weighted pupil units as schools with ten students.

(c) The state board shall prepare and distribute an allocation table based on the regression formula to each school district.

(4) (a) To avoid penalizing a district financially for consolidating its small schools, additional units may be allowed a district each year, not to exceed two years.

(b) The units may not exceed the difference between what the district receives for a consolidated school and what it would have received for the small schools had they not been consolidated.

(c) (c) A district may use the monies allocated under this subsection for maintenance and operation of school programs or for other school purposes as approved by the state board.

3.4 Professional Staff

Recommendation The Analyst recommends 41,394 Weighted Pupil Units for the base budget, which is the same as the prior year.

Purpose Professional Staff costs are determined according to the Professional Staff Cost Formula detailed in the Utah Code in Section 53A-17a-107as follows:

(1) Professional staff weighted pupil units are computed and distributed in accordance with the following schedule:

Professional Staff Cost Formula

(a)

Years of Experience	Bachelor's Degree	Bachelor's +30 Qt. Hr.	Master's Degree	Master's Degree +45 Qt. Hr.	Doctorate
1	1.00	1.05	1.10	1.15	1.20
2	1.05	1.10	1.15	1.20	1.25
3	1.10	1.15	1.20	1.25	1.30
4	1.15	1.20	1.25	1.30	1.35
5	1.20	1.25	1.30	1.35	1.40
6	1.25	1.30	1.35	1.40	1.45
7	1.30	1.35	1.40	1.50	1.50
8	1.35	1.40	1.45	1.55	1.55
9			1.50	1.60	1.60
10					1.65
11					1.70

(b) Multiply the number of full-time or equivalent professional personnel in each applicable experience category in (a) by the applicable weighting factor.

(c) Divide the total of (b) by the number of professional personnel included in (b) and reduce the quotient by 1.00.

(d) Multiply the result of (c) by 1/4 of the weighted pupil units computed in accordance with Sections 53A-17a-106 and 53A-17a-109.

(2) The State Board of Education shall enact rules in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, which require a certain percentage of a district's professional staff to be certified in the area in which they teach in order for the district to receive full funding under the schedule.

(3) If an individual's teaching experience is a factor in negotiating a contract of employment to teach in the state's public schools, then the local school board is encouraged to accept as credited experience all of the years the individual has taught in the state's public schools.

3.5 Administrative Costs

Recommendation	The Analyst recommends 1,655 Weighted Pupil Units for Administrative Costs. This is the number as currently provided by statute.	
Purpose	The following section of the School Finance Act (53A-17a-108) governs this appropriation:	
<i>Utah's statute requires a plan to keep administrative costs low</i>	<ol style="list-style-type: none">1) Each school district shall receive additional weighted pupil units to assist in its administrative costs.2) The State Board of Education shall develop a statewide plan to increase the proportion of funds allocated to instruction and decrease the proportion of funds allocated to general district administration and business administration. <p>Administrative costs in Utah Schools represent between 9 and 10 percent of the total Maintenance and Operation costs. The funding provided is a minimum state contribution. Districts utilize additional funding that equates to a state average expenditure of 9 to 10 percent of total Maintenance and Operation costs.</p>	
<i>Distribution of Administrative Cost funds reward smaller districts</i>	Administrative costs weighted pupil units are computed and distributed to districts in accordance with the following schedule:	
	1 - 2,000 students	53 WPU's
	2,001 - 10,000 students	48 WPU's
	10,001 - 20,000 students	25 WPU's
	20,001 and above	16 WPU's

3.6 Special Education Add-On Weighted Pupil Units

Recommendation	The Analyst recommends 53,153 WPU's for the add-on Special Education Program. This includes an increase of 456 weighted pupil units from the prior year appropriation of 52,697 and accommodates growth.
<i>Funds are allocated on the basis of Services delivered</i>	More than 48,000 Students in the State of Utah, ages 5 through 21, are identified as being eligible for special education. These students must receive a free, appropriate education consistent with state and federal mandates. Services needed are determined based on individual needs by a team comprised of parents, teachers, support personnel, and administrators. These services can range from a 15-minute per-week session to one-on-one instruction for six hours each day. Related services, such as physical therapy and occupational therapy, must be delivered if these services are needed for the student to benefit from special education. It generally costs 1.5 to 6.2 times as much to educate a disabled student as to educate a non-disabled student. Costs can go higher for prescriptive speech therapy, physical and occupational therapy, psychological and behavioral management, and adaptive physical education for the more severely disabled
<i>State and Federal mandates govern Special Education programs</i>	State and federal statute mandate special education. The State Board of Education is required to provide proper education and training for all students with disabilities in this State. The Individuals with Disabilities Education Act (IDEA), Part B, requires that a free and appropriate public education be provided all eligible students with disabilities and provides federal financial assistance to carry out the mandate. Utah's Special Education Legislation, passed in 1953 and amended in 1959, predated the federal law (IDEA) which was signed in 1975.
<i>Funds are allocated using base year and adding growth</i>	The allocation of special education dollars to the individual districts is accomplished by using the prior years base WPU's for each district and increasing by growth only. The increase is multiplied by 1.53 weighted pupil units for each new student and added to the foundation allocation to determine each district's total allocation.

3.7 Special Education Self-Contained Program

Recommendation	The Analyst recommends 12,466 WPU's for the Self-Contained Special Education Program. This is an increase of 167 WPU's for growth.
Purpose	The Self-Contained WPU's are the standard full WPU for every student (average daily membership) that qualifies as a Self-Contained Special Education student. This program was enacted to compensate for the higher costs of providing more extensive services than required for the partially matriculated special education student. Self-contained students are in a self-contained setting for 180 minutes or more each day. Self-contained students do not generate a regular WPU. The Add-On is the additional service needed to fund programs for them and for other children who do not qualify as a self-contained special education student. Costs are formula driven as they represent charges for actual services provided.

3.8 Special Education - Preschool

Recommendation The Analyst recommends 5,114 Weighted Pupil Units for the Preschool program. This is an increase of 76 over the appropriation for FY 2001.

Funding Formula A weighting factor of 1.205 of the value of the weighted pupil unit is utilized for computing the funding requirements for Preschool Special Education children. This is based on actual per child costs for service and takes into account all federal and state revenue sources and expenditures. Growth is defined as the actual increase in the number of children, age three through preschool aged five, reported between December 1st child counts. This excludes children served by the Utah Schools for the Deaf and the Blind. A statewide cap of 8 percent is to be used in the formula for budget requests and fund distribution. If this growth is not realized, the budget request will be reduced to equate to the actual growth realized.

The formula is:

"A factor of 1.205 times the current December 1st child count of eligible 3,4 and preschool aged 5 year olds times the WPU value";
(with a limit of 8 percent growth over the prior year December 1st count)

Purpose The Preschool Special Education Program was implemented to help meet the educational needs of children with disabilities who are three to five years of age.

Public Law 99-457 requires education for disabled children ages three to five Public Law 99-457 requires that children with disabilities three to five years be given an appropriate free public education. A Federal mandate required the state to have this program in full operation by 1992. FY 2002 will be the eleventh year the state of Utah has had this program in operation.

3.9 Extended Year Program for Severe Disabled

Recommendation – 237 WPUs The Fiscal Analyst recommends a total of 237 WPU's for the Extended Year Program. This is the same as was appropriated for FY 2001.

Purpose Extended School Year Program for severely disabled is limited to students with disabilities who, because of the severity of their disability will not be able to maintain skills gained in the regular school year unless they receive education during the summer months. For these students a maintenance program will be provided to ensure that these students maintain the skills gained in the regular school year. Without this program many of these students would spend much of the next year regaining the skills they had learned in the previous school year.

Program allows continued education during summer

3.10 Special Education - State Programs

Recommendation 1,350 WPUs The Fiscal Analyst recommends 1350 WPU's for Special Education - State Programs.

This allocation provides funding for special education programs in state institutions as well as for district impact aid. Impact aid is provided to districts for new students and for students with disabilities whose services cost significantly more to the district.

3.11 Adult Education

Recommendation

3407 WPU's; includes base plus growth adjustments

The Analyst recommends 3,407 WPU'S for the Adult High School, and Adult Basic Education programs. The Adult High School Education program would be allotted 3,116 WPUs and the Adult Basic Skills program would receive 291 WPUs.

Adult High School Education

The Board of Education allocates the funding among the school districts by board rule, R277-733-9 as follows:

Purpose

- (1) Adult basic education formula (levels 0 through 8):
 - (a) Base amount - 10 percent of appropriation to be distributed equally to each district;
 - (b) Latest official census data - 45 percent of appropriation determined by the following:
 - (i) individuals 18 years of age and older who speak a language other than English at home;
 - (ii) individuals 18 years of age and older with less than a ninth grade education.
 - (c) Enrollees - 20 percent of appropriation determined by the following:
 - (i) enrollees in English as a second language (ESL) courses (levels 0 through 2);
 - (ii) enrollees in adult basic education (ABE) courses (levels 3 through 8).
 - (d) Student outcomes - 25 percent of appropriation shall be determined from among the following:
 - (i) number of clock hours of student attendance;
 - (ii) number of jobs obtained by students;
 - (iii) number of students that obtained a better job or salary increase;
 - (iv) number of students removed from welfare;
 - (v) number of students who completed English as a second language (ESL) and adult basic education (ABE) levels, or both;
 - (vi) number of students who entered a higher education/training program as approved by the USOE;
 - (vii) number of credits awarded to students;
- (2) Adult high school allocation formula (levels 9 through 12):
 - (a) Six percent of the allocation shall be distributed equally to the districts as a base.
 - (b) Of the amount remaining following distribution of the base amount, 50 percent shall be distributed to school districts according to each district's percentage of ungraduated adults determined by the latest official census;
 - and
 - (c) 50 percent shall be distributed to school districts as determined by student participation as follows:
 - (i) enrollees in adult high school completion (levels 9 through 12) - 12.5 percent;

- (ii) units of credit earned through participation in approved adult high school completion courses - 12.5 percent;
 - (iii) high school diplomas awarded - 12.5 percent;
 - (iv) clock hours of student attendance - 12.5 percent.
- The statutory provisions for the Adult High School Program are found in the UCA 53A-17a-119 as follows:

Program funds are allocated based on the number of adults without a high school diploma

Each district shall receive its pro rata share of the appropriation based on the number of people listed in the latest official census who are over 18 years of age and who do not have a high school diploma and prior year participation. On February 1, of each school year, the State Board of Education shall recapture funds not used for an adult high school completion program and reallocate them to districts that have implemented programs based on need and effort as determined by the State Board of Education. To the extent of monies available, school districts shall provide programs to adults who do not have a diploma and who intend to graduate from high school, with particular emphasis on homeless individuals who are seeking literacy and life skills. Overruns in adult education in any district may not reduce the value of the weighted pupil unit for this program in another district. The board shall provide the Legislature with a recommendation as to if and when any fees should be charged for participation in the programs funded under this section.

Adult Basic Skills

The Analyst recommends 291 WPU'S.

Purpose

This program created by the 1995 Legislature is in its fifth year. The program is designed to provide English as a second language and basic skills instruction for adult ethnic/racial minorities and others.

Board rules specify the program perimeters for Adult Education as follows:

- A. Any adult may enroll in an adult education class as specified in Section 53A-15-404.
- B. Tuition and fees may not be charged for pre-literacy or literacy courses.
- C. Tuition may not be charged for adult high school general core courses.
- D. Tuition may be charged for career option cluster courses, when adequate state or local funds are not available.
- E. Fees may be charged for consumable and nonconsumable items necessary for adult high school general core courses, career option cluster courses, and adult high school general core courses, consistent with the definitions under R277- 733-1G and R277-733-1H.

F. To qualify for free adult high school completion course work beyond the general core, a student shall declare his intent to graduate from high school.

3.12 Accelerated Learning Programs

Recommendation	The Analyst recommends 3,841 WPU's.
Purpose	The 1987 Legislature created the Accelerated Learning Programs category in the Basic Program of the Minimum School Program. The category includes Advanced Placement Programs, Concurrent Enrollment Programs, and Gifted and Talented Programs.
<i>Accelerated Learning programs include Advance Placement, Concurrent Enrollment, and Gifted and Talented</i>	Utah's Accelerated Learning programs are among the best in the nation as evidenced by both test scores and the high percentage of participants. The funds are distributed according to the rules established by the State Board of Education. Funding language for this program can be found in the Utah State Code, 53A-17a-120.
<i>Funds are distributed based on basic program WPU appropriation</i>	Programs for Gifted and Talented Students The distribution amounts to school districts for Gifted and Talented Programs for FY 2002 are projected at \$1,538,602 or 767 WPUs. According to the State Board of Education rules "each school district shall receive its share of funds allocated for these programs in the same proportion that its number of weighted pupil units for kindergarten through grade twelve and necessarily existent small rural schools bears to the state total."
<i>District programs are varied and diverse</i>	Districts differ widely in how they use these funds to aid in educating gifted and talented students. According to the Utah Administrative Code (1990) R300-710, programs for the gifted and talented are: "programs for children and youth whose superior performance or potential for accomplishment requires a differentiated and challenging education program to meet their needs in anyone or more of the following areas: <div><div>1) General intellectual;</div><div>2) Specific academic</div><div>3) Visual or performing arts;</div><div>4) Practical arts;</div><div>5) Leadership;</div><div>6) Creative or productive thinking."</div> Each district is also required to have a plan for these students and a way of identifying gifted and talented students.</div>

Concurrent Enrollment

The Analyst has provided for 2,473 WPUs, \$4,960,838 to provide for the Concurrent Enrollment programs.

Concurrent Enrollment is another program in which Utah's outstanding high school students can move more rapidly through our school system by enrolling in college courses prior to high school graduation for credit toward both high school graduation and full college matriculation. Both district teachers and college professors teach these courses. Who teaches depends on the district, agreements with the different colleges and universities in the state, and the location of the high school. Funds for this program are distributed to the districts in the state on a pro-rated amount based on the total number of quarter hours earned by their students.

USOE has not provided uniformity, equity, and accountability for this program

Issue: Utah Code Section 53A-17a-120 stipulates that concurrent enrollment funding shall be spent on these programs according to the standards established by the State Board of Education and that uniform and consistent policies are to be developed for the utilization of concurrent enrollment monies. Also, the SBOE policy R277-713-8 indicates that the concurrent monies are to be used for the following:

- ▶ Pay students tuition
- ▶ Pay the share of the costs of supervision and monitoring by colleges and universities according to the annual contract agreement
- ▶ Aid in staff development
- ▶ Assist in the costs of distance learning
- ▶ Offset the costs of personnel who work in the program
- ▶ Pay for textbooks and other instructional materials

The allocation of concurrent enrollment funding is not consistent for each school district. Districts are receiving anywhere from \$40.24 to \$15.89 per credit hour out of the possible \$50.

The utilization of concurrent enrollment monies should be as follows:

- ▶ Fund the direct cost of instruction for programmatic needs
 - ▶ Pay students tuition
 - ▶ Cover personnel costs for faculty, supervision, and monitoring
 - ▶ Evaluate the distribution of funding for faculty, supervision and monitoring
 - ▶ The costs of academic advising
 - ▶ Assist in the costs of distance learning
- Pay for textbooks and other instructional material

Concurrent Enrollment

Concurrent enrollment is an opportunity for secondary students to obtain college credit in high school that meets the graduation requirements for both high school and college. For the academic year 2000, there were 19,744 high school students enrolled in concurrent enrollment with a total of 124,047 credit hours successfully completed. Concurrent enrollment programs were designed to address the growing concern over the rising costs of education and the increased demand for services. The purpose of concurrent enrollment is to move a student more quickly through the educational system as an alternative to expensive capital facilities. As the cost of a college education increases, concurrent enrollment offers parents and students a way to reduce the expense of tuition by completing college credits while in high school.

The Utah Code Section 53A-15-101 stipulates that concurrent enrollment students are not required to pay tuition, however, a one-time application fee may be assessed by the USHE institution. The Utah Code Section 53A-15-101 outlines the collaboration between the State Board of Education (SBOE) and the State Board of Regents (SBR) to implement concurrent enrollment programs and delivery systems. The SBR is responsible for approving the concurrent enrollment faculty. Course content, teaching materials, and procedures for the concurrent enrollment curriculum are approved by the USHE institution to ensure the quality of instruction is comparable to courses offered on college and university campuses. This code section also states that each high school receives a proportionate share of the appropriated concurrent enrollment funding based on the number of credit hours successfully completed in the previous academic year. Each USHE institution shall receive concurrent enrollment funds from the school districts based on the Annual Concurrent Enrollment Contract.

In Section 53A-17a-120 of the Utah Code, the public education schools participating in concurrent enrollment may receive up to \$50 per semester for each credit hour successfully completed. This section also states that concurrent enrollment funding shall be spent on these programs according to the standards established by the State Board of Education and that uniform and consistent policies are to be developed for the utilization of concurrent enrollment monies.

Recommendation

The Analyst recommends that no significant new funding be provided for concurrent enrollment until the Utah State Office of Education demonstrates compliance with Legislative requests to provide uniformity and equity and accountability for the program.

Statute Provisions

The Analyst has provided the following text of the State Board of Education administrative rules governing the operating procedures and working arrangements between Public Education and Higher Education:

R277-713-3. Student Eligibility.

A. Local schools and institutions of higher education shall jointly establish student eligibility requirements, which shall be sufficiently selective to predict a successful experience.

B. Local schools have the primary responsibility for identifying students who are eligible to participate in concurrent enrollment classes.

C. Each student participating in the concurrent enrollment program shall have a current student education/occupation plan (SEOP) on file at the participating high school, as required under Section 53A-1a-106(2)(b).

R277-713-4. Operational Procedures.

A. Private and public institutions of higher education may participate in the concurrent enrollment program.

B. Concurrent enrollment courses shall be offered at the most appropriate location using the most appropriate methods for the course content, the faculty, and the students involved.

C. The delivery system and curriculum program shall be designed and implemented to take full advantage of the most current available educational technology.

R277-713-5. Courses.

A. Participation in concurrent enrollment begins a student's college experience and a permanent college transcript.

B. Course registration and the awarding of credit for concurrent enrollment courses are the province of colleges and universities governed by USHE policies.

C. Concurrent enrollment course offerings shall reflect the strengths and resources of the respective schools and institutions of higher education and be based upon student needs. The number of courses selected shall be kept small enough to ensure coordinated statewide development and training activities for participating teachers. Concurrent enrollment offerings shall be limited to a manageable number of courses in English, mathematics, fine arts, humanities, science, social science, and vocational/technical programs to allow a focus of energy and resources on quality instruction in these courses. However, there may be a greater variety of courses in the vocational-technical area.

D. Course content, procedures, examinations, teaching materials, and program monitoring shall be the responsibility of the appropriate higher education institution or department and shall ensure quality and comparability with courses offered on the college or university campus.

R277-713-6. Student Tuition, Fees and Credit for Concurrent Enrollment Programs.

A. Tuition may not be charged to high school students for participation in this program.

B. Students may be charged a one-time enrollment fee per institution and assume responsibility for obtaining textbooks.

C. Concurrent enrollment program fees attributable only to college/university credit or enrollment are not subject to fee waiver under R277-407.

D. All other fees related to concurrent enrollment classes are subject to fee waiver consistent with R277-407.

E. Credit:

(1) Five (5) quarter or three (3) semester higher education hours equal one (1) unit of high school credit.

(2) College level courses taught in the high school carry the same credit hour value as when taught on a college or university campus and apply toward college/university graduation on the same basis as courses taught at the institution of higher education to which the credits are submitted.

(3) Credit earned through the concurrent enrollment program shall be transferable from one USHE institution to another.

R277-713-7. Faculty.

C. Nomination of adjunct faculty is the joint responsibility of the local school district and the participating institution of higher education. Final approval of the adjunct faculty shall be determined by the appropriate college or university department. Selection criteria for adjunct faculty teaching concurrent enrollment courses shall be the same as those criteria applied to other adjunct faculty appointments within the department.

D. Adjunct faculty status of high school teachers:

(1) High school teachers who hold adjunct faculty status with a college or university for the purpose of teaching concurrent enrollment courses shall be included as fully as possible in the academic life of the supervising academic department.

(2) Universities, colleges and secondary schools shall share expertise and in-service training, as necessary, to adequately prepare teachers at all levels to teach concurrent enrollment students.

(3) In-service experiences may qualify teachers or professors for graduate level credit.

R277-713-8. Concurrent Enrollment Funding and Use of Concurrent Enrollment Funds.

C. A proportional amount of the funds appropriated to the USOE under the line item "accelerated learning programs", 53A-17a-120 shall be allocated to concurrent enrollment programs.

D. Each district shall receive a pro-rated amount of the funds appropriated for concurrent enrollment according to the number of quarter hours successfully completed by students registered through the district in the prior year compared to the state total of completed concurrent enrollment hours.

E. Each high school shall receive its proportional share of district concurrent enrollment monies allocated to the district pursuant to Section 53A-17a-120 based upon the hours of concurrent enrollment course work successfully completed by students on the high school campus as compared to the state total of completed concurrent enrollment hours.

F. State funding to school districts for concurrent enrollment is limited to a maximum of 45 quarter hours per student per school year.

G. Funds allocated to school districts for concurrent enrollment shall not be used for any other program.

H. Colleges or universities shall receive concurrent enrollment funds from school districts based on the Annual Concurrent Enrollment Contract and approved guidelines.

I. District use of state funds for concurrent enrollment is limited to the following:

- (1) to pay tuition for students;
- (2) to pay for a share of the costs of supervision and monitoring by college or university employees according to the annual contractual agreement;
- (3) to aid in staff development of adjunct faculty in cooperation with the participating college or university;
- (4) to assist with costs of distance learning programs;
- (5) to offset the costs of district or school personnel who work with the program;
- (6) to pay for textbooks and other instructional materials; and
- (7) other uses approved in writing through the USOE Concurrent Enrollment Specialist consistent with the law and purposes of this rule.

J. Concurrent enrollment course credit shall count for completion of high school graduation requirements as well as for college credit.

R277-713-9. Annual Contracts.

Collaborating school districts and institutions of higher education shall negotiate annual contracts including:

- (1) the courses offered;
- (2) the location of the instruction;
- (3) the teacher;
- (4) student eligibility requirements;
- (5) course outlines;
- (6) texts, and other materials needed; and
- (7) the administrative and supervisory services, in-service education, and reporting mechanisms to be provided by each party to the contract.

Advanced Placement Courses

The FY 2002 recommendation for Advanced Placement programs is 601 WPUs or \$1,205,602. The advanced placement courses taught at the high school prepare the student to take the AP test in a certain subject. The test measures competency and grades on a score of 1 (lowest) to 5 (highest). A score of 3, 4 or 5 is passing and students can receive college credit or a waiver of some basic education requirements at most universities in the nation. (In many universities, however, only passing does not assure credits - some requiring up to a 5 to receive credit.) Funds are distributed to the districts on the basis of the total sum available divided by the total number of AP examinations passed.

3.13 At-Risk Programs

Recommendation

The Analyst recommends 9,939 WPUs for the At-Risk Programs. This is a reduction of 100 WPU's. the 2000 Legislature stipulated the funding of a minority specialist and related expenses from the amount appropriated for the At Risk programs. It is recommended that the sum of \$200,600 be transferred to the Utah State Office of Education where this budget is administered.

Purpose

The "At-Risk" program was initiated to serve the special needs of students who might be "at risk" and help overcome factors which put them at-risk. A number of factors are involved in determining what defines a student "at-risk." According to the Master Plan For Students At-Risk, "a student at-risk is any student who, because of his/her individual needs, requires some kind of uniquely designed intervention in order to achieve literacy, graduate, and be prepared for transition from school to post-school options.

The current budget is divided into seven items: Flow-through money; teen-age pregnancy programs; homeless and minority; Mathematics, Engineering, and Science Achievements Program (MESA); Gang Prevention, Youth-In-Custody, and USU school of the future.

Flow through money

It is recommended that 2171 WPU's or \$4,355,026 be allocated for district flow through at risk programming.

Over ½ of the At-Risk funding goes directly to the districts to use for whatever programs they have to meet some or all of the goals of the At-Risk program. Of this money, 50 percent is given to schools on the basis of the number of Chapter 1 low income students in proportion to the state total, and the other 50 percent is given to districts on the basis of their total student population. A minimum \$10,000 base is guaranteed to all districts.

The programs the districts use to address the at-risk problems are innovative and diverse. In some districts there are alternative high schools or learning centers, which concentrate individualized attention and use outcome-based education, vocational programs, non-letter-grade systems or basic skill learning to work with students who may have difficulty in the regular system. Many districts also have young mother programs or schools geared toward helping teen mothers graduate. Substance abuse programs cross age tutoring, early intervention programs, and other specialized programs geared toward the above-mentioned goals.

Teenage Pregnancy programs

These programs are recommended to be allocated 432 WPU's or \$866,592 for FY 2002.

All school districts are eligible for this money which they receive through an application process. To receive the money, districts must demonstrate that the program they plan to use complies with the following requirements as found in the UCA 53-17a-121 (3)(a)-(f):

- 1) The teenage pregnancy program requires written consent from a parent or guardian.

- 2) It must comply with Sections 76-7-321 through 76-7-325 of the Utah Code, which says that it cannot promote, teach or encourage the use of contraceptives or abortion.
- 3) The district must demonstrate to the state board of education through prior research and pilot studies with similar student populations that those students attained and retained knowledge, values, attitudes, and behaviors that promote abstinence from sexual activity before marriage, and that the students had a lower pregnancy rate than comparison groups that did not participate in the program.
- 4) All teaching materials must be approved by the state board.

The districts can spend other moneys in the At-Risk regular program for pregnancy programs if they deem necessary.

Homeless and Minority

The recommended allocation for this program is \$1,109,318, or 533 weighted pupil units for FY 2002.

The At-Risk homeless and Minority Program was added in FY 1993. The money is distributed based on a weighted count of homeless and minority students in each district.

*MESA funds are
allocated on a
competitive basis*

MESA Programs

The MESA (Mathematics, Engineering, and Science Achievements) program is allocated 172 WPUs or \$345,032.

The Governor recommends \$250,000 as increased funding for the Math, Engineering, Science Achievement program (MESA). The Analyst recommends this funding as well

The MESA Program has been funded for several years, but was funded as part of the At-Risk Line Item in FY 1993. The distribution is allocated on a competitive basis by the State School Board.

Youth - In - Custody

Recommendation

The Analyst recommends 6,080 WPUs for Youth-In-Custody.

The Governor has recommended an increased amount of \$1,257,300 for the Youth In Custody program. This amount is to replace one-time money from collected deferred revenue as was granted by the 2000 Legislature. It is recommended that this amount be funded to continue current programs.

An amount of \$210,000 for education programs at a new facility opening in Washington School District is also recommended to be funded for FY 2002. The Governor also recommended an additional \$283,100 for an inflationary increase for all programs funded under the Youth at Risk category. The analyst recommends that the general program increase be considered with appropriate increases in the value of the weighted pupil unit.

