

1 **MINIMUM SCHOOL PROGRAM BASE BUDGET**

2 **AMENDMENTS**

3 2008 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Bradley G. Last**

6 Senate Sponsor: Howard A. Stephenson

7

8 **LONG TITLE**

9 **General Description:**

10 This bill provides base funding for the Minimum School Program.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ establishes a ceiling for the state contribution to the maintenance and operations
- 14 portion of the Minimum School Program for fiscal year 2008-09 of \$2,327,524,711;
- 15 ▶ appropriates \$27,288,900 to the State Board of Education for fiscal year 2008-09 for
- 16 school building aid programs for school districts; and
- 17 ▶ makes one-time appropriations for fiscal year 2007-08 for educator salary
- 18 adjustments and bonuses.

19 **Monies Appropriated in this Bill:**

20 This bill appropriates:

- 21 ▶ as an ongoing appropriation, \$2,333,813,611 from the Uniform School Fund for
- 22 fiscal year 2008-09;
- 23 ▶ as an ongoing appropriation, \$21,000,000 from the Interest and Dividends Account
- 24 for fiscal year 2008-09; and
- 25 ▶ for fiscal year 2007-08 only, \$22,347,000 from the Uniform School Fund.

26 **Other Special Clauses:**

27 This bill provides an effective date.



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53A-17a-104**, as last amended by Laws of Utah 2007, Chapters 2, 344, 368, and 372

31 **53A-17a-108**, as last amended by Laws of Utah 2007, Chapter 344

32 **53A-17a-135**, as last amended by Laws of Utah 2007, Chapter 2

33 **53A-21-105**, as last amended by Laws of Utah 2007, Chapter 2

34 ENACTS:

35 **53A-17a-154**, Utah Code Annotated 1953

36 **53A-17a-155**, Utah Code Annotated 1953

37 **Uncodified Material Affected:**

38 ENACTS UNCODIFIED MATERIAL



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

41 Section 1. Section **53A-17a-104** is amended to read:

42 **53A-17a-104. Amount of state's contribution toward minimum school program.**

43 (1) The total contribution of the state toward the cost of the minimum school program
44 may not exceed the sum of [~~\$2,273,574,120~~] \$2,327,524,711 for the fiscal year beginning July
45 1, [~~2007~~] 2008, except as otherwise provided by the Legislature through supplemental
46 appropriations.

47 (2) There is appropriated from state and local funds for fiscal year [~~2007-08~~] 2008-09
48 for distribution to school districts and charter schools, in accordance with this chapter, monies
49 for the following purposes and in the following amounts:

50 (a) basic program - kindergarten, [~~\$61,819,260 (24,590)~~] \$63,589,116 (25,294 WPU)s);

51 (b) basic program - grades 1-12, [~~\$1,202,446,200 (478,300)~~] \$1,227,493,182 (488,263
52 WPU)s);

53 (c) basic program - professional staff, [~~\$112,436,136 (44,724)~~] \$113,464,362 (45,133
54 WPU)s);

55 (d) basic program - administrative costs, \$4,072,680 (1,620 WPU)s);

56 (e) basic program - necessarily existent small schools and units for consolidated
57 schools, \$19,229,586 (7,649 WPU)s);

58 (f) special education - regular program - add-on WPU)s for students with disabilities,

- 59 [~~\$143,034,030 (56,895)~~] \$151,981,356 (60,454 WPU)s);
- 60 (g) preschool special education program, [~~\$20,918,994 (8,321)~~] \$21,542,466 (8,569
- 61 WPU)s);
- 62 (h) self-contained regular WPU, [~~\$33,587,040 (13,360)~~] \$33,727,824 (13,416 WPU)s);
- 63 (i) extended year program for severely disabled, [~~\$922,638 (367)~~] \$945,264 (376
- 64 WPU)s);
- 65 (j) special education programs in state institutions and district impact aid, [~~\$4,090,278~~
- 66 ~~(1,627)~~] \$4,188,324 (1,666 WPU)s);
- 67 (k) career and technical education district programs, [~~\$65,147,796 (25,914)~~
- 68 \$65,879,370 (26,205 WPU)s), including [~~\$1,114,000~~] \$1,126,300 for summer career and
- 69 technical education agriculture programs;
- 70 (l) career and technical education district set-aside, [~~\$2,742,774 (1,091)~~] \$2,808,138
- 71 (1,117 WPU)s);
- 72 (m) class size reduction, [~~\$82,330,986 (32,749)~~] \$86,212,602 (34,293 WPU)s);
- 73 (n) Social Security and retirement programs, [~~\$333,315,119~~] \$341,371,755;
- 74 (o) pupil transportation to and from school, [~~\$70,928,797~~] \$72,631,088, of which not
- 75 less than [~~\$2,462,300~~] \$2,521,400 shall be allocated to the Utah Schools for the Deaf and Blind
- 76 to pay for transportation costs of the schools' students;
- 77 (p) guarantee transportation levy, \$500,000;
- 78 (q) Local Discretionary Block Grant Program, \$21,820,748;
- 79 (r) Interventions for Student Success Block Grant Program, [~~\$17,953,612~~
- 80 \$18,384,499;
- 81 (s) Quality Teaching Block Grant Program, [~~\$73,947,829~~] \$75,722,577;
- 82 (t) highly impacted schools, \$5,123,207;
- 83 (u) at-risk programs, [~~\$29,926,867~~] \$30,645,112;
- 84 (v) adult education, [~~\$9,781,008~~] \$10,015,752;
- 85 (w) accelerated learning programs, [~~\$3,975,546~~] \$4,093,250;
- 86 (x) concurrent enrollment, [~~\$9,215,497~~] \$9,436,669;
- 87 (y) electronic high school, \$2,000,000;
- 88 (z) School LAND Trust Program, \$21,000,000;
- 89 (aa) state-supported voted leeway, [~~\$227,700,777~~] \$273,337,346;

