

1 **CAREER LADDER PERFORMANCE AWARDS**

2 1999 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Bill Wright**

5 AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING THAT 10% OF THE MONEY  
6 APPROPRIATED FOR CAREER LADDERS BE USED TO PAY PERFORMANCE BONUSES;  
7 PROVIDING FOR THE ESTABLISHMENT OF PERFORMANCE CRITERIA TO MEASURE  
8 STUDENT ACHIEVEMENT; PROVIDING OPTIONS FOR THE PAYMENT OF  
9 PERFORMANCE BONUSES TO PROFESSIONAL STAFF; PROVIDING THAT 5% OF  
10 CAREER LADDER MONEYS BE USED TO PAY EDUCATORS AT SCHOOLS WITH  
11 PROGRAMS THAT FOCUS ON ESTABLISHING POSITIVE RELATIONSHIPS WITH  
12 PARENTS OF STUDENTS TO HELP ACCOMPLISH CONTINUOUS IMPROVEMENT  
13 PERFORMANCE GOALS; AND PROVIDING AN EFFECTIVE DATE.

14 This act affects sections of Utah Code Annotated 1953 as follows:

15 AMENDS:

16 **53A-17a-124**, as last amended by Chapter 234, Laws of Utah 1998

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

18 Section 1. Section **53A-17a-124** is amended to read:

19 **53A-17a-124. State contributions to career ladders -- Distribution of appropriation**  
20 **-- Performance bonus.**

21 (1) There is appropriated to the State Board of Education \$45,226,476 (24,394 weighted  
22 pupil units) for career ladders for distribution to school districts in accordance with career ladder  
23 guidelines provided by the state board and Title 53A, Chapter 9.

24 (a) The state board shall distribute the appropriation, upon application, to each local school  
25 board by a formula based on the average of equal weighting considerations for:

26 (i) a district's prior year average daily membership;

27 (ii) the total number of teachers employed by a district during the prior year; and

28 (iii) weighted pupil units allocated to the district.

29 (b) The Legislature shall provide for an annual adjustment in the career ladder  
30 appropriation in proportion to:

31 (i) the increase in the value of the weighted pupil unit established in this chapter; and

32 (ii) the increase in the number of students in the state over the prior year.

33 (2) Each school district participating in the career ladder program may spend career ladder  
34 monies:

35 [~~(a) to pay a performance bonus to teachers judged by the district as being outstanding in~~  
36 ~~regular classroom performance;~~]

37 [~~(b)~~] (a) (i) for additional nonteaching days for teachers to devote to curriculum  
38 development, inservice training, preparation, and related activities;

39 (ii) a local board of education may specifically use from the career ladder appropriation  
40 an amount equivalent to \$300 per eligible teacher per year for approved inservice costs, for daily  
41 stipends, for per diem expenses, and for eligible teacher trainers; and

42 [~~(c)~~] (b) for negotiated additional teacher compensation for extending the length of the  
43 instructional day or the number of instructional days.

44 (3) (a) For the fiscal year beginning July 1, 1999, the State Board of Education shall retain  
45 10% of the career ladder appropriation made under Subsection (1) for the awarding of performance  
46 bonuses to educators in the state's public schools.

47 (b) The percentage shall increase to 15% for the fiscal year beginning July 1, 2000, and  
48 for each fiscal year thereafter.

49 (c) The board shall distribute the appropriation retained under Subsections (3)(a) and (b)  
50 to individual schools as follows:

51 (i) each school, under the direction of its local school board, shall establish performance  
52 criteria for the school to measure student achievement in each grade level against targeted goals;

53 (ii) each school shall use continuous student improvement on criterion-referenced and  
54 norm-referenced tests as its performance criteria in establishing targeted goals;

55 (iii) each school shall base its targeted goals on improved test score averages over a  
56 three-year cycle, except if a school is unable to use a three-year improvement cycle for the first two  
57 years of the first cycle, then it shall use a continuous improvement performance measurement  
58 procedure established by the State Board of Education, in consultation with local school boards,

59 based upon test scores over a one or two-year period; ~~h [and] h~~

60 (iv) performance bonus awards shall be made only to those schools that meet or exceed  
 61 their targeted goals h ; **AND THE LOCAL BOARD MAY ADJUST TARGET GOALS ON AN APPEAL**

61a **FOR CHANGING DEMOGRAPHICS** h .

62 (d) A school that receives a performance bonus award under Subsection (3)(c)(iv) may use  
 63 the award to pay performance bonuses to:

64 (i) the entire staff at the school;

65 (ii) individuals involved in specific programs or at specific grade levels at the school;

66 (iii) selected individual staff members; or

67 (iv) a combination of the individuals referred to in Subsections (3)(d)(i),(ii), and (iii).

68 (e) A school may elect to use its performance bonus award to support continuous  
 69 improvement at the school rather than for salary bonuses, subject to approval by at least two-thirds  
 70 vote of the staff.

71 (4) h [~~For the fiscal year beginning~~] h **BEGINNING WITH THE FISCAL YEAR WHICH**  
 71a **STARTS** h July 1, 2000, h [~~and for each year thereafter,~~] h the State Board  
 72 of Education shall retain 5% of the career ladder appropriation made under Subsection (1) for  
 73 distribution to schools that meet the following criteria:

74 (a) schools that have school directors as defined in Section 53A-1a-301;

75 (b) schools that have provided for extensive involvement of parents in developing a  
 76 personalized education plan for each student at the school; and

77 (c) schools that have programs focused on establishing positive relationships with parents  
 78 of students to help accomplish the continuous improvement performance goals referred to in  
 79 Subsection (3).

80 **Section 2. Effective date.**

81 This act takes effect on July 1, 1999.

## Legislative Review Note

as of 1-25-99 11:32 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel