

1                                   **MINIMUM SCHOOL PROGRAM BUDGET**

2   **AMENDMENTS**

3   2008 GENERAL SESSION

4   STATE OF UTAH

5   **Chief Sponsor: Howard A. Stephenson**

6   House Sponsor: Bradley G. Last

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8                   **LONG TITLE**

9                   **General Description:**

10                   This bill provides funding for the Minimum School Program and other education  
11 programs.

12                   **Highlighted Provisions:**

13                   This bill:

- 14                   ▶ establishes the value of the weighted pupil unit at \$2,577;
- 15                   ▶ establishes a ceiling for the state contribution to the maintenance and operations  
16 portion of the Minimum School Program for fiscal year 2008-09 of \$2,497,012,086;
- 17                   ▶ modifies provisions related to the funding of charter schools;
- 18                   ▶ modifies requirements regarding instructional materials;
- 19                   ▶ authorizes the use of appropriations for accelerated learning programs for  
20 International Baccalaureate programs;
- 21                   ▶ modifies the positions that qualify for educator salary adjustments and increases the  
22 salary adjustments for those positions;
- 23                   ▶ establishes and funds the following ongoing programs:
  - 24                   • a pilot project using a home-based educational technology program to develop  
25 school readiness skills of preschool children;
  - 26                   • a financial and economic literacy passport to track student mastery of certain  
27 concepts;
  - 28                   • the Teacher Salary Supplement Program to provide a salary supplement to an  
29 eligible teacher;

- 30 • stipends for special educators for additional days of work;
- 31 • an optional grant program to provide an extended year for math and science
- 32 teachers through the creation of Utah Science Technology and Research
- 33 Centers;
- 34 • the High-ability Student Initiative Program to provide resources for educators to
- 35 enhance the academic growth of high-ability students;
- 36 • the English Language Learner Family Literacy Centers Program; and
- 37 • career and technical education online assessment;
- 38 ▶ makes one-time appropriations for fiscal year 2008-09 for:
- 39 • pupil transportation to and from school;
- 40 • the Beverley Taylor Sorenson Elementary Arts Learning Program to provide
- 41 grants to integrate arts teaching and learning into selected schools; and
- 42 • classroom supplies;
- 43 ▶ provides a repeal date for certain pilot programs;
- 44 ▶ makes nonlapsing appropriations; and
- 45 ▶ makes technical corrections.

46 **Monies Appropriated in this Bill:**

47 This bill appropriates:

- 48 ▶ the following Minimum School Program Monies:
- 49 • \$2,438,692,586 from the Uniform School Fund for fiscal year 2008-09;
- 50 • \$26,499,500 from the Uniform School Fund Restricted - Interest and Dividends
- 51 Account for fiscal year 2008-09;
- 52 • \$31,820,000 from the Uniform School Fund for fiscal year 2008-09 only; and
- 53 • \$280,000 from the Uniform School Fund for fiscal year 2007-08 only; and
- 54 ▶ the following other education program monies:
- 55 • \$3,000,000 from the Uniform School Fund for fiscal year 2008-09;
- 56 • \$150,000 from the Uniform School Fund for fiscal year 2008-09 only;
- 57 • \$1,000,000 from the Uniform School Fund for fiscal year 2007-08 only;

- 58           • \$250,000 from the General Fund for fiscal year 2008-09; and
- 59           • \$50,000 from the General Fund for fiscal year 2007-08 only.

**60 Other Special Clauses:**

61           This bill provides an effective date.

62           This bill coordinates with H.B. 1 by providing superseding and substantive amendments.

**63 Utah Code Sections Affected:**

64 AMENDS:

65           **53A-1a-502.5**, as last amended by Laws of Utah 2007, Chapter 344

66           **53A-1a-513**, as last amended by Laws of Utah 2005, Chapters 9 and 291

67           **53A-14-107**, as enacted by Laws of Utah 2007, Chapter 349

68           **53A-17a-103**, as last amended by Laws of Utah 2007, Chapters 107 and 372

69           **53A-17a-104**, as last amended by Laws of Utah 2007, Chapters 2, 344, 368, and 372

70           **53A-17a-108**, as last amended by Laws of Utah 2007, Chapter 344

71           **53A-17a-120**, as last amended by Laws of Utah 2007, Chapter 368

72           **53A-17a-126**, as last amended by Laws of Utah 2003, Chapters 221 and 320

73           **53A-17a-127**, as last amended by Laws of Utah 2001, Chapter 73

74           **53A-17a-153**, as enacted by Laws of Utah 2007, Chapter 380

75           **63-55b-153**, as last amended by Laws of Utah 2007, Chapter 216

76 ENACTS:

77           **53A-1a-1001**, Utah Code Annotated 1953

78           **53A-1a-1002**, Utah Code Annotated 1953

79           **53A-1a-1003**, Utah Code Annotated 1953

80           **53A-1a-1004**, Utah Code Annotated 1953

81           **53A-1a-1005**, Utah Code Annotated 1953

82           **53A-1a-1006**, Utah Code Annotated 1953

83           **53A-1a-1007**, Utah Code Annotated 1953

84           **53A-13-110**, Utah Code Annotated 1953

85           **53A-17a-156**, Utah Code Annotated 1953

- 86           **53A-17a-157**, Utah Code Annotated 1953
- 87           **53A-17a-158**, Utah Code Annotated 1953
- 88           **53A-17a-159**, Utah Code Annotated 1953
- 89           **53A-17a-160**, Utah Code Annotated 1953
- 90           **53A-17a-161**, Utah Code Annotated 1953
- 91           **53A-17a-162**, Utah Code Annotated 1953



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

94           Section 1. Section **53A-1a-502.5** is amended to read:

95           **53A-1a-502.5. Charter schools -- Maximum authorized students.**

96           (1) The State Charter School Board and local school boards may only authorize a  
97 combined maximum student capacity of:

98           ~~[(a) 27,921 students for the charter schools in the 2007-08 school year; and]~~

99           ~~[(b)]~~ (a) 32,921 students for the charter schools in the 2008-09 school year[-]; and

100           (b) beginning in the 2009-10 school year, an annual increase in charter school  
101 enrollment capacity equal to 1.4% of total school district enrollment as of October 1 of the  
102 previous school year.

103           (2) (a) The State Board of Education, in consultation with the State Charter School  
104 Board, shall allocate the students under Subsection (1) between the State Charter School Board  
105 and local school boards.

106           (b) One-third of the student capacity described under Subsection (1)(b) shall be  
107 allocated to increase the maximum student capacity of operating charter schools.

108           (c) If the operating charter schools do not use the allocation described under Subsection  
109 (2)(b), the remaining student capacity may be used by new charter schools.

110           Section 2. Section **53A-1a-513** is amended to read:

111           **53A-1a-513. Funding for charter schools.**

112           (1) As used in this section:

113           (a) "Charter school students' average local revenues" means the amount determined as

114 follows:

115 (i) for each student enrolled in a charter school on the previous October 1, calculate the  
116 district per pupil local revenues of the school district in which the student resides;

117 (ii) sum the district per pupil local revenues for each student enrolled in a charter school  
118 on the previous October 1; and

119 (iii) divide the sum calculated under Subsection (1)(a)(ii) by the number of students  
120 enrolled in charter schools on the previous October 1.

121 (b) "District per pupil local revenues" means the amount determined as follows, using  
122 data from the most recently published school district annual financial reports and state  
123 superintendent's annual report:

124 (i) calculate the sum of a school district's revenue received from:

125 (A) a voted levy imposed under Section 53A-17a-133;

126 (B) a board levy imposed under Section 53A-17a-134;

127 (C) 10% of the cost of the basic program levy imposed under Section 53A-17a-145;

128 (D) a tort liability levy imposed under Section 63-30d-704;

129 (E) a capital outlay levy imposed under Section 53A-16-107; and

130 (F) a voted capital outlay levy imposed under Section 53A-16-110; and

131 (ii) divide the sum calculated under Subsection (1)(b)(i) by the sum of:

132 (A) a school district's average daily membership; and

133 (B) the average daily membership of a school district's resident students who attend  
134 charter schools.

135 (c) "Resident student" means a student who is considered a resident of the school  
136 district under Title 53A, Chapter 2, District of Residency.

137 (d) "Statewide average debt service revenues" means the amount determined as follows,  
138 using data from the most recently published state superintendent's annual report:

139 (i) sum the revenues of each school district from the debt service levy imposed under  
140 Section 11-14-310; and

141 (ii) divide the sum calculated under Subsection (1)(d)(i) by statewide school district

142 average daily membership.

143 ~~[(1)]~~ (2) (a) Charter schools shall receive funding as described in this section, except  
144 Subsections ~~[(2)]~~ (3) through ~~[(7)]~~ (8) do not apply to charter schools described in Subsection  
145 ~~[(1)]~~ (2)(b).

