

Effective 1/24/2018

Part 5
Related to Basic Program -- Grant Programs

53F-2-502 Dual language immersion.

- (1) As used in this section:
 - (a) "Dual language immersion" means an instructional setting in which a student receives a portion of instruction in English and a portion of instruction exclusively in a partner language.
 - (b) "Local education agency" or "LEA" means a school district or a charter school.
 - (c) "Participating LEA" means an LEA selected by the state board to receive a grant described in this section.
 - (d) "Partner language" means a language other than English in which instruction is provided in dual language immersion.
 - (e) "Restricted foreign entity" means the same as that term is defined in Section 53B-1-201.
- (2) The state board shall:
 - (a) establish a dual language immersion program;
 - (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that establish:
 - (i) a grant program for an LEA to receive funding for dual language immersion;
 - (ii) the required qualifications for an LEA to be a participating LEA;
 - (iii) subject to this section, requirements of a participating LEA;
 - (iv) a proficiency assessment for each partner language; and
 - (v) a progression of how a school in a participating LEA adds grade levels in which the school offers dual language immersion; and
 - (c) subject to legislative appropriations:
 - (i) select participating LEAs; and
 - (ii) award to a participating LEA a grant to support dual language immersion in the LEA.
- (3) A participating LEA shall:
 - (a) establish in a school a full-day dual language immersion instructional model that provides at least 50% of instruction exclusively in a partner language;
 - (b) in accordance with the state board rules described in Subsection (2)(b), add grades in which dual language immersion is provided in a school; and
 - (c) annually administer to each student in grades 3 through 8 who participates in dual language immersion an assessment described in Subsection (2)(b)(iv).
- (4) The state board shall:
 - (a) provide support to a participating LEA, including by:
 - (i) offering professional learning for dual language immersion educators;
 - (ii) developing curriculum related to dual language immersion; or
 - (iii) providing instructional support for a partner language;
 - (b) conduct a program evaluation of the dual language immersion program established under Subsection (2)(a); and
 - (c) on or before November 1, 2019, report to the Education Interim Committee and the Public Education Appropriations Subcommittee on the results of the program evaluation described in Subsection (4)(b).
- (5) The state board may, in accordance with Title 63G, Chapter 6a, Utah Procurement Code, contract with a third party to conduct the program evaluation described in Subsection (4)(b).

- (6) Regardless of whether an LEA is a participating LEA or provides language instruction through another method, beginning July 1, 2024, an LEA may not seek or accept funding support from a restricted foreign entity or an entity that passes on funding support from a restricted foreign entity.
- (7) Subject to budget constraints, in addition to the base increases described in Section 53F-2-208, the Legislature shall annually increase the money appropriated for dual language immersion in proportion to the percentage increase over the previous school year in the value of the weighted pupil unit.

Amended by Chapter 129, 2023 General Session

Repealed 7/1/2024

53F-2-503 Early Literacy Program -- Literacy proficiency plan.

- (1) As used in this section:
 - (a) "Program" means the Early Literacy Program.
 - (b) "Program money" means:
 - (i) school district revenue allocated to the program from other money available to the school district, except money provided by the state, for the purpose of receiving state funds under this section; and
 - (ii) money appropriated by the Legislature to the program.
- (2) The Early Literacy Program consists of program money and is created to supplement other school resources for early literacy.
- (3) Subject to future budget constraints, the Legislature may annually appropriate money to the Early Literacy Program.
- (4) An LEA governing board of a school district or a charter school that serves students in any of grades kindergarten through grade 3 shall submit, in accordance with Section 53G-7-218, a plan to the state board for literacy proficiency improvement that incorporates the following components:
 - (a) core instruction in:
 - (i) phonological awareness;
 - (ii) phonics;
 - (iii) fluency;
 - (iv) comprehension;
 - (v) vocabulary;
 - (vi) oral language; and
 - (vii) writing;
 - (b) intervention strategies that are aligned to student needs;
 - (c) assessments that support adjustments to core and intervention instruction;
 - (d) a growth goal for the school district or charter school that:
 - (i) is based upon student learning gains as measured by benchmark assessments administered pursuant to Section 53E-4-307; and
 - (ii) includes a target of at least 60% of all students in grades 1 through 3 meeting the growth goal; and
 - (e) at least one goal that is specific to the school district or charter school that:
 - (i) is measurable;
 - (ii) addresses current performance gaps in student literacy based on data; and
 - (iii) includes specific strategies for improving outcomes.
- (5)

- (a) There are created within the Early Literacy Program three funding programs:
 - (i) the Base Level Program;
 - (ii) the Guarantee Program; and
 - (iii) the Low Income Students Program.
- (b) The state board may use up to \$7,500,000 from an appropriation described in Subsection (3) for computer-assisted instructional learning and assessment programs.
- (6) Money appropriated to the state board for the Early Literacy Program and not used by the state board for computer-assisted instructional learning and assessments described in Subsection (5)(b) shall be allocated to the three funding programs as follows:
 - (a) 8% to the Base Level Program;
 - (b) 46% to the Guarantee Program; and
 - (c) 46% to the Low Income Students Program.
- (7)
 - (a) For a school district or charter school to participate in the Base Level Program, the LEA governing board shall submit a plan described in Subsection (4) and shall receive approval of the plan from the state board.
 - (b)
 - (i) The local school board of a school district qualifying for Base Level Program funds and the charter school governing boards of qualifying elementary charter schools combined shall receive a base amount.
 - (ii) The base amount for the qualifying elementary charter schools combined shall be allocated among each charter school in an amount proportionate to:
 - (A) each existing charter school's prior year fall enrollment in grades kindergarten through grade 3; and
 - (B) each new charter school's estimated fall enrollment in grades kindergarten through grade 3.
- (8)
 - (a) A local school board that applies for program money in excess of the Base Level Program funds may choose to first participate in the Guarantee Program or the Low Income Students Program.
 - (b) A school district shall fully participate in either the Guarantee Program or the Low Income Students Program before the local school board may elect for the school district to either fully or partially participate in the other program.
 - (c) For a school district to fully participate in the Guarantee Program, the local school board shall allocate to the program money available to the school district, except money provided by the state, equal to the amount of revenue that would be generated by a tax rate of .000056.
 - (d) For a school district to fully participate in the Low Income Students Program, the local school board shall allocate to the program money available to the school district, except money provided by the state, equal to the amount of revenue that would be generated by a tax rate of .000065.
 - (e)
 - (i) The state board shall verify that a local school board allocates the money required in accordance with Subsections (8)(c) and (d) before the state board distributes funds in accordance with this section.
 - (ii) The State Tax Commission shall provide the state board the information the state board needs in order to comply with Subsection (8)(e)(i).
- (9)

- (a) Except as provided in Subsection (9)(c), the local school board of a school district that fully participates in the Guarantee Program shall receive state funds in an amount that is:
 - (i) equal to the difference between \$21 multiplied by the school district's total WPUs and the revenue the local school board is required to allocate under Subsection (8)(c) for the school district to fully participate in the Guarantee Program; and
 - (ii) not less than \$0.
- (b) Except as provided in Subsection (9)(c), an elementary charter school shall receive under the Guarantee Program an amount equal to \$21 times the elementary charter school's total WPUs.
- (c) The state board may adjust the \$21 guarantee amount described in Subsections (9)(a) and (b) to account for actual appropriations and money used by the state board for computer-assisted instructional learning and assessments.
- (10) The state board shall distribute Low Income Students Program funds in an amount proportionate to the number of students in each school district or charter school who qualify for free or reduced price school lunch multiplied by two.
- (11) A school district that partially participates in the Guarantee Program or Low Income Students Program shall receive program funds based on the amount of school district revenue allocated to the program as a percentage of the amount of revenue that could have been allocated if the school district had fully participated in the program.
- (12)
 - (a) An LEA governing board shall use program money for early literacy interventions and supports in kindergarten through grade 3 that have proven to significantly increase the percentage of students who are proficient in literacy, including:
 - (i) evidence-based intervention curriculum;
 - (ii) literacy assessments that identify student learning needs and monitor learning progress; or
 - (iii) focused literacy interventions that may include:
 - (A) the use of reading specialists or paraprofessionals;
 - (B) tutoring;
 - (C) before or after school programs;
 - (D) summer school programs; or
 - (E) the use of interactive computer software programs for literacy instruction and assessments for students.
 - (b) An LEA governing board may use program money for portable technology devices used to administer literacy assessments.
 - (c) Program money may not be used to supplant funds for existing programs, but may be used to augment existing programs.
- (13) If an LEA governing board uses program money in a manner that is inconsistent with Subsection (12), the school district or charter school is liable for reimbursing the state board for the amount of program money improperly used, up to the amount of program money received from the state board.
- (14)
 - (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to implement the program.
 - (b)
 - (i) The rules under Subsection (14)(a) shall require each LEA governing board to annually report progress in meeting goals described in Subsections (4)(d) and (e), including the strategies the school district or charter school uses to address the goals.

- (ii) If a school district or charter school does not meet or exceed the school district's or charter school's goals described in Subsections (4)(d) or (e), the LEA governing board shall prepare a new plan that corrects deficiencies.
- (iii) The new plan described in Subsection (14)(b)(ii) shall be approved by the state board before the LEA governing board receives an allocation for the next year.
- (15) The state board may use up to 3% of the funds appropriated by the Legislature to carry out the provisions of this section for administration of the program.
- (16) The state board shall make an annual report in accordance with Section 53E-1-203 that:
 - (a) includes information on:
 - (i) student learning gains in early literacy for the past school year and the five-year trend;
 - (ii) the percentage of grade 3 students who are proficient in English language arts in the past school year and the five-year trend;
 - (iii) the progress of school districts and charter schools in meeting goals described in a plan described in Subsection (4); and
 - (iv) the specific strategies or interventions used by school districts or charter schools that have significantly improved early grade literacy proficiency; and
 - (b) may include recommendations on how to increase the percentage of grade 3 students who are proficient in English language arts, including how to use a strategy or intervention described in Subsection (16)(a)(iv) to improve literacy proficiency for additional students.
- (17) The report described in Subsection (16) shall include information provided through the digital reporting platform described in Subsection 53G-7-218(5)(a).

Amended by Chapter 408, 2022 General Session

Repealed 7/1/2024

53F-2-504 Teacher Salary Supplement Program.

