

Effective 5/10/2016

53A-17a-124.5 Appropriation for class size reduction.

- (1) Money appropriated to the State Board of Education for class size reduction shall be used to reduce the average class size in kindergarten through the eighth grade in the state's public schools.
- (2) Each district or charter school shall receive its allocation based upon prior year average daily membership in kindergarten through grade 8 plus growth as determined under Subsection 53A-17a-106(3) as compared to the total prior year average daily membership in kindergarten through grade 8 plus growth of school districts and charter schools that qualify for an allocation pursuant to Subsection (8).
- (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).
 - (b)
 - (i) Each district or charter school shall use 50% of its allocation to reduce class size in any one or all of grades kindergarten through grade 2, with an emphasis on improving student reading skills.
 - (ii) If a district's or charter school's average class size is below 18 in grades kindergarten through grade 2, 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.
- (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.
- (5)
 - (a) A school district or charter school may use up to 20% of its allocation under Subsection (1) for capital facilities projects if such projects would help to reduce class size.
 - (b) If a school district's or charter school's student population increases by 5% or 700 students from the previous school year, the school district or charter school may use up to 50% of any allocation it receives under this section for classroom construction.
- (6) This appropriation is to supplement any other appropriation made for class size reduction.
- (7) 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.
- (8)
 - (a) To qualify for class size reduction money, a school district or charter school shall submit:
 - (i) a plan for the use of the school district's or charter school's allocation of class size reduction money to the State Board of Education; and
 - (ii) beginning with the 2014-15 school year, a report on the school district's or charter school's use of class size reduction money in the prior school year.
 - (b) The plan and report required pursuant to Subsection (8)(a) shall include the following information:
 - (i)
 - (A) the number of teachers employed using class size reduction money;
 - (B) the amount of class size reduction money expended for teachers; and
 - (C) if supplemental school district or charter school funds are expended to pay for teachers employed using class size reduction money, the amount of the supplemental money;
 - (ii)
 - (A) the number of paraprofessionals employed using class size reduction money;

- (B) the amount of class size reduction money expended for paraprofessionals; and
- (C) if supplemental school district or charter school funds are expended to pay for paraprofessionals employed using class size reduction money, the amount of the supplemental money; and
- (iii) the amount of class size reduction money expended for capital facilities.
- (c) In addition to submitting a plan and report on the use of class size reduction money, a school district or charter school shall annually submit a report to the State Board of Education that includes the following information:
 - (i) the number of teachers employed using K-3 Reading Improvement Program money received pursuant to Sections 53A-17a-150 and 53A-17a-151;
 - (ii) the amount of K-3 Reading Improvement Program money expended for teachers;
 - (iii) the number of teachers employed in kindergarten through grade 8 using Title I money;
 - (iv) the amount of Title I money expended for teachers in kindergarten through grade 8; and
 - (v) a comparison of actual average class size by grade in grades kindergarten through 8 in the school district or charter school with what the average class size would be without the expenditure of class size reduction, K-3 Reading Improvement Program, and Title I money.
- (d) The information required to be reported in Subsections (8)(b)(i)(A) through (C), (8)(b)(ii)(A) through (C), and (8)(c) shall be categorized by a teacher's or paraprofessional's teaching assignment, such as the grade level, course, or subject taught.
- (e) The State Board of Education may make rules specifying procedures and standards for the submission of:
 - (i) a plan and a report on the use of class size reduction money as required by this section; and
 - (ii) a report required under Subsection (8)(c).
- (f) Based on the data contained in the class size reduction plans and reports submitted by school districts and charter schools, and data on average class size, the State Board of Education shall annually report to the Public Education Appropriations Subcommittee on the impact of class size reduction, K-3 Reading Improvement Program, and Title I money on class size.

Amended by Chapter 188, 2016 General Session