Purpose

The goal of this program is successful release of students into society

This program provides for education of youth that are in the custody of State agencies for reasons of neglect or delinquency. The goal of all custody programs for youth are successful release, not continued custody. Educational programs to which Youth-in-Custody are assigned are to meet applicable standards approved by the State Board of Education. Youth-in-Custody served by or through a school district are considered students of that district. All Youth-in Custody education services are closely coordinated with related social service and judicial agency services to enhance effectiveness and avoid duplication.

Youth in Custody is a person under age twenty-one in custody of a state agency

A Youth-in-Custody is a person under the age of twenty-one who is in the custody of a state agency other than the Utah State Training School, Utah State Hospital, State Division of Corrections, or the Utah State Prison. Custody is pursuant to a determination that the person is neglected, delinquent, or guilty of a criminal act. The term includes residents of detention centers but excludes any child who is in custody solely because his or her parent wanted to provide the child with education at home or in a private school. The Youth in Custody program is also responsible for the educational needs of students who are in the custody of the Tribal Courts.

3.14 Career Ladder

Recommendation

The Analyst recommends 24,253 WPU's for the Career Ladder Program. It is also recommended that consideration should be given to moving the career ladder program into the basic program.

Purpose

The Career Ladder Program began in 1984

Utah's Career Ladder Program began with the passage of House Bill 110 by the 1984 Legislature. This was among the major reforms which attempted to meet the challenge issued by the national report "A Nation at Risk" and subsequently supported by two State Reports: "A Call to Action" and "Report of the Utah Commission on Educational Excellence." The 1984 Legislature appropriated just over \$18,000,000 (including social security and retirement costs) to support the program.

Funding commitment has grown to over \$56 million a year

Since 1984 the Career Ladder program has expanded while use of funding has been modified a number of times. School Districts are now funded over \$56,000,000.

The program is reviewed and modified annually

The Utah Career Ladder System continues to be refined yearly as Legislatures change some requirements; also as different districts evaluate the components and their effectiveness in achieving school reformation and teacher improvement.

53A-9-101. Purpose.

(1) The Legislature recognizes the importance of rewarding educators who strive to improve the quality of education, of providing incentives for educators employed by the public schools to continue to pursue excellence in education, of rewarding educators who demonstrate the achievement of excellence, and of properly compensating educators who assume additional educational responsibilities.

(2) In order to achieve these goals and to provide educators with increased opportunities for professional growth, school districts are authorized and encouraged to develop career ladder programs.

53A-9-102 Definitions.

As used in this chapter:

(1) "Career ladder" means a compensation system developed by a school district, with advice and counsel from parents, teachers, and school administrators who represent the various schools throughout the district, which is in accordance with provisions of this chapter and applicable policies and guidelines adopted by the State Board of Education, and approved by the State Board of Education.

(2) "Educator" or "teacher" means certified personnel who are paid on the teacher's salary schedule and whose primary function is to provide instructional or a combination of instructional and counseling services to students in the public schools.

(3) "Evaluation system" means the educator evaluation program developed under Title 53A, Chapter 10.

53A-9-103 Authorized components.

Career ladders may include the following components:

(1) A career ladder may have an extended contract year for teachers, providing for additional paid non teaching days beyond the regular school year for curriculum development, inservice training, preparation, and related activities. School boards may approve individual exceptions to the extended year contract.

(2) It may have, at the option of the local school board, an extended contract year for teachers, providing for additional paid workdays beyond the regular school year for teaching assignments in summer school, remedial, handicapped, specialized, vocational, gifted and talented, and adult education programs.

(3) It may have a fair and consistent procedure for selecting teachers who will be given additional responsibilities. The selection procedure shall incorporate clearly stated job descriptions and qualifications for each level on the career ladder.

(4) It may have a program of differentiated staffing that provides additional compensation and, as appropriate, additional extensions of the contract year, for those who assume additional instruction-related responsibilities such as:

- (a) assisting students and beginning teachers;
- (b) curriculum and lesson plan development;
- (c) helping established teachers improve their teaching skills;
- (d) volunteer training;
- (e) planning, facilities and productivity improvements; and
- (f) educational assignments directed at establishing positive relationships with the community, businesses, and parents.

Administrative and extracurricular activities are not considered additional

instruction-related activities under this subsection.

(5) It may have a well defined program of evaluation and guidance for beginning teachers, designed to assist those teachers during provisional years of teaching to acquire and demonstrate the skills required of capable, successful teachers. Continuation in teaching from year to year shall be contingent upon satisfactory teaching performance.

(6) It may have a clear and concise explanation of the evaluation system components, including the respective roles of parents, teachers, administrators, and the school board in the development of the evaluation system. The system shall provide for frequent, comprehensive evaluations of teachers with less than three years' teaching experience, and periodic evaluations of other teachers.

(7) Advancement on the career ladder program is contingent upon effective teaching performance, evidence of which may include formal evaluation and assessment of student progress. Student progress shall play a significant role in teacher evaluation. Other criteria may include formal preparation and successful teaching experience.

(8) It may include an assessment of implementation costs.

(9) It may have a plan for periodic review of the career ladder including the makeup of the reviewing entity, procedures to be followed during review, and the time schedule for the review.

53A-9-104. Evaluation program for placement and advancement on career ladders.

(1) Each school district shall develop a program to evaluate its teachers for placement and advancement on the career ladder consistent with Title 53A, Chapter 10. The evaluation procedure shall:

- (a) be fair, consistent, and valid according to generally accepted principles of personnel administration;
- (b) incorporate clearly stated job descriptions;
- (c) be in writing;
- (d) involve teachers in the development of the evaluation instrument; and
- (e) prior to any evaluation inform the teacher in writing about time frames in the evaluation procedure, the evaluation process, the types of criteria to be used in the evaluation and the factors to be evaluated and the procedure for requesting a review of the evaluation.

(2) Nothing in this section precludes informal classroom observations.

53A-9-105. Administration of state appropriation -- Approval and funding of proposals.

(1) The State Board of Education shall administer the state appropriation for career ladders.

(2) If the State Board of Education determines that a career ladder proposal submitted by a school district as provided in this chapter meets all applicable requirements and that sufficient funding is available in the designated state appropriation, it shall grant approval and provide funding from that appropriation for implementation of the proposal.

3.15 Class Size Reduction

Recommendation	The Analyst recommends 29,577 weighted pupil units for class size reduction. Class size information and a historical perspective of funding results can be reviewed in the Education Data Book under the tap with the same name in this report.
Purpose	<p>The statutes for Class size are found in the Utah code as follows:</p> <p>(1) There is appropriated to the State Board of Education for the fiscal year beginning July 1, 2000, \$59,331,462 (29,577 weighted pupil units) to reduce the average class size in kindergarten through the eighth grade in the state's public schools.</p> <p>(2) Each district shall receive its allocation based upon prior year average daily membership in kindergarten through grade eight plus growth as determined under Subsection 53A-17a-106(3) as compared to the state total.</p> <p>(3) (a) A district may use its allocation to reduce class size in any one or all of the grades referred to under this section, except as otherwise provided in Subsection (3)(b).</p> <p>(b) (i) Each district shall use 50% of its allocation to reduce class size in any one or all of grades kindergarten through grade two, with an emphasis on improving student reading skills.</p> <p>(ii) If a district's average class size is below 18 in grades kindergarten through two, it may petition the state board for, and the state board may grant, a waiver to use its allocation under Subsection (3)(b)(i) for class size reduction in the other grades.</p> <p>(4) Schools may use nontraditional innovative and creative methods to reduce class sizes with this appropriation and may use part of their allocation to focus on class size reduction for specific groups, such as at risk students, or for specific blocks of time during the school day.</p> <p>(5) (a) A school district may use up to 20% of its allocation under Subsection (1) for capital facilities projects if such projects would help to reduce class size.</p> <p>(b) If a school district's student population increases by 5% or 700 students from the previous school year, the school district may use up to 50% of any allocation it receives under this section for classroom construction.</p> <p>(6) This appropriation is to supplement any other appropriation made for class size reduction.</p> <p>(7) (a) The State Board of Education shall compile information on class size, both in average student-teacher ratios and in actual number of students enrolled in each classroom by grade level for elementary grades and by subject matter for secondary grades.</p> <p>(b) The State Board of Education shall establish uniform class size reporting rules among districts.</p> <p>(c) Provisions may be made for explaining special circumstances where class size exceeds or is below normal distributions.</p> <p>(8) (a) Each school district shall provide annually to the state superintendent of public instruction a summary report on the overall district plan for utilizing class size reduction funds provided by the Legislature.</p>

- (b) If the district has received new additional class size reduction funds during the previous year, the district shall report data identifying how:
 - (i) the use of the funds complies with legislative intent; and
 - (ii) the use of the funds supplements the district's class size reduction plan.
- (9) The Legislature shall provide for an annual adjustment in the appropriation authorized under this section in proportion to the increase in the number of students in the state in kindergarten through grade eight.

Purpose The amount of base funding for class size reduction has now reached \$59 million dollars.

3.16 Unrestricted Local Program

Recommendation The Analyst recommends 11,549 WPU's for the Local Program.

Purpose The Local Program is intended to give the local districts the decision-making authority to choose programs, which they will fund.

Funds used for maintenance, capital outlay or both Funds for this program may be used for the following purposes:

- (a) Maintenance and operations costs;
- (b) Capital outlay and debt services; or
- (c) A combination of maintenance and operation costs and capital outlay and debt service.

3.17 Retirement and Social Security

Recommendation

\$217,288,684

The Analyst's recommendation for retirement and social security is \$217,288,684. The social security and retirement costs of the minimum school program are determined by formula based on the program (number of weighted pupil units) adopted by the Legislature. The Analyst recommends that the committee approve a motion to adopt social security and retirement costs as will be determined by final weighted pupil unit approvals and the compensation package adopted by the Legislature.

Retirement rate reduction reduces expenditures by \$36.3 million.

The Analyst has included in the recommendations a reduction in retirement costs. For FY 2002 there is a calculated retirement rate reduction of 21.86 percent for non-contributory and contributory retirement plans. This reduction in the Minimum School Program results in savings of \$36,298,700. This saving allows funds to be concentrated on other program needs.

Purpose

Funds are distributed on a pro-rata share

The 1992 Legislature changed the method of funding and distributing social security and retirement costs. The funds are distributed proportionately based on Weighted Pupil Units. Prior to the change the costs were paid on a reimbursement basis to school districts. The statutory provisions provide for changes in the costs of social security and retirement based on prior year costs, inflation, and rate increases.

Employees on the contributory program pay 1 percent of costs

The current statutes (UCA 53A-17-112) for the social security & retirement allocation are as follows:

The employee's retirement contribution shall be 1 percent for employees who are under the state's contributory retirement program. The employer's contribution under the state's contributory retirement program is determined under Section 49-2-301, subject to the 1 percent contribution under Subsection (2). The employer-employee contribution rate for employees who are under the state's non-contributory retirement program is determined under Section 49-3-301.

3.18 Transportation

Recommendation

\$53,379,772;
includes funding for Deaf and Blind student transportation

The Analyst recommends \$ 53,379,772 for pupil transportation. This recommendation includes a growth increase for the Schools for the Deaf and the Blind of \$113,000. The Analyst also recommends that if the Legislature increases the value of the weighted pupil unit that the funding for pupil transportation be increased appropriately.

Purpose

Pertinent statutory (UCA 53A-17-107, 108) provisions for transportation in the school finance act are as follows:
53A-17a-126.

(1) The state's contribution of \$53,236,772 for state-supported transportation of public school students is apportioned and distributed in accordance with Section 53A-17a-127, except as otherwise provided in this section.

(2) (a) Included in the appropriation under Subsection (1) is an amount not less than \$1,710,235 to be deducted prior to any other distribution under this section to school districts, and allocated to the Utah Schools for the Deaf and the Blind to pay transportation costs of the schools' students.

(b) The Utah Schools for the Deaf and the Blind shall utilize these funds to pay for transportation of their students based on current valid contractual arrangements and best transportation options and methods as determined by the schools.

(c) All student transportation costs of the schools shall be paid from the allocation received under Subsection (2).

(3) Each district shall receive its approved transportation costs, except that if during the fiscal year the total transportation allowance for all districts exceeds the amount appropriated, all allowances shall be reduced pro rata to equal not more than that amount.

(4) Included in the appropriation under Subsection (1) is an amount of \$187,000 for transportation of students, as approved by the state board, for school districts that consolidate schools, implement double session programs at the elementary level, or utilize other alternatives to building construction that require additional student transportation.

(5) (a) Part of the state's contribution for transportation, not to exceed \$200,000, may be used as an incentive for districts to increase economy and productivity in student transportation.

(b) This amount is distributed on a pro rata basis among districts which have achieved the most efficiency according to the state formula.

(c) Districts receiving the incentive funding may expend the monies at the discretion of the local school board.

(6) (a) Local school boards shall provide salary adjustments to employee groups that work with the transportation of students comparable to those of classified employees authorized under Section 53A-17a-137, when dividing the weighted pupil unit for salary adjustment purposes.

(b) The State Board of Education shall conduct a study to evaluate the reimbursement system of funding for pupil transportation with emphasis on looking at methodologies that will provide incentives for districts that will encourage economical practices.

3.19 Contingency Fund

Recommendation
\$419,246

The Analyst recommends \$419,246 for the Contingency Fund for FY 2002. This is the same as currently appropriated for FY 2001.