- (1) As used in this section:
 - (a) "Eligible teacher" means a teacher who:
 - (i) has a qualifying educational background or qualifying teaching background;
 - (ii) has a supplement-approved assignment that corresponds to the teacher's qualifying educational background or qualifying teaching background;
 - (iii) qualifies for the teacher's supplement-approved assignment in accordance with state board rule; and
 - (iv)
 - (A) is a new employee; or
 - (B) has not received an unsatisfactory rating on the teacher's three most recent evaluations.
 - (b) "Field of computer science" means:
 - (i) computer science; or
 - (ii) computer information technology.
 - (c) "Field of science" means:
 - (i) integrated science;
 - (ii) chemistry;
 - (iii) physics;
 - (iv) physical science; or
 - (v) general science.
 - (d) "Qualifying educational background" means:
 - (i) for a teacher who is assigned a secondary school level mathematics course:
 - (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics; or

- (B) a bachelor's degree major, master's degree, or doctoral degree that has course requirements that are substantially equivalent to the course requirements for a bachelor's degree major, master's degree, or doctoral degree in mathematics;
- (ii) for a teacher who is assigned a grade 7 or 8 integrated science course, chemistry course, or physics course:
 - (A) a bachelor's degree major, master's degree, or doctoral degree in a field of science; or
 - (B) a bachelor's degree major, master's degree, or doctoral degree that has course requirements that are substantially equivalent to the course requirements of those required for a bachelor's degree major, master's degree, or doctoral degree in a field of science;
- (iii) for a teacher who is assigned a computer science course:
 - (A) a bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or
 - (B) a bachelor's degree major, master's degree, or doctoral degree that has course requirements that are substantially equivalent to the course requirements of those required for a bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or
- (iv) for a teacher who is assigned to teach special education, a bachelor's degree major, master's degree, or doctoral degree in special education.
- (e) "Qualifying teaching background" means:
 - (i) the teacher has been teaching the same supplement-approved assignment in Utah public schools for at least 10 years; or
 - (ii) the teacher has a professional deaf education license issued by the state board.
- (f) "Supplement-approved assignment" means an assignment to teach:
 - (i) a secondary school level mathematics course;
 - (ii) integrated science in grade 7 or 8;
 - (iii) chemistry;
 - (iv) physics;
 - (v) computer science;
 - (vi) special education; or
 - (vii) deaf education.
- (2)
 - (a) Subject to future budget constraints, the Legislature shall:
 - (i) annually appropriate money to the Teacher Salary Supplement Program to maintain annual salary supplements for eligible teachers provided in previous years; and
 - (ii) provide salary supplements to new recipients.
 - (b) Money appropriated for the Teacher Salary Supplement Program shall include money for the following employer-paid benefits:
 - (i) retirement;
 - (ii) workers' compensation;
 - (iii) Social Security; and
 - (iv) Medicare.
- (3)
 - (a) The annual salary supplement for an eligible teacher who is assigned full-time to a supplement-approved assignment is:
 - (i) for a fiscal year beginning before July 1, 2023, \$4,100 and funded through an appropriation described in Subsection (2); and
 - (ii) for a fiscal year beginning on or after July 1, 2023, the amount equal to:

- (A) the amount of the annual salary supplement in the preceding fiscal year; and
- (B) a percentage increase that is equal to the percentage increase in the value of the WPU in the preceding fiscal year.
- (b) An eligible teacher who is assigned part-time to a supplement-approved assignment shall receive a partial salary supplement based on the number of hours worked in the supplement-approved assignment.
- (4) The state board shall:
 - (a) create an online application system for a teacher to apply to receive a salary supplement through the Teacher Salary Supplement Program;
 - (b) determine if a teacher is an eligible teacher;
 - (c) verify, as needed, the determinations made under Subsection (4)(b) with school district and school administrators; and
 - (d) certify a list of eligible teachers.
- (5) An eligible teacher shall apply to the state board, as provided by the board to receive the salary supplement authorized in this section in accordance with state board rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (6)
 - (a) The state board shall establish and administer an appeal process for a teacher to follow if the teacher applies for a salary supplement and does not receive a salary supplement under Subsection (8).
 - (b)
 - (i) The appeal process established in Subsection (6)(a) shall allow a teacher to appeal eligibility as an eligible teacher with a qualifying educational background on the basis that the teacher has a degree or degree major with course requirements that are substantially equivalent to the qualifying educational background associated with the teacher's supplement-approved assignment.
 - (ii) A teacher shall provide transcripts and other documentation to the state board in order for the state board to determine if the teacher has a degree or degree major with course requirements that are substantially equivalent to the qualifying educational background associated with the teacher's supplement-approved assignment.
 - (c)
 - (i) The appeal process established under Subsection (6)(a) shall allow a teacher to appeal eligibility as an eligible teacher with a qualifying teaching background on the basis that the teacher has a qualifying teaching background.
 - (ii) The teacher shall provide to the state board evidence to verify that the teacher has a qualifying teaching background.
- (7)
 - (a) The state board shall distribute money appropriated to the Teacher Salary Supplement Program to school districts and charter schools for the Teacher Salary Supplement Program in accordance with the provisions of this section.
 - (b) The state board shall include the employer-paid benefits described under Subsection (2)(b) in the amount of each salary supplement.
 - (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the salary supplement limits described under Subsection (3).
- (8)
 - (a) Money received from the Teacher Salary Supplement Program shall be used by a school district or charter school to provide a salary supplement equal to the amount specified in Subsection (3) for each eligible teacher.

- (b) The salary supplement is part of an eligible teacher's base pay, subject to eligible teacher's qualification as an eligible teacher every year, semester, or trimester.
- (9) Notwithstanding the provisions of this section, if the appropriation for the program is insufficient to cover the costs associated with salary supplements, the state board may distribute the funds in the Teacher Salary Supplement Program on a pro rata basis.

Amended by Chapter 373, 2023 General Session

Effective 7/1/2024

Repealed 7/1/2025

53F-2-504 Teacher Salary Supplement Program.

(1) As used in this section:

(a) "Eligible teacher" means a teacher who:

- (i) has a qualifying educational background or qualifying teaching background;
- (ii) has a supplement-approved assignment that corresponds to the teacher's qualifying educational background or qualifying teaching background;
- (iii) qualifies for the teacher's supplement-approved assignment in accordance with state board rule; and
- (iv)
 - (A) is a new employee; or
 - (B) has not received an unsatisfactory rating on the teacher's three most recent evaluations.

(b) "Field of computer science" means:

- (i) computer science; or
- (ii) computer information technology.

(c) "Field of science" means:

- (i) integrated science;
- (ii) chemistry;
- (iii) physics;
- (iv) physical science; or
- (v) general science.

(d) "Qualifying educational background" means:

- (i) for a teacher who is assigned a secondary school level mathematics course:
 - (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics; or
 - (B) a bachelor's degree major, master's degree, or doctoral degree that has course requirements that are substantially equivalent to the course requirements for a bachelor's degree major, master's degree, or doctoral degree in mathematics;
- (ii) for a teacher who is assigned a grade 7 or 8 integrated science course, chemistry course, or physics course:
 - (A) a bachelor's degree major, master's degree, or doctoral degree in a field of science; or
 - (B) a bachelor's degree major, master's degree, or doctoral degree that has course requirements that are substantially equivalent to the course requirements of those required for a bachelor's degree major, master's degree, or doctoral degree in a field of science;
- (iii) for a teacher who is assigned a computer science course:
 - (A) a bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or
 - (B) a bachelor's degree major, master's degree, or doctoral degree that has course requirements that are substantially equivalent to the course requirements of those

required for a bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or

(iv) for a teacher who is assigned to teach special education, a bachelor's degree major, master's degree, or doctoral degree in special education.

(e) "Qualifying teaching background" means:

(i) the teacher has been teaching the same supplement-approved assignment in Utah public schools for at least 10 years; or

(ii) the teacher has a professional deaf education license issued by the state board.

(f) "Supplement-approved assignment" means an assignment to teach:

(i) a secondary school level mathematics course;

(ii) integrated science in grade 7 or 8;

(iii) chemistry;

(iv) physics;

(v) computer science;

(vi) special education; or

(vii) deaf education.

(2)

(a) Subject to future budget constraints, the Legislature shall:

(i) annually appropriate money to the Teacher Salary Supplement Program to maintain annual salary supplements for eligible teachers provided in previous years; and

(ii) provide salary supplements to new recipients.

(b) Money appropriated for the Teacher Salary Supplement Program shall include money for the following employer-paid benefits:

(i) retirement;

(ii) workers' compensation;

(iii) Social Security; and

(iv) Medicare.

(3)

(a) The annual salary supplement for an eligible teacher who is assigned full-time to a supplement-approved assignment is:

(i) for a fiscal year beginning before July 1, 2023, \$4,100 and funded through an appropriation described in Subsection (2); and

(ii) for a fiscal year beginning on or after July 1, 2023, the amount equal to:

(A) the amount of the annual salary supplement in the preceding fiscal year; and

(B) a percentage increase that is equal to the percentage increase in the value of the WPU in the preceding fiscal year.

(b) An eligible teacher who is assigned part-time to a supplement-approved assignment shall receive a partial salary supplement based on the number of hours worked in the supplement-approved assignment.

(4) The state board shall:

(a) create an online application system for a teacher to apply to receive a salary supplement through the Teacher Salary Supplement Program;

(b) determine if a teacher is an eligible teacher;

(c) verify, as needed, the determinations made under Subsection (4)(b) with school district and school administrators; and

(d) certify a list of eligible teachers.

- (5) An eligible teacher shall apply to the state board, as provided by the board to receive the salary supplement authorized in this section in accordance with state board rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (6)
- (a) The state board shall establish and administer an appeal process for a teacher to follow if the teacher applies for a salary supplement and does not receive a salary supplement under Subsection (8).
- (b)
- (i) The appeal process established in Subsection (6)(a) shall allow a teacher to appeal eligibility as an eligible teacher with a qualifying educational background on the basis that the teacher has a degree or degree major with course requirements that are substantially equivalent to the qualifying educational background associated with the teacher's supplement-approved assignment.
- (ii) A teacher shall provide transcripts and other documentation to the state board in order for the state board to determine if the teacher has a degree or degree major with course requirements that are substantially equivalent to the qualifying educational background associated with the teacher's supplement-approved assignment.
- (c)
- (i) The appeal process established under Subsection (6)(a) shall allow a teacher to appeal eligibility as an eligible teacher with a qualifying teaching background on the basis that the teacher has a qualifying teaching background.
- (ii) The teacher shall provide to the state board evidence to verify that the teacher has a qualifying teaching background.
- (7)
- (a) The state board shall distribute money appropriated to the Teacher Salary Supplement Program to school districts, charter schools, and regional education service agencies for the Teacher Salary Supplement Program in accordance with the provisions of this section.
- (b) The state board shall include the employer-paid benefits described under Subsection (2)(b) in the amount of each salary supplement.
- (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the salary supplement limits described under Subsection (3).
- (8)
- (a) Money received from the Teacher Salary Supplement Program shall be used by a school district, charter school, or regional education service agencies to provide a salary supplement equal to the amount specified in Subsection (3) for each eligible teacher.
- (b) The salary supplement is part of an eligible teacher's base pay, subject to eligible teacher's qualification as an eligible teacher every year, semester, or trimester.
- (9) Notwithstanding the provisions of this section, if the appropriation for the program is insufficient to cover the costs associated with salary supplements, the state board may distribute the funds in the Teacher Salary Supplement Program on a pro rata basis.