146 (b) Charter schools authorized by local school boards that are converted from district  
147 schools or operate in district facilities without paying reasonable rent shall receive funding as  
148 prescribed in Section 53A-1a-515.

149 ~~[(2)]~~ (3) (a) Except as provided in Subsection ~~[(2)]~~ (3)(b), a charter school shall receive  
150 state funds, as applicable, on the same basis as a school district receives funds.

151 (b) In distributing funds under Title 53A, Chapter 17a, Minimum School Program Act,  
152 to charter schools, charter school pupils shall be weighted, where applicable, as follows:

- 153 (i) .55 for kindergarten pupils;
- 154 (ii) .9 for pupils in grades 1-6;
- 155 (iii) .99 for pupils in grades 7-8; and
- 156 (iv) 1.2 for pupils in grades 9-12.

157 ~~[(c) The State Board of Education shall make rules in accordance with Title 63,  
158 Chapter 46a, Utah Administrative Rulemaking Act, to administer Subsection (2)(b), including  
159 hold harmless provisions to maintain a charter elementary school's funding level for a period of  
160 two years after the effective date of the distribution formula.]~~

161 ~~[(d) Subsection (2)(b) does not apply to funds appropriated to charter schools to  
162 replace local property tax revenues.]~~

163 ~~[(3) The State Board of Education shall adopt rules to provide for the distribution of  
164 monies to charter schools under this section.]~~

165 ~~[(4) (a) The Legislature shall provide an appropriation for charter schools for each of  
166 their students to replace some of the local property tax revenues that are not available to charter  
167 schools. The amount of money provided for each charter school student shall be determined  
168 by:]~~

169 ~~[(i) calculating the sum of:]~~

170 ~~[(A) school districts' operations and maintenance revenues derived from local property~~  
171 ~~taxes, except revenues from imposing a minimum basic tax rate pursuant to Section~~  
172 ~~53A-17a-135;]~~

173 ~~[(B) school districts' capital projects revenues derived from local property taxes; and]~~

174 ~~[(C) school districts' expenditures for interest on debt; and]~~

175 ~~[(ii) dividing the sum by the total average daily membership of the districts' schools.]~~

176 (4) (a) (i) Except as provided in Subsection (4)(a)(ii), a school district shall allocate a  
177 portion of school district revenues for each resident student of the school district who is  
178 enrolled in a charter school on October 1 equal to 25% of the lesser of:

179 (A) district per pupil local revenues; or

180 (B) charter school students' average local revenues.

181 (ii) For the purpose of allocating school district revenues under Subsection (4)(a)(i), a  
182 kindergarten student who is enrolled in less than a full-day kindergarten program is weighted as  
183 .55 of a student.

184 (iii) Nothing in this Subsection (4)(a) affects the school bond guarantee program  
185 established under Chapter 28, Utah School Bond Guaranty Act.

186 (b) The State Board of Education shall:

187 (i) deduct an amount equal to the allocation provided under Subsection (4)(a) from  
188 state funds the school district is authorized to receive under Title 53A, Chapter 17a, Minimum  
189 School Program Act; and

190 (ii) remit the money to the student's charter school.

191 (c) Notwithstanding the method used to transfer school district revenues to charter  
192 schools as provided in Subsection (4)(b), a school district may deduct the allocations to charter  
193 schools under this section from:

194 (i) unrestricted revenues available to the school district; or

195 (ii) the revenue sources listed in Subsections (1)(b)(i)(A) through (F) based on the  
196 portion of the allocations to charter schools attributed to each of the revenue sources listed in  
197 Subsections (1)(b)(i)(A) through (F).

198 (d) (i) Subject to future budget constraints, the Legislature shall provide an  
199 appropriation for charter schools for each student enrolled on October 1 to supplement the  
200 allocation of school district revenues under Subsection (4)(a).

201 (ii) Except as provided in Subsections (4)(d)(iii) and (iv), the amount of money  
202 provided by the state for a charter school student shall be the sum of:

203 (A) charter school students' average local revenues minus the allocation of school  
204 district revenues under Subsection (4)(a); and

205 (B) statewide average debt service revenues.

206 (iii) If the total of a school district's allocation for a charter school student under  
207 Subsection (4)(a) and the amount provided by the state under Subsection (4)(d)(ii) is less than  
208 \$1427, the state shall provide an additional supplement so that a charter school receives at least  
209 \$1427 per student under this Subsection (4).

210 (iv) For the purpose of providing state monies for charter school students under this  
211 Subsection (4)(d), a kindergarten student who is enrolled in less than a full-day kindergarten  
212 program is weighted as .55 of a student.

213 ~~[(b)]~~ (e) Of the monies provided to a charter school under this Subsection (4)[(a)], 10%  
214 shall be expended for funding school facilities only.

215 ~~[(c) To qualify for money under Subsection (4)(a), a new charter school shall, by~~  
216 ~~September 30 of the school year prior to the school year it intends to begin operations:]~~

217 ~~[(i) obtain approval of its application for a charter from:]~~

218 ~~[(A) the State Board of Education, pursuant to Section 53A-1a-505; or]~~

219 ~~[(B) a local school board, pursuant to Section 53A-1a-515; and]~~

220 ~~[(ii) submit to the chartering entity an estimate of the charter school's first year~~  
221 ~~enrollment.]~~

222 ~~[(d) Subsection (4)(c) does not apply to charter schools beginning operations in the~~  
223 ~~2005-06 school year.]~~

224 ~~[(e) By December 1, the State Charter School Board shall submit to the Governor's~~  
225 ~~Office of Planning and Budget and the Office of the Legislative Fiscal Analyst an estimate of~~



226 total charter school enrollment in the state for the following school year.]

227 (5) Charter schools are eligible to receive federal funds if they meet all applicable  
228 federal requirements and comply with relevant federal regulations.

229 (6) The State Board of Education shall distribute funds for charter school students  
230 directly to the charter school.

231 (7) (a) Notwithstanding Subsection [~~(2)~~] (3), a charter school is not eligible to receive  
232 state transportation funding.

233 (b) The board shall also adopt rules relating to the transportation of students to and  
234 from charter schools, taking into account Sections 53A-2-210 and 53A-17a-127.

235 (c) The governing body of the charter school may provide transportation through an  
236 agreement or contract with the local school board, a private provider, or with parents.

237 (8) (a) (i) The state superintendent of public instruction may allocate grants for both  
238 start-up and ongoing costs to eligible charter school applicants from monies appropriated for  
239 the implementation of this part.

240 (ii) Applications for the grants shall be filed on a form determined by the state  
241 superintendent and in conjunction with the application for a charter.

242 (iii) The amount of a grant may vary based upon the size, scope, and special  
243 circumstances of the charter school.

244 (iv) The governing board of the charter school shall use the grant to meet the expenses  
245 of the school as established in the school's charter.

246 (b) The State Board of Education shall coordinate the distribution of federal monies  
247 appropriated to help fund costs for establishing and maintaining charter schools within the state.

248 (9) (a) A charter school may receive, hold, manage and use any devise, bequest, grant,  
249 endowment, gift, or donation of any property made to the school for any of the purposes of this  
250 part.

251 (b) It is unlawful for any person affiliated with a charter school to demand or request  
252 any gift, donation, or contribution from a parent, teacher, employee, or other person affiliated  
253 with the charter school as a condition for employment or enrollment at the school or continued

254 attendance at the school.

255 ~~[(10) The State Office of Education shall use up to \$1,044,000 of funding provided for~~  
256 ~~new growth to fund additional growth needs in charter schools in fiscal year 2005.]~~

257 Section 3. Section **53A-1a-1001** is enacted to read:

258 **Part 10. UPSTART**

259 **53A-1a-1001. Definitions.**

260 As used in this part:

261 (1) "Contractor" means the educational technology provider selected by the State  
262 Board of Education under Section 53A-1a-1002.

263 (2) "Low income" means an income below 200% of the federal poverty guideline.

264 (3) "Preschool children" means children who are:

265 (a) age four or five; and

266 (b) have not entered kindergarten.

267 (4) "UPSTART" means the pilot project established by Section 53A-1a-1002 that uses  
268 a home-based educational technology program to develop school readiness skills of preschool  
269 children.

270 Section 4. Section **53A-1a-1002** is enacted to read:

271 **53A-1a-1002. Pilot project to develop school readiness skills of preschool children.**

272 (1) UPSTART, a pilot project that uses a home-based educational technology program  
273 to develop school readiness skills of preschool children, is established within the public  
274 education system.

275 (2) UPSTART is created to:

276 (a) evaluate the effectiveness of giving preschool children access, at home, to  
277 interactive individualized instruction delivered by computers and the Internet to prepare them  
278 academically for success in school; and

279 (b) test the feasibility of scaling a home-based curriculum in reading, math, and science  
280 delivered by computers and the Internet to all preschool children in Utah.

