

Representative Kory M. Holdaway proposes the following substitute bill:

AMENDMENTS TO EDUCATION FUNDING

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Brad L. Dee

Senate Sponsor: _____

Cosponsors:
D. Gregg Buxton

Gage Froerer

Kerry W. Gibson

LONG TITLE

General Description:

This bill increases the value of the weighted pupil unit and provides bonuses to educators.

Highlighted Provisions:

This bill:

- ▶ establishes the value of the weighted pupil unit at \$2,494;
- ▶ establishes a ceiling for the state contribution to the maintenance and operations

portion of the Minimum School Program for fiscal year 2007-08 of \$2,155,368,967;

and

- ▶ makes a one-time appropriation for fiscal year 2007-08 for educator bonuses.

Monies Appropriated in this Bill:

This bill appropriates:

- ▶ as an ongoing appropriation, \$2,140,368,967 from the Uniform School Fund for fiscal year 2007-08;

- ▶ as an ongoing appropriation, \$15,000,000 from the Interest and Dividends Account;

and



26 ▶ as a one-time appropriation, \$34,913,411 from the Uniform School Fund.

27 **Other Special Clauses:**

28 This bill takes effect on July 1, 2007.

29 This bill coordinates with H.B. 3 by providing that the amendments in this bill
30 supersede the amendments in H.B. 3.

31 This bill coordinates with H.B. 160 by providing that the amendments in H.B. 160
32 supersede the amendments in this bill except with certain modifications.

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **53A-17a-103**, as last amended by Chapter 354, Laws of Utah 2006

36 **53A-17a-104**, as last amended by Chapters 4 and 354, Laws of Utah 2006



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

39 Section 1. Section **53A-17a-103** is amended to read:

40 **53A-17a-103. Definitions.**

41 As used in this chapter:

42 (1) "Basic state-supported school program" or "basic program" means public education
43 programs for kindergarten, elementary, and secondary school students that are operated and
44 maintained for the amount derived by multiplying the number of weighted pupil units for each
45 district by [~~\$2,417~~] \$2,494, except as otherwise provided in this chapter.

46 (2) "Certified revenue levy" means a property tax levy that provides an amount of ad
47 valorem property tax revenue equal to the sum of:

48 (a) the amount of property tax revenue to be generated statewide in the previous year
49 from imposing a minimum basic tax rate, as specified in Subsection 53A-17a-135(1)(a); and

50 (b) the product of:

51 (i) new growth, as defined in Section 59-2-924 and rules of the State Tax Commission;

52 and

53 (ii) the minimum basic tax rate certified by the State Tax Commission for the previous
54 year.

55 (3) "Leeway program" or "leeway" means a state-supported voted leeway program or
56 board leeway program authorized under Section 53A-17a-133 or 53A-17a-134.

57 (4) "Pupil in average daily membership (ADM)" means a full-day equivalent pupil.

58 (5) (a) "State-supported minimum school program" or "minimum school program"
59 means public school programs for kindergarten, elementary, and secondary schools as
60 described in this Subsection (5).

61 (b) The minimum school program established in the districts shall include the
62 equivalent of a school term of nine months as determined by the State Board of Education.

63 (c) (i) The board shall establish the number of days or equivalent instructional hours
64 that school is held for an academic school year.

65 (ii) Education, enhanced by utilization of technologically enriched delivery systems,
66 when approved by local school boards, shall receive full support by the State Board of
67 Education as it pertains to fulfilling the attendance requirements, excluding time spent viewing
68 commercial advertising.

69 (d) The program includes the total of the following annual costs:

70 (i) the cost of a basic state-supported school program; and

71 (ii) other amounts appropriated in this chapter in addition to the basic program.

72 (6) "Weighted pupil unit or units or WPU or WPUs" means the unit of measure of
73 factors that is computed in accordance with this chapter for the purpose of determining the
74 costs of a program on a uniform basis for each district.

