

1 **MINIMUM SCHOOL PROGRAM BASE BUDGET**

2 2010 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Merlynn T. Newbold**

5 Senate Sponsor: Howard A. Stephenson

7 **LONG TITLE**

8 **General Description:**

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

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ appropriates state and local funds for the Minimum School Program for fiscal year
- 13 2010-11;
- 14 ▶ appropriates \$22,049,700 to the State Board of Education for fiscal year 2010-11 for
- 15 school building aid programs for school districts;
- 16 ▶ establishes the value of the weighted pupil unit at \$2,487 for fiscal year 2010-11;
- 17 ▶ establishes the estimated minimum basic tax rate at .001513 for fiscal year 2010-11;
- 18 ▶ prescribes the powers and duties of the state superintendent to adjust Minimum
- 19 School Program allocations;
- 20 ▶ provides that the state guarantee under the voted leeway and board-authorized
- 21 leeway programs apply to tax rates approved by a certain date;
- 22 ▶ provides that if monies appropriated to charter schools to replace local property
- 23 taxes are less than the amount prescribed by a statutory funding formula, monies
- 24 shall be allocated among charter schools in proportion to each charter school's share
- 25 of the total enrollment in charter schools;
- 26 ▶ provides that if monies appropriated for charter school administrative costs are
- 27 insufficient to provide the amount per student prescribed in statute, the



28 appropriation shall be allocated among charter schools in proportion to each charter school's
29 share of the total enrollment in charter schools;

30 ▶ provides that provisions of the Budgetary Procedures Act regarding the transfer of
31 monies within an item of appropriation do not apply to monies appropriated to the
32 State Board of Education for the Minimum School Program or capital outlay
33 programs; and

34 ▶ makes technical amendments.

35 Monies Appropriated in this Bill:

36 This bill appropriates:

37 ▶ as an ongoing appropriation, the following Minimum School Program monies:

38 • \$1,990,547,523 from the Uniform School Fund for fiscal year 2010-11; and

39 • \$20,000,000 from the Uniform School Fund Restricted - Interest and Dividends

40 Account for fiscal year 2010-11; and

41 ▶ as an ongoing appropriation, \$22,049,700 from the Uniform School Fund for school
42 building aid programs for fiscal year 2010-11.