- 90 (bb) state-supported board leeway, [~~\$62,066,336~~] \$71,575,858;
- 91 (cc) charter schools, pursuant to Section 53A-1a-513, [~~\$28,509,000~~] \$36,549,000;
- 92 (dd) charter school administrative costs, [~~\$750,000~~] \$898,566;
- 93 (ee) K-3 Reading Improvement Program, [~~\$12,500,000~~] \$15,000,000;
- 94 (ff) state-supported board leeway for K-3 Reading Improvement Program,
- 95 \$15,000,000; [~~and~~]
- 96 (gg) Public Education Job Enhancement Program, \$2,430,000[-];
- 97 (hh) charter schools ongoing per student funding, \$3,512,488;
- 98 (ii) educator salary adjustments, \$90,731,500;
- 99 (jj) library books and electronic resources, \$1,500,000;
- 100 (kk) school nurses, \$1,000,000; and
- 101 (ll) critical languages, \$230,000.

Section 2. Section **53A-17a-108** is amended to read:

53A-17a-108. Weighted pupil units for school district administrative costs --

Appropriation for charter school administrative costs.

(1) Administrative costs weighted pupil units are computed and distributed to districts in accordance with the following schedule:

Administrative Costs Schedule

School District Enrollment as of October 1	Weighted Pupil Units
1 - 2,000 students	53
2,001 - 10,000 students	48
10,001 - 20,000 students	25
20,001 and above	16

(2) Money appropriated to the State Board of Education for charter school administrative costs, including an appropriation in Section 53A-17a-104, shall be distributed to charter schools in the amount of [~~\$62~~] \$31 for each charter school student in enrollment.

(3) Charter schools are not eligible for funds for administrative costs under Subsection (1).

Section 3. Section **53A-17a-135** is amended to read:

53A-17a-135. Minimum basic tax rate -- Certified revenue levy.

(1) (a) In order to qualify for receipt of the state contribution toward the basic program

121 and as its contribution toward its costs of the basic program, each school district shall impose a
 122 minimum basic tax rate per dollar of taxable value that generates [~~\$245,254,790~~] \$260,731,750
 123 in revenues statewide.

124 (b) The preliminary estimate for the [~~2007-08~~] 2008-09 minimum basic tax rate is
 125 [~~.001474~~] .00125.

126 (c) The State Tax Commission shall certify on or before June 22 the rate that generates
 127 [~~\$245,254,790~~] \$260,731,750 in revenues statewide.

128 (d) If the minimum basic tax rate exceeds the certified revenue levy as defined in
 129 Section 53A-17a-103, the state is subject to the notice requirements of Section 59-2-926.

130 (2) (a) The state shall contribute to each district toward the cost of the basic program in
 131 the district that portion which exceeds the proceeds of the levy authorized under Subsection
 132 (1).

133 (b) In accord with the state strategic plan for public education and to fulfill its
 134 responsibility for the development and implementation of that plan, the Legislature instructs
 135 the State Board of Education, the governor, and the Office of Legislative Fiscal Analyst in each
 136 of the coming five years to develop budgets that will fully fund student enrollment growth.

137 (3) (a) If the proceeds of the levy authorized under Subsection (1) equal or exceed the
 138 cost of the basic program in a school district, no state contribution shall be made to the basic
 139 program.

140 (b) The proceeds of the levy authorized under Subsection (1) which exceed the cost of
 141 the basic program shall be paid into the Uniform School Fund as provided by law.

142 Section 4. Section **53A-17a-154** is enacted to read:

143 **53A-17a-154. Appropriation for school nurses.**

144 The State Board of Education shall distribute monies appropriated in Section
 145 53A-17a-104 for school nurses to award grants to school districts and charter schools that:

146 (1) provide an equal amount of matching funds; and

147 (2) do not supplant other monies used for school nurses.

148 Section 5. Section **53A-17a-155** is enacted to read:

149 **53A-17a-155. Appropriation for library books and electronic resources.**

150 (1) The State Board of Education shall distribute monies appropriated in Section
 151 53A-17a-104 for library books and electronic resources as follows:

152 (a) 25% shall be divided equally among all public schools; and

153 (b) 75% shall be divided among public schools based on each school's average daily
154 membership as compared to the total average daily membership.

155 (2) A school district or charter school may not use monies distributed under Subsection
156 (1) to supplant other monies used to purchase library books or electronic resources.

157 Section 6. Section **53A-21-105** is amended to read:

158 **53A-21-105. State contribution to capital outlay programs.**

159 (1) As an ongoing appropriation subject to future budget constraints, there is
160 appropriated from the Uniform School Fund for fiscal year [~~2007-08~~] 2008-09, \$27,288,900 to
161 the State Board of Education for the capital outlay programs created in Section 53A-21-102.

162 (2) Of the monies appropriated in Subsection (1), the State Board of Education shall
163 distribute:

164 (a) \$24,358,000 in accordance with the Capital Outlay Foundation Program described
165 in Section 53A-21-103; and

166 (b) \$2,930,900 in accordance with the Enrollment Growth Program described in
167 Section 53A-21-103.5.

168 Section 7. **Intent language for charter schools appropriation.**

169 It is the intent of the Legislature that the State Board of Education shall distribute the
170 monies appropriated in Subsection 53A-17a-104(2)(hh) based upon average daily membership
171 of the charter schools.

172 Section 8. **One-time appropriation for educator salary adjustments.**

173 There is appropriated from the Uniform School Fund for fiscal year 2007-08 only,
174 \$19,905,000 for educator salary adjustments as provided in Section 53A-17a-153.

175 Section 9. **One-time appropriation for educator bonuses.**

176 (1) There is appropriated from the Uniform School Fund for fiscal year 2007-08 only,
177 \$2,442,000 for educator bonuses.

178 (2) Monies appropriated in Subsection (1) shall be distributed by the State Board of
179 Education and awarded to educators in the same manner as money appropriated for educator
180 salary adjustments pursuant to Section 53A-17a-153.

181 Section 10. **Effective date.**

182 If approved by two-thirds of all the members elected to each house, this bill takes effect

183 upon approval by the governor, or the day following the constitutional time limit of Utah
184 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
185 the date of veto override, except the following take effect on July 1, 2008:

- 186 (1) Sections 53A-17a-154 and 53A-17a-155;
187 (2) the amendments to:
188 (a) Section 53A-17a-104;
189 (b) Section 53A-17a-108;
190 (c) Section 53A-17a-135; and
191 (d) Section 53A-21-105; and
192 (3) Section 7, Intent language for charter schools appropriation.

Legislative Review Note
as of 12-18-07 9:29 AM

Office of Legislative Research and General Counsel

H.B. 1 - Minimum School Program Base Budget Amendments

Fiscal Note

2008 General Session
State of Utah

State Impact

Enactment of this bill will appropriate \$2,946,932,585 in ongoing revenue to support public schools through the Minimum School Program and the School Building Programs. Of this appropriation, \$2,333,813,611 is from the Uniform School Fund; \$21,000,000 is from the Uniform School Fund - Interest and Dividends Account; and \$592,118,974 is from school district local property tax revenues.

Enactment of this bill will also provide a supplemental appropriation of \$22,347,000 in Uniform School Fund revenue to support educator salary adjustments and bonuses in the current fiscal year.

	<u>FY 2008</u> <u>Approp.</u>	<u>FY 2009</u> <u>Approp.</u>	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2008</u> <u>Revenue</u>	<u>FY 2009</u> <u>Revenue</u>	<u>FY 2010</u> <u>Revenue</u>
Uniform School Fund	\$0	\$2,333,813,611	\$2,333,813,611	\$0	\$0	\$0
Uniform School Fund, One-time	\$22,347,000	\$0	\$0	\$0	\$0	\$0
Uniform School Fund Restricted	\$0	\$21,000,000	\$21,000,000	\$0	\$0	\$0
Local Revenue	\$0	\$592,118,974	\$592,118,974	\$0	\$0	\$0
Total	\$22,347,000	\$2,946,932,585	\$2,946,932,585	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill provides revenue to local school districts and charter schools to support the operation and maintenance of public schools. Individuals and businesses may also benefit through associated dealings with school districts and charter schools.