Amended by Chapter 468, 2024 General Session

Effective 7/1/2025

53F-2-504 Salary Supplement for Highly Needed Educators.

- (1) As used in this section:
- (a) "Eligible teacher" means a teacher who:
- (i) has a qualifying assignment;

- (ii) qualifies for the teacher's assignment in accordance with an LEA's policy described in Subsection (2); and
 - (iii)
 - (A) is a new employee; or
 - (B) has not received an unsatisfactory rating on the teacher's three most recent evaluations.
 - (b) "High-needs area" means at least two and up to five teaching assignments that an LEA designates in a policy as challenging to fill or retain.
 - (c) "Program" means the Salary Supplement for Highly Needed Educators program.
 - (d) "Qualifying assignment" means a teacher who is assigned to a high-needs area.
- (2)
- (a) An LEA shall create a policy describing the administration of the Salary Supplement for Highly Needed Educators program within the LEA, including:
 - (i) identifying the LEA's high-needs areas;
 - (ii) the amount of the salary supplement;
 - (iii) establishing an appeals process for a teacher to follow if the teacher does not receive a salary supplement, including:
 - (A) allowing a teacher to appeal eligibility as an eligible teacher with a qualifying assignment on the basis that the teacher has a teaching assignment that is substantially equivalent to a high-needs area; and
 - (B) requiring a teacher to provide transcripts and other documentation to the LEA governing board in order for the LEA governing board to determine if the teacher is an eligible teacher with a qualifying teaching background;
 - (iv) a process for determining if a teacher is an eligible teacher, including a verification process; and
 - (v) a process for certifying a list of eligible teachers to be awarded a salary supplement under this section.
 - (b) An LEA shall update the policy described in Subsection (2)(a) annually and provide notice of any changes to teachers within the LEA.
- (3) Subject to legislative appropriations and an LEA having the policy described in Subsection (2), the state board shall allocate funding appropriated for the Salary Supplements for Highly Needed Educators program in accordance with this section by:
- (a) for charter schools:
 - (i) distributing an amount that is equal to the product of:
 - (A) charter school enrollment on October 1 in the prior year, or, for a new charter school, projected enrollment for a charter school in the charter school's first year of operations, divided by enrollment on October 1 in public schools statewide in the prior year; and
 - (B) the total amount available for distribution; and
 - (ii) allocating to each charter school:
 - (A) an equally divided portion of 20% of the amount described in Subsection (3)(a)(i); and
 - (B) 80% of the amount described in Subsection (3)(a)(i) on a per-student basis; and
 - (b) for school districts:
 - (i) distributing the remainder of funds available for distribution after the distribution to charter schools under Subsection (3)(a)(i) by allocating to each school district:
 - (A) an equally divided portion of 20% of the amount described in Subsection (3)(b)(i); and
 - (B) 80% of the amount described in Subsection (3)(b)(i) on a per-student basis.
 - (c) An LEA shall use funds described in Subsections (3)(a) and (3)(b) to pay the LEA's proportional part of an eligible teacher's salary supplement if:

- (i) the eligible teacher is an employee of a regional education service agency, as defined in Section 53G-4-410; and
 - (ii) the LEA is a member of the regional education service agency that employs the eligible teacher.
- (4)
- (a) An LEA shall include employer-paid benefits in the amount of each salary supplement.
 - (b) Employer-paid benefits are an addition to the salary supplement amount established by an LEA under Subsection (2).
- (5) The salary supplement is part of an eligible teacher's base pay, subject to eligible teacher's qualification as an eligible teacher every year, semester, or quarter.
- (6) The state board shall annually report to the Education Interim Committee:
- (a) which teaching assignments LEAs have designated as high-needs; and
 - (b) the number of eligible teachers.

Repealed and Re-enacted by Chapter 374, 2024 General Session

Effective until 7/1/2024

53F-2-506 Beverley Taylor Sorenson Elementary Arts Learning Program.

- (1) As used in this section:
- (a) "Endowed chair" means a person who holds an endowed position or administrator of an endowed program for the purpose of arts and integrated arts instruction at an endowed university.
 - (b) "Endowed university" means an institution of higher education in the state that:
 - (i) awards elementary education degrees in arts instruction;
 - (ii) has received a major philanthropic donation for the purpose of arts and integrated arts instruction; and
 - (iii) has created an endowed position as a result of a donation described in Subsection (1)(b)(ii).
 - (c) "Integrated arts advocate" means a person who:
 - (i) advocates for arts and integrated arts instruction in the state; and
 - (ii) coordinates with an endowed chair pursuant to the agreement creating the endowed chair.
- (2) The Legislature finds that a strategic placement of arts in elementary education can impact the critical thinking of students in other core subject areas, including mathematics, reading, and science.
- (3) The Beverley Taylor Sorenson Elementary Arts Learning Program is created to enhance the social, emotional, academic, and arts learning of students in kindergarten through grade 6 by integrating arts teaching and learning into core subject areas and providing professional development for positions that support elementary arts and integrated arts education.
- (4) From money appropriated for the Beverley Taylor Sorenson Elementary Arts Learning Program, and subject to Subsection (5), the state board shall, after consulting with endowed chairs and the integrated arts advocate and receiving their recommendations, administer a grant program to enable LEAs to:
- (a) hire highly qualified arts specialists, art coordinators, and other positions that support arts education and arts integration;
 - (b) provide up to \$10,000 in one-time funds for each new school arts specialist described under Subsection (4)(a) to purchase supplies and equipment; and
 - (c) engage in other activities that improve the quantity and quality of integrated arts education.
- (5)

- (a) An LEA that receives a grant under Subsection (4) shall provide matching funds of no less than 20% of the grant amount, including no less than 20% of the grant amount for actual salary and benefit costs per full-time equivalent position funded under Subsection (4)(a).
- (b) An LEA may not:
 - (i) include administrative, facility, or capital costs to provide the matching funds required under Subsection (5)(a); or
 - (ii) use funds from the Beverley Taylor Sorenson Elementary Arts Learning Program to supplant funds for existing programs.
- (6) An LEA that receives a grant under this section shall partner with an endowed chair to provide professional development in integrated elementary arts education.
- (7) From money appropriated for the Beverley Taylor Sorenson Elementary Arts Learning Program, the state board shall administer a grant program to fund activities within arts and the integrated arts programs at an endowed university in the college where the endowed chair resides to:
 - (a) provide high quality professional development in elementary integrated arts education in accordance with the professional learning standards in Section 53G-11-303 to LEAs that receive a grant under Subsection (4);
 - (b) design and conduct research on:
 - (i) elementary integrated arts education and instruction;
 - (ii) implementation and evaluation of the Beverley Taylor Sorenson Elementary Arts Learning Program; and
 - (iii) effectiveness of the professional development under Subsection (7)(a); and
 - (c) provide the public with integrated elementary arts education resources.
- (8) The board shall annually:
 - (a) review the funding the Legislature appropriates for the Beverley Taylor Sorenson Elementary Arts Learning Program; and
 - (b) recommend any adjustments as part of the board's annual budget request.
- (9) The state board shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the Beverley Taylor Sorenson Elementary Arts Learning Program.

Amended by Chapter 264, 2020 General Session

Amended by Chapter 408, 2020 General Session

Effective 7/1/2024

53F-2-506 Beverley Taylor Sorenson Elementary Arts Learning Program.

- (1) As used in this section:
 - (a) "Endowed chair" means a person who holds an endowed position or administrator of an endowed program for the purpose of arts and integrated arts instruction at an endowed university.
 - (b) "Endowed university" means an institution of higher education in the state that:
 - (i) awards elementary education degrees in arts instruction;
 - (ii) has received a major philanthropic donation for the purpose of arts and integrated arts instruction; and
 - (iii) has created an endowed position as a result of a donation described in Subsection (1)(b)(ii).
 - (c) "Integrated arts advocate" means a person who:
 - (i) advocates for arts and integrated arts instruction in the state; and
 - (ii) coordinates with an endowed chair pursuant to the agreement creating the endowed chair.

- (2) The Legislature finds that a strategic placement of arts in elementary education can impact the critical thinking of students in other core subject areas, including mathematics, reading, and science.
- (3) The Beverley Taylor Sorenson Elementary Arts Learning Program is created to enhance the social, emotional, academic, and arts learning of students in kindergarten through grade 6 by integrating arts teaching and learning into core subject areas and providing professional development for positions that support elementary arts and integrated arts education.
- (4) From money appropriated for the Beverley Taylor Sorenson Elementary Arts Learning Program, and subject to Subsection (5), the state board shall:
 - (a) consult and receive recommendations from the endowed chairs and the integrated arts advocate;
 - (b) administer a program for an LEA to receive funds to hire highly qualified arts specialists, art coordinators, and other positions that support arts education and arts integration;
 - (c) beginning with the 2024-2025 school year, establish a uniform amount for the funds described in Subsection (4)(b);
 - (d) ensure the uniform amount described in Subsection (4)(c) does not duplicate state funding an educator receives under the educator salary adjustment described in Section 53F-2-405;
 - (e) provide up to \$10,000 in one-time funds for each new school educator described under Subsection (4)(b) to purchase supplies and equipment;
 - (f) engage in other activities that improve the quantity and quality of integrated arts education; and
 - (g) before June 1, 2024, report to the Public Education Appropriations Subcommittee the uniform amount described in Subsection (4)(c).
- (5)
 - (a) An LEA that receives funds under Subsection (4) shall provide matching funds equal to the difference between the uniform amount established in Subsection (4)(c) and the actual cost of the educator's salary.
 - (b) An LEA may not include administrative, facility, or capital costs to provide the matching funds required under Subsection (5)(a).
- (6) An LEA that receives funds under this section shall partner with an endowed chair to provide professional development in integrated elementary arts education.
- (7) From money appropriated for the Beverley Taylor Sorenson Elementary Arts Learning Program, the state board shall administer a program to fund activities within arts and the integrated arts programs at an endowed university in the college where the endowed chair resides to:
 - (a) provide high quality professional development in elementary integrated arts education in accordance with the professional learning standards in Section 53G-11-303 to LEAs that receive funds under Subsection (4);
 - (b) design and conduct research on:
 - (i) elementary integrated arts education and instruction;
 - (ii) implementation and evaluation of the Beverley Taylor Sorenson Elementary Arts Learning Program; and
 - (iii) effectiveness of the professional development under Subsection (7)(a); and
 - (c) provide the public with integrated elementary arts education resources.
- (8) The board shall annually:
 - (a) review the funding the Legislature appropriates for the Beverley Taylor Sorenson Elementary Arts Learning Program; and
 - (b) recommend any adjustments as part of the board's annual budget request, including:

- (i) an increase to the uniform amount established in Subsection (4)(c); and
 - (ii) increases for adding additional schools to the Beverley Taylor Sorenson Elementary Arts Learning Program.
- (9) The state board shall make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the Beverley Taylor Sorenson Elementary Arts Learning Program.

