

Senator Howard A. Stephenson proposes the following substitute bill:

SUPPLEMENTAL MINIMUM SCHOOL PROGRAM

ACT AMENDMENTS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Marda Dillree

This act modifies provisions related to the State System of Public Education by modifying the state contributions for the support of public schools in fiscal year 2001-02. This act modifies a hold harmless program for school districts impacted by block grants. This act has an immediate effective date.

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

AMENDS:

53A-17a-120, as last amended by Chapter 335, Laws of Utah 2001

53A-17a-121, as last amended by Chapter 335, Laws of Utah 2001

53A-17a-123, as repealed and reenacted by Chapter 335, Laws of Utah 2001

53A-17a-131.9, as last amended by Chapter 335, Laws of Utah 2001

53A-17a-131.19, as repealed and reenacted by Chapter 335, Laws of Utah 2001

53A-21-105, as last amended by Chapters 234 and 335, Laws of Utah 2001

REPEALS AND REENACTS:

53A-17a-131.16, as repealed and reenacted by Chapter 335, Laws of Utah 2001

This act enacts uncodified material.

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

Section 1. Section **53A-17a-120** is amended to read:

53A-17a-120. Appropriation for accelerated learning programs.

(1) There is appropriated to the State Board of Education [~~\$9,551,074~~] \$9,251,074 for allocation to local school boards for accelerated learning programs in grades one through 12, which



26 include programs for the gifted and talented, concurrent enrollment, and advanced placement.

27 (2) (a) A school participating in the concurrent enrollment programs offered under Section
28 53A-15-101 shall receive on a per student basis up to \$33.33 per quarter hour or \$50 per semester
29 hour for each hour of higher education course work undertaken at the school.

30 (b) Each year the amounts specified in Subsection (2)(a) shall be adjusted in proportion to
31 the increase in the value of the weighted pupil unit from the prior year established in Subsection
32 53A-17a-103(1).

33 (3) (a) Districts shall spend monies for these programs according to standards established
34 by the State Board of Education in accordance with Title 63, Chapter 46a, Utah Administrative
35 Rulemaking Act.

36 (b) The State Board of Education shall develop uniform and consistent policies for school
37 districts to follow in utilizing advanced placement and concurrent enrollment monies.

38 Section 2. Section **53A-17a-121** is amended to read:

39 **53A-17a-121. Appropriation for At-risk programs.**

40 (1) There is appropriated to the State Board of Education [~~\$25,023,588~~] \$24,730,088 for
41 the fiscal year beginning July 1, 2001, for allocation to local school boards for at-risk programs,
42 including the following:

43 (a) youth in custody;

44 (b) adolescent pregnancy prevention;

45 (c) homeless and disadvantaged minority students;

46 (d) mathematics, engineering, and science achievement programs;

47 (e) gang prevention and intervention; and

48 (f) at-risk flow through.

49 (2) Districts shall spend monies for these programs according to standards established by
50 the State Board of Education in accordance with Title 63, Chapter 46a, Utah Administrative
51 Rulemaking Act.

52 (3) (a) From the amount appropriated for at-risk programs, the board shall allocate moneys
53 for adolescent pregnancy prevention programs to school districts on the basis of a district's total
54 number of students enrolled in classes as of October 1 that teach a curriculum of adolescent
55 pregnancy prevention as compared to the total number of students enrolled in such programs in
56 school districts throughout the state.

57 (b) The adolescent pregnancy prevention programs funded under this subsection shall
58 require written consent from parents or guardians for student participation, involve parents or
59 guardians of participating students in a substantial and consistent manner, and comply with the
60 requirements of Sections 76-7-321 through 76-7-325.

61 (c) To qualify for participation in the program, a district shall demonstrate to the state
62 board through prior research and pilot studies with similar student populations that those students
63 attained and retained knowledge, values, attitudes, and behaviors that promote abstinence from
64 sexual activity before marriage, and that the students had a lower pregnancy rate than comparison
65 groups that did not participate in the program.

66 (d) Further qualification requires approval by the local board and state board of all
67 teaching materials, handouts, media materials, audiovisual materials, textbooks, curriculum
68 materials, and course outlines to be used in the program.

69 (e) The state board may not use a district's participation in the adolescent pregnancy
70 prevention program as an offset against the district's historical proportionate share of the remaining
71 fund balance.

72 (f) A school district may spend any additional monies allocated for adolescent pregnancy
73 prevention programs as long as the programs comply with the guidelines established in
74 Subsections (3)(b), (c), and (d), if the need for such a program is greater than the allocation
75 received under Subsection (3)(a).

76 (4) (a) From the amount appropriated for youth at risk programs, the board shall allocate
77 moneys to school districts for homeless and disadvantaged minority students.

78 (b) Each district shall receive its allocation on the basis of:

79 (i) the total number of homeless students in the district;

80 (ii) added to 50% of the number of disadvantaged minority students in the district;

81 (iii) multiplying the total of Subsections (4)(b)(i) and (ii) by the value of the weighted
82 pupil unit; and

83 (iv) prorating the amount under Subsection (4)(b)(iii) to the amount in Subsection (4)(a).

84 (5) (a) From the amount appropriated for at-risk programs, the board shall allocate monies
85 for mathematics, engineering, and science achievement programs, MESA programs, in the
86 districts.

87 (b) The board shall make the distribution to school districts on a competitive basis by

88 application under guidelines established by the board.

89 (6) (a) From the amount appropriated for at-risk programs, the board shall distribute
90 moneys for gang prevention and intervention programs at the district or school level.

91 (b) The board shall make the distribution to school districts under guidelines established
92 by the board consistent with Section 53A-15-601.

93 (7) (a) From the amount appropriated for at-risk programs, the board shall distribute
94 moneys for programs for youth in custody.

95 (b) The board shall allocate these moneys to school districts which operate programs for
96 youth in custody in accordance with standards established by the board.

97 (8) From the amount appropriated for at-risk programs, the board shall allocate monies
98 based on:

99 (a) a formula which takes into account prior year WPU's per district and a district's low
100 income population; and

101 (b) a minimum base of no less than \$18,600 for small school districts.

102 Section 3. Section **53A-17a-123** is amended to read:

103 **53A-17a-123. State contribution for local discretionary block grant program.**

104 (1) There is appropriated to the State Board of Education for the fiscal year beginning July
105 1, 2001, [~~\$49,948,636~~] \$49,748,636 for a local discretionary block grant program comprised of
106 the following components:

- 107 (a) truancy intervention and prevention;
- 108 (b) an unrestricted local program;
- 109 (c) incentives for excellence;
- 110 (d) the Educational Technology Initiative;
- 111 (e) character education;
- 112 (f) school nurses;
- 113 (g) alternative middle schools;
- 114 (h) reading initiative;
- 115 (i) experimental-developmental programs; and
- 116 (j) a local discretionary program.

117 (2) The board shall distribute the appropriation on the basis of the intent language provided
118 under Subsection (3) of the Intent Language provision of ~~[this act]~~ Chapter 335, Laws of Utah

119 2001.

120 (3) Notwithstanding current statutory provisions for programs in the local discretionary
121 block grant and the special population programs, which are Families, Agencies, and Communities
122 Together, Alternative Language Services, Highly Impacted Schools, At-risk Programs, Adult
123 Education and Accelerated Learning, and with the exception of those programs for which funds
124 are awarded based on successful completion through a request of proposal, a school district may
125 spend the allocation for any or all programs within the appropriated block.

126 Section 4. Section **53A-17a-131.9** is amended to read:

127 **53A-17a-131.9. State contribution to agencies coming together for children and**
128 **youth at risk.**

129 (1) There is appropriated [~~\$1,250,670~~] \$774,470 to the State Board of Education for the
130 fiscal year beginning July 1, 2001, to maintain Title 63, Chapter 75, Families, Agencies, and
131 Communities Together for Children and Youth At Risk Act.

132 (2) Participation in the at risk programs funded under this section shall require consent
133 from a parent or legal guardian for the participant to receive initial or continuing services under
134 the program.

135 (3) A participant's parent or legal guardian shall be actively involved in the program and
136 all applicable state and federal laws and regulations shall be observed by the entities and
137 individuals providing the services.

138 (4) The board shall use the appropriation to experiment on a community full-service
139 delivery system level to provide data on the merits of moving the concept to a fully implemented
140 statewide system.

141 Section 5. Section **53A-17a-131.16** is repealed and reenacted to read:

142 **53A-17a-131.16. State contribution for school district hold harmless program.**

143 (1) The state's contribution of \$3,897,110 for a school district hold harmless program for
144 the fiscal year beginning July 1, 2001, is appropriated to the State Board of Education for
145 distribution to school districts impacted by the block grant programs established under Chapter
146 335, Laws of Utah 2001 for the fiscal year beginning July 1, 2001.

147 (2) (a) The board shall allocate the appropriation to school districts and the Utah Schools
148 for the Deaf and the Blind as provided for in rules of the State Board of Education.

149 (b) The rules shall provide for a reallocation of the total appropriation based on final year

150 end data.

151 (c) Each school district shall receive its equitable share of the total which may differ from
152 the amount specified in Chapter 335, Laws of Utah 2001, Section 22.

153 (d) A district may not receive more or less than its equitable share of the total.

154 Section 6. Section **53A-17a-131.19** is amended to read:

155 **53A-17a-131.19. State contribution to math and science beginning teacher**
156 **recruitment program.**

157 The state's contribution of [~~\$2,400,000~~] \$1,600,000 for a math and science beginning
158 teacher recruitment program, for the fiscal year beginning July 1, 2001, is appropriated to the State
159 Board of Education for distribution according to Title 53A, Chapter 1a, Part 6, Public Education
160 Job Enhancement Program.

161 Section 7. Section **53A-21-105** is amended to read:

162 **53A-21-105. State contribution to capital outlay programs.**

163 The state contribution toward the cost of the programs established under Section
164 53A-21-102 for the fiscal year beginning July 1, 2001, shall consist of an appropriation totaling
165 [~~\$38,358,000~~] \$28,358,000 to the State Board of Education from the Uniform School Fund.

166 Section 8. **Appropriation reduced.**

167 The appropriation from the Uniform School Fund for fiscal year 2001-02 to the State Board
168 of Education made by Chapter 338, Laws of Utah 2001 is reduced by \$200,000.

169 Section 9. **Effective date.**

170 If approved by two-thirds of all the members elected to each house, this act takes effect
171 upon approval by the governor, or the day following the constitutional time limit of Utah
172 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the
173 date of veto override.