75 Section 2. Section **53A-17a-104** is amended to read:

76 **53A-17a-104. Amount of state's contribution toward minimum school program.**

77 (1) The total contribution of the state toward the cost of the minimum school program
78 may not exceed the sum of [~~\$2,032,219,545~~] \$2,155,368,967 for the fiscal year beginning July
79 1, [~~2006~~] 2007, except as otherwise provided by the Legislature through supplemental
80 appropriations.

81 (2) There is appropriated from state and local funds for fiscal year [~~2006-07~~] 2007-08
82 for distribution to school districts and charter schools, in accordance with this chapter, monies
83 for the following purposes and in the following amounts:

84 (a) basic program - kindergarten, [~~\$57,234,560 (23,680 WPUs)~~] \$61,318,089 (24,590
85 WPUs);

86 (b) basic program - grades 1-12, [~~\$1,118,053,443 (462,579 WPUs)~~] \$1,192,261,537
87 (478,125 WPUs);

- 88 (c) basic program - professional staff, [~~\$106,128,053 (43,909 WPU's)~~] \$111,524,612
89 (44,724 WPU's);
- 90 (d) basic program - administrative costs, [~~\$3,937,293 (1,629 WPU's)~~] \$4,039,663
91 (1,620 WPU's);
- 92 (e) basic program - necessarily existent small schools and units for consolidated
93 schools, [~~\$18,487,633 (7,649 WPU's)~~] \$19,073,691 (7,649 WPU's);
- 94 (f) special education - regular program - add-on WPU's for students with disabilities,
95 [~~\$136,350,221 (56,413 WPU's)~~] \$142,248,490 (57,045 WPU's);
- 96 (g) preschool special education program, [~~\$19,717,886 (8,158 WPU's)~~] \$20,749,403
97 (8,321 WPU's);
- 98 (h) self-contained regular WPU's, [~~\$32,148,517 (13,301 WPU's)~~] \$33,314,749 (13,360
99 WPU's);
- 100 (i) extended year program for severely disabled, [~~\$887,039~~] \$915,158 (367 WPU's);
- 101 (j) special education programs in state institutions and district impact aid, [~~\$3,487,731~~
102 ~~(1,443 WPU's)~~] \$4,057,118 (1,627 WPU's);
- 103 (k) applied technology and technical education district programs, [~~\$59,934,349 (24,797~~
104 ~~WPU's)~~] \$63,627,180 (25,516 WPU's), including [~~\$1,045,033~~] \$1,071,200 for summer applied
105 technology agriculture programs;
- 106 (l) applied technology district set-aside, [~~\$2,562,020 (1,060 WPU's)~~] \$2,720,538 (1,091
107 WPU's);
- 108 (m) class size reduction, [~~\$74,378,341 (30,773 WPU's)~~] \$81,663,525 (32,749 WPU's);
- 109 (n) Social Security and retirement programs, [~~\$310,891,038~~] \$330,726,205;
- 110 (o) pupil transportation to and from school, [~~\$62,601,763~~] \$66,394,654, of which not
111 less than [~~\$2,173,569~~] \$2,234,400 shall be allocated to the Utah Schools for the Deaf and Blind
112 to pay for transportation costs of the schools' students;
- 113 (p) guarantee transportation levy, \$500,000;
- 114 (q) Local Discretionary Block Grant Program, \$21,820,748;
- 115 (r) Interventions for Student Success Block Grant Program, [~~\$16,792,888~~]
116 \$17,810,329;
- 117 (s) Quality Teaching Block Grant Program, [~~\$62,993,704~~] \$66,810,341;
- 118 (t) highly impacted schools, \$5,123,207;

- 119 (u) at-risk programs, [~~\$27,992,056~~] \$29,688,027;
- 120 (v) adult education, [~~\$9,148,653~~] \$9,702,948;
- 121 (w) accelerated learning programs, [~~\$12,010,853~~] \$12,738,562;
- 122 (x) electronic high school, \$1,300,000;
- 123 (y) School LAND Trust Program, \$15,000,000;
- 124 (z) state-supported voted leeway, [~~\$196,085,303~~] \$229,082,279;
- 125 (aa) state-supported board leeway, [~~\$54,704,476~~] \$62,185,048;
- 126 (bb) charter schools, pursuant to Section 53A-1a-513, [~~\$21,552,450~~] \$27,021,488;
- 127 (cc) K-3 Reading Improvement Program, \$12,500,000; [~~and~~]
- 128 (dd) state-supported board leeway for K-3 Reading Improvement Program,
- 129 \$15,000,000; and
- 130 (ee) Public Education Job Enhancement Program, \$2,500,000.

Section 3. **Ongoing appropriation for educator bonuses.**

(1) As used in this section, "educator" means a person employed by a school district, charter school, or the Utah Schools for the Deaf and the Blind who holds:

(a) a license issued under Title 53A, Chapter 6, Educator Licensing and Professional Practices Act; and

(b) a position as a:

(i) classroom teacher;

(ii) speech pathologist;

(iii) librarian or media specialist;

(iv) preschool teacher;

(v) school administrator;

(vi) mentor teacher;

(vii) teacher specialist or teacher leader;

(viii) guidance counselor;

(ix) audiologist;

(x) psychologist; or

(xi) social worker.

(2) There is appropriated from the Uniform School fund for fiscal year 2007-08 only, \$34,913,411 to the State Board of Education for educator bonuses.

150 (3) Money appropriated in Subsection (2) shall be distributed to school districts,
151 charter schools, and the Utah Schools for the Deaf and the Blind in proportion to the number of
152 full-time-equivalent positions in a school district, a charter school, or the Utah Schools for the
153 Deaf and the Blind as compared to the total number of full-time-equivalent educator positions
154 in school districts, charter schools, and the Utah Schools for the Deaf and the Blind.

155 (4) (a) The State Board of Education shall establish the amount of the bonus based on
156 the number of full-time equivalent educator positions and employer-paid benefits costs related
157 to the bonus.

158 (b) The amount of the bonus shall be the same for each full-time-equivalent educator
159 position.

160 (c) A person who is not a full-time educator shall receive a partial bonus based on the
161 number of hours the person works as an educator.

162 (5) Bonuses may be awarded only to educators who have received a satisfactory rating
163 or above on their most receive evaluation.

164 Section 4. **Effective date.**

165 This bill takes effect on July 1, 2007.

166 Section 5. **Coordinating H.B. 382 with H.B. 3 -- Substantively superseding**
167 **amendments.**

168 If this H.B. 382 and H.B. 3, Minimum School Program Base Budget Amendments, both
169 pass, it is the intent of the Legislature that when the Office of Legislative Research and General
170 Counsel prepares the Utah Code database for publication, the amendments in Section
171 53A-17a-104 in this bill supersede the amendments in Section 53A-17a-104 in H.B. 3.

172 Section 6. **Coordinating H.B. 382 with H.B. 160 -- Substantively superseding**
173 **amendments.**

174 If this H.B. 382 and H.B. 160, Minimum School Program Budget Amendments, both
175 pass, it is the intent of the Legislature that when the Office of Legislative Research and General
176 Counsel prepares the Utah Code database for publication:

177 (1) the value of the weighted pupil unit in Subsection 53A-17a-103(1) in H.B. 160
178 supersedes the value of the weighted pupil unit in this bill except the value of the weighted
179 pupil unit in H.B. 160 shall be increased by \$77; and

180 (2) the appropriations in Section 53A-17a-104 in H.B. 160 supercede the

181 appropriations in Section 53A-17a-104 in this bill except that the appropriations in Section
182 53A-17a-104 in H.B. 160 shall be increased by the difference of the amount of the
183 appropriations in Section 53A-17a-104 in this bill and the amount of the corresponding
184 appropriations in Section 53A-17a-104 in H.B. 3, Minimum School Program Base Budget
185 Amendments.