Purpose

*Funds indemnify
school districts*

The Contingency Fund is established by law as a part of the Minimum School Program and annual appropriations are made to the Fund. The Fund is used to indemnify school districts that send students to the Edith Bowen Laboratory School at Utah State University and to pay tuition for Utah students who, by necessity, must attend schools in bordering states. The State Board has authority to disburse remaining contingency funds to school districts where inequity or undue hardships exist.

*Edith Bowen
Laboratory School
Overview*

The current amount allocated to the Edith Bowen Lab School is \$36,400.

The Analyst includes the following on the Edith Bowen Laboratory School as additional information:

The lab school concept was initially established in 1928, at what was known as the Whittier School. Over the years, the lab school concept developed and in 1958, in cooperation with the Logan City School District, and Utah State University, a new building was dedicated on the university campus. That building bears the name of an influential Utah educator, Edith Bowen.

In 1974, acting upon the request of the Utah State Superintendent of Public Instruction, Utah State Board of Education, Utah Schools Board Association, Utah State University, and the Utah Legislature provisions were made to solidify financial support for programs at the school and created the Edith Bowen Lab School Advisory Board.

The Advisory Board consists of the President of USU or designee, the State Superintendent or designee, the dean of the College of Education or designee, a local superintendent, a staff member each from the USOE, a local school district, the college of education, and two lay citizens.

Funds for the operation of the school come from four sources: (1) state public school funds allocated through the USBOE in cooperation with local school districts; (2) funds from the USBOE contingency fund; (3) state funds allocated through Utah State University; and (4) gifts and grants from state, federal, and private sources. No tuition is charged to students.

Edith Bowen provides services for 320 students, enrolled in grades K-5, from the Logan, Cache, and Box Elder school districts. Edith Bowen has two sessions of kindergarten and eight multi-aged, non-graded Learning Communities. (1-4 grades)

Each year, Edith Bowen, in cooperation with the Department of Elementary Education at Utah State University, trains over 200 pre-service teachers preparing to become professional educators.

Edith Bowen operates with a full time staff that includes the school's Director, Associate Director, two secretaries, 12 teachers, 3 part-time teaching assistants, a media director, a technology teacher, a part-time Spanish teacher, movement specialist, and artist in residence, a half-time resource teacher, and lunchroom/custodial workers.

3.20 Incentives for Excellence

Recommendation
\$614,911

The Analyst recommends \$614,911 for the Incentives for Excellence Program. This is the same as was appropriated for the current fiscal.

*Funding is to be
matched on dollar for
dollar basis*

The Incentives for Excellence funding provides the opportunity for school districts to leverage state appropriated dollars with private donations through their established foundations. Monies must be matched on a dollar for dollar basis according to State Board of Education guidelines established in Board rule as authorized by the Legislature.

The funds made available through this program can be used for any worthy project as approved by the State Board of Education through the submission of the proposal request process.

Each district receives a base amount from 40 percent of the funds. The remaining 60 percent of the funds are distributed on a request for proposal basis. School districts are encouraged to develop projects that rely on matching private and public monies to promote educational excellence.

A four year district allocation of these funds is detailed in the following chart:

INCENTIVES FOR EXCELLENCE
Allocation of Funds by District, FY 2000

District	Incentives for Excellence (IFE) Funds			
	Actual FY 98	Actual FY 99	Estimated FY 00	Actual FY 01
	Based on	Based on	Based on	Based on
	October 97	October 98	October 99	October 00
	Enrollment	Enrollment	Enrollment	Enrollment
Alpine	\$40,885	\$41,351	\$41,748	\$42,834
Beaver	7,352	7,318	7,244	7,256
Box Elder	14,931	14,909	14,813	14,630
Cache	16,480	16,472	16,391	16,371
Carbon	9,901	9,794	9,670	9,475
Daggett	6,343	6,327	6,282	6,276
Davis	51,844	51,899	51,580	51,838
Duchense	9,665	9,549	9,393	9,362
Emery	8,703	8,597	8,492	8,255
Garfield	7,113	7,050	6,978	7,014
Grand	7,455	7,450	7,420	7,360
Granite	63,937	62,843	62,843	60,995
Iron	11,530	11,590	11,592	11,671
Jordan	62,995	63,199	63,199	62,930
Juab	7,601	7,582	7,557	7,569
Kane	7,358	7,308	7,253	7,185
Logan	10,803	10,728	10,624	10,634
Millard	9,102	8,990	8,876	8,759
Morgan	7,796	7,777	7,717	7,716
Murray	11,584	11,465	11,305	11,179
Nebo	21,379	21,711	21,992	22,499
North Sanpete	8,183	8,172	8,133	8,081
North Summit	6,948	6,953	6,926	6,920
Ogden	16,130	16,095	15,999	15,970
Park City	8,994	9,142	9,244	9,192
Piute	6,493	6,474	6,431	6,424
Provo	16,811	16,676	16,510	16,426
Rich	6,592	6,579	6,536	6,516
Salt Lake	26,078	25,793	25,470	25,538
San Juan	8,883	8,853	8,764	8,591
Sevier	9,923	9,867	9,763	9,624
South Sanpete	8,496	8,424	8,372	8,276
South Summit	7,180	7,169	7,138	7,142
Tintic	6,443	6,449	6,415	6,382
Tooele	12,422	12,540	12,643	13,272
Uintah	11,200	11,219	11,147	10,817
Wasatch	8,908	8,971	8,979	9,004
Washington	20,485	20,586	20,708	20,464
Wayne	6,633	6,616	6,586	6,576
Weber	28,241	28,011	27,791	27,888
Totals	\$619,800	\$618,498	\$616,524	\$614,911

3.21 Regional Service Centers

Recommendation The Analyst recommends an appropriation of \$1,172,733 for the Regional Service Centers, which provides the same amount of funds as was appropriated for the current fiscal year.

\$1,172,733

The Analyst recommends that if the Legislature increases the value of the weighted pupil unit that the funding for this program be increased on the same basis.

Summary

This program consists of four area centers designated to serve school districts in cooperative projects such as purchasing, media services, in-service, and special education. These centers service small and rural districts or both in the northeast, southeast, southwest, and central areas of Utah.

Four Regional Centers

The Central Utah Educational Center (CUES) is located in Richfield; Southwestern Educational Development Center (SEDC) is in Cedar City; Southeastern Educational Service Center (SESC) is in Price; and the Northeastern Utah Educational Service center (NUES) is in Heber City.

Funds are allocated equally among centers

The allocations of funds for the centers are governed by the State Board of Education Rule, R277-456-2 as follows:

1. Each Regional Service Center will receive an equal amount of the total funds allocated by the Legislature.
2. Funds will be distributed to an agent district designated by each Regional Service Center.
3. Regional Service Centers will follow accounting and reporting procedures established by the Board.

3.22 Staff Development

Recommendation The Analyst recommends an appropriation of \$1,965,577 for this program. This represents the same as the current year's level of funding.

\$1,965,577

The Utah State Office of Education and the Governor have both proposed \$3,258,800 additional funding for staff development. Staff development has been considered a necessity in states that have implemented standards and accountability legislation. It is recommended that funding be provided to facilitate adequate training. There are various ways to provide for this training including extra teacher days for training. The method will determine what kind of funding will be required. The cost for an extra school day for teachers only is approximately \$5,000,000.

Purpose	This program is designed to provide in-service education to secondary school teachers including training in the content and process skills of the core curriculum and core assessment programs.
Performance Measures	It is intended that this program will help to achieve the following outcome measures:
<i>Test scores to increase</i>	Increase norm-referenced test scores by 2-4 percentage points in math and science and increase language arts scores to move toward or above national norms; 25 percent of students will increase performance in math, science, and language arts on criterion-referenced tests;
<i>New instructional role for teachers</i>	Create a new instructional role for teachers in the areas of math, science, and language arts by increasing their understanding of content, improving the classroom environment to promote the investigation and application of knowledge, and effectively incorporate technology in the instructional process;
<i>Trains teacher to provide personalized education plans</i>	Improve the access to schooling for all students, particularly those who are limited English proficient, have disabilities, low income, and minorities by training teachers to provide a personalized education plan to meet the needs of each child.

3.23 Comprehensive Guidance

Recommendation	<p>The Analyst recommends \$7,420,659 for Comprehensive Guidance.</p> <p>The Utah State Board of Education and the Governor have recommended \$377,700 increase for the Comprehensive Guidance program. The request is for continuation costs and inflationary increases. The Analyst does not recommend this funding. The request for inflationary increases should be considered when computing the increase in the value of the weighted pupil unit.</p>
Purpose	<p>“In 1988, the Utah State Office of Education launched an initiative to restructure the state's public secondary school guidance program based on a model developed by Norman Gysbers at the University of Missouri, Columbia, and program implementation strategies developed in Missouri.</p> <p>During the decade of the 1980's, there was a growing sense of concern with the counseling and guidance program in Utah's public secondary schools. Counselor numbers were not keeping pace with a burgeoning student population. During this time, pupil/counselor ratios rose from 430/1 to 550/1. The counselor's role was frequently debated, widely varied, and dominated by a myriad of non-guidance activities.</p>

The counselor's job was not viewed as being very attractive, counselor training institutions were producing very few counselors, and the shortage of trained counselors was so severe that certification requirements were substantially reduced for entry level counselors.

Counselors in the state were frequently criticized for providing one-dimensional university bound guidance to students and vocational educators had become particularly dissatisfied with the lack of guidance for students seeking to pursue vocational and technical training, work based learning options, and direct entry into the workforce. Program administrators in the State Office of Education and leaders of the local vocational directors' group believed dramatic measures were needed to restructure guidance in the state. They agreed to commit up to ten percent of federal, state, and local vocational education resources for guidance support. However, tied to this commitment was a stipulation that guidance be established as a full-fledged education program.

A collegial system of program management involving the State Office of Education, regional and district administrators, and a peer review process are used to assure that each school's program maintains fidelity to a set of very high programs standards.”

The Comprehensive Guidance program addresses the strategies in the State's Public Education Strategic Plan that relate to developing an individualized educational/occupational program for every student (SEOP). A comprehensive counseling program consists of a guidance curriculum and educational and occupational planning provided to all students and responsive services available to all students.

It eliminates non guidance activities currently being performed by counselors and requires counselors to spend not less than 80 percent of their time on direct services to students.

The program is intended to take school counseling to a new level of performance, holding both counselors and principals accountable for the use of counselors' time while focusing services on student outcomes. It is expected to impact the accountability for not only funding, but all resources going into counseling since the accountability measures address the total counseling program

Performance Measures

The Superintendents annual report indicates the progress of the Comprehensive Guidance program:

"As of May 1999, 234 of Utah's 245 target secondary schools had qualified for funding by meeting rigorous Comprehensive Counseling and Guidance standards. The 1998 Legislature appropriated \$2 million additional ongoing funds for Comprehensive Guidance, and the total \$6.9 million appropriation met the 1998-99 funding requirement for Grades 7-12. When Comprehensive Guidance received initial funding in 1993, the Legislature set a goal to reduce counselor-pupil ratios in Grades 7-12 to not more than 400:1 by the year 2000. The statewide average in 1992 was 550:1. The ratio in 1994 was 470:1, and by fall 1998, the statewide ratio had shrunk to 429:1."

"Each district is required by law to develop and adopt an Student Education Occupational Plan (SEOP) policy. Each secondary school must hold at least one individual SEOP conference per year in Grades 7-11 with each student, with an optional conference in Grade 12, plus at least one small group SEOP conference per year in Grade 7 or 8, and in Grade 9 or 10. Also required is parental participation, as well as district training for teachers regarding their role in the SEOP process."

Qualifying Districts and Schools

The following charts district schools that have met comprehensive guidance criteria and are following the program. The year that the school was approved is indicated.

Comprehensive Guidance Estimated 2000-01 Funds
Secondary Schools that have Met Program Standards

DistrictSchoolYear Approved			Grades 7-12		
			WPUs		Total Grade
			Oct. 1	1-399>6	7-12 dollar
			Enrollment	400-799 >12	amount
			Grades	800-1199>18	needed
			7-12	1200+ >24	full funding
			(=Col.5x\$1,901)		
Alpine	American Fork HS	1993	1,103	18	36,108
	Lehi JHS	1993	1,033	18	36,108
	Lehi HS	1993	1,065	18	36,108
	Pleasant Grove HS	1993	1,526	24	48,144
	Mountain View HS	1995	1,544	24	48,144
	Orem HS	1995	1,581	24	48,144
	Alpine Applied LC	1995	525	12	24,072
	Pleasant Grove JHS	1995	1,075	18	36,108
	American Fork JHS	1995	1,111	18	36,108
	Oak Canyon JHS	1995	1,369	24	48,144
	Lake Ridge JHS	1996	1,256	24	48,144
	Mountain Ridge JHS	1996	1,546	24	48,144
	Orem JHS	1996	1,047	18	36,108
	Canyon View JHS*+	1997	1,174	18	36,108
	Timpanogas HS	1997	1,698	24	48,144
	Lone Peak HS	1998	1,570	24	48,144
	Subtotal			330	661,980
Beaver	Beaver JS				
	Milford HS	1995	432	12	24,072
		1997	206	6	12,036
Subtotal			18	36,108	
BoxElder	Bear River HS	1994	1,077	18	36,108
	Box Elder HS	1994	1,500	24	48,144
	Alice Harris Int. (6-7)	1996	355	6	12,036
	Bear River Middle	1996	704	12	24,072
	Box Elder Middle	1996	1,009	18	36,108
	Adle C. Young Int.	1997	475	12	24,072
Subtotal			90	180,540	
Cache	Mountain Crest HS	1993	1,428	24	48,144
	Skyview HS	1993	1,658	24	48,144
	North Cache Center	1995	1,065	18	36,108
	South Cache Center	1995	995	18	36,108
	Cedar Ridge Middle	1996	53	6	12,036
	White Pine Middle	1996	222	6	12,036
	Spring Creek Middle	1996	247	6	12,036
	Willow Valley Middle	1996	226	6	12,036
	Cache HS	2001	92	6	12,036
Subtotal			114	228,684	

Carbon	Carbon HS	1997	1,085	18	36,108
	Mont Harmon JHS	1997	468	12	24,072
	Westridge Middle	1997	228	6	12,036
	Helper JHS	1998	238	6	12,036
	East Carbon	2001	185	6	12,036
	Subtotal			48	96,288
Daggett	Manila HS	1996	85	6	12,036
	Subtotal			6	12,036
Davis	Central Davis JHS	1994	1,217	24	48,144
	Clearfield HS	1993	1,859	24	48,144
	Layton HS	1993	1,919	24	48,144
	Mueller Park JHS	1993	679	12	24,072
	Northridge HS	1993		24	48,144
	Woods Cross HS	1994		24	48,144
	South Davis JHS	1995		18	36,108
	North Layton JHS	1995		24	48,144
	Centerville JHS+	1995		18	36,108
	Fairfield JHS	1995		24	48,144
	Farmington JHS	1995		18	36,108
	Viewmont HS	1995		18	36,108
	North Davis JHS	1995		18	36,108
	Bountiful JHS	1996		12	24,072
	Kaysville JHS	1996		18	36,108
	Millcreek HS	1996		12	24,072
	Sunset JHS	1996		18	36,108
	Syracuse JHS	1996		24	48,144
	Bountiful HS	1996		24	48,144
	Davis HS	1996		24	48,144
	Mountain HS (Alt.)	1997		12	24,072
	Subtotal			414	830,484
Duchesne	Union HS	1994	924	18	36,108
	Roosevelt JHS+	1996	383	6	12,036
	Thompson Alt.	1996	40	6	12,036
	Altamont HS	1997	269	6	12,036
	Duchesne HS	1997	284	6	12,036
	Tabiona HS	1997	82	6	12,036
	Subtotal			48	96,288
Emery	Emery HS*+	1995	742	12	24,072
	Canyon View JHS	1996	243	6	12,036
	San Rafael JHS	1996	377	6	12,036
	Green River HS	2000	107	6	12,036
	Subtotal			30	60,180
Garfield	Esclanate HS	1994	121	6	12,036
	Panquitch HS	1995	197	6	12,036
	Bryce Valley HS	1995	134	6	12,036
	Panquitch Middle	1999	78	6	12,036
	Subtotal			24	48,144

Grand	Grand Middle	1997	252	6	12,036
	Grand HS	1997	497	12	24,072
	Subtotal			18	36,108
Granite	Granger HS	1994	1,649	24	48,144
	Hunter HS	1993	2,101	24	48,144
	Hunter JHS	1994	1,411	24	48,144
	Kearns HS	1993	2,234	24	48,144
	Kennedy JHS	1994	1,331	24	48,144
	Olympus JHS	1994	936	18	36,108
	Cottonwood HS	1994	1,773	24	48,144
	Skyline HS	1994	1,802	24	48,144
	Olympus HS	1995	1,524	24	48,144
	Cyprus HS	1995	1,518	24	48,144
	West Lake JHS	1995	1,200	24	48,144
	Bennion JHS*+	1996	1,131	18	36,108
	Bonneville JHS	1996	1,068	18	36,108
	Brockbank JHS*+	1996	1,125	18	36,108
	Churchill JHS*+	1996	885	18	36,108
	Eisenhower JHS	1996	1,322	24	48,144
	Evergreen JHS	1996	869	18	36,108
	Granite Park JHS+	1996	720	12	24,072
	T. Jefferson JHS	1996	1,273	24	48,144
	Kearns JHS	1996	1,052	18	36,108
	Valley JHS	1996	843	18	36,108
	Wasatch JHS	1996	870	18	36,108
	Granite HS	1997	1,146	18	36,108
	Taylorsville HS		2,148	24	48,144
	Central HS (Alt.)		450	12	24,072
	Subtotal			516	1,035,096
Iron	Cedar City HS	1993	951	18	36,108
	Cedar Middle	1997	877	18	36,108
	Canyon View HS	1998	896	18	36,108
	Parowan HS	1998	401	12	24,072
	Iron Alt HS	2001	0	6	12,036
	Subtotal			72	144,432

Jordan	Crescent View Middle	1994	1,320	24	48,144
	Indian Hills Middle	1994	1,325	24	48,144
	Alta Hs	1995	2,493	24	48,144
	Eastmont Middle	1996	1,100	18	36,108
	Elk Ridge Middle+	1996	1,188	18	36,108
	Midvale Middle	1996	532	12	24,072
	Mount Jordan Middle	1996	837	18	36,108
	Union Middle	1996	1,096	18	36,108
	Bingham Hs	1996	1,939	24	48,144
	Jordan HS	1996	2,266	24	48,144
	West Jordan HS	1996	2,212	24	48,144
	Albion Middle	1997	1,096	18	36,108
	Brighten HS	1997	2,371	24	48,144
	Butler Middle	1997	1,220	24	48,144
	Copper Hills HS	1997	1,985	24	48,144
	Hillcrest HS	1997	1,766	24	48,144
	Joel P Jensen Middle*+	1997	1,133	18	36,108
	Oquirrh Hills Middle	1997	1,116	18	36,108
	South Jordan Middle	1997	1,354	24	48,144
	West Hills Middle	1997	1,008	18	36,108
	West Jordan Middle +	1997	1,158	18	36,108
	Valley Alternative	1998	535	12	24,072
	South Hills Middle	2000	817	18	36,108
	Riverton HS	2001	1,200	24	48,144
	Subtotal			492	986,952
Juab	Juab HS	1994	549	12	24,072
	Subtotal			12	24,072
Kane	Kanab HS	1998	313	6	12,036
	Valley HS	1998	192	6	12,036
	Subtotal			36	72,216
Millard	Delta HS*+	1993	776	12	24,072
	Millard HS+	1993	383	6	12,036
	Fillmore Middle	1995	176	6	12,036
	Delta Middle	1998	349	6	12,036
	Subtotal			30	60,180
Morgan	Morgan HS	1994	723	12	24,072
	Morgan Middle	1995	340	6	12,036
	Subtotal			18	36,108
Nebo	Payson HS	1994	1,283	24	48,144
	Spanish Fork HS	1994	1,600	24	48,144
	Spanish Fork JHS	1994	1,072	18	36,108
	Springville HS	1993	1,339	24	48,144
	Springville JHS 8-9	1993	911	18	36,108
	Payson JHS 8-9	1995	940	18	36,108
	Payson Middle	1998	440	12	24,072
	Spanish Fork Middle	1998	534	12	24,072
	Springville Middle	1998	464	12	24,072
	Landmark (Alt.)	1998	180	6	12,036
	Subtotal			168	337,008

No. Sanpete	North Sanpete HS	1994	776	12	24,072
	North Sanpete Middle	1996	407	12	24,072
	Subtotal			24	48,144
No. Summit	N. Summit HS	1999	306	6	12,036
	N. Summit Middle	1999	161	6	12,036
	Subtotal			12	24,072
Park City	Park City HS	1995	1,116	18	36,108
	Treasure Mtn. Middle	1997	329	6	12,036
	Ecker Hill Middle	1998	250	6	12,036
	Subtotal			30	60,180
Piute	Piute HS	1995	210	6	12,036
	Subtotal			6	12,036
Rich	Rich HS	2000	186	6	12,036
		2000	104	6	12,036
	Subtotal			12	24,072
San Juan	San Juan HS	1993	402	12	24,072
	Monticello HS	1996	334	6	12,036
	Monument Valley HS	1996	212	6	12,036
	Whitehorse HS	1997	291	6	12,036
	Subtotal			30	60,180
Sevier	South Sevier HS	1993	416	12	24,072
	Richfield HS	1995	650	12	24,072
	Cedar Ridge HS (Alt.)	1995	90	6	12,036
	North Sevier HS	1996	361	6	12,036
	Red Hills Middle	1997	314	6	12,036
	North Sevier Middle	2000	377	6	12,036
	South Sevier Middle	2000	418	12	24,072
	Subtotal			60	120,360
So. Sanpete	Gunnison HS+	1994	378	6	12,036
	Manti HS	1995	564	12	24,072
	Ephraim MS	1997	266	6	12,036
	Gunnison MS	2001	256	6	12,036
	Subtotal			30	60,180
So. Summit	South Summit HS	1995	414	12	24,072
	Subtotal			12	24,072
Tintic	Tintic HS	1996	125	6	12,036
	West Desert HS	1998	29	6	12,036
	Subtotal			12	24,072
Tooele	Tooele HS	1995	1,470	24	48,144
	Tooele JHS*+	1997	788	12	24,072
	Grantsville Middle	1998	391	6	12,036
	Grantsville HS	1998	661	12	24,072
	Wendover HS	1998	177	6	12,036
	Subtotal			60	120,360

Uintah	Uintah HS	1994	1,280	24	48,144
	Vernal JHS	1994	818	18	36,108
	Vernal Middle	1996	402	12	24,072
	Ashlev Valle HS (Alt.	1998	92	6	12,036
	Subtotal			60	120,360
Wasatch	Wasatch HS	1993	1,132	18	36,108
	Wasatch Middle	1998	559	12	24,072
	Wasatch Alternative	1998	24	6	12,036
	Wasatch MS	2001	559	12	24,072
	Subtotal			48	96,288
Washinton	Dixie Hs	1996	906	18	36,108
	Millcreek HS	1996	170	6	12,036
	Pine View HS	1996	116	18	36,108
	Snow Canyon HS	1996	1,098	18	36,108
	Dixie Middle	1997	912	18	36,108
	Hurricane HS	1997	401	12	24,072
	Pine View Middle	1997	1,204	24	48,144
	Snow Canyon Middle	1997	1,185	18	36,108
	Hurricane Middle	1998	723	12	24,072
	Phelps Middle	2000	41	6	12,036
	Enterprise HS	2000	354	6	12,036
	Subtotal			156	312,936
Wayne	Wayne HS	1993	180	6	12,036
	Wayne Middle	1997	85	6	12,036
	Subtotal			12	24,072
Weber	Bonneville HS	1993	1,421	24	48,144
	Roy HS	1993	1,428	24	48,144
	T.H. Bell JHS	1994	699	12	24,072
	Weber HS	1994	1,674	24	48,144
	North Ogden JHS	1995	1,192	18	36,108
	Roy JHS	1995	786	12	24,072
	Fremont HS	1996	1,815	24	48,144
	Washington HS (Alt)	1996	195	6	12,036
	Rocky Mtn. JHS	1996	1,071	18	36,108
	Sand Ridge JHS	1996	693	12	24,072
	Snowcrest JHS*+	1996	365	6	12,036
	South Ogden JHS	1996	836	18	36,108
	Wahlquist JHS	1996	803	18	36,108
	Subtotal			216	433,296

Salt Lake	Highland HS	1995	2,101	24	48,144
	Clayton Middle	1996	645	12	24,072
	Horizonte HS (Alt.)	1997	695	12	24,072
	Northwest Middle	1997	692	12	24,072
	West HS	1997	2,039	24	48,144
	Bryant Middle	1998	587	12	24,072
	Hillside Middle	1998	719	12	24,072
	East HS	1998	1,948	24	48,144
Subtotal				132	264,792
Ogden	Ogden HS	1995	1,595	24	48,144
	Ben Lomand HS	1995	1,443	24	48,144
	Washinton HS (Alt)	1996	239	6	12,036
	Mound Fort Middle+	1997	381	6	12,036
	Central Middle	1998	414	12	24,072
	Highland Middle	1998	436	12	24,072
	Mount Ogden Middle	1998	542	12	24,072
Subtotal				96	192,576
Provo	Provo HS	1993	1,765	24	48,144
	Timpview HS	1993	1,798	24	48,144
	Independence HS (Alt.)	1997	270	6	12,036
	Farrer Middle	2000	489	12	24,072
	Centennial Middle	2000	668	12	24,072
	Dixon MS	2001	634	12	24,072
Subtotal				90	180,540
Logan	Logan HS	1994	1,673	24	48,144
	Mt. Logan Middle	1995	814	18	36,108
Subtotal				42	84,252
Murray	MurrayHS	1994	1,447	224	48,144
	Hillcrest JHS*+	1995	756	12	24,072
	Riverview JHS*+	1995	715	12	24,072
Subtotal				248	96,288
Unallocated					
TOTAL				3,648	7,317,888

3.24 Educational Technology Initiative

Recommendation
\$8,970,322

The Analyst recommends the base budget of \$8,970,322 for FY 2002.

Technology is an important budget component in Public Education. Today, fewer people are expected to be more productive using tools that did not exist until recently. As expenditures increase and cross program boundaries, it becomes difficult to examine the budgets traditionally. The Executive Appropriations Committee voted to have the Administrative Services and Capital Facilities Subcommittee address the major issues related to technology. The Electronic Technology Initiative has provided funding for Utah's schools to put thousands of computers and software into schools throughout the state. Currently, money is distributed to districts by a formula which allocates 25 percent of funds to an equal base for each district and 75 percent of the funds according to enrollment. Because of the significant investment in Utah's schools since the ETI initiative began it becomes important to protect that investment by continued funding support to maintain equipment, provide training, and replace outdated equipment

*Funding ongoing
portion of program*

The primary goal of this program is to enhance the teaching and learning process and to empower students to become literate, self-directed learners, problem solvers, and productive members of a technology-oriented society. The program is ongoing and much larger in overall scope.