Amended by Chapter 124, 2024 General Session

53F-2-510 Digital Teaching and Learning Grant Program.

(1) As used in this section:

- (a) "Advisory committee" means the committee established by the state board under Subsection (6)(b).
- (b) "Digital readiness assessment" means an assessment provided by the state board that:
 - (i) is completed by an LEA analyzing an LEA's readiness to incorporate comprehensive digital teaching and learning; and
 - (ii) informs the preparation of an LEA's plan for incorporating comprehensive digital teaching and learning.
- (c) "High quality professional learning" means the professional learning standards described in Section 53G-11-303.
- (d) "Implementation assessment" means an assessment that analyzes an LEA's implementation of an LEA plan, including identifying areas for improvement, obstacles to implementation, progress toward the achievement of stated goals, and recommendations going forward.
- (e) "LEA plan" means an LEA's plan to implement a digital teaching and learning program that meets the requirements of this section and requirements set forth by the state board and the advisory committee.
- (f) "Program" means the Digital Teaching and Learning Grant Program created and described in Subsections (5) through (10).
- (g) "Utah Education and Telehealth Network" or "UETN" means the Utah Education and Telehealth Network created in Section 53B-17-105.

(2)

- (a) The state board shall establish a digital teaching and learning task force to develop a funding proposal to present to the Legislature for digital teaching and learning in elementary and secondary schools.
- (b) The digital teaching and learning task force shall include representatives of:
 - (i) the state board;
 - (ii) UETN;
 - (iii) LEAs; and
 - (iv) the Governor's Education Excellence Commission.

(3) As funding allows, the state board shall develop a master plan for a statewide digital teaching and learning program, including the following:

- (a) a statement of purpose that describes the objectives or goals the state board will accomplish by implementing a digital teaching and learning program;
- (b) a forecast for fundamental components needed to implement a digital teaching and learning program, including a forecast for:
 - (i) student and teacher devices;
 - (ii) Wi-Fi and wireless compatible technology;
 - (iii) curriculum software;

- (iv) assessment solutions;
- (v) technical support;
- (vi) change management of LEAs;
- (vii) high quality professional learning;
- (viii) Internet delivery and capacity; and
- (ix) security and privacy of users;
- (c) a determination of the requirements for:
 - (i) statewide technology infrastructure; and
 - (ii) local LEA technology infrastructure;
- (d) standards for high quality professional learning related to implementing and maintaining a digital teaching and learning program;
- (e) a statewide technical support plan that will guide the implementation and maintenance of a digital teaching and learning program, including standards and competency requirements for technical support personnel;
- (f)
 - (i) a grant program for LEAs; or
 - (ii) a distribution formula to fund LEA digital teaching and learning programs;
- (g) in consultation with UETN, an inventory of the state public education system's current technology resources and other items and a plan to integrate those resources into a digital teaching and learning program;
- (h) an ongoing evaluation process that is overseen by the state board;
- (i) proposed rules that incorporate the principles of the master plan into the state's public education system as a whole; and
- (j) a plan to ensure long-term sustainability that:
 - (i) accounts for the financial impacts of a digital teaching and learning program; and
 - (ii) facilitates the redirection of LEA savings that arise from implementing a digital teaching and learning program.
- (4) UETN shall:
 - (a) in consultation with the state board, conduct an inventory of the state public education system's current technology resources and other items as determined by UETN, including software;
 - (b) perform an engineering study to determine the technology infrastructure needs of the public education system to implement a digital teaching and learning program, including the infrastructure needed for the state board, UETN, and LEAs; and
 - (c) as funding allows, provide infrastructure and technology support for school districts and charter schools.
- (5) There is created the Digital Teaching and Learning Grant Program to improve educational outcomes in public schools by effectively incorporating comprehensive digital teaching and learning technology.
- (6) The state board shall:
 - (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adopt rules for the administration of the program, including rules requiring:
 - (i) an LEA to complete a digital readiness assessment the first time an LEA applies for the grant;
 - (ii) measures to ensure that the LEA monitors and implements technology with best practices; and
 - (iii) robust goals for learning outcomes and appropriate measurements of goal achievement;

- (b) establish an advisory committee to make recommendations on the program and LEA plan requirements and report to the state board; and
 - (c) in accordance with this section, approve LEA plans and award grants.
- (7)
- (a) The state board shall, subject to legislative appropriations, award a grant to an LEA:
 - (i) that submits an LEA plan that meets the requirements described in Subsection (8); and
 - (ii) for which the LEA's leadership and management members have completed a digital teaching and learning leadership and implementation training as provided in Subsection (7)(b).
 - (b) The state board or its designee shall provide the training described in Subsection (7)(a)(ii).
- (8) The state board shall establish requirements of an LEA plan that shall include:
- (a) the results of the LEA's digital readiness assessment and a proposal to remedy an obstacle to implementation or other issues identified in the assessment;
 - (b) high quality professional learning for educators in the use of digital teaching and learning technology;
 - (c) leadership training and management restructuring, if necessary, for successful implementation;
 - (d) targets for improved student achievement, student learning, and college readiness through digital teaching and learning; and
 - (e) any other requirement established by the state board in rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, including an application process and metrics to analyze the quality of a proposed LEA plan.
- (9) The state board or the state board's designee shall establish an interactive dashboard available to each LEA that is awarded a grant for the LEA to track and report the LEA's long-term, intermediate, and direct outcomes in real time and for the LEA to use to create customized reports.
- (10)
- (a) There is no federal funding, federal requirement, federal education agreement, or national program included or related to this state adopted program.
 - (b) Any inclusion of federal funding, federal requirement, federal education agreement, or national program shall require separate express approval as provided in Title 53E, Chapter 3, Part 8, Implementing Federal or National Education Programs.
- (11) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the state board shall contract with an independent evaluator to:
- (a) support each LEA that receives a grant as part of the program to complete an implementation assessment for each year that the LEA participates;
 - (b) report the findings of an implementation assessment to the state board; and
 - (c) submit to the state board recommendations to resolve issues that an implementation assessment raises.
- (12) The state board or the state board's designee shall review an implementation assessment and review each participating LEA's progress from the previous year, as applicable.
- (13) The state board shall establish interventions for an LEA that does not make progress on implementation of the LEA's implementation plan, including:
- (a) nonrenewal of, or time period extensions for, the LEA's grant;
 - (b) reduction of funds; or
 - (c) other interventions to assist the LEA.
- (14)

- (a) To implement an LEA plan, a contract, in accordance with Title 63G, Chapter 6a, Utah Procurement Code, or other agreement with one or more providers of technology powered learning solutions and one or more providers of wireless networking solutions may be entered into by:
 - (i) UETN, in cooperation with or on behalf of, as applicable, the state board, the state board's designee, or an LEA; or
 - (ii) an LEA.
- (b) A contract or agreement entered into under Subsection (14)(a) may be a contract or agreement that:
 - (i) UETN enters into with a provider and payment for services is directly appropriated by the Legislature, as funds are available, to UETN;
 - (ii) UETN enters into with a provider and pays for the provider's services and is reimbursed for payments by an LEA that benefits from the services;
 - (iii) UETN negotiates the terms of on behalf of an LEA that enters into the contract or agreement directly with the provider and the LEA pays directly for the provider's services; or
 - (iv) an LEA enters into directly, pays a provider, and receives preapproved reimbursement from a UETN fund established for this purpose.
- (c) If an LEA does not reimburse UETN in a reasonable time for services received under a contract or agreement described in Subsection (14)(b), the state board shall pay the balance due to UETN from the LEA's funds received under Chapter 2, State Funding -- Minimum School Program.
- (d) If UETN negotiates or enters into an agreement as described in Subsection (14)(b)(ii) or (14)(b)(iii), and UETN enters into an additional agreement with an LEA that is associated with the agreement described in Subsection (14)(b)(ii) or (14)(b)(iii), the associated agreement may be treated by UETN and the LEA as a cooperative procurement, as that term is defined in Section 63G-6a-103, regardless of whether the associated agreement satisfies the requirements of Section 63G-6a-2105.

Amended by Chapter 349, 2023 General Session

53F-2-511 Reimbursement Program for Early Graduation From Personalized, Competency-Based Learning.

- (1) As used in this section:
 - (a) "Cohort" means a group of students, defined by the year in which the group enters grade 9.
 - (b) "Eligible LEA" means an LEA that has demonstrated to the state board that the LEA or, for a school district, a school within the LEA, provides and facilitates personalized, competency-based learning that:
 - (i) is based on the principles described in Section 53F-5-501; and
 - (ii) meets other criteria established by the state board in rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
 - (c) "Eligible student" means an individual who:
 - (i) attended an eligible LEA and graduated by completing graduation requirements, as described in Section 53E-4-204, earlier than that individual's cohort completed graduation requirements because of the individual's participation in the eligible LEA's personalized, competency-based learning;
 - (ii) no longer attends the eligible LEA; and
 - (iii) is not included in the LEA's average daily membership under this chapter.