281 (3) The State Board of Education shall contract with an educational technology

282 provider, selected through a request for proposals process, for the delivery of a home-based  
283 educational technology program for preschool children that meets the requirements of  
284 Subsection (4).

285 (4) A home-based educational technology program for preschool children shall meet the  
286 following standards:

287 (a) the contractor shall provide computer-assisted instruction for preschool children on  
288 a home computer connected by the Internet to a centralized file storage facility;

289 (b) the contractor shall:

290 (i) provide technical support to families for the installation and operation of the  
291 instructional software; and

292 (ii) provide for the installation of computer and Internet access in homes of low income  
293 families that cannot afford the equipment and service;

294 (c) the contractor shall have the capability of doing the following through the Internet:

295 (i) communicating with parents;

296 (ii) updating the instructional software;

297 (iii) validating user access;

298 (iv) collecting usage data;

299 (v) storing research data; and

300 (vi) producing reports for parents, schools, and the Legislature;

301 (d) the program shall include the following components:

302 (i) computer-assisted, individualized instruction in reading, mathematics, and science;

303 (ii) a multisensory reading tutoring program; and

304 (iii) a validated computer adaptive reading test that does not require the presence of  
305 trained adults to administer and is an accurate indicator of reading readiness of children who  
306 cannot read;

307 (e) the contractor shall have the capability to quickly and efficiently modify, improve,  
308 and support the product;

309 (f) the contractor shall work in cooperation with school district personnel who will

310 provide administrative and technical support of the program as provided in Section  
311 53A-1a-1003;

312 (g) the contractor shall solicit families to participate in the program as provided in  
313 Section 53A-1a-1004; and

314 (h) in implementing the home-based educational technology program, the contractor  
315 shall seek the advise and expertise of early childhood education professionals within the Utah  
316 System of Higher Education on issues such as:

317 (i) soliciting families to participate in the program;

318 (ii) providing training to families; and

319 (iii) motivating families to regularly use the instructional software.

320 (5) The contract shall provide funding for a home-based educational technology  
321 program for preschool children for one year with an option to extend the contract for additional  
322 years or to expand the program to a greater number of preschool children, subject to the  
323 appropriation of money by the Legislature for UPSTART.

324 Section 5. Section **53A-1a-1003** is enacted to read:

325 **53A-1a-1003. School district participation in UPSTART.**

326 (1) A school district may participate in UPSTART if the local school board agrees to  
327 work in cooperation with the contractor to provide administrative and technical support for the  
328 pilot project.

329 (2) Family participants in UPSTART shall be solicited from school districts that  
330 participate in UPSTART.

331 (3) A school district that participates in UPSTART shall:

332 (a) receive funding for:

333 (i) paraprofessional and technical support staff; and

334 (ii) travel, materials, and meeting costs of the program;

335 (b) participate in program training by the contractor; and

336 (c) agree to adopt standardized policies and procedures in implementing the pilot  
337 project.

338 Section 6. Section **53A-1a-1004** is enacted to read:

339 **53A-1a-1004. Family participation in UPSTART.**

340 (1) The contractor shall solicit families to participate in UPSTART through a public  
341 information campaign and referrals from participating school districts.

342 (2) (a) Preschool children who participate in UPSTART shall:

343 (i) be from families with diverse socioeconomic and ethnic backgrounds; and

344 (ii) reside in different regions of the state in both urban and rural areas.

345 (b) At least 30% of the preschool children who participate in UPSTART shall be from  
346 low income families.

347 (3) A low income family that cannot afford a computer and Internet service to operate  
348 the instructional software may obtain a computer and peripheral equipment on loan and receive  
349 free Internet service for the duration of the family's participation in the pilot project.

350 (4) The contractor shall make the home-based educational technology program  
351 available to families at an agreed upon cost if the number of families who would like to  
352 participate in UPSTART exceeds the number of participants funded by the legislative  
353 appropriation.

354 Section 7. Section **53A-1a-1005** is enacted to read:

355 **53A-1a-1005. Purchase of equipment and service through cooperative purchasing**  
356 **contracts.**

357 The State Board of Education or a school district may purchase computers, peripheral  
358 equipment, and Internet service for low income families who cannot afford them through  
359 cooperative purchasing contracts administered by the state Division of Purchasing and General  
360 Services.

361 Section 8. Section **53A-1a-1006** is enacted to read:

362 **53A-1a-1006. Audit and evaluation.**

363 (1) The state auditor shall:

364 (a) conduct an annual audit of the contractor's use of funds for UPSTART; or

365 (b) contract with an independent certified public accountant to conduct an annual audit.

366           (2) The State Board of Education shall:  
367           (a) require by contract that the contractor will open its books and records relating to its  
368 expenditure of funds pursuant to the contract to the state auditor or the state auditor's designee;  
369           (b) reimburse the state auditor for the actual and necessary costs of the audit; and  
370           (c) contract with an independent, qualified evaluator, selected through a request for  
371 proposals process, to evaluate the home-based educational technology program for preschool  
372 children.

373           (3) Of the monies appropriated by the Legislature for UPSTART, excluding funds used  
374 to provide computers, peripheral equipment, and Internet service to families, no more than  
375 7.5% may be used for the evaluation of the program.

376           Section 9. Section **53A-1a-1007** is enacted to read:

377           **53A-1a-1007. Annual report.**

378           (1) The State Board of Education shall make a report on UPSTART to the Education  
379 Interim Committee by November 30 each year.

380           (2) The report shall:

381           (a) address the extent to which UPSTART is accomplishing the purposes for which it  
382 was established as specified in Section 53A-1a-1002; and

383           (b) include the following information:

384           (i) the number of families:

385           (A) volunteering to participate in the program;

386           (B) selected to participate in the program;

387           (C) requesting computers; and

388           (D) furnished computers;

389           (ii) the frequency of use of the instructional software;

390           (iii) obstacles encountered with software usage, hardware, or providing technical  
391 assistance to families;

392           (iv) student performance on pre-kindergarten and post-kindergarten assessments  
393 conducted by school districts and charter schools for students who participated in the

394 home-based educational technology program and those who did not participate in the program;  
395 and

396 (v) as available, the evaluation of the program conducted pursuant to Section  
397 53A-1a-1006.

398 Section 10. Section **53A-13-110** is enacted to read:

399 **53A-13-110. Financial and economic literacy education.**

400 (1) As used in this section, "financial and economic literacy passport" means a  
401 document that tracks mastery of financial and economic literacy concepts and completion of  
402 financial and economic activities, including the following:

403 (a) basic budgeting;

404 (b) saving and financial investments;

405 (c) banking and financial services, including balancing a checkbook or a bank account;

406 (d) career management, including earning an income;

407 (e) rights and responsibilities of renting or buying a home;

408 (f) retirement planning;

409 (g) loans and borrowing money, including interest, credit card debt, predatory lending,  
410 and payday loans;

411 (h) insurance;

412 (i) federal, state, and local taxes;

413 (j) charitable giving;

414 (k) online commerce;

415 (l) identity fraud and theft;

416 (m) negative financial consequences of gambling;

417 (n) bankruptcy;

418 (o) free markets and prices;

419 (p) supply and demand;

420 (q) monetary and fiscal policy;

421 (r) effective business plan creation, including using economic analysis in creating a plan;

- 422           (s) scarcity and choices;
- 423           (t) opportunity cost and tradeoffs;
- 424           (u) productivity;
- 425           (v) entrepreneurship; and
- 426           (w) economic reasoning.
- 427           (2) The State Board of Education shall:
- 428           (a) in cooperation with interested private and non-profit entities:
- 429           (i) develop a financial and economic literacy passport that students may elect to
- 430 complete;
- 431           (ii) develop methods of encouraging parent and educator involvement in completion of
- 432 the financial and economic literacy passport; and
- 433           (iii) develop and implement appropriate recognition and incentives for students who
- 434 complete the financial and economic literacy passport, including:
- 435           (A) a financial and economic literacy endorsement on the student's diploma of
- 436 graduation;
- 437           (B) a specific designation on the student's official transcript; and
- 438           (C) any incentives offered by community partners;
- 439           (b) more fully integrate existing and new financial and economic literacy education into
- 440 instruction in kindergarten through twelfth grade by:
- 441           (i) coordinating financial and economic literacy instruction with existing instruction in
- 442 other core curriculum areas such as mathematics and social studies;
- 443           (ii) using curriculum mapping;
- 444           (iii) creating training materials and staff development programs that:
- 445           (A) highlight areas of potential coordination between financial and economic literacy
- 446 education and other core curriculum concepts; and
- 447           (B) demonstrate specific examples of financial and economic literacy concepts as a way
- 448 of teaching other core curriculum concepts; and
- 449           (iv) using appropriate financial and economic literacy assessments to improve financial



450 and economic literacy education and, if necessary, developing assessments;

451 (c) work with interested private and non-profit entities to:

452 (i) coordinate school use of existing financial and economic literacy education  
453 resources;

454 (ii) develop simple, clear, and consistent messaging to reinforce and link existing  
455 financial literacy resources; and

456 (iii) coordinate the efforts of school, work, private, non-profit, and other financial  
457 education providers in implementing methods of appropriately communicating to teachers,  
458 students, and parents key financial and economic literacy messages; and

459 (d) in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,  
460 make rules to develop guidelines and methods for school districts and charter schools to more  
461 fully integrate financial and economic literacy education into other core curriculum courses.