History

The Educational Technology Initiative began as a public education program, which was funded with only one-time funds from FY 1991-93. In FY 1994, the Legislature added an ongoing component of \$1 million to the program to "maintain" the investment. This ongoing portion was increased to \$6,419,162 in FY 1998, \$8,505,682 in FY 1999, and currently \$8,970,322.

*There is a match rate
for school districts*

State law requires districts to match state appropriations on a 1:3 basis (one local dollar for every three state dollars.) Some districts have exemplified this philosophy, spending considerably over the necessary 1:3 match.

1999-2000 ETI Legislative Funding

District	Line-Item Allocation	Supplemental Allocation
Alpine	\$697,730	\$350,019
Beaver	75,118	37,683
Box Elder	211,435	106,067
Cache	240,892	120,845
Carbon	121,474	60,938
Daggett	57,256	28,723
Davis	883,138	443,030
Duchesne	117,576	58,983
Emery	98,052	49,188
Garfield	70,352	35,292

Grand	77,679	38,968
Granite	1,065,522	534,527
Iron	154,588	77,550
Jordan	1,087,021	545,308
Juab	79,923	40,094
Kane	74,801	37,524
Logan	136,837	68,645
Millard	107,006	53,680
Morgan	83,676	41,976
Murray	149,221	74,857
Nebo	336,327	168,720
North Sanpete	90,475	45,387
North Summit	68,570	34,398
Ogden	234,007	117,391
Park City	108,618	54,488
Piute	59,960	30,079
Provo	245,115	122,963
Rich	61,888	31,046
Salt Lake City	409,727	205,541
San Juan	103,280	51,811
Sevier	121,062	60,731
South Sanpete	94,852	47,583
South Summit	72,692	36,466
Tintic	59,436	29,816
Tooele	170,369	85,466
Uintah	145,878	73,181
Wasatch	104,207	52,276
Washington	319,719	160,388
Wayne	62,477	31,342
Weber	450,139	225,814
USDB	62,227	31,216
TOTALS:	\$8,970,322	\$4,500,000

3.26 FACT (Families, Agencies, Communities, Together)

Recommendation \$1,250,670

The recommendation for funding the FACT (Families, Agencies, and Communities Together) program from the Uniform School Fund is \$1,250,670 for FY 2002. Funds are also appropriated to The Department of Human Services; and The Department of Health.

Summary

*Three agency
cooperative began in
1989*

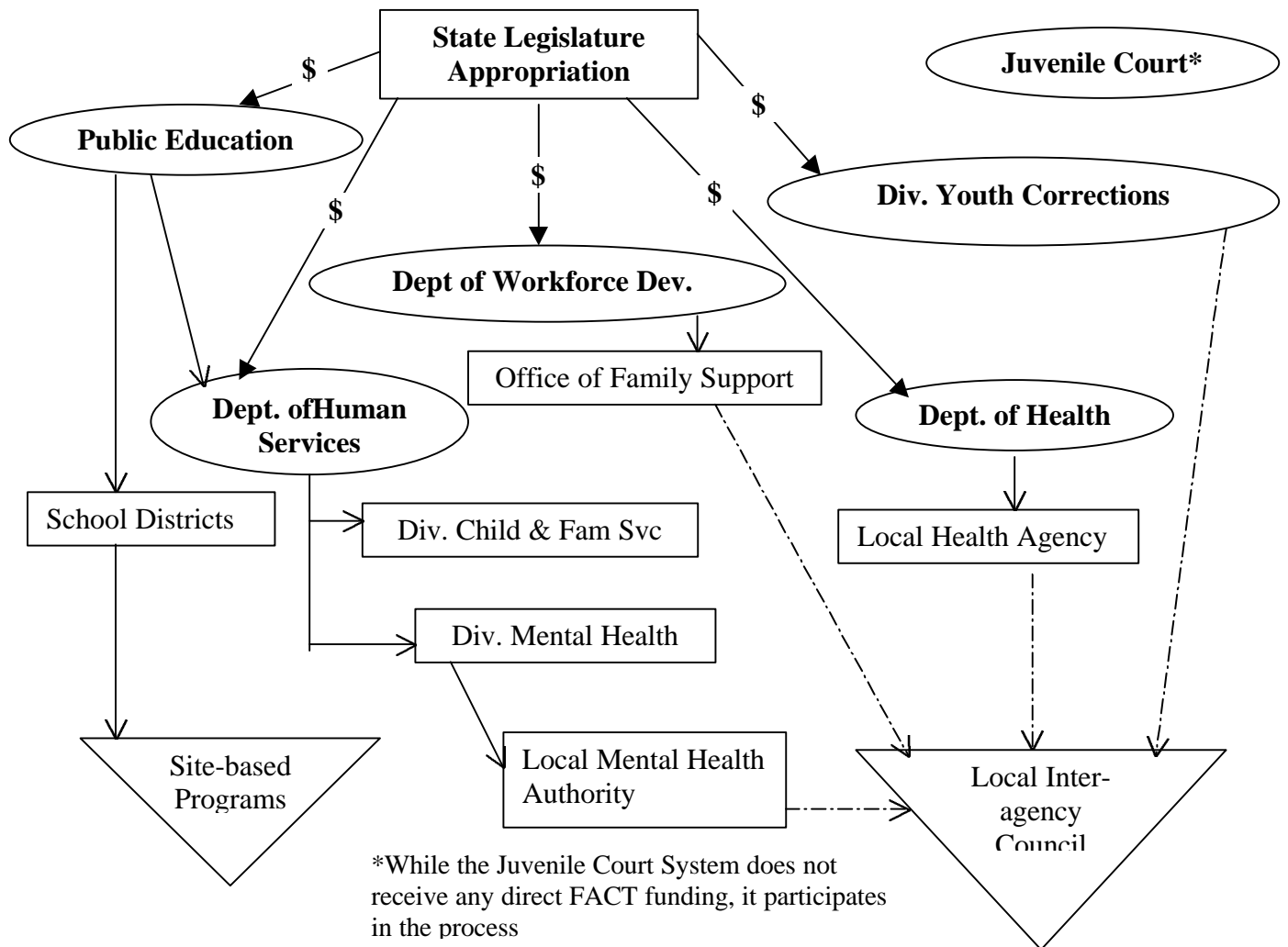
In 1989, the Coordinated Services for At-risk Children and Youth Act (U.C.A. Title 63, Chapter 75), a council for at-risk children was formed to "Unite the Dept. of Human Services, the State Office of Education, and the Dept. of Health, to develop and implement comprehensive school-based systems of services for each at-risk student in grades kindergarten through three and the student's family in order to help prevent academic failure and social misbehavior." Funding from all three agencies involved are used to address the needs of at-risk students according to the council which was set up to administer these funds.

Families, Agencies, and Communities Together (FACT) is a program to provide flexible, preventive services to families with children at-risk of failing in school, and to prevent abuse and neglect. It is administered by staff in the Department of Human Services and involves the Human Services, Health, Public Education, Workforce Services, and Juvenile Courts.

FACT site-based projects operate in 20 school districts, and local interagency councils serve families in all counties in the state.

FACT alternative middle level programs were funded in 20 school districts to support 43 schools in 1999-2000.

F.A.C.T. FUNDING FLOW



Note: Local Mental Health Authorities or Health Agencies are fiscal agents for the LICs

3.27 Alternative Language Services

Recommendation
\$3,328,564

The Analyst recommends total funding for this program in FY 2002 of \$3,328,564.

The Utah State Board of Education requested an increase in funding of \$500,000 for the Alternative Language Services program. The Governor recommended \$250,000. The Analyst recommends that if any additional funding is considered that the USOE be required to submit a plan for the use of the funding and provide performance data to support existing and new funding if made available.

The superintendents annual report records the following progress of ALS:

"In 1998-99, ALS flow-through funds provided school districts with the resources to design and implement ALS programs that best met the needs of 37,275 students who lacked proficiency in reading, writing, and speaking English. Districts that receive funding are required to submit an annual statewide survey of their LEP student count and provide teacher training and direct services to LEP students."

Purpose

The purpose of the Alternative Language Services Program is to provide a Bilingual Education program designed to help districts meet OCR (Office of Civil Rights) standards by providing for a personalized education for those students who speak a language other than English. The funding provides in-service training to teachers for implementation of bilingual instructional models that meet national and regional criteria standards.

The Bilingual Education or Alternative Languages program was first implemented by the 1995 Legislature and provided an initial appropriation of \$1,600,000. For FY 1997 it also received a one-time appropriation of \$2,000,000.

The statutes are found in UCA - 53A-17a-131.4 as follows:

- (1) The state's contribution of \$3,328,564 for an Alternative Language Services Program for the fiscal year beginning July 1, 2000, is appropriated to the State Board of Education as a funding base for school districts to meet the limited-English-proficient and second language acquisition needs of Utah's language minority student population.
- (2) The board shall allocate the appropriation to school districts based on submission of grant applications and assurances of and compliance with qualifying criteria established by the state board pursuant to its rulemaking authority.

3.28 Highly Impacted Schools Funding

Recommendation
\$4,873,207

The Analyst recommends total funding for this program in FY 2002 of \$4,873,207.

The Governor recommends an additional \$500,000 for Highly Impacted Schools for FY 2002. These funds are recommended for enhancement of existing programs in schools currently approved for funding.

The Analyst does not recommend this funding. The request is for salary and benefit costs for previous years. This would defeat the purpose of programs "below the line." If this is to be valid ongoing funding, consideration should be made to move it into WPU funding where it will get inflationary increases. Also, it is the opinion of the Analyst that if trial programs are valid and something that schools want to support they should supplement the funding until such time as it receives WPU funding status thereby showing their commitment.

For FY 2000 the funds are allocated to eight school districts as follows:

Granite	\$925,076
Jordan	201,201
San Juan	537,176
Tooele	154,294
Uintah	193,672
Salt Lake	1,579,376
Ogden	903,557
Provo	<u>378,855</u>
Total	<u>\$4,873,207</u>

Purpose

The 1995 Legislature passed House Bill 172, "Highly Impacted Schools" to provide additional resources for individual assistance to students at schools determined to be highly impacted.

Schools that have received funding through this program have reported positive results. The schools are identified for funding by five factors: student mobility, student ethnicity, limited English proficiency, single parent family, and eligibility for free lunch.

During the 1998-99 school year, the Highly Impacted Schools program provided nearly \$5.4 million to 53 schools with the state's highest rates of English language deficiency, student mobility, single parent families, free-lunch eligibility and ethnic minority students. Many of these schools serve communities where virtually all the students are eligible for free lunch, where less than half remain in a single school for an entire school year, and where over half speak a language other than English. The children who attend these schools survive in living conditions that severely limit their potential for school success.

3.29 Character Education

Recommendation	The Analyst recommends \$397,680 for Character Education. The FY 2001 funding is distributed to twenty-seven school districts with the greatest allocated \$43,000 and the least amount \$2,000.
Purpose	<p>This funding has been for districts to develop and implement character education programs that are a result of cooperation with district stakeholders and that fit within state guidelines. Funds have been distributed based on applications from districts to the State Office of Education and based on board guidelines and funding formulas. The funding has allowed for pilot programs in schools that receive allocations.</p> <p>The Character Education program was begun by the 1995 Legislature. In addition to the Legislative allocation of \$550,000 for FY 1997 the State Board of Education received over \$4,000,000 for a four-year grant in 1996 from the U.S. Department of Education to provide teacher training in character development and statewide curriculum. The character education manual I CARE, a Salt Lake District character education program, has been developed and distributed among schools.</p>
Statutory Provision	<p>Utah Code on Character Education, Section 53-14-4.3, Annotated 1953 provides that:</p> <p>“Honesty, temperance, morality, courtesy, obedience to law, respect for the Constitution of the United States and the state of Utah, respect for parents and home, and the dignity and necessity of honest labor and other skills, habits, and qualities of character which will promote an upright and desirable citizenry and better prepare students for a richer, happier life shall be taught in connection with regular school work.”</p>
Performance Measures	<p>The following information is from the USOE annual report:</p> <p>"The 1999 Utah Legislature continued to support school districts in their character development activities with approximately \$400,000 of funding to develop a variety of strategies to teach the qualities of character and attitudes identified as important in family and community life. Character education continues to be embedded in core curriculums along with Utah Life Skills. In fall 1999, 20 districts sent teams of teachers, parents, and community leaders to create strategic plans and mentor schools. Most districts are developing plans for deliberately infusing democratic and core ethical values into school and district frameworks and programs."</p>

"The summer 1999 character education conference, held in collaboration with the Utah Association for Supervision and Curriculum Development, attracted approximately 450 participants. The agenda included character education strands for parent involvement and higher education involvement. University teacher education departments joined in as required in pre-service teaching standards. In addition, there were many district in-service sessions that focused exclusively on character education. Several character education conferences were designed specifically for youth, and character education conferences were held by districts for their own faculties."

3.30 Technology/Life Careers; Work Based Learning

Recommendation The Analyst recommends \$2,235,000 for Technology/Life Careers and Work Based Learning. Every school district receives its pro rate share of the funding.

Purpose "Technology, Life, and Careers (TLC) is Utah's introductory level, one-year ATE curriculum for middle/junior high school to help seventh grade students explore various careers. After 13 successful years, TLC entered its first phase of revision during the 1999-2000 school year with approximately 65 pilot schools receiving new, ongoing funding from the Utah Legislature. This new source will provide an average of \$15,000 per year per school to maintain state-of-the-art equipment, provide for supplies used for student exploration activities, and support teacher development.
Refinement of the TLC curriculum is expected to continue through 2001-2002."