- (d) "Partial pupil" means if an eligible student attends less than a full year of membership, the number of days the student was in membership compared to a full membership year.
 - (e) "Program" means the Reimbursement Program for Early Graduation From Personalized, Competency-Based Learning established in this section.
- (2)
- (a) There is established the Reimbursement Program for Early Graduation From Personalized, Competency-Based Learning.
 - (b) Subject to future budget constraints, the Legislature may annually appropriate money to the Reimbursement Program for Early Graduation From Personalized, Competency-Based Learning.
- (3) An LEA may apply to the state board to receive a reimbursement, as described in Subsection (5), for an eligible student.
- (4) The state board shall approve a reimbursement to an LEA after the LEA demonstrates:
- (a) that the LEA is an eligible LEA; and
 - (b) that the individual for whom the eligible LEA requests reimbursement is an eligible student.
- (5)
- (a) For each eligible student, the state board shall only reimburse an eligible LEA:
 - (i) if the eligible student attended the eligible LEA for less than a full school year before the eligible student's cohort graduated, up to the value of one weighted pupil unit pro rated based on the difference between:
 - (A) the number of days of partial pupil in average daily membership earned by the eligible LEA while the eligible student was still in attendance; and
 - (B) a full pupil in average daily membership; and
 - (ii) the value of one weighted pupil unit for each full school year the eligible student graduated ahead of the eligible student's cohort.
 - (b) The state board shall:
 - (i) use data from the prior year average daily membership to determine the number of eligible students; and
 - (ii) reimburse the eligible LEA in the current school year.
- (6) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, adopt rules to administer the provisions of this section.

Amended by Chapter 129, 2021 General Session

Effective until 7/1/2024

53F-2-513 Effective Teachers in High Poverty Schools Incentive Program -- Salary bonus -- Evaluation.

- (1) As used in this section:
- (a) "Benchmark assessment" means the assessment described in Sections 53E-4-307 and 53E-4-307.5.
 - (b) "Cohort" means a group of students, defined by the year in which the group enters kindergarten.
 - (c) "Eligible teacher" means a general education or special education teacher who is employed as a teacher in kindergarten through grade 8 in a high poverty school at the time the teacher is considered by the state board for a salary bonus, and:
 - (i) a full school year before the school year the eligible teacher is being considered by the state board for a salary bonus under this section, regardless of whether the teacher was employed the previous year by a high poverty school or a different public school, either:

- (A) achieves a median growth percentile of 70 or higher while teaching in grade 4 through 8 at any public school in the state a course for which a standards assessment is administered as described in Section 53E-4-303; or
- (B) achieves at least 85% of students whose progress is assessed as typical or better at the end of the year assessment while teaching kindergarten or grade 1, 2, or 3 at any public school in the state at which a benchmark assessment is administered; and
- (ii) for a salary bonus awarded to a grade 4 teacher in the 2022-2023 school year, regardless of whether the teacher was employed the previous year by a high poverty school or a different public school, teaches grade 4 and achieves the criteria under the method that the state board creates as described in Subsection (2)(b)(iv).
- (d) "High poverty school" means a public school:
 - (i) in which, during the previous school year, based on October 1 enrollment as of the year-end data submission:
 - (A) more than 20% of the enrolled students are classified as children affected by intergenerational poverty; or
 - (B) 70% or more of the enrolled students qualify for free or reduced lunch; or
 - (ii)
 - (A) that has previously met the criteria described in Subsection (1)(d)(i)(A) and for each school year since meeting that criteria at least 15% of the enrolled students at the public school have been classified as children affected by intergenerational poverty; or
 - (B) that has previously met the criteria described in Subsection (1)(d)(i)(A) and for each school year since meeting that criteria at least 60% of the enrolled students at the public school have qualified for free or reduced lunch.
- (e) "Intergenerational poverty" means the same as that term is defined in Section 35A-9-102.
- (f) "Median growth percentile" means a number that describes the comparative effectiveness of a teacher in helping the teacher's students achieve growth in a year by identifying the median student growth percentile of all the students a teacher instructs for each standards assessment or benchmark assessment.
- (g) "Program" means the Effective Teachers in High Poverty Schools Incentive Program created in Subsection (2).
- (h) "Standards assessment" means the assessments described in Section 53E-4-303.
- (i) "Student growth percentile" is a number that describes where a student ranks in comparison to the student's cohort.
- (2)
 - (a) The Effective Teachers in High Poverty Schools Incentive Program is created to provide an annual salary bonus for an eligible teacher.
 - (b) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules for:
 - (i) the administration of the program;
 - (ii) payment of a salary bonus;
 - (iii) application requirements; and
 - (iv) a method for:
 - (A) norm-referencing available reading assessment data for grade 4; and
 - (B) for using the data described in Subsection (2)(b)(iv)(A) to set criteria for the purpose of determining teacher eligibility for salary bonuses awarded in the 2022-2023 school year for teachers in grade 4.
 - (c) The state board shall make an annual salary bonus payment in a fiscal year that begins on July 1, 2017, and each fiscal year thereafter in which money is appropriated for the program.

- (d) The state board shall make a partial payment of the annual salary bonus described in Subsection (2)(c), to an eligible teacher who has a part-time assignment in a regular or special education classroom at an eligible school, based on the number of hours the eligible teacher works in the classroom assignment.
- (3)
 - (a) Subject to future budget constraints, the Legislature shall annually appropriate money to fund the program.
 - (b) Money appropriated for the program shall include money for the following employer-paid benefits:
 - (i) social security; and
 - (ii) Medicare.
- (4)
 - (a)
 - (i) An LEA shall annually apply to the state board on behalf of an eligible teacher for an eligible teacher to receive an annual salary bonus each year that the teacher is an eligible teacher.
 - (ii) A teacher need not be an eligible teacher in consecutive years to receive the increased annual salary bonus described in Subsection (4)(b).
 - (b) The annual salary bonus for an eligible teacher is \$7,000.
 - (c) A public school that applies on behalf of an eligible teacher under Subsection (4)(a)(i) shall pay half of the salary bonus described in Subsection (4)(b) each year the eligible teacher is awarded the salary bonus.
 - (d) The state board shall award a salary bonus to an eligible teacher based on the order that an application from a public school on behalf of the eligible teacher is received.
- (5) The state board shall:
 - (a) determine if a teacher is an eligible teacher;
 - (b) verify, as needed, the determinations made under Subsection (5)(a) with the school district and school district administrators; and
 - (c) publish a list of high poverty schools.
- (6) The state board shall:
 - (a) distribute money from the program to an LEA in accordance with this section and state board rule; and
 - (b) include the employer-paid benefits described in Subsection (3)(b) in addition to the salary bonus amount described in Subsection (4)(b).
- (7) Money received from the program shall be used by an LEA to provide an annual salary bonus equal to the amount specified in Subsection (4)(b) for each eligible teacher and to pay affiliated employer-paid benefits described in Subsection (3)(b).
- (8)
 - (a) After the third year salary bonus payments are made, and each succeeding year, the state board shall evaluate the extent to which a salary bonus described in this section improves recruitment and retention of effective teachers in high poverty schools by examining turnover rates of teachers who receive the salary bonus compared to teachers who do not receive the salary bonus.
 - (b) Each year that the state board conducts an evaluation described in Subsection (8)(a), the state board shall, in accordance with Section 68-3-14, submit a report on the results of the evaluation to the Education Interim Committee on or before November 30.
- (9) A public school shall annually notify a teacher:
 - (a) of the teacher's median growth percentile; and
 - (b) how the teacher's median growth percentile is calculated.

- (10) Notwithstanding this section, if the appropriation for the program is insufficient to cover the costs associated with salary bonuses, the state board may limit or reduce a salary bonus.

Amended by Chapter 376, 2023 General Session

Effective 7/1/2024

53F-2-513 Effective Teachers in High Poverty Schools Incentive Program -- Salary bonus -- Evaluation.

(1) As used in this section:

- (a) "Benchmark assessment" means the assessment described in Sections 53E-4-307 and 53E-4-307.5.
- (b) "Eligible teacher" means a general education or special education teacher who is employed as a teacher in kindergarten through grade 8 in a high poverty school:
 - (i) at the time the teacher is considered by the state board for a salary bonus; and
 - (ii) a full school year before the school year the eligible teacher is being considered by the state board for a salary bonus under this section, regardless of whether the teacher was employed the previous year by a high poverty school or a different public school, either:
 - (A) achieves a median growth percentile of 70 or higher while teaching in grade 4 through 8 at any public school in the state a course for which a standards assessment is administered as described in Section 53E-4-303; or
 - (B) achieves at least 85% of students whose progress is assessed as typical or better at the end of the year assessment while teaching kindergarten or grade 1, 2, or 3 at any public school in the state at which a benchmark assessment is administered.
- (c) "High poverty school" means a public school:
 - (i) in which, during the previous school year, based on October 1 enrollment as of the year-end data submission:
 - (A) more than 20% of the enrolled students are classified as children affected by intergenerational poverty; or
 - (B) 70% or more of the enrolled students qualify for free or reduced lunch; or
 - (ii)
 - (A) that has previously met the criteria described in Subsection (1)(c)(i)(A) and for each school year since meeting that criteria at least 15% of the enrolled students at the public school have been classified as children affected by intergenerational poverty; or
 - (B) that has previously met the criteria described in Subsection (1)(c)(i)(A) and for each school year since meeting that criteria at least 60% of the enrolled students at the public school have qualified for free or reduced lunch.
- (d) "Intergenerational poverty" means the same as that term is defined in Section 35A-9-102.
- (e) "Median growth percentile" means a number that describes the comparative effectiveness of a teacher in helping the teacher's students achieve growth in a year by identifying the median student growth percentile of all the students a teacher instructs for each standards assessment.
- (f) "Program" means the Effective Teachers in High Poverty Schools Incentive Program created in Subsection (2).
- (g) "Standards assessment" means the assessments described in Section 53E-4-303.
- (h) "Student growth percentile" is a number that describes where a student ranks in comparison to students with similar achievement on standards assessments in previous years.