462 (3) The state superintendent shall annually report to the Education Interim Committee  
463 by November of each year on the successes and areas of needed improvement in financial and  
464 economic literacy education provided pursuant to this section.

465 Section 11. Section **53A-14-107** is amended to read:

466 **53A-14-107. Instructional materials alignment with core curriculum.**

467 (1) A school district may not purchase primary instructional materials unless the  
468 primary instructional materials provider:

469 (a) contracts with an independent party to evaluate and map the alignment of the  
470 primary instructional materials with the core curriculum adopted under Section 53A-1-402;

471 (b) provides a detailed summary of the evaluation under Subsection (1)(a) on a public  
472 website at no charge, for use by teachers and the general public; and

473 (c) pays the costs related to the requirements of this Subsection (1).

474 (2) The requirements under Subsection (1) may not be performed by:

475 (a) the State Board of Education;

476 (b) the superintendent of public instruction or the ~~[superintendent's staff]~~ State Office of  
477 Education;

478 (c) the State Instructional Materials Commission appointed pursuant to Section  
479 53A-14-101;

480 (d) [~~an employee or~~ a local school board [~~member of~~] or a school district; or

481 (e) the instructional materials creator or publisher.

482 (3) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act,  
483 the State Board of Education shall make rules that establish:

484 (a) the qualifications of the independent parties who may evaluate and map the  
485 alignment of the primary instructional materials in accordance with the provisions of Subsection  
486 (1)(a); and

487 (b) requirements for the detailed summary of the evaluation and its placement on a  
488 public website in accordance with the provisions of Subsection (1)(b).

489 Section 12. Section **53A-17a-103** is amended to read:

490 **53A-17a-103. Definitions.**

491 As used in this chapter:

492 (1) "Basic state-supported school program" or "basic program" means public education  
493 programs for kindergarten, elementary, and secondary school students that are operated and  
494 maintained for the amount derived by multiplying the number of weighted pupil units for each  
495 district by [~~\$2,514~~] \$2,577, except as otherwise provided in this chapter.

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

498 (i) the amount of ad valorem property tax revenue to be generated statewide in the  
499 previous year from imposing a minimum basic tax rate, as specified in Subsection  
500 53A-17a-135(1)(a); and

501 (ii) the product of:

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

504 (B) the minimum basic tax rate certified by the State Tax Commission for the previous  
505 year.

506 (b) For purposes of this Subsection (2), "ad valorem property tax revenue" does not  
507 include property tax revenue received statewide from personal property that is:

508 (i) assessed by a county assessor in accordance with Title 59, Chapter 2, Part 3, County  
509 Assessment; and

510 (ii) semiconductor manufacturing equipment.

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

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

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

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

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

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

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

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

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

528 (6) "Weighted pupil unit or units or WPU or WPU's" means the unit of measure of  
529 factors that is computed in accordance with this chapter for the purpose of determining the  
530 costs of a program on a uniform basis for each district.

531 Section 13. Section **53A-17a-104** is amended to read:

532 **53A-17a-104. Amount of state's contribution toward minimum school program.**

533 (1) The total contribution of the state toward the cost of the minimum school program

534 may not exceed the sum of [~~\$2,273,574,120~~] \$2,497,012,086 for the fiscal year beginning July  
535 1, [~~2007~~] 2008, except as otherwise provided by the Legislature through supplemental  
536 appropriations.

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

540 (a) basic program - kindergarten, [~~\$61,819,260 (24,590)~~] \$65,182,638 (25,294 WPU)s);

541 (b) basic program - grades 1-12, [~~\$1,202,446,200 (478,300)~~] \$1,258,253,751 (488,263  
542 WPU)s);

543 (c) basic program - professional staff, [~~\$112,436,136 (44,724)~~] \$116,307,741 (45,133  
544 WPU)s);

545 (d) basic program - administrative costs, [~~\$4,072,680~~] \$4,174,740 (1,620 WPU)s);

546 (e) basic program - necessarily existent small schools and units for consolidated  
547 schools, [~~\$19,229,586~~] \$19,711,473 (7,649 WPU)s);

548 (f) special education - regular program - add-on WPU for students with disabilities,  
549 [~~\$143,034,030 (56,895)~~] \$155,789,958 (60,454 WPU)s);

550 (g) preschool special education program, [~~\$20,918,994 (8,321)~~] \$22,082,313 (8,569  
551 WPU)s);

552 (h) self-contained regular WPU, [~~\$33,587,040 (13,360)~~] \$34,573,032 (13,416 WPU)s);

553 (i) extended year program for severely disabled, [~~\$922,638 (367)~~] \$968,952 (376  
554 WPU)s);

555 (j) special education programs in state institutions and district impact aid, [~~\$4,090,278~~  
556 ~~(1,627)~~] \$4,293,282 (1,666 WPU)s);

557 (k) career and technical education district programs, [~~\$65,147,796 (25,914)~~  
558 \$67,530,285 (26,205 WPU)s), including [~~\$1,114,000~~] \$1,154,458 for summer career and  
559 technical education agriculture programs;

560 (l) career and technical education district set-aside, [~~\$2,742,774 (1,091)~~] \$2,878,509  
561 (1,117 WPU)s);

- 562 (m) class size reduction, [~~\$82,330,986~~(~~32,749~~) \$88,373,061 (34,293 WPU\$);
- 563 (n) Social Security and retirement programs, [~~\$333,315,119~~] \$349,906,049;
- 564 (o) pupil transportation to and from school, [~~\$70,928,797~~] \$74,446,865, of which not
- 565 less than [~~\$2,462,300~~] \$2,584,435 shall be allocated to the Utah Schools for the Deaf and Blind
- 566 to pay for transportation costs of the schools' students;
- 567 (p) guarantee transportation levy, \$500,000;
- 568 (q) Local Discretionary Block Grant Program, \$21,820,748;
- 569 (r) Interventions for Student Success Block Grant Program, [~~\$17,953,612~~
- 570 \$18,844,111;
- 571 (s) Quality Teaching Block Grant Program, [~~\$73,947,829~~] \$77,615,641;
- 572 (t) highly impacted schools, \$5,123,207;
- 573 (u) at-risk programs, [~~\$29,926,867~~] \$31,411,241;
- 574 (v) adult education, [~~\$9,781,008~~] \$10,266,146;
- 575 (w) accelerated learning programs, [~~\$3,975,546~~] \$4,295,581;
- 576 (x) concurrent enrollment, [~~\$9,215,497~~] \$9,672,586;
- 577 (y) High-ability Student Initiative Program, \$500,000;
- 578 (z) English Language Learner Family Literacy Centers, \$2,000,000;
- 579 [~~(y)~~] (aa) electronic high school, \$2,000,000;
- 580 [~~(z)~~] (bb) School LAND Trust Program, [~~\$21,000,000~~] \$26,499,500;
- 581 [~~(aa) state-supported voted leeway, \$227,700,777;~~]
- 582 [~~(bb) state-supported board leeway, \$62,066,336;~~]
- 583 (cc) charter schools, pursuant to Section 53A-1a-513, [~~\$28,509,000~~] \$36,957,646;
- 584 (dd) charter school administrative costs, [~~\$750,000~~] \$2,898,600;
- 585 (ee) K-3 Reading Improvement Program, [~~\$12,500,000~~] \$15,000,000;
- 586 [~~(ff) state-supported board leeway for K-3 Reading Improvement Program,~~
- 587 \$15,000,000; and]
- 588 [~~(gg)~~] (ff) Public Education Job Enhancement Program, \$2,430,000[-];
- 589 (gg) educator salary adjustments, \$148,260,200;

- 590 (hh) Teacher Salary Supplement Restricted Account, \$4,300,000;
- 591 (ii) library books and electronic resources, \$1,500,000;
- 592 (jj) school nurses, \$1,000,000;
- 593 (kk) critical languages, \$230,000;
- 594 (ll) extended year for special educators, \$2,900,000;
- 595 (mm) USTAR Centers, \$6,900,000;
- 596 (nn) state-supported voted leeway, \$273,337,346;
- 597 (oo) state-supported board leeway, \$71,575,858; and
- 598 (pp) state-supported board leeway for K-3 Reading Improvement Program,
- 599 \$15,000,000.