The technology, life, and careers applied technology education is designed to help students explore life's work. Concepts are planned, and taught through interactive, hands-on activities using current technology.

Students are involved in discovering self, viewing future life options within the context of work and family settings, developing the positive relationships required for communication and teamwork, and identifying the skills required for life's roles. Students are expected to develop skills and accept responsibility for decision making, planning, and preparing for life's work. School-to-Careers is an approach to education which is expected to broaden the educational, career, and economic opportunities for youth through partnerships between businesses, schools, community-based organizations, and state and local governments. Creative transition programs such as tech-prep, youth apprenticeship, cooperative education, and career academies, are foundations on which School-to-Careers system is built. Employers become joint partners with educators in training youth through paid work experiences for jobs that exist in the local economy.

Performance Measures

The following information is from the USOE annual report:

"Work-based learning (WBL) has been an integral part of School-to-Careers for the past four years. WBL adds relevancy to classroom learning, validates teaching while helping students explore career options, and provides learning and skill development opportunities to prepare students for successful careers. WBL coordination provides a single point of contact between employers and the education community, keeping employers from becoming overwhelmed with individual demands on resources while providing support to school administration and staff. The student's educational goals are also supported by work-based learning experiences."

"For the past three years, WBL has funded 10 model sites throughout the state. In 1998-99, 25,794 students participated in WBL activities provided by 3,857 employers, and 271 teachers served internships. This represents five percent of Utah's entire student and teacher population. The 1999 Legislature provided \$1.2 million for WBL coordination to establish 29 additional WBL sites, bringing the total funded ones to 39 and opening doors for approximately 173,000 students to connect with 15,000 employers in 1999-2000. This represents the involvement of about one third of Utah's students, teachers, and businesses."

3.31 School Nurses

Recommendation

The Analyst recommends \$496,949 for the School Nurse program.

The USBE and the Governor both recommend an increase of \$500,000 for school nurses. The request is to help bring the nurse to student ratio to 1:5000. Previous funding has brought the ratio to 1:6,378.

The Analyst recommends that if the Legislature determines to provide significant funding to local school districts through discretionary grants that this be one of the areas for local school districts to focus attention according to their needs.

Purpose

"In FY 2000, all 40 Utah school districts applied for and received School Nurse Incentive Act funds. The funds are matched on the basis of one-third from the state and two-thirds from districts and local health organizations.

School nurses strengthen and facilitate the educational process by improving and protecting the health of individual children, educating staff about health conditions, and preventing, through early detection, illnesses and disabilities that could otherwise interfere with successful learning."

3.32 Truancy Intervention and Prevention

Recommendation The Analyst recommends \$150,000. This is the fourth year of line item funding for this purpose. The funds are used to help curb truancy in schools where the problem is significant. The funds were allocated to three school districts (Granite, Iron, and Provo) for FY 2001.

Purpose Over 2,300 students were served in the Salt Lake Valley in 1998. Districts must show an existing effort to combat truancy and leverage other monies in order to receive funds from this program. The funding supports Truancy Support Centers.

3.33 Guarantee Transportation Levy

Recommendation The Analyst recommends program funding of \$225,000 for the Guarantee Transportation Levy. There were twelve districts that received funds under this guarantee in FY 2000.

Purpose The statutes governing this appropriation are as follows:

53A-17a-127

(6) (a) A local school board may provide for the transportation of students who are not eligible under Subsection (1), regardless of the distance from school, from:

(i) general funds of the district; and

(ii) a tax rate not to exceed .0003 per dollar of taxable value imposed on the district.

(b) A local school board may use revenue from the tax to pay for transporting participating students to interscholastic activities, night activities, and educational field trips approved by the board and for the replacement of school buses.

(c) (i) If a local school board levies a tax under Subsection (6)(a)(ii) of at least .0002, the state may contribute an amount not to exceed 85% of the state average cost per mile, contingent upon the Legislature appropriating funds for a state contribution.

(ii) The State Office of Education shall distribute the state contribution according to rules enacted by the State Board of Education.

(d) (i) The amount of state guarantee money to which a school district would otherwise be entitled to under Subsection (6)(c) may not be reduced for the sole reason that the district's levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924 pursuant to changes in property valuation.

(ii) Subsection (6)(d)(i) applies for a period of two years following the change in the certified tax rate.

(7) There is appropriated for the fiscal year beginning July 1, 1999, \$225,000 to the state board as the state's contribution under Subsection (6)(c)(i).

3.34 Reading Initiative

Recommendation
\$5,000,000

The Analyst recommends \$5,000,000 for the Reading Initiative that was funded for the first time by the 1999 Legislature.

Reading activities reported

Many efforts are taking place in the promotion of reading literacy. The State superintendent' annual report summaries some of these as follows:

"In 1998-99, over 11,000 K-12 Utah teachers received reading/language arts training. English teachers who attended the Utah Council of Teachers of English Conference in April received a draft of the new K-12 Language Arts Core Curriculum."

"Elementary teachers of reading/language arts attended training in varied formats, from a one-day workshop to monthly meetings organized around a core topic. Four hundred K-12 teachers attended the Summer Reading Institute. "

"Teachers in rural Utah attended training to set up peer tutoring projects to support emergent reading, strengthen reading instruction in Grades K-2, and establish balanced literacy programs."

Utah Reads

"Utah Reads is a new initiative sponsored by the Governor's Office in collaboration with Utah's Promise, the Utah PTA, and the USOE. The project has as its goal that all Utah children will be reading on grade level by the end of the third grade. In order to achieve this goal, early childhood providers, educators, and community members have joined together in a series of community and school projects. Utah's Promise is collaborating with the USOE and Utah PTA to create volunteer tutoring programs for K-3 children."

"Utah's First Lady, Jacalyn Leavitt, is spearheading a campaign designed to help parents understand the importance of reading to their children. She has produced a pamphlet and authored a book on reading to children. She is also working on a baby kit to send home to new parents as they leave the hospital. Utah Reads has also received a federal grant for \$7 million to work with families, early childhood and day care providers, family literacy programs, and schools to improve reading achievement of children in Grades K-3."

The statutory provisions for the new reading initiative approved by the 1999 Legislature are as follows:

53A-1-606.5. Reading achievement in grades one through three -- Monitoring Reporting -- Additional instruction.

(1) (a) The Legislature recognizes that:

(i) reading is the most fundamental skill, the gateway to knowledge and lifelong learning;

- (ii) there is an ever increasing demand for literacy in the highly technological society we live in;
 - (iii) students who do not learn to read will be economically and socially disadvantaged;
 - (iv) reading problems exist in almost every classroom;
 - (v) almost all reading failure is preventable if reading difficulties are diagnosed and treated by no later than the end of the third grade; and
 - (vi) early identification and treatment of reading difficulties can result in students learning to read by the end of the third grade.
- (b) It is therefore a goal of the state to have every student in the state's public education system reading on or above grade level by the end of the third grade.
- (2) In order to ensure that all students are reading on or above the third grade level by the end of the third grade, the State Board of Education and local school boards shall work with the Legislature, through its interim committees and any task force that may be created to study review accountability in public education.
- (3) Each school district shall work with the elementary schools within its district boundaries to develop a school plan at each school focused on having all students reading at the third grade level by the end of the third grade.
- (4) The school district shall approve each school's plan prior to its implementation.

Funds distribution

Appropriation. 53A-17a-131.14

The state's contribution of \$5,000,000 for the reading initiative program for the fiscal year beginning July 1, 2000, is appropriated to the State Board of Education for distribution to school districts to fund the reading achievement programs established in Section 53A-1-605.5 according to guidelines established by the board in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

The fund distribution to districts for FY 2001 is shown in the following chart.

DISTRICT	Reading Initiative
01 Alpine	\$475,356
02 Beaver	19,796
03 Box Elder	112,458
04 Cache	132,122
05 Carbon	47,304
06 Daggett	6,528
07 Davis	581,193
08 Duchesne	42,252
09 Emery	34,136
10 Garfield	15,287
11 Grand	21,198
12 Granite	738,151
13 Iron	75,959
14 Jordan	725,645
15 Juab	23,153
16 Kane	18,661
17 Millard	38,659
18 Morgan	22,851
19 Nebo	218,445
20 No. Sanpete	31,704
21 No. Summit	15,238
22 Park City	43,760
23 Piute	7,359
24 Rich	9,356
25 San Juan	40,572
26 Sevier	50,372
27 So. Sanpete	31,525
28 So. Summit	17,545
29 Tintic	8,149
30 Tooele	92,420
31 Uintah	67,251
32 Wasatch	38,641
33 Washington	189,518
34 Wayne	10,461
35 Weber	278,532
36 Salt Lake	285,274
37 Ogden	146,894
38 Provo	147,497
39 Logan	65,875
40 Murray	72,903
Total	\$ 5,000,000

3.35 Reading Performance Improvement Awards

The Analyst recommends \$9,000 for the Reading Improvement Awards program. This was funded for the first time by the 1999 Legislature with the passage of House Bill 75, "Incentive for Elementary Reading Performance Improvement."

House bill 75 established "... a Reading Performance Improvement Awards Program to recognize and reward nine elementary schools with \$1,000 awards when they demonstrate significant reading performance improvement in grades kindergarten through three. The State Board of Education must select nine schools to receive the awards and establish rules for determining significant reading improvement.

Each school is required to use its award to purchase books and other reading materials."

3.36 Alternative Middle School

Recommendation
\$2,000,000

The Analyst recommends \$2,000,000 for the Alternative Middle School Program. This was funded for the first time by the 1999 Legislature with the passage of House Bill 329. The Act included a FY 2000 appropriation of \$2 million dollars from the Uniform School Fund to establish an alternative middle schools program The Families, Agencies and Communities Together (FACT) Council was granted authority to collaborate the Alternative Middle Schools Program with the Utah State Board of Education.

Sixteen School Districts received funding under this program for FY 2000.

Purpose

The purpose of the Alternative Middle Level Schools Program is to improve the school learning climate and help ensure safety for middle school students in the state's public education system. Local school boards shall have overall responsibility for implementation of the program, subject to the following considerations:

- (a) that the FACT Council established in Title 63, Chapter 75, and a designated steering committee of persons with expertise in alternative middle school strategies shall be involved in collaborating the program with other state and local agencies that provide services to youth at risk who are middle school students, and their families under Chapter 75;
- (b) Collaboration with SHOCAP, Serious Habitual Offender Comprehensive Action Program, established under Title 63, Chapter 92, in those districts where SHOCAP has been implemented. UCA 53A-11-909 §1 (3) (a & b)

The Alternative Middle Schools program shall include the following components:

- (a) (i) the school's location shall be geographically close to the student's home as resources for the program allow, with the preference given to a school within the student's regular school;
- (a) (ii) other options may include separate classrooms within the same building, extended hours, or after school hours or off-site placement if the circumstances dictate and are what is required to meet local needs;
- (b) alternative schools must be established on the basis of a transitional setting structure to prepare students to return to their regular classrooms as responsible, productive students;
- (c) alternative middle school classrooms shall be small, with an ideal size of between 8-12 students, instructed by specially trained teachers, with particular consideration given to the problems faced by rural schools in attracting and retaining qualified personnel;
- (d) each student placed in an alternative middle school must have an individualized student education and occupational plan that has been reviewed and approved by the student, the student's parent or guardian, and a representative of the school;
- (e) the school shall use an approach in dealing with students that is highly structured and requires substantial parental involvement;
- (f) its programs shall include state-approved curriculum, parent and family support services, and sufficient clinical diagnosis, assessment, counseling, and treatment services to meet the individual needs of students at the school;
- (g) the school shall collaborate with local law enforcement agencies to be able to utilize and expand upon the availability of resource officers; and
- (h) the programs as related to each student must specify the intended outcomes and results and the methods for measuring the accomplishment of results. UCA 53A-11-909 §1 (5) (a – h)

3.37 Experimental/ Developmental Programs

The Analyst recommends \$5,933,056 for Experimental/Developmental Programs. This maintains the base budget. These Research and Development programs are the seed for school reform.

Much of the funding is used for year around school options. The state superintendents' report provides information on what school districts are doing with year around programs.

"Year-round scheduling remains an important option for a significant number of Utah students, parents, schools, and school districts. Over 59,700 students, 2,700 teachers, and 79 schools located in seven of Utah's 40 school districts are functioning on various year-round schedules. This represents a net increase of one year-round school from the previous year. All but one of the current year-round schools are elementary schools. The majority of Utah's year-round schools, 67 of the 79, operate on multitrack schedules that require a percentage of their students to be on vacation at any given time of the year."

In 1999 a pilot program was implemented to experiment with an extended year program. This has proven to be an effective program according to a report given to the interim Education Committee. The superintendent reports on this initiative as follows:

"The 1997 Legislature funded the development of secondary school models which extend the school year up to 45 days. In 1998-99, four continuing models were being implemented: one each in the school districts of Iron, Granite, and Provo, and a combined model in North Sanpete and South Sanpete school districts. Over 5,000 students participated during the extended year. The benefits for educators include more flexible contracts, variable work schedules, and smaller class sizes. Each extended-year school offers students four basic opportunities: acceleration toward high school graduation; promotion to postsecondary institutions and job apprenticeships; remediation with flexible schedule options; and enrichment classes for intensive study. Both internal and external evaluation processes show very promising results, especially in the area of student achievement.

Experimental/Developmental programs are tried on a three-year basis. After three years the program is infused into regular school processes or programs or abandoned if not proven effective. The funds for the Experimental and Developmental programs are utilized as directed in the School Finance Act as follows:

53A-17a-132 Experimental and developmental programs.

