

1 **USE OF INTEREST ON STATE SCHOOL**

2 **FUND**

3 1999 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Melvin R. Brown**

6 AN ACT RELATING TO PUBLIC EDUCATION; CREATING A SCHOOL LAND TRUST
7 PROGRAM FOR EACH PUBLIC SCHOOL; PROVIDING THAT THE INTEREST ON THE
8 STATE SCHOOL FUND SHALL BE USED TO FUND THE PROGRAM; PROVIDING THAT
9 THE FUNDS SHALL GO TO EACH PUBLIC SCHOOL TO ENHANCE ACADEMIC
10 PERFORMANCE AND IMPROVE EDUCATIONAL EXCELLENCE; PROVIDING A
11 DISTRIBUTION FORMULA; REQUIRING SCHOOL COMMITTEES AND SCHOOL PLANS
12 FOR INCREASED OR ENHANCED ACADEMIC PERFORMANCE; REQUIRING
13 ACCOUNTABILITY AND REPORTING TO LOCAL SCHOOL BOARDS; AND PROVIDING
14 AN EFFECTIVE DATE.

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

16 ENACTS:

17 **53-16-101.5**, Utah Code Annotated 1953

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

19 Section 1. Section **53-16-101.5** is enacted to read:

20 **53A-16-101.5. School LAND Trust Account -- Contents -- Purpose -- Distribution of**
21 **funds -- School plans for use of funds.**

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

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

26 (2) The program shall be funded from that portion of the Uniform School Fund consisting
27 of all the interest and dividends on the State School Fund remaining after the deduction of the

amount retained in the State School Fund to protect the fund against losses due to inflation as prescribed by the Utah Constitution Article X, Section 5.

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

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

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

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

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

(b) The committee shall consist of seven members:

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

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

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

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

59 or improve academic excellence at the school.

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

63 (6) (a) Each school shall:

64 (i) implement the plan as developed by the committee and approved by the local school
65 board.;

66 (ii) provide ongoing support for the committee's plan;

67 (iii) meet school board reporting requirements regarding financial and performance
68 accountability; and

69 (iv) publicize to its patrons and the general public on how the funds it received under this
70 section were used to enhance or improve academic excellence at the school, including the results
71 of those efforts.

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

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

76 **Section 2. Effective date.**

77 This act takes effect on July 1, 1999.

Legislative Review Note

as of 2-5-99 12:11 PM

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

Office of Legislative Research and General Counsel