600 Section 14. Section **53A-17a-108** is amended to read:

601 **53A-17a-108. Weighted pupil units for school district administrative costs --**

602 **Appropriation for charter school administrative costs.**

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

605 Administrative Costs Schedule

606 School District Enrollment as of October 1	606 Weighted Pupil Units
607 1 - 2,000 students	53
608 2,001 - 10,000 students	48
609 10,001 - 20,000 students	25
610 20,001 and above	16

611 (2) (a) Money appropriated to the State Board of Education for charter school  
612 administrative costs, including an appropriation in Section 53A-17a-104, shall be distributed to  
613 charter schools in the amount of [~~\$62~~] \$100 for each charter school student in enrollment.

614 (b) Charter schools are encouraged to identify and use cost-effective methods of  
615 performing administrative functions, including contracting for administrative services with the  
616 State Charter School Board as provided in Section 53A-1a-501.6.

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

618 (1).

619 Section 15. Section **53A-17a-120** is amended to read:

620 **53A-17a-120. Appropriation for accelerated learning programs.**

621 (1) Money appropriated to the State Board of Education in Section 53A-17a-104 for  
622 accelerated learning programs shall be allocated to local school boards and charter schools for  
623 the following programs:

624 (a) programs in grades 1-12 for the gifted and talented; [~~and~~]

625 (b) advanced placement[-]; and

626 (c) International Baccalaureate.

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

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

632 Section 16. Section **53A-17a-126** is amended to read:

633 **53A-17a-126. State support of pupil transportation.**

634 (1) Money appropriated to the State Board of Education in Section 53A-17a-104 for  
635 state-supported transportation of public school students shall be apportioned and distributed in  
636 accordance with Section 53A-17a-127, except as otherwise provided in this section.

637 (2) (a) The Utah Schools for the Deaf and the Blind shall use money appropriated in  
638 Section 53A-17a-104 to pay for transportation of their students based on current valid  
639 contractual arrangements and best transportation options and methods as determined by the  
640 schools.

641 (b) All student transportation costs of the schools shall be paid from the allocation of  
642 pupil transportation monies received under Section 53A-17a-104.

643 (3) (a) A school district may only claim eligible transportation costs as legally reported  
644 on the prior year's annual financial report submitted under Section 53A-3-404. [~~Each district~~  
645 shall receive its]

646 (b) The state shall contribute 85% of approved transportation costs, [~~except that if~~  
647 ~~during the~~] subject to budget constraints.

648 (c) If in a fiscal year the total transportation allowance for all districts exceeds the  
649 amount appropriated for that purpose, all allowances shall be reduced pro rata to equal not  
650 more than [~~that amount~~] the amount appropriated.

651 (4) Local school boards shall provide salary adjustments to employee groups that work  
652 with the transportation of students comparable to those of classified employees authorized  
653 under Section 53A-17a-137, when dividing the weighted pupil unit for salary adjustment  
654 purposes.

655 Section 17. Section **53A-17a-127** is amended to read:

656 **53A-17a-127. Eligibility for state-supported transportation -- Approved bus**  
657 **routes -- Additional local tax.**

658 (1) A student eligible for state-supported transportation means:

659 (a) a student enrolled in kindergarten through grade six who lives at least 1-1/2 miles  
660 from school;

661 (b) a student enrolled in grades seven through 12 who lives at least two miles from  
662 school; and

663 (c) a student enrolled in a special program offered by a school district and approved by  
664 the State Board of Education for trainable, motor, multiple-disabled, or other students with  
665 severe disabilities who are incapable of walking to school or where it is unsafe for students to  
666 walk because of their disabling condition, without reference to distance from school.

667 (2) If a school district implements double sessions as an alternative to new building  
668 construction, with the approval of the State Board of Education, those affected elementary  
669 school students residing less than 1-1/2 miles from school may be transported one way to or  
670 from school because of safety factors relating to darkness or other hazardous conditions as  
671 determined by the local school board.

672 (3) (a) The State [~~Office~~] Board of Education shall distribute transportation monies to  
673 school districts based on [~~three factors~~]:



674 (i) an allowance per mile for approved bus routes;

675 (ii) an allowance per hour for approved bus routes; ~~and~~

676 (iii) an annual allowance for equipment and overhead costs based on approved bus

677 routes and the age of the equipment~~[-]; and~~

678 (iv) a minimum allocation for each school district eligible for transportation funding.

679 (b) The State Board of Education shall distribute appropriated transportation funds

680 based on the prior year's eligible transportation costs as legally reported under Subsection

681 53A-17a-126(3).

682 ~~(b)~~ (c) In order for a bus to be considered for the equipment allowance under

683 Subsection (3)(a)(iii), it must meet federal and state regulations and standards for school buses.

684 ~~(c)~~ (d) The State ~~Office~~ Board of Education shall annually review the allowance per

685 mile, the allowance per hour, and the annual equipment and overhead allowance and adjust the

686 allowance to reflect current economic conditions.

687 (4) (a) Approved bus routes for funding purposes shall be determined on fall data

688 collected by October 1.

689 (b) Approved route funding shall be determined on the basis of the most efficient and

690 economic routes.

691 (5) A Transportation Advisory Committee with representation from local school

692 superintendents, business officials, school district transportation supervisors, and the ~~State~~

693 ~~Office of Education~~ state superintendent's staff shall serve as a review committee for

694 addressing school transportation needs, including recommended approved bus routes.

695 (6) (a) A local school board may provide for the transportation of students who are not

696 eligible under Subsection (1), regardless of the distance from school, from:

697 (i) general funds of the district; and

698 (ii) a tax rate not to exceed .0003 per dollar of taxable value imposed on the district.

699 (b) A local school board may use revenue from the tax to pay for transporting

700 participating students to interscholastic activities, night activities, and educational field trips

701 approved by the board and for the replacement of school buses.

702 (c) (i) If a local school board levies a tax under Subsection (6)(a)(ii) of at least .0002,  
703 the state may contribute an amount not to exceed 85% of the state average cost per mile,  
704 contingent upon the Legislature appropriating funds for a state contribution.

705 (ii) The [~~State Office of Education~~] state superintendent's staff shall distribute the state  
706 contribution according to rules enacted by the State Board of Education.

707 (d) (i) The amount of state guarantee money [~~to~~] which a school district would  
708 otherwise be entitled to receive under Subsection (6)(c) may not be reduced for the sole reason  
709 that the district's levy is reduced as a consequence of changes in the certified tax rate under  
710 Section 59-2-924 due to changes in property valuation.

711 (ii) Subsection (6)(d)(i) applies for a period of two years following the change in the  
712 certified tax rate.

713 [~~(7) There is appropriated for the fiscal year beginning July 1, 1999, \$225,000 to the~~  
714 ~~state board as the state's contribution under Subsection (6)(c)(i).]~~

715 Section 18. Section **53A-17a-153** is amended to read:

716 **53A-17a-153. Educator salary adjustments.**

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

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

721 (b) a position as a:

722 (i) classroom teacher;

723 (ii) speech pathologist;

724 (iii) librarian or media specialist;

725 (iv) preschool teacher;

726 [~~(v) school administrator;~~]

727 [~~(vi)~~] (v) mentor teacher;

728 [~~(vii)~~] (vi) teacher specialist or teacher leader;

729 [~~(viii)~~] (vii) guidance counselor;

730            [~~(ix)~~] (viii) audiologist;

731            [~~(x)~~] (ix) psychologist; or

732            [~~(xi)~~] (x) social worker.

733            (2) In recognition of the need to attract and retain highly skilled and dedicated  
734 educators, the Legislature shall annually appropriate money for educator salary adjustments,  
735 subject to future budget constraints.

736            (3) Money appropriated to the State Board of Education for educator salary  
737 adjustments shall be distributed to school districts, charter schools, and the Utah Schools for the  
738 Deaf and the Blind in proportion to the number of full-time-equivalent educator positions in a  
739 school district, a charter school, or the Utah Schools for the Deaf and the Blind as compared to  
740 the total number of full-time-equivalent educator positions in school districts, charter schools,  
741 and the Utah Schools for the Deaf and the Blind.

742            (4) School districts, charter schools, and the Utah Schools for the Deaf and the Blind  
743 shall award bonuses to educators as follows:

744            (a) the amount of the salary adjustment shall be the same for each full-time-equivalent  
745 educator position in the school district, charter school, or the Utah Schools for the Deaf and the  
746 Blind;

747            (b) a person who is not a full-time educator shall receive a partial salary adjustment  
748 based on the number of hours the person works as an educator; and

749            (c) salary adjustments may be awarded only to educators who have received a  
750 satisfactory rating or above on their most recent evaluation.