(2)

- (a) The Effective Teachers in High Poverty Schools Incentive Program is created to provide an annual salary bonus for an eligible teacher.
 - (b) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules for:
 - (i) the administration of the program;
 - (ii) payment of a salary bonus; and
 - (iii) application requirements.
 - (c) The state board shall make an annual salary bonus payment in each fiscal year in which money is appropriated for the program.
 - (d) The state board shall make a partial payment of the annual salary bonus described in Subsection (2)(c), to an eligible teacher who has a part-time assignment in a regular or special education classroom at an eligible school, based on the number of hours the eligible teacher works in the classroom assignment.
- (3)
- (a) Subject to future budget constraints, the Legislature shall annually appropriate money to fund the program.
 - (b) Money appropriated for the program shall include money for the following employer-paid benefits:
 - (i) social security; and
 - (ii) Medicare.
- (4)
- (a)
 - (i) An LEA shall annually apply to the state board on behalf of an eligible teacher for an eligible teacher to receive an annual salary bonus each year that the teacher is an eligible teacher.
 - (ii) A teacher need not be an eligible teacher in consecutive years to receive the increased annual salary bonus described in Subsection (4)(b).
 - (b) The annual salary bonus for an eligible teacher is \$7,000.
 - (c) A public school that applies on behalf of an eligible teacher under Subsection (4)(a)(i) shall pay half of the salary bonus described in Subsection (4)(b) each year the eligible teacher is awarded the salary bonus.
 - (d) The state board shall award a salary bonus to an eligible teacher based on the order that an application from a public school on behalf of the eligible teacher is received.
- (5) The state board shall:
- (a) determine if a teacher is an eligible teacher;
 - (b) verify, as needed, the determinations made under Subsection (5)(a) with the school district and school district administrators;
 - (c) publish a list of high poverty schools; and
 - (d) within 30 days of the data being available, provide notice to each teacher in the state who, for the current school year, achieved the criteria described in Subsection (1)(b) and include:
 - (i) a summary of the program, including:
 - (A) the amount of the annual salary bonus; and
 - (B) the remaining requirements to qualify for the annual salary bonus; and
 - (ii) the list of schools described in Subsection (5)(c).
- (6) The state board shall:
- (a) distribute money from the program to an LEA in accordance with this section and state board rule; and
 - (b) include the employer-paid benefits described in Subsection (3)(b) in addition to the salary bonus amount described in Subsection (4)(b).

- (7) Money received from the program shall be used by an LEA to provide an annual salary bonus equal to the amount specified in Subsection (4)(b) for each eligible teacher and to pay affiliated employer-paid benefits described in Subsection (3)(b).
- (8)
 - (a) After the third year salary bonus payments are made, and each succeeding year, the state board shall evaluate the extent to which a salary bonus described in this section improves recruitment and retention of effective teachers in high poverty schools by examining turnover rates of teachers who receive the salary bonus compared to teachers who do not receive the salary bonus.
 - (b) Each year that the state board conducts an evaluation described in Subsection (8)(a), the state board shall, in accordance with Section 68-3-14, submit a report on the results of the evaluation to the Education Interim Committee on or before November 30.
- (9) A public school shall annually notify a teacher:
 - (a) of the teacher's median growth percentile; and
 - (b) how the teacher's median growth percentile is calculated.
- (10) Notwithstanding this section, if the appropriation for the program is insufficient to cover the costs associated with salary bonuses, the state board may limit or reduce a salary bonus.

Amended by Chapter 363, 2024 General Session

53F-2-515 Federal Impact Aid Program -- Offset for underestimated allocations from the Federal Impact Aid Program.

- (1) In addition to the revenues received from the levy imposed by a local school board and authorized by the Legislature under Section 53F-2-301, the Legislature shall provide an amount equal to the difference between the school district's anticipated receipts under the entitlement for the fiscal year from the Federal Impact Aid Program and the amount the school district actually received from this source for the next preceding fiscal year.
- (2) If at the end of a fiscal year the sum of the receipts of a school district from a distribution from the Legislature pursuant to Subsection (1) plus the school district's allocations from the Federal Impact Aid Program for that fiscal year exceeds the amount allocated to the school district from the Federal Impact Aid Program for the next preceding fiscal year, the excess funds are carried into the next succeeding fiscal year and become in that year a part of the school district's contribution to the school district's basic program for operation and maintenance under the state minimum school finance law.
- (3) During the next succeeding fiscal year described in Subsection (2), the school district's required tax rate for the basic program shall be reduced so that the yield from the reduced tax rate plus the carryover funds equal the school district's required contribution to the school district's basic program.
- (4) For the school district of a local school board that is required to reduce the school district's basic tax rate under this section, the school district shall receive state minimum school program funds as though the reduction in the tax rate had not been made.

Amended by Chapter 7, 2023 General Session

Repealed 7/1/2024

53F-2-519 Appropriation for school nurses.

- (1) The state board shall distribute money appropriated for school nurses to award grants to school districts and charter schools that:

- (a) provide an equal amount of matching funds; and
 - (b) do not supplant other money used for school nurses.
- (2)
- (a) A school district or charter school that is awarded a grant under this section shall require each school nurse employed by the school district or charter school to complete two hours of continuing nurse education on the emotional and mental health of students.
 - (b) The continuing nurse education described in Subsection (2)(a) shall include training on:
 - (i) the awareness of, screening for, and triaging to appropriate treatment for mental health problems;
 - (ii) trauma-informed care;
 - (iii) signs of mental illness;
 - (iv) alcohol and substance abuse;
 - (v) response to acute mental health crises; and
 - (vi) suicide prevention, including information about the 24-hour availability of the SafeUT Crisis Line established under Section 53B-17-1202.

Amended by Chapter 186, 2019 General Session

Amended by Chapter 446, 2019 General Session

53F-2-520 Rural school transportation reimbursement.

- (1) As used in this section:
- (a) "Eligible LEA" means a school district or a charter school:
 - (i) that is located in a county of the fourth, fifth, or sixth class, as defined in Section 17-50-501; and
 - (ii) in which:
 - (A) for a fiscal year other than fiscal year 2021 or 2022, at least 65% of the students enrolled in the school district or charter school qualify for free or reduced price lunch; or
 - (B) for fiscal year 2021 or 2022, at least 65% of the students enrolled in the school district or charter school qualified for free or reduced price lunch in fiscal year 2019.
 - (b) "Eligible school" means a school:
 - (i) in an eligible LEA; and
 - (ii) that the eligible LEA has provided transportation to and from for a regular school day for students for at least five years.
 - (c) "LEA governing board" means:
 - (i) the local school board of a school district that is an eligible LEA; or
 - (ii) the charter school governing board of a charter school that is an eligible LEA.
- (2) An LEA governing board may annually submit a request to the state board to receive reimbursement for an expense that:
- (a) the LEA governing board incurs transporting a student to or from an eligible school for the regular school day; and
 - (b) the LEA governing board does not pay using state funding for pupil transportation described in Section 53F-2-402 or 53F-2-403.
- (3)
- (a) Subject to legislative appropriations, and except as provided in Subsection (3)(b), the state board shall reimburse an LEA governing board for an expense included in a request described in Subsection (2).

- (b) If the legislative appropriation for this section is insufficient to fund an expense in a request received under Subsection (2), the state board may reduce an LEA governing board's reimbursement in accordance with the rules described in Subsection (4).
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules that establish:
 - (a) requirements for information an LEA governing board shall include in a reimbursement request described in Subsection (2);
 - (b) a deadline by which an LEA governing board shall submit a request described in Subsection (2); and
 - (c) a formula for reducing an LEA governing board's allocation under Subsection (3).
- (5) Nothing in this section affects a school district's allocation for pupil transportation under Sections 53F-2-402 and 53F-2-403.

Amended by Chapter 303, 2021 General Session

53F-2-522 Public education mental health screening.

- (1) As used in this section:
 - (a) "Division" means the Division of Integrated Healthcare within the Department of Health and Human Services.
 - (b) "Non-participating LEA" means an LEA that does not administer an approved mental health screening program described in this section.
 - (c) "Participating LEA" means an LEA that has an approved screening program described in this section.
 - (d) "Participating student" means a student in a participating LEA who participates in a mental health screening program.
 - (e) "Qualifying parent" means a parent:
 - (i) of a participating student who, based on the results of a screening program, would benefit from resources that cannot be provided to the participating student in the school setting; and
 - (ii) who qualifies for financial assistance to pay for the resources under rules made by the state board.
 - (f) "Screening program" means a student mental health screening program selected by a participating LEA and approved by the state board in consultation with the division.
- (2)
 - (a) On or before July 1, 2023, an LEA governing board shall determine whether the LEA will be a participating LEA or a non-participating LEA for the 2023-24 school year.
 - (b)
 - (i) During the 2023-24 school year, and each year after, a participating LEA may change the LEA's participation status and become a non-participating LEA for the next school year by reporting the status change to the state board on or before August 1, 2024.
 - (ii) An LEA that changed the LEA's status from participating to non-participating in Subsection (2)(b)(i) is subject to the requirements of a non-participating LEA described in Subsection (2)(c).
 - (c)
 - (i) During the 2023-24 school year, and each year after, a non-participating LEA's governing board shall submit a record of determination to the state board on or before August 1 of each year, which record shall state whether the non-participating LEA will:
 - (A) maintain the LEA's non-participating status; or
 - (B) change the LEA's status to be a participating LEA.

- (ii) If the non-participating LEA determines the LEA will change participation status and become a participating LEA, the LEA's status of participation will change at the end of the current school year.
- (d) If an LEA governing board failed to make the determination required in Subsection (2)(a) on or before July 1, 2023, the LEA governing board shall determine whether the LEA will be a participating LEA for the 2024-25 school year and notify the state board of the determination on or before August 1, 2024.
- (3) The state board shall:
 - (a) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
 - (i) establish a process for a participating LEA to submit a selected screening program to the state board for approval;
 - (ii) in accordance with Title 53E, Chapter 9, Student Privacy and Data Protection, and the Family Educational Rights and Privacy Act, 20 U.S.C. 1232g, establish who may access and use a participating student's screening data;
 - (iii) establish a requirement and a process for appropriate LEA or school personnel to attend annual training related to administering the screening program;
 - (iv) determine whether a parent is eligible to receive the financial support described in Subsection (5)(a) as a qualifying parent; and
 - (v) apply for and distribute the financial support described in Subsection (5)(a);
 - (b) in consultation with the division, approve an evidence-based student mental health screening program selected by a participating LEA that:
 - (i) is age appropriate for each grade in which the screening program is administered;
 - (ii) screens for the mental health conditions determined by the state board and division; and
 - (iii) is an effective tool for identifying whether a student has a mental health condition that requires intervention; and
 - (c) on or before August 30 of each year, submit a report on the screening programs to the State Suicide Prevention Committee created under Section 26B-5-611 and the Education Interim Committee in accordance with Section 53E-1-201 that contains the following:
 - (i) the approximate number of participating students that were screened in each participating LEA the previous school year;
 - (ii) the approximate number of participating students referred to additional services or for whom intervention was required;
 - (iii) the names and number of:
 - (A) participating LEAs;
 - (B) non-participating LEAs; and
 - (C) LEAs that failed to make and report to the state board the determination to be participating or non-participating LEAs;
 - (iv) information regarding:
 - (A) reasons why an LEA failed to make a determination to be a participating or non-participating LEA; and
 - (B) any LEA that determined to be a participating LEA but failed to implement a mental health screening program;
 - (v) an overview of how participating LEAs utilized distributed funds; and
 - (vi) whether the amount of distributed funds to each participating LEA was sufficient for the participating LEA's needs.
- (4) A participating LEA shall:

- (a) in accordance with rules made by the state board under Subsection (3)(a), submit a selected evidence-based screening program to the state board for approval;
 - (b) implement and administer a state board-approved mental health screening program to participating students in the participating LEA by:
 - (i) annually notifying each parent with a student in the participating LEA that the parent may have the student screened for mental health conditions;
 - (ii) obtaining prior written consent from a student's parent, that complies with Section 53E-9-203, and the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g, before the participating LEA screens a participating student;
 - (iii) screening the student for mental health conditions; and
 - (iv) if results of a participating student's screening indicate a potential mental health condition, notifying the parent of the participating student of:
 - (A) the participating student's results; and
 - (B) resources available to the participating student, including any services that can be provided by the school mental health provider or by a partnering entity;
 - (c) use state board-distributed funds for the purposes described in Subsection (5)(a); and
 - (d) provide the state board with necessary information and data for the state board to complete the report described in Subsection (3)(c).
- (5)
- (a) Within appropriations made by the Legislature for this purpose, the state board may distribute funds to a participating LEA to use to:
 - (i) implement and administer a mental health screening for participating students as described in Subsection (4)(b); and
 - (ii) assist a qualifying parent to pay for resources described in Subsection (4)(b)(iv)(B) that cannot be provided by a school mental health professional in the school setting.
 - (b) To distribute funds as described in Subsection (5)(a), the state board shall:
 - (i) distribute 90% of the available funds to participating LEAs based on the previous year's average daily membership count; and
 - (ii) distribute the remaining 10% of the available funds on an as-needed basis to participating LEAs if the LEA has exhausted the funds distributed under Subsection (5)(b)(i) and has additional need.
 - (c) The state board may not distribute funds described in Subsection (5)(a) to a non-participating LEA.
- (6) A school employee trained in accordance with rules made by the state board under Subsection (3)(a)(iii), who administers an approved mental health screening in accordance with this section in good faith, is not liable in a civil action for an act taken or not taken under this section.

Amended by Chapter 73, 2024 General Session

Amended by Chapter 245, 2024 General Session

53F-2-523 Salary supplement for National Board-certified teachers.

- (1) As used in this section:
- (a) "National Board certification" means the same as that term is defined in Section 53E-6-102.
 - (b) "National Board-certified teacher" or "board-certified teacher" means a teacher who:
 - (i) holds a National Board certification; and
 - (ii) has an assignment to teach in an LEA.
 - (c) "Salary supplement" means a salary supplement for a board-certified or Title I school board-certified teacher described in this section.

- (d) "Title I school" means a school that receives funds under Title I of the Elementary and Secondary Education Act of 1965, 20 U.S.C. Sec. 6301 et seq.
 - (e) "Title I school board-certified teacher" means a board-certified teacher who is assigned to teach at a Title I school.
- (2)
- (a) Subject to future budget constraints, the Legislature shall:
 - (i) annually appropriate money to maintain annual salary supplements provided in previous years; and
 - (ii) provide salary supplements to new recipients.
 - (b) Money appropriated for salary supplements shall include money for the following employer-paid benefits:
 - (i) retirement;
 - (ii) workers' compensation;
 - (iii) Social Security; and
 - (iv) Medicare.
- (3)
- (a) The annual salary supplement for a board-certified teacher is \$1,000.
 - (b) The annual salary supplement for a Title I school board-certified teacher is \$2,000.
 - (c) A board-certified teacher who qualifies for a salary supplement under Subsections (3)(a) and (b) may only receive the salary supplement that is greater in value.
 - (d) The employer paid benefits described in Subsection (2)(b) are in addition to an amount described in this Subsection (3).
- (4) The state board shall:
- (a) create an online application system for a teacher to apply to receive a salary supplement;
 - (b) establish a deadline by which a teacher is required to apply in order to receive a salary supplement;
 - (c) determine whether a teacher who applies for a salary supplement is a board-certified teacher or a Title I school board-certified teacher;
 - (d) verify, as needed, a determination made under Subsection (4)(c) with LEA or school administrators; and
 - (e) certify a list of board-certified teachers and Title I school board-certified teachers.
- (5) To receive a salary supplement, a board-certified teacher or a Title I school board-certified teacher shall apply to the state board before the deadline described in Subsection (4)(b).
- (6) The state board shall establish and administer an appeal process for a teacher who applies for but does not receive a salary supplement that allows the teacher to appeal eligibility by providing evidence to the state board:
- (a) of the teacher's National Board certification; or
 - (b)
 - (i) of the teacher's National Board certification; and
 - (ii) that the teacher is assigned to teach in a Title I school.
- (7) The state board shall:
- (a) distribute money appropriated for salary supplements to LEAs in accordance with the provisions of this section; and
 - (b) include the cost of employer-paid benefits described in Subsection (2)(b) in the amount distributed to an LEA for each salary supplement.
- (8)

- (a) An LEA shall use money received under this section to provide a salary supplement to each board-certified teacher and Title I school board-certified teacher in an amount equal to the amount described in Subsection (3).
- (b) A salary supplement is part of a teacher's base pay, subject to the teacher's qualification as a board-certified teacher or Title I school board-certified teacher every year, semester, or trimester.
- (9) Notwithstanding the provisions of this section, if an annual appropriation for salary supplements is not sufficient to cover the costs associated with salary supplements, the state board shall distribute the funds on a pro rata basis.

Enacted by Chapter 9, 2020 Special Session 6

53F-2-524 Teacher bonuses for extra assignments.

- (1) Subject to legislative appropriations for this purpose, the state board shall provide grants to LEAs to compensate a teacher who accepted an additional work assignment to substitute for another teacher between December 2021, and May 2022.
- (2) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to establish for the grant described in this Subsection (2):
 - (a) eligibility criteria for a teacher to qualify for a grant up to \$100 per additional work assignment;
 - (b) an application process; and
 - (c) a distribution formula.

Enacted by Chapter 409, 2022 General Session

53F-2-525 Block grant funding for prevention programs in public education.

- (1) As used in this section, "comprehensive prevention plan" means an LEA's plan:
 - (a) to implement evidence-based early-intervention and prevention practices tailored to achieve outcomes and mitigate risk factors in a manner consistent with the following programs:
 - (i) substance abuse prevention programs described in Section 53E-3-522;
 - (ii) youth suicide prevention programs described in Section 53G-9-702; and
 - (iii) positive behavior plans described in Section 53G-10-407;
 - (b) that includes:
 - (i) information on the impact of childhood trauma on student learning, including information advising educators against practicing medicine, giving a diagnosis, or providing treatment; and
 - (ii) resiliency building skills; and
 - (c) that an LEA designs in collaboration with the state board, as described in Subsection (4)(a)(i), and with input from parents, students, educators, and student support staff within the LEA.
- (2) Subject to legislative appropriations, the state board shall distribute block grant funding to LEAs for use in accordance with Subsection (5)(b)(iii) to implement a comprehensive prevention plan that the state board approves in accordance with Subsection (3).
- (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to:
 - (a) establish an application process that allows an LEA to:
 - (i) articulate the approach and rationale underlying the LEA's comprehensive prevention plan;
 - (ii) demonstrate the LEA's specific prevention needs;
 - (iii) provide data that supports the substance and cost of the LEA's comprehensive prevention plan;

- (iv) outline the ways in which the LEA will use the block grant funding in a united prevention effort to achieve the outcomes that the individual programs described in Subsection (1) target; and
 - (v) identify the specific outcomes described in Subsection (3)(a)(iv) by which the LEA will measure the success of the comprehensive prevention plan; and
 - (b) establish additional grant application conditions.
- (4) The state board shall:
- (a)
 - (i) provide guidance to each LEA that is preparing a prevention block grant funding application on the design and implementation of the LEA's comprehensive prevention program;
 - (ii) review each prevention block grant funding application for compliance and eligibility; and
 - (iii) provide to each LEA that receives block grant funding:
 - (A) technical assistance that is tailored to the LEA's specified prevention needs; and
 - (B) targeted professional learning opportunities in evidence-based prevention practices;
 - (b) evaluate and prioritize block grant funding applications under this section and individual funding needs for LEAs that choose to seek out funding for individual prevention programs, as described in Subsection (5)(a), as the state board deems necessary to ensure the effectiveness of statewide prevention efforts.
- (5)
- (a) An LEA may seek block grant funding under this section or segregated funding for the individual programs described in Subsection (1), based on the LEA governing board's determination of specific prevention needs within the LEA.
 - (b) Notwithstanding any other provision of law or state board rule, an LEA that receives block grant funding under this section:
 - (i) shall submit to the state board a report that:
 - (A) accounts for the LEA's use of the block grant funding; and
 - (B) provides data points, including the measurement of the specified outcomes described in Subsection (3)(a)(v), that demonstrate the effectiveness of the LEA's comprehensive prevention plan;
 - (ii) is not required to submit to the state board an individual report for each program described in Subsection (1); and
 - (iii) may use block grant funding to:
 - (A) implement the state board-approved comprehensive prevention plan;
 - (B) carry out the prevention-focused parent seminars described in Subsection 53G-9-703(2); and
 - (C) other evidence-based prevention practices that the state board authorizes.

Amended by Chapter 98, 2023 General Session, (Coordination Clause)

Enacted by Chapter 98, 2023 General Session

Effective 7/1/2024

53F-2-526 Excellence in Education and Leadership Supplement.

- (1) As used in this section:
- (a) "Center" means the Center for the School of the Future at Utah State University established in Section 53B-18-801.
 - (b) "Eligible teacher" means a teacher who is a top-performing teacher that the center determines using an LEA's assessment methods, including:
 - (i) student growth or achievement measures;

- (ii) professional evaluations;
- (iii) parent surveys; and
- (iv) other data-driven criteria the LEA establishes and the center verifies for validity.
- (c) "Eligible teacher" includes an individual whom an LEA participating in the program employs and who holds:
 - (i) a license the state board issues; and
 - (ii) a position that includes a current classroom teaching assignment.
- (d) "High poverty school" means the same as the term is defined in Section 53F-2-513.
- (e) "LEA" means:
 - (i) a school district;
 - (ii) charter school; and
 - (iii) a regional education service agency.
- (f) "Program" means the Excellence in Education and Leadership Supplement created in Subsection (2).
- (g) "Tier performance level" means the following levels of performance for a teacher in comparison to all teachers the center determines in accordance with Subsection (7):
 - (i) the top 5% of teachers;
 - (ii) the next 6%-10% of teachers; and
 - (iii) the next 11%-25% of teachers.
- (h) "Top-performing" means the top 25% of teachers in comparison to all teachers the center determines using the methods described in Subsection (1)(b).
- (2) Beginning July 1, 2024, there is created a five-year pilot program known as the Excellence in Education and Leadership Supplement to provide a salary supplement to an eligible teacher in recognition for outstanding instructional talent.
- (3)
 - (a) No later than December 31, 2024, an LEA shall declare the LEA's intent to participate in the program to the center.
 - (b) If an LEA declares an intent to participate in the program, the LEA shall:
 - (i) develop a process for a school principal or the principal's designee to assess a teacher's performance consistent with this section to determine if a teacher is an eligible teacher, including the corresponding tier performance level; and
 - (ii) create an appeals process for an employee who is not nominated to be an eligible teacher.
- (4) No later than April 1, 2025, an LEA shall:
 - (a) attend a training that the center creates regarding the guidelines for developing a process described in Subsection (3); and
 - (b) develop and submit for approval the LEA's process described in Subsection (3) to the center.
- (5)
 - (a) The center shall review the LEA's process described in Subsection (3) and approve the process or request that the LEA make changes to the submitted process.
 - (b) If the center requests changes to the LEA's submitted process, the LEA shall work with the center to make necessary changes to receive final approval from the center.
 - (c) No later than June 30, 2025, the center shall provide final approval or denial of an LEA's process.
- (6) Before the start of the 2025-2026 school year, an LEA with an approved process as described in Subsection (5) shall:
 - (a) ensure each school principal or the principal's designee attends a training that the center creates regarding:

- (i) how to effectively use the LEA's approved process to select and submit to the center nominations for eligible teachers, including the corresponding tier performance level; and
 - (ii) how to protect student and educator data privacy when submitting nominations and applications, as described in Subsection (9)(b)(ii).
 - (b) provide information to teachers within the LEA regarding the program and how the school's principal or principal's designee will use the approved LEA process to make nominations of eligible teachers;
 - (c) ensure each school principal or the principal's designee uses the LEA's approved process to evaluate and select which teachers within the school to nominate as eligible teachers, including the corresponding tier performance level; and
 - (d) as provided in Subsection (9), submit to the center a list of the nominated eligible teachers for the center to consider.
- (7) In assessing if a nominated teacher is an eligible teacher, the center shall create an assessment process that:
- (a) uses the methods described in Subsection (1)(b);
 - (b) calibrates the submissions an LEA submits to determine, for all nominated teachers statewide, which teachers are eligible teachers, including the corresponding tier performance level;
 - (c) may use additional criteria as determined by the center in consultation with participating LEAs; and
 - (d) establishes a scoring rubric including the scores required for a designation in each tier performance level.
- (8)
- (a) The center shall collaborate with LEAs to create:
 - (i) selection and submission guidelines for:
 - (A) the approval of the LEA's process as described in Subsection (5); and
 - (B) the list of nominated eligible teachers described in Subsection (6);
 - (ii) methods to determine student growth and achievement measures for subject areas that do not have standardized assessment data;
 - (iii) the weightings for each element of the assessment process described in Subsection (7); and
 - (iv) the trainings described in this section.
 - (b) The center may provide program related technical assistance to an LEA.
- (9)
- (a) An LEA shall:
 - (i) apply to the center on behalf of the nominated eligible teachers within the LEA through a process and format that the center determines; and
 - (ii) ensure a school principal or the principal's designee reevaluates an eligible teacher's designation under this section every three years.
 - (b) The center shall:
 - (i) create an application process for an LEA to submit the list of nominated eligible teachers described in Subsection (9)(a);
 - (ii) coordinate with the state board in the creation of the application process described in Subsection (9)(b)(i) to ensure that any sharing of student and educator data during the application process:
 - (A) complies with the Family Educational Rights and Privacy Act, 34 C.F.R. Part 99;
 - (B) complies with Title 53E, Chapter 9, Student Privacy and Data Protection; and

- (C) uses disclosure avoidance techniques, including aggregating and otherwise de-identifying data;
 - (iii) no later than October 1, 2026, determine if a nominated teacher is an eligible teacher through the process described in Subsection (7);
 - (iv) verify:
 - (A) the validity of the LEA's process and assessment of an eligible teacher as described in Subsections (4) and (5); and
 - (B) the nominations described in Subsection (7) with the LEA and school administrators;
 - (v) certify a list of eligible teachers, including the total amount of funding the LEA receives for the LEA's eligible teachers; and
 - (vi) provide the list described in Subsection (9)(b)(iv) to the state board.
- (10)
- (a) Subject to legislative appropriations, the state board shall:
 - (i) disburse funding to an LEA in the amount the center verifies that an LEA qualifies to receive for salary supplements under this section; and
 - (ii)
 - (A) except as provided in Subsection (10)(a)(ii)(B), allocate 1% of the funds appropriated under this section to the center; and
 - (B) provide no more than \$500,000 to the center each fiscal year from the funds described in Subsection (10)(a)(ii)(A).
 - (b) The annual salary supplement for an eligible teacher is:
 - (i) \$10,000 for a teacher in the top 5% of teachers;
 - (ii) \$5,000 for a teacher in the next 6%-10% of teachers; and
 - (iii) \$2,000 for a teacher in the next 11%-25% of teachers.
 - (c) If the eligible teacher is employed at a high poverty school, the eligible teacher shall receive an additional salary supplement that is equal in amount to the eligible teacher's salary supplement described in Subsection (10)(b).
- (11)
- (a) An LEA shall:
 - (i) use the program funds to provide a salary supplement equal to the amount specified in Subsection (10) for each eligible teacher in each tier performance level; and
 - (ii) provide the salary supplement in an eligible teacher's regularly occurring compensation in equal amounts through the contracted school years related to the salary supplement award.
 - (b) An LEA:
 - (i) may use up to 4% of the money appropriated to the LEA for salary supplements to cover administrative costs associated with implementing the program;
 - (ii) may use money appropriated to the LEA for the salary supplement for employer-paid benefits; and
 - (iii) may not include a salary supplement received under this section:
 - (A) in a retirement calculation; or
 - (B) as part of retirement contributions.
 - (c) The salary supplement is not part of an eligible teacher's base pay, and is subject to the eligible teacher's designation as an eligible teacher.
- (12) Notwithstanding the provisions of this section, if the appropriation for the program is insufficient to cover the costs associated with salary supplements, an LEA may distribute the funds to each eligible teacher of the same tier of performance level on a pro rata basis.
- (13) The center and the state board shall collaborate regarding data sharing and other relevant interactions to facilitate the successful administration of the program.

(14)

- (a) An eligible teacher that receives a salary supplement under the program has no vested property right in the salary supplement or the designation as an eligible teacher.
- (b) An eligible teacher's salary supplement and designation under this section are void if the school principal or principal's designee, LEA, or the center made or certified the designation improperly.

(15)

- (a) Subject to prioritization of the Audit Subcommittee, unless the state board contracts a private auditor in accordance with Subsection (15)(b), the Office of the Legislative Auditor General established under Section 36-12-15 shall, in any fiscal year:
 - (i) conduct an audit of the program including:
 - (A) an evaluation of the implementation of the program; and
 - (B) the efficacy of the program, including program outcomes; and
 - (ii) prepare and submit a written report for an audit described in this section in accordance with Subsection 36-12-15(4)(b)(ii).
- (b) Subject to legislative appropriations, the state board may contract with an external auditor to perform the audit described in this Subsection (15).

(16)

- (a) The center shall report to the Education Interim Committee no later than the 2024 October meeting the following:
 - (i) the methodology and process the center develops to achieve the requirements of Subsection (7);
 - (ii) relevant data and updates resulting from the collaborations described in Subsection (8);
 - (iii) any recommendations for future legislation; and
 - (iv) data regarding salary supplement programs, including:
 - (A) different approaches used to reward teacher performance, including different evaluation methods;
 - (B) research outlining the effectiveness and impact of different salary supplement amounts on teacher retention; and
 - (C) other considerations for impactful salary supplement programs in relation to teacher retention.
- (b) Beginning November 1, 2026, the center shall provide an annual report to the Education Interim Committee regarding:
 - (i) the statewide metrics used in accordance with Subsection (7);
 - (ii) de-identified and aggregated data showing the number of:
 - (A) salary supplements per school, including total number of eligible teachers in each school;
 - (B) eligible teachers in high poverty schools;
 - (C) eligible teachers in each tier performance level;
 - (D) eligible teachers in subject areas that do not have standardized assessments; and
 - (E) salary supplement denials per school, including the reasons for a denial;
 - (iii) proportion of eligible teachers in:
 - (A) school districts; and
 - (B) charter schools; and
 - (iv) teacher retention data for a school where an eligible teacher is employed.

Enacted by Chapter 374, 2024 General Session

Effective 7/1/2024

53F-2-527 Appropriations for teaching supplies and materials.

(1) As used in this section:

- (a) "Classroom teacher" means a teacher who:
 - (i) is assigned by an LEA in a permanent teacher position filled by one teacher or two or more job-sharing teachers employed by an LEA;
 - (ii) is licensed and paid on an LEA's salary schedule;
 - (iii) is employed for an entire contract period; and
 - (iv) is primarily responsible to provide instruction or a combination of instructional and counseling services to students in public schools.
- (b) "Teaching supplies and materials" means consumable and non-consumable items that are used for educational purposes by teachers in classroom activities that are approved by the LEA.

(2) For the fiscal year that begins July 1, 2024, the state board shall distribute money appropriated for teaching supplies and materials as follows:

- (a) \$500 to each classroom teacher position for pre-kindergarten special education and kindergarten through grade 6; and
- (b) \$250 to each classroom teacher position for grades 7 through 12.

Enacted by Chapter 322, 2024 General Session