(1) The state's contribution of \$5,933,056 for experimental and developmental programs for the fiscal year beginning July 1, 2000, is appropriated to the State Board of Education for distribution to school districts as follows:

(a) the board shall distribute the first part, 34% of the appropriation, equally among the state's 40 school districts;

(b) the board shall distribute the second part, 41% of the appropriation, to each district on the basis of its kindergarten through grade 12 average daily membership for the prior year as compared to the prior year state total kindergarten through grade 12 average daily membership; and

(c) the board shall distribute 25% of the appropriation pursuant to standards established by the board in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

(2) (a) A school district may fund a new experimental or developmental program with monies appropriated under Subsection (1) for a maximum of three consecutive years.

(b) After the third year, the district shall either fund the program with regular ongoing program monies or terminate the program.

(3) (a) The State Board of Education shall allocate \$100,000 of the experimental-developmental appropriation for programs to improve the efficiency of classified employees in the public schools.

(b) The programs should include training components, classified staffing formulas, and preventative maintenance formulas.

(4) (a) The State Board of Education shall allocate \$584,900 of the appropriation for the planning, development, and implementation of alternative experimental pilot programs, using licensed teachers, which are cooperative ventures that have demonstrated support of parents, the recognized teachers' organization, administrators, and students.

(b) The State Board of Education shall select schools for the pilot programs by a grant process using selection criteria developed by the state board.

(5) Models for experimental activities similar to the nine district consortium activities are permissible under the experimental and developmental appropriation.

3.38 School Trust Program

Trust lands amount estimated at \$6,975,000 for FY The amount estimated to be available from this restricted account for FY 2002 is \$6,975,000.

Summary

The U.S. Congress, in exchange for not taxing federal land, gave lands to Utah schools at statehood. The lands are held in a legal trust for schools. Schools own 3.4 million acres. The lands are managed by the School Trust Lands Administration and must, by law, be used to generate money for schools. The money is put in a permanent savings account, which is never spent, but invested. Prior to FY 2000 the interest earned from the permanent fund went into the Uniform School Fund as unrestricted revenue available for appropriations. With the passage of House Bill 350 by the 1999 Legislature the interest now goes to each school in the state. Schools will get their share of the Trust Lands interest money according to the provision of the bill.

The provisions of the Legislation are presented as follows:

53A-16-101.5. School LAND Trust Account -- Contents -- Purpose -- Distribution of funds -- School plans for use of funds.

(1) (a) There is established a School LAND Trust Program for the state's public schools to enhance student academic performance and improve educational excellence.

(b) As used in this section, "academic or educational excellence" means student performance in acquiring and mastering skills in the required state school curriculum.

(2) The program shall be funded from that portion of the Uniform School Fund consisting of all the interest and dividends on the State School Fund remaining after the deduction of the amount retained in the State School Fund to protect the fund against losses due to inflation as prescribed by the Utah Constitution Article X, Section 5.

(3) (a) The State Board of Education shall allocate all the monies referred to in Subsection (2) annually for the fiscal year beginning July 1, 2000, and for each fiscal year thereafter as follows:

(i) school districts shall receive 10% of the funds on an equal basis; and
(ii) the remaining 90% of the funds shall be distributed on a per student basis, with each district receiving its allocation on the number of students in the district as compared to the state total.

(c) Each school district shall distribute its allocation under Subsection (3)(a) to each school within the district on an equal per student basis.

(d) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the board may make rules regarding the time and manner in which the student count shall be made for allocation of the monies.

(4) (a) In order to receive its allocation under Subsection (3), each school shall establish a local school committee by October 1, 1999.

(b) The committee shall consist of seven members:

- (i) the school's principal;
- (ii) two teachers appointed by the faculty at the school; and
- (iii) four parents selected by the parents of students at the school and representing various grade levels at the school, one of whom shall be the school's PTA president if the school has one.

(c) The school may use its directors under Subsections 53A-1a-301(3) or 53A-1a-303.5(4)(a) or its community council under Section 53A-1a-108 to fill the requirements of Subsections (4)(a) and (b).

(5) (a) The committee shall develop a plan to include:

- (i) the school's identified most critical academic needs;
- (ii) a recommended course of action to meet the identified academic needs;
- (iii) a specific listing of any programs, practices, materials, or equipment which the school will need to implement its action plan to have a direct impact on the instruction of students and result in measurable increased student performance; and
- (iv) how the school intends to spend its allocation of funds under this section to enhance or improve academic excellence at the school.

(b) The school may develop a multiyear plan, but the plan must be presented and approved by the local school board of the district in which the school is located annually and as a prerequisite to receiving funds allocated under this section.

(6) (a) Each school shall:

- (i) implement the plan as developed by the committee and approved by the local school board;
- (ii) provide ongoing support for the committee's plan;
- (iii) meet school board reporting requirements regarding financial and performance accountability; and
- (iv) publicize to its patrons and the general public on how the funds it received under this section were used to enhance or improve academic excellence at the school, including the results of those efforts.

(b) (i) Each school through its committee shall prepare and present an annual report to its local school board at the end of the school year.

(ii) The report shall detail the use of funds received by the school under this section and an assessment of the results obtained from the use of the funds.

The current estimated distribution for Utah's School Districts is shown in the following chart:

School Trust land Interest Current Estimate By School District	
Alpine	\$395,042
Beaver	23,611
Box Elder	106,460
Cache	123,523
Carbon	50,633
Daggett	12,804
Davis	510,151
Duchesne	47,959
Emery	37,576
Garfield	20,690
Grand	25,054
Granite	629,692
Iron	70,235
Jordan	633,402
Juab	26,497
Kane	23,509
Millard	41,863
Morgan	28,628
Nebo	180,692
No. Sanpete	32,932
No. Summit	19,629
Park City	43,510
Piute	14,4408
Rich	15,546
San Juan	40,369
Sevier	51,431
So. Sanpete	35,683
So. Summit	21,989
Tintic	14,128
Tooele	80,601
Uintah	66,194
Wasatch	41,651
Washington	168,416
Wayne	15,958
Weber	249,448
Salt Lake	225,244
Ogden	119,406
Provo	125,739
Logan	60,829
Murray	68,877
Total	\$4,500,004

3.39 Voted and Board Leeway Programs

Program*Voted Leeway*

The Analyst recommends a total Voted Leeway program of \$137,274,866. Of this amount the Uniform School Fund contributes \$12,967,318 with the remaining amount coming from local property tax revenues. The final appropriation amount will vary slightly based on the total Minimum School Program and associated weighted pupil units adopted by the Legislature. Because of this **the Analyst recommends committee action that would allow adjustment based on final program adoption.** The statutes require an increase in the state guarantee on tax rates levied from .0014 to .0016 in FY 2002. The Analyst has built this increase into the recommendations.

Increases based on a number of factors

Voted Leeway Increases - The recommendations include increases mandated by the Legislature. For FY 2002 this includes three areas. Assessed valuations on new growth; statutory provisions which require a state guarantee contribution on an additional .0002 tax rate levy; and statutory provisions requiring an inflationary increase based on the value of the prior year weighted pupil unit value.

Summary

In 1954, the State Legislature authorized a "voted leeway program." In 1965, the name was changed to "voted board leeway program." The 1991 Legislature set dollar amounts as a guarantee instead of a value equal to a percentage of the prior year's WPU. In the current "state-supported" "voted leeway program," the FY 1996 Legislature set a dollar amount as a guarantee based on a percentage of the prior year's WPU, thus reinstating an inflationary mechanism.

The statutes governing this program are as follows:

- 53A-17a-133. State-supported voted leeway program authorized -- Election requirements -- State guarantee -- Reconsideration of the program.
- (1)An election to consider adoption or modification of a voted leeway program is required if initiative petitions signed by 10 percent of the number of electors who voted at the last preceding general election are presented to the local school board or by action of the board.
- (2)(a)To establish a voted leeway program, a majority of the electors of a district voting at an election in the manner set forth in Section 53A-16-110 must vote in favor of a special tax.
- (2)1The district may maintain a school program which exceeds the cost of the program referred to in Section 53A-17a-145 with this voted leeway.
- (2)2In order to receive state support the first year, a district must receive voter approval no later than December 1 of the year prior to implementation.
- (2)3The additional program is the state-supported voted leeway program of the district.
- (3)(a)(i)Under the voted leeway program, the state shall contribute an amount sufficient to guarantee \$12 per weighted pupil unit for each .0001 of the first .0004 per dollar of taxable value.

(ii) The guarantee shall apply to the first .0006 per dollar of taxable value beginning July 1, 1996, and shall apply to an additional .0002 per dollar of taxable value each year thereafter so that the guarantee shall apply to the first .0016 of taxable value beginning July 1, 2001, and for each year thereafter.

(2)(i) The same dollar amount guarantee per weighted pupil unit for the .0004 per dollar of taxable value under Subsection (a) shall apply to the board-approved leeway authorized in Section 53A-17a-134, so that the guarantee shall apply up to a total of .0008 per dollar of taxable value if a school district levies a tax rate of up to .0004 in both programs.

(ii) Beginning July 1, 1996, if a district levies up to .0006 in the voted leeway program and up to .0004 in the board leeway program, the guarantee shall apply up to a total of .001 for both programs and shall apply to an additional .0002 per dollar of taxable value each year thereafter through July 1, 2001, as described in Subsection (3)(a)(ii) so that the guarantee shall apply up to a total of .002 per dollar of taxable value beginning July 1, 2001, and for each year thereafter.

(3) Beginning July 1, 1997, the \$12 guarantee under Subsections (3)(a) and (b) shall be indexed each year to the value of the weighted pupil unit by making the value of the guarantee equal to .0075 times the value of the prior year's weighted pupil unit.

(4)(i) The amount of state guarantee money to which a school district would otherwise be entitled to under Subsection (3) may not be reduced for the sole reason that the district's levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924 pursuant to changes in property valuation.

(ii) Subsection (3)(d)(i) applies for a period of two years following any such change in the certified tax rate.

(4)(a) An election to modify an existing voted leeway program is not a reconsideration of the existing program unless the proposition submitted to the electors expressly so states.

(2) A majority vote opposing a modification does not deprive the district of authority to continue an existing program.

(2) If adoption of a leeway program is contingent upon an offset reducing other local school board levies, the board must allow the electors, in an election, to consider modifying or discontinuing the program prior to a subsequent increase in other levies that would increase the total local school board levy.

(2) Nothing contained in this section terminates, without an election, the authority of a school district to continue an existing voted leeway program previously authorized by the voters.

3.40 Board Leeway Program

Recommendation

*Final
recommendation to be
adjusted*

The Analyst recommends a total Board Leeway program of \$39,631,433. Of this amount the Uniform School Fund contributes \$4,389,392 with the remaining amount coming from local property tax revenues. The final appropriation amount will vary slightly based on the total Minimum School Program adopted by the Legislature. Because of this the Analyst recommends committee action that would allow adjustment based on final program adoption.

Summary

Board Leeway Cost Increases - The recommendations include increases mandated by the Legislature. For FY 2002 this includes three areas. Assessed valuations on new growth; statutory provisions which require a state guarantee contribution on an additional .002 tax rate levy; and statutory provisions requiring an inflationary increase based on the value of the prior year weighted pupil unit value.

The statutes governing this program are as follows:

53A-17a-134. Board-approved leeway -- Purpose -- State support -- Disapproval. (1)Each local school board may levy a tax rate of up to .0004 per dollar of taxable value to maintain a school program above the cost of the basic school program as follows:

(1)a local school board shall use the monies generated by the tax for class size reduction within the school district;

(2)if a local school board determines that the average class size in the school district is not excessive, it may use the monies for other school purposes but only if the board has declared the use for other school purposes in a public meeting prior to levying the tax rate; and

(3)a district may not use the monies for other school purposes under Subsection (b) until it has certified in writing that its class size needs are already being met and has identified the other school purposes for which the monies will be used to the State Board of Education and the state board has approved their use for other school purposes.

(2)(a)The state shall contribute an amount sufficient to guarantee \$21.50 per weighted pupil unit for each .0002 per dollar of taxable value.

(b) The guarantee shall increase in the same years and for the same amounts as provided for the voted leeway guarantee in Section 53A-17a-133.

(3)The levy authorized under this section is not in addition to the maximum rate of .002 authorized in Section 53A-17a-133, but is a board-authorized component of the total tax rate under that section.

(4)As an exception to Section 53A-17a-133, the board-authorized levy does not require voter approval, but the board may require voter approval if requested by a majority of the board.

- (5) An election to consider disapproval of the board-authorized levy is required, if within 60 days after the levy is established by the board, referendum petitions signed by the number of legal voters required in Section 20A-7-301, who reside within the school district, are filed with the school district.
- (6)(a) A local school board shall establish its board-approved levy by April 1 to have the levy apply to the fiscal year beginning July 1 in that same calendar year except that if an election is required under this section, the levy applies to the fiscal year beginning July 1 of the next calendar year.
- (6)1 The approval and disapproval votes authorized in Subsections (4) and (5) shall occur at a general election in even-numbered years, except that a vote required under this section in odd-numbered years shall occur at a special election held on a day in odd-numbered years that corresponds to the general election date. The school district shall pay for the cost of a special election.
- (7)(a) Modification or termination of a voter-approved leeway rate authorized under this section is governed by Section 53A-17a-133.
- (7)1 A board-authorized leeway rate may be modified or terminated by a majority vote of the board subject to disapproval procedures specified in this section.
- (8) A board levy election does not require publication of a voter information pamphlet.