751            (5) (a) Each school district and charter school and the Utah Schools for the Deaf and  
752 the Blind shall submit a report to the State Board of Education on how the money for salary  
753 adjustments was spent, including the amount of the salary adjustment and the number of full and  
754 partial salary adjustments awarded.

755            (b) The State Board of Education shall compile the information reported under  
756 Subsection (5) and submit it to the Public Education Appropriations Subcommittee by  
757 November 30 each year.

758 (6) The State Board of Education may make rules as necessary to administer this  
759 section, in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

760 (7) (a) Subject to future budget constraints, the Legislature shall appropriate sufficient  
761 monies each year to:

762 [~~(a)~~] (i) maintain educator salary adjustments provided in prior years; and

763 [~~(b)~~] (ii) provide educator salary adjustments to new employees.

764 (b) Money appropriated for educator salary adjustments shall include money for the  
765 following employer-paid benefits:

766 (i) retirement;

767 (ii) worker's compensation;

768 (iii) Social Security; and

769 (iv) Medicare.

770 Section 19. Section **53A-17a-156** is enacted to read:

771 **53A-17a-156. Teacher Salary Supplement Program.**

772 (1) As used in this section:

773 (a) "Eligible teacher" means a teacher who:

774 (i) has an assignment to teach:

775 (A) a secondary school level mathematics course;

776 (B) integrated science in grade 7 or 8;

777 (C) chemistry; or

778 (D) physics;

779 (ii) holds the appropriate endorsement for the assigned course;

780 (iii) has qualifying educational background; and

781 (iv) (A) is a new employee; or

782 (B) received a satisfactory rating or above on the teacher's most recent evaluation.

783 (b) "Qualifying educational background" means:

784 (i) for a teacher who is assigned a secondary school level mathematics course, a  
785 bachelor's degree major, master's degree, or doctoral degree in mathematics; and

786 (ii) for a teacher who is assigned a grade 7 or 8 integrated science course, chemistry  
787 course, or physics course, a bachelor's degree major, master's degree, or doctoral degree in:

788 (I) integrated science;

789 (II) chemistry;

790 (III) physics;

791 (IV) physical science; or

792 (V) general science.

793 (2) (a) Subject to future budget constraints, the Legislature shall annually appropriate  
794 money to the Teacher Salary Supplement Restricted Account established in Section  
795 53A-17a-157 to fund the Teacher Salary Supplement Program.

796 (b) Money appropriated for the Teacher Salary Supplement Program shall include  
797 money for the following employer-paid benefits:

798 (i) retirement;

799 (ii) workers' compensation;

800 (iii) Social Security; and

801 (iv) Medicare.

802 (3) (a) Beginning in fiscal year 2008-09, the annual salary supplement is \$4,100 for an  
803 eligible teacher who:

804 (i) is assigned full-time to teach one or more courses listed in Subsections (1)(a)(i)(A)  
805 through (D); and

806 (ii) meets the requirements of Subsections (1)(a)(ii) and (iii) for each course  
807 assignment.

808 (b) An eligible teacher who has a part-time assignment to teach one or more courses  
809 listed in Subsections (1)(a)(i)(A) through (D) shall receive a partial salary supplement based on  
810 the number of hours worked in a course assignment that meets the requirements of Subsections  
811 (1)(a)(ii) and (iii).

812 (4) The Department of Human Resource Management shall:

813 (a) create an on-line application system for a teacher to apply to receive a salary

814 supplement through the Teacher Salary Supplement Program:

815 (b) determine if a teacher:

816 (i) is an eligible teacher; and

817 (ii) has a course assignment as listed in Subsections (1)(a)(i)(A) through (D);

818 (c) verify, as needed, the determinations made under Subsection (4)(b) with school

819 district and school administrators; and

820 (d) certify a list of eligible teachers and the amount of their salary supplement, sorted by

821 school district and charter school, to the Division of Finance.

822 (5) (a) An eligible teacher shall apply with the Department of Human Resource

823 Management prior to the conclusion of a school year to receive the salary supplement

824 authorized in this section.

825 (b) An eligible teacher may apply with the Department of Human Resource

826 Management, after verification that the requirements under this section have been satisfied, to

827 receive a salary supplement after the completion of:

828 (i) the school year as an annual award; or

829 (ii) a semester or trimester as a partial award based on the portion of the school year

830 that has been completed.

831 (6) (a) The Division of Finance shall distribute monies from the Teacher Salary

832 Supplement Restricted Account to school districts and charter schools for the Teacher Salary

833 Supplement Program in accordance with the provisions of this section.

834 (b) The Department of Human Resource Management shall include the employer-paid

835 benefits described under Subsection (2)(b) in the amount of each salary supplement certified to

836 the Division of Finance.

837 (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the

838 salary supplement limits described under Subsection (3).

839 (7) (a) Money received from the Teacher Salary Supplement Restricted Account shall

840 be used by a school district or charter school to provide a salary supplement equal to the

841 amount specified for each eligible teacher.

842 (b) The salary supplement is part of the teacher's base pay, subject to the teacher's  
843 qualification as an eligible teacher every year, semester, or trimester.

844 (8) The State Board of Education shall cooperate with the Department of Human  
845 Resource Management as it administers the Teacher Salary Supplement Program by:

846 (a) providing or verifying teacher data, as requested; and

847 (b) making information technology resources available.

848 (9) Notwithstanding the provisions of this section, if the appropriation for the program  
849 is insufficient to cover the costs associated with salary supplements, the Department of Human  
850 Resource Management may limit or reduce the salary supplements.

851 Section 20. Section **53A-17a-157** is enacted to read:

852 **53A-17a-157. Teacher Salary Supplement Restricted Account.**

853 (1) There is created within the Uniform School Fund a restricted account known as the  
854 "Teacher Salary Supplement Restricted Account."

855 (2) The account shall be funded from appropriations made to the account by the  
856 Legislature.

857 (3) The account shall be used to fund teacher salary supplements for school districts and  
858 charter schools as provided in Section 53A-17a-156.

859 (4) The Division of Finance shall distribute account monies to school districts and  
860 charter schools for the Teacher Salary Supplement Program as provided in Section  
861 53A-17a-156.

862 Section 21. Section **53A-17a-158** is enacted to read:

863 **53A-17a-158. Stipends for special educators for additional days of work.**

864 (1) As used in this section:

865 (a) "IEP" means an individualized education program developed pursuant to the  
866 Individuals with Disabilities Education Improvement Act of 2004, as amended.

867 (b) "Special education teacher" means a teacher whose primary assignment is the  
868 instruction of students with disabilities who are eligible for special education services.

869 (c) "Special educator" means a person employed by a school district, charter school, or

870 the Utah Schools for the Deaf and the Blind who holds:

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

873 (ii) a position as a:

874 (A) special education teacher; or

875 (B) speech-language pathologist.

876 (2) The Legislature shall annually appropriate money for stipends to special educators  
877 for additional days of work:

878 (a) in recognition of the added duties and responsibilities assumed by special educators  
879 to comply with federal law regulating the education of students with disabilities and the need to  
880 attract and retain qualified special educators; and

881 (b) subject to future budget constraints.

882 (3) (a) The State Board of Education shall distribute money appropriated under this  
883 section to school districts, charter schools, and the Utah Schools for the Deaf and the Blind for  
884 stipends for special educators in the amount of \$200 per day for up to ten additional working  
885 days.

886 (b) Money distributed under this section shall include, in addition to the \$200 per day  
887 stipend, money for the following employer-paid benefits:

888 (i) retirement;

889 (ii) workers' compensation;

890 (iii) Social Security; and

891 (iv) Medicare.

892 (4) A special educator receiving a stipend shall:

893 (a) work an additional day beyond the number of days contracted with the special  
894 educator's school district or school for each daily stipend;

895 (b) schedule the additional days of work before or after the school year; and

896 (c) use the additional days of work to perform duties related to the IEP process,  
897 including:



- 898 (i) administering student assessments;
- 899 (ii) conducting IEP meetings;
- 900 (iii) writing IEPs;
- 901 (iv) conferring with parents; and
- 902 (v) maintaining records and preparing reports.
- 903 (5) A special educator may:
- 904 (a) elect to receive a stipend for one to ten days of additional work; or
- 905 (b) elect to not receive a stipend.
- 906 (6) A person who does not hold a full-time position as a special educator is eligible for
- 907 a partial stipend equal to the percentage of a full-time special educator position the person
- 908 assumes.