43 Other Special Clauses:

44 This bill takes effect on July 1, 2010.

45 Utah Code Sections Affected:

46 AMENDS:

47 **53A-1a-513**, as last amended by Laws of Utah 2009, Chapter 391

48 **53A-1a-703**, as enacted by Laws of Utah 2005, Chapter 35

49 **53A-1a-903**, as enacted by Laws of Utah 2007, Chapter 386

50 **53A-2-118.3**, as enacted by Laws of Utah 2008, Chapter 236

51 **53A-16-107**, as last amended by Laws of Utah 2008, Chapter 236

52 **53A-17a-103**, as last amended by Laws of Utah 2008, Chapters 61 and 397

53 **53A-17a-108**, as last amended by Laws of Utah 2009, Chapter 391

54 **53A-17a-111**, as last amended by Laws of Utah 2008, Chapter 382

55 **53A-17a-112**, as last amended by Laws of Utah 2005, Chapter 71

56 **53A-17a-113**, as last amended by Laws of Utah 2007, Chapter 372

57 **53A-17a-116**, as last amended by Laws of Utah 2007, Chapter 372

58 **53A-17a-119**, as last amended by Laws of Utah 2003, Chapters 221 and 320

- 59 **53A-17a-120**, as last amended by Laws of Utah 2008, Chapters 382 and 397
- 60 **53A-17a-120.5**, as last amended by Laws of Utah 2009, Chapters 321 and 391
- 61 **53A-17a-121**, as last amended by Laws of Utah 2008, Chapter 382
- 62 **53A-17a-123**, as last amended by Laws of Utah 2003, Chapter 320
- 63 **53A-17a-123.5**, as last amended by Laws of Utah 2003, Chapter 320
- 64 **53A-17a-124**, as last amended by Laws of Utah 2003, Chapter 320
- 65 **53A-17a-124.5**, as last amended by Laws of Utah 2003, Chapters 221 and 320
- 66 **53A-17a-125**, as last amended by Laws of Utah 2009, Chapter 391
- 67 **53A-17a-126**, as last amended by Laws of Utah 2008, Chapter 397
- 68 **53A-17a-131.15**, as last amended by Laws of Utah 2008, Chapter 382
- 69 **53A-17a-131.17**, as last amended by Laws of Utah 2008, Chapter 382
- 70 **53A-17a-133**, as last amended by Laws of Utah 2009, Chapters 204 and 391
- 71 **53A-17a-134**, as last amended by Laws of Utah 2009, Chapter 391
- 72 **53A-17a-135**, as last amended by Laws of Utah 2009, Chapter 391
- 73 **53A-17a-146**, as last amended by Laws of Utah 2009, Chapter 4
- 74 **53A-17a-153**, as last amended by Laws of Utah 2009, Chapter 4
- 75 **53A-17a-154**, as enacted by Laws of Utah 2008, Chapter 1
- 76 **53A-17a-155**, as enacted by Laws of Utah 2008, Chapter 1
- 77 **63J-1-206**, as renumbered and amended by Laws of Utah 2009, Chapters 183 and 368

78 REPEALS AND REENACTS:

- 79 **53A-17a-105**, as last amended by Laws of Utah 2009, Chapter 183

80 REPEALS:

- 81 **53A-17a-104**, as last amended by Laws of Utah 2009, Chapters 4 and 391
- 82 **53A-21-501**, as last amended by Laws of Utah 2009, Chapter 391

83 **Uncodified Material Affected:**

84 ENACTS UNCODIFIED MATERIAL



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

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

88 **53A-1a-513. Funding for charter schools.**

89 (1) As used in this section:

90 (a) "Charter school students' average local revenues" means the amount determined as
91 follows:

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

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

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

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

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

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

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

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

105 (D) a tort liability levy imposed under Section 63G-7-704;

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

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

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

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

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

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

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

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

118 (ii) divide the sum calculated under Subsection (1)(d)(i) by statewide school district
119 average daily membership.

120 (2) (a) Charter schools shall receive funding as described in this section, except

121 Subsections (3) through (8) do not apply to charter schools described in Subsection (2)(b).

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

125 (3) (a) Except as provided in Subsection (3)(b), a charter school shall receive state
126 funds, as applicable, on the same basis as a school district receives funds.

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

129 (i) .55 for kindergarten pupils;

130 (ii) .9 for pupils in grades 1-6;

131 (iii) .99 for pupils in grades 7-8; and

132 (iv) 1.2 for pupils in grades 9-12.

133 (4) (a) (i) A school district shall allocate a portion of school district revenues for each
134 resident student of the school district who is enrolled in a charter school on October 1 equal to
135 25% of the lesser of:

136 (A) district per pupil local revenues; or

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

138 ~~[(ii) For the purpose of allocating school district revenues under Subsection (4)(a)(i) in~~
139 ~~fiscal year 2008-09 only, a kindergarten student who is enrolled in less than a full-day~~
140 ~~kindergarten program is weighted as .55 of a student.]~~

141 ~~[(iii)]~~ (ii) Nothing in this Subsection (4)(a) affects the school bond guarantee program
142 established under Chapter 28, Utah School Bond Guaranty Act.

143 (b) The State Board of Education shall:

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

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

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

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

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

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

158 (ii) Except as provided in Subsection (4)(d)(iii), the amount of money provided by the
159 state for a charter school student shall be the sum of:

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

162 (B) statewide average debt service revenues.

163 (iii) If the total of a school district's allocation for a charter school student under
164 Subsection (4)(a) and the amount provided by the state under Subsection (4)(d)(ii) is less than
165 \$1427, the state shall provide an additional supplement so that a charter school receives at least
166 \$1427 per student under this Subsection (4).

167 (iv) If the appropriation provided under this Subsection (4)(d) is less than the amount
168 prescribed by Subsection (4)(d)(ii) or (4)(d)(iii), the appropriation shall be allocated among
169 charter schools in proportion to each charter school's enrollment as a percentage of the total
170 enrollment in charter schools.

171 (e) Of the monies provided to a charter school under this Subsection (4), 10% shall be
172 expended for funding school facilities only.

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

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

177 (7) (a) Notwithstanding Subsection (3), a charter school is not eligible to receive state
178 transportation funding.

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

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

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

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

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

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

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

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

198 (b) It is unlawful for any person affiliated with a charter school to demand or request
199 any gift, donation, or contribution from a parent, teacher, employee, or other person affiliated
200 with the charter school as a condition for employment or enrollment at the school or continued
201 attendance at the school.

202 Section 2. Section **53A-1a-703** is amended to read:

203 **53A-1a-703. Definitions.**

204 As used in this part:

205 (1) "Assessment team" means a team consisting of:

206 (a) the student's parent or guardian;

207 (b) the student's private school classroom teacher;

208 (c) special education personnel from the student's school district; and

209 (d) if available, special education personnel from the private school at which the
210 student is enrolled.

211 (2) "Board" means the State Board of Education.

212 (3) "Eligible private school" means a private school that meets the requirements of
213 Section 53A-1a-705.

214 (4) "IEP" means a written statement for a student with a disability that is developed,
215 reviewed, and revised in accordance with the Individuals with Disabilities Education Act, 20
216 U.S.C. Sec. 1400 et seq.

217 (5) "Scholarship student" means a student who receives a scholarship under this part.

218 (6) "Value of the weighted pupil unit" means the amount [~~specified in Section~~
219 ~~53A-17a-103~~] established each year in statute that is multiplied by the number of weighted
220 pupil units to yield the funding level for the basic state-supported school program.

221 Section 3. Section **53A-1a-903** is amended to read:

222 **53A-1a-903. Voluntary extended-day kindergarten program funding.**

223 (1) As used in this section, "Title I school" means a school receiving federal monies
224 under Title I of the No Child Left Behind Act of 2001, Pub. L. No. 107-110, for a schoolwide
225 or targeted assistance program.

226 (2) If funds are appropriated for this purpose, the State Board of Education shall
227 allocate funds to charter schools and school districts.

228 (3) For charter schools, the State Board of Education shall:

229 (a) determine the total allocation for charter schools by:

230 (i) dividing the number of charter school students eligible to receive free lunch by the
231 total number of students in the public education system eligible to receive free lunch in the
232 prior school year; and

233 (ii) multiplying the resulting percentage by the total amount of available funds; and

234 (b) allocate the resulting amount of funds to individual charter schools with the greatest
235 need for extended-day kindergarten, as determined by the State Board of Education in
236 consultation with the State Charter School Board.

237 (4) For school districts, the State Board of Education shall:

238 (a) determine the total allocation for school districts by subtracting the charter school
239 amount calculated under Subsection (3)(a) from the total amount of available funds; and

240 (b) allocate the resulting amount to applicant school districts by:

241 (i) allocating to each school district the amount calculated by:

242 (A) multiplying the value of the weighted pupil unit [~~under Subsection~~
243 ~~53A-17a-103(1)~~] established each year in statute by 0.45; and

244 (B) multiplying the result by 20; and

245 (ii) allocating any remaining funds after the allocation under Subsection (4)(b)(i) by:

246 (A) determining the number of students eligible to receive free lunch in the prior

247 school year for each school district; and

248 (B) prorating the remaining funds based on the number of students eligible to receive

249 free lunch in each district.

250 (5) The State Board of Education may modify the allocation of funds described under

251 this section to provide sufficient funding for each Title I school to participate in the voluntary

252 extended-day kindergarten program.

253 Section 4. Section **53A-2-118.3** is amended to read:

254 **53A-2-118.3. Imposition of the capital outlay levy in qualifying divided school**

255 **districts.**

256 (1) For purposes of this section:

257 (a) "Qualifying divided school district" means a divided school district:

258 (i) located within a county of the second through sixth class; and

259 (ii) with a new school district created under Section 53A-2-118.1 that begins to provide

260 educational services after July 1, 2008.

261 (b) "Qualifying taxable year" means the calendar year in which a new school district

262 begins to provide educational services.

263 (2) Beginning with the qualifying taxable year, in order to qualify for receipt of the

264 state contribution toward the minimum school program [~~described in Section 53A-17a-104~~], a

265 school district within a qualifying divided school district shall impose a capital outlay levy

266 described in Section 53A-16-107 of at least .0006 per dollar of taxable value.

267 (3) The county treasurer of a county with a qualifying divided school district shall

268 distribute revenues generated by the .0006 portion of the capital outlay levy required in

269 Subsection (2) to the school districts located within the boundaries of the qualifying divided

270 school district as follows:

271 (a) 25% of the revenues shall be distributed in proportion to a school district