909 Section 22. Section **53A-17a-159** is enacted to read:

910 **53A-17a-159. Utah Science Technology and Research Initiative Centers Program.**

- 911 (1) (a) The Utah Science Technology and Research Initiative (USTAR) Centers
- 912 Program is created to provide a financial incentive for charter schools and school districts to
- 913 adopt programs that result in a more efficient use of human resources and capital facilities.
- 914 (b) The potential benefits of the program include:
- 915 (i) increased compensation for math and science teachers by providing opportunities for
- 916 an expanded contract year which will enhance school districts' and charter schools' ability to
- 917 attract and retain talented and highly qualified math and science teachers;
- 918 (ii) increased capacity of school buildings by using buildings more hours of the day or
- 919 more days of the year, resulting in reduced capital facilities costs;
- 920 (iii) decreased class sizes created by expanding the number of instructional
- 921 opportunities in a year;
- 922 (iv) opportunities for earlier high school graduation;
- 923 (v) improved student college preparation;
- 924 (vi) increased opportunities to offer additional remedial and advanced courses in math
- 925 and science;

926 (vii) opportunities to coordinate high school and post-secondary math and science  
927 education; and

928 (viii) the creation or improvement of science, technology, engineering, and math centers  
929 (STEM Centers).

930 (2) From monies appropriated for the USTAR Centers Program, the State Board of  
931 Education shall award grants to charter schools and school districts to pay for costs related to  
932 the adoption and implementation of the program.

933 (3) The State Board of Education shall:

934 (a) solicit proposals from the State Charter School Board and school districts for the  
935 use of grant monies to facilitate the adoption and implementation of the program; and

936 (b) award grants on a competitive basis.

937 (4) The State Charter School Board shall:

938 (a) solicit proposals from charter schools that may be interested in participating in the  
939 USTAR Centers Program;

940 (b) prioritize the charter school proposals and consolidate them into the equivalent of a  
941 single school district request; and

942 (c) submit the consolidated request to the State Board of Education.

943 (5) In selecting a grant recipient, the State Board of Education shall consider:

944 (a) the degree to which a charter school or school district's proposed adoption and  
945 implementation of an extended year for math and science teachers achieves the benefits  
946 described in Subsection (1);

947 (b) the unique circumstances of different urban, rural, large, small, growing, and  
948 declining charter schools and school districts; and

949 (c) providing pilot programs in as many different school districts and charter schools as  
950 possible.

951 (6) (a) Except as provided in Subsection (6)(b), a school district or charter school may  
952 only use grant monies to provide full year teacher contracts, part-time teacher contract  
953 extensions, or combinations of both, for math and science teachers.

954 (b) Up to 5% of the grant monies may be used to fund math and science field trips,  
955 textbooks, and supplies.

956 (7) Participation in the USTAR Centers Program shall be:

957 (a) voluntary for an individual teacher; and

958 (b) voluntary for a charter school or school district.

959 (8) The State Board of Education shall make an annual report during the 2009, 2010,  
960 and 2011 interims to the Public Education Appropriations Subcommittee describing the  
961 program's impact on students and its effectiveness at achieving the benefits described in  
962 Subsection (1).

963 Section 23. Section **53A-17a-160** is enacted to read:

964 **53A-17a-160. High-ability Student Initiative Program.**

965 (1) The High-ability Student Initiative Program is created to provide resources for  
966 educators to enhance the academic growth of high-ability students.

967 (2) The program shall consist of:

968 (a) personnel under the direction of the State Board of Education and superintendent of  
969 public instruction who shall direct and facilitate the program;

970 (b) a comprehensive, Internet-based resource center to provide information about  
971 high-ability students to teachers, administrators, parents, and the community;

972 (c) professional development and professional learning communities for teachers,  
973 including research-based tools to:

974 (i) identify high-ability students;

975 (ii) implement strategies to meet high-ability students' needs;

976 (iii) train and mentor teachers; and

977 (iv) enhance teacher collaboration and networking, including videoconferencing  
978 equipment for classroom observation and coaching;

979 (d) assistance for a teacher to obtain an endorsement for gifted and talented education;

980 and

981 (e) an evaluation of the program.

982 (3) (a) From monies appropriated for the High-ability Student Initiative Program, the  
983 State Board of Education shall establish a grant program to encourage a licensed teacher to  
984 obtain an endorsement for gifted and talented education.

985 (b) The State Board of Education may award up to 250 grants in amounts of up to  
986 \$2,500 each.

987 (c) To receive a grant, a licensed teacher shall provide matching funds in an amount  
988 equal to 1/2 the grant amount.

989 (4) From monies appropriated for the High-ability Student Initiative Program, the State  
990 Board of Education shall:

991 (a) contract with an independent, qualified evaluator, selected through a request for  
992 proposals process, to evaluate the High-ability Student Initiative Program; and

993 (b) provide up to 60 stipends in amounts of up to \$1,500 each for teachers who  
994 participate in the evaluation.

995 (5) High-ability Student Initiative Program monies may not be used to supplant funds  
996 for existing programs, but may be used to augment existing programs.

997 (6) Participation in the High-ability Student Initiative Program shall be:

998 (a) voluntary for an individual teacher; and

999 (b) voluntary for a charter school or school district.

1000 (7) The State Board of Education shall make an annual report during the 2009, 2010,  
1001 and 2011 interims to the Education Interim Committee describing the program's impact on  
1002 high-ability students.

1003 Section 24. Section **53A-17a-161** is enacted to read:

1004 **53A-17a-161. English Language Learner Family Literacy Centers Program --**  
1005 **Report.**

1006 (1) Money appropriated for the English Language Learner Family Literacy Centers  
1007 Program shall be used by school districts and charter schools to pay for costs of English  
1008 Language Learner Family Literacy Centers as provided in this section.

1009 (2) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the

1010 State Board of Education, after consultation with school districts and charter schools, shall  
1011 adopt a formula that allocates the money appropriated by the Legislature for the English  
1012 Language Learner Family Literacy Centers Program to school districts and charter schools in a  
1013 fair and equitable manner.

1014 (3) English Language Learner Family Literacy Centers shall be established to:

1015 (a) increase parent involvement;

1016 (b) communicate with parents who are not proficient in English concerning required and  
1017 optional activities at the school, in the parents' preferred language to the extent practicable;

1018 (c) increase academic achievement, literacy skills, and language gains in all ethnic  
1019 groups of students and their families;

1020 (d) coordinate with school administrators, educators, families, and students; and

1021 (e) support and coordinate with other language acquisition instructional services and  
1022 language proficiency programs in the public schools.

1023 (4) The State Board of Education shall make a report to the Education Interim

1024 Committee on the effectiveness of the English Language Learner Family Literacy Centers

1025 Program before November 30, 2011.

1026 Section 25. Section **53A-17a-162** is enacted to read:

1027 **53A-17a-162. Beverley Taylor Sorenson Elementary Arts Learning Program.**

1028 (1) The Legislature finds that a strategic placement of arts in elementary education can  
1029 impact the critical thinking of students in other core subject areas, including mathematics,  
1030 reading, and science.

1031 (2) The Beverley Taylor Sorenson Elementary Arts Learning Program is created to  
1032 enhance the social, emotional, academic, and arts learning of students in kindergarten through  
1033 grade six by integrating arts teaching and learning into core subject areas.

1034 (3) From monies appropriated for the Beverley Taylor Sorenson Elementary Arts  
1035 Learning Program, the State Board of Education shall, after consulting with the Utah Arts  
1036 Council and receiving their recommendations:

1037 (a) establish a grant program to allow school districts and charter schools to hire 50

1038 highly qualified, full-time arts specialists to be based at 50 schools;

1039 (b) provide up to \$10,000 in one-time funds for each school arts specialist described  
1040 under Subsection (3)(a) to purchase supplies and equipment;

1041 (c) establish a grant program to allow ten school districts to hire art coordinators,  
1042 provided that a qualifying school district provides matching funds in an amount equal to the  
1043 grant amount; and

1044 (d) annually contract with an independent, qualified evaluator, selected through a  
1045 request for proposals process, to evaluate the Beverley Taylor Sorenson Elementary Arts  
1046 Learning Program.

1047 (4) Beverley Taylor Sorenson Elementary Arts Learning Program monies may not be  
1048 used to supplant funds for existing programs funded by the state, but shall be used to augment  
1049 existing programs.

1050 (5) Schools that participate in the Beverley Taylor Sorenson Elementary Arts Learning  
1051 Program shall partner with institutions of higher education that award elementary education  
1052 degrees to obtain quality pre-service and in-service training, research, and leadership  
1053 development for arts education.

1054 (6) The State Board of Education shall, after consultation with the Utah Arts Council,  
1055 make an annual report during the 2009, 2010, and 2011 interims to the Education Interim  
1056 Committee describing the program's impact on students in kindergarten through grade six.

1057 Section 26. Section **63-55b-153** is amended to read:

1058 **63-55b-153. Repeal dates -- Titles 53, 53A, and 53B.**

1059 (1) Section 53-3-210 is repealed February 1, 2007.

1060 (2) Section 53A-1-403.5 is repealed July 1, 2012.

1061 (3) Subsection 53A-1a-511(7)(c) is repealed July 1, 2007.

1062 (4) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.

1063 [~~4~~] (5) Section 53A-3-702 is repealed July 1, 2008.

1064 [~~5~~] (6) Section 53A-6-112 is repealed July 1, 2009.

1065 (7) Subsection 53A-13-110(3) is repealed July 1, 2013.

1066 [~~(6)~~ (8) Section 53A-17a-152 is repealed July 1, 2010.

1067 (9) Section 53A-17a-162 is repealed July 1, 2012.

1068 Section 27. **Ongoing appropriations.**

1069 (1) As an ongoing appropriation subject to future budget constraints, there is  
1070 appropriated from the Uniform School Fund for fiscal year 2008-09, as follows:

1071 (a) \$2,500,000 to the State Board of Education for UPSTART as provided in Title  
1072 53A, Chapter 1a, Part 10, UPSTART, including costs of:

1073 (i) a home-based educational technology program provided by a contractor;

1074 (ii) computers, peripheral equipment, and Internet service for families who cannot  
1075 afford the equipment and service;

1076 (iii) administrative and technical support provided by school districts;

1077 (iv) an audit of the contractor's use of funds appropriated for UPSTART; and

1078 (v) an evaluation of the home-based educational technology program;

1079 (b) \$100,000 to the State Board of Education for staff development and assessments in  
1080 financial and economic literacy as provided by Subsection 53A-13-110(2)(b);

1081 (c) \$4,300,000 from the Uniform School Fund Teacher Salary Supplement Restricted  
1082 Account for the Teacher Salary Supplement Program in accordance with the provisions under  
1083 Sections 53A-17a-156 and 53A-17a-157; and

1084 (d) \$400,000 to the State Board of Education for career and technical education online  
1085 assessment.

1086 (2) As an ongoing appropriation subject to future budget constraints, there is  
1087 appropriated from the General Fund for fiscal year 2008-09, \$250,000 to the Department of  
1088 Human Resource Management for administration of the Teacher Salary Supplement Program  
1089 established in Section 53A-17a-156.

1090 Section 28. **One-time appropriations for fiscal year 2008-09.**

1091 (1) There is appropriated from the Uniform School Fund for fiscal year 2008-09 only,  
1092 as follows:

1093 (a) \$3,000,000 to the State Board of Education for pupil transportation to and from

1094 school as provided in Sections 53A-17a-126 and 53A-17a-127;

1095 (b) \$3,000,000 to the State Board of Education to fund the English Language Learner  
1096 Family Literacy Centers Program established in Section 53A-17a-161;

1097 (c) \$15,820,000 to the State Board of Education to fund the Beverley Taylor Sorenson  
1098 Elementary Arts Learning Program established in Section 53A-17a-162; and

1099 (d) \$150,000 to the State Board of Education to fulfill its requirements under  
1100 Subsection 53A-13-110(2), including curriculum integration and development of assessments  
1101 and materials.

1102 (2) The money appropriated in Subsections (1)(a) through (d) is nonlapsing.

1103 **Section 29. One-time appropriations for fiscal year 2007-08.**

1104 (1) There is appropriated for fiscal year 2007-08 only, as follows:

1105 (a) \$50,000 from the General Fund to the Department of Human Resource  
1106 Management for costs to administer the Teacher Salary Supplement Program established in  
1107 Section 53A-17a-156;

1108 (b) \$1,000,000 from the Uniform School Fund to the State Board of Education for  
1109 UPSTART as provided in Title 53A, Chapter 1a, Part 10, UPSTART; and

1110 (c) \$280,000 from the Uniform School Fund to the State Board of Education for library  
1111 books and electronic resources.

1112 (2) The money appropriated in Subsections (1)(a) through (c) is nonlapsing.

1113 **Section 30. One-time appropriation for classroom supplies.**

1114 (1) There is appropriated from the Uniform School Fund to the State Board of  
1115 Education for fiscal year 2008-09 only, \$10,000,000 for classroom supplies and materials.

1116 (2) (a) Of the amount appropriated in Subsection (1), the board shall distribute  
1117 \$7,500,000 to classroom teachers in school districts, the Schools for the Deaf and the Blind,  
1118 and charter schools on the basis of the number of classroom teachers in each school as  
1119 compared to the total number of classroom teachers.

1120 (b) Teachers shall receive up to the following amounts:

1121 (i) a teacher on salary schedule steps one through three teaching in grades kindergarten



1122 through six or preschool handicapped - \$360;

1123 (ii) a teacher on salary schedule steps one through three teaching in grades seven

1124 through twelve - \$310;

1125 (iii) a teacher on salary schedule step four or higher teaching in grades kindergarten

1126 through six or preschool handicapped - \$285; and

1127 (iv) a teacher on salary schedule step four or higher teaching in grades seven through

1128 twelve - \$235.

1129 (c) If the appropriation in Subsection (1) is not sufficient to provide to each teacher the

1130 full amount allowed under Subsection (2)(b), teachers on salary schedule steps one through

1131 three shall receive the full amount allowed with the remaining monies apportioned to all other

1132 teachers.

1133 (3) (a) Of the amount appropriated in Subsection (1), the State Board of Education

1134 shall distribute \$2,500,000 for classroom supplies and materials in accordance with a

1135 distribution formula established by rule.

1136 (b) The State Board of Education shall make rules in accordance with Subsections

1137 (3)(c) and (d) and Title 63, Chapter 46a, Utah Administrative Rulemaking Act, for the

1138 distribution of the \$2,500,000.

1139 (c) The rules shall give priority to teachers in any grade in the first year of teaching in

1140 the awarding of the monies.

1141 (d) The rules may allow the monies to be distributed to teachers in any grade in the

1142 second through the fifth year of teaching.

1143 (4) Teachers shall spend the money appropriated in Subsection (1) for school supplies,

1144 materials, or field trips under rules adopted by the State Board of Education.

1145 (5) As used in this section, "classroom teacher" or "teacher" means permanent teacher

1146 positions filled by one teacher or two or more job-sharing teachers:

1147 (a) who are licensed personnel;

1148 (b) who are paid on the teacher's salary schedule;

1149 (c) who are hired for an entire contract period; and

1150 (d) whose primary function is to provide instructional or a combination of instructional  
1151 and counseling services to students in public schools.

1152 Section 31. **Intent language.**

1153 It is the intent of the Legislature that:

1154 (1) at least \$100,000 of the monies appropriated for accelerated learning programs in  
1155 accordance with the provisions of Sections 53A-17a-104 and 53A-17a-120 shall be annually  
1156 allocated to International Baccalaureate programs; and

1157 (2) the State Board of Education shall:

1158 (a) conduct an independent audit of funds allocated to the Utah Virtual Academy  
1159 charter school through the Minimum School Program, including its expenditures of WPU,  
1160 categorical (below-the-line), and local replacement funding, as the school begins operations for  
1161 the 2008-09 school year; and

1162 (b) prepare and present a report to the Executive Appropriations Committee by  
1163 November 30, 2008, detailing the findings of the independent audit and of Utah Virtual  
1164 Academy expenditures examined through the audit.

1165 Section 32. **Effective date.**

1166 This bill takes effect on July 1, 2008, except:

1167 (1) if approved by two-thirds of all the members elected to each house, Sections  
1168 53A-1a-1001 through 53A-1a-1007 take effect upon approval by the governor, or the day  
1169 following the constitutional time limit of Utah Constitution Article VII, Section 8, without the  
1170 governor's signature, or in the case of a veto, the date of veto override; and

1171 (2) the following sections take effect on May 5, 2008:

1172 (a) Section 53A-17a-156; and

1173 (b) Uncodified Section 29, One-time appropriations for fiscal year 2007-08.

1174 Section 33. **Coordinating S.B. 2 with H.B. 1 -- Superseding amendments.**

1175 If this S.B. 2 and H.B. 1, Minimum School Program Base Budget Amendments, both  
1176 pass, it is the intent of the Legislature that when the Office of Legislative Research and General  
1177 Counsel prepares the Utah Code database for publication:

1178           (1) the amendments to Section 53A-17a-104 in S.B. 2 supersede the amendments to  
1179 Section 53A-17a-104 in H.B. 1;

1180           (2) Subsection 53A-17a-104(2)(hh) in H.B. 1 shall be deleted and renumber the  
1181 remaining subsections accordingly;

1182           (3) the amendments to Section 53A-17a-108 in S.B. 2 supersede the amendments to  
1183 Section 53A-17a-108 in H.B. 1; and

1184           (4) Uncodified Section 7, Intent language for charter schools appropriation, in H.B. 1  
1185 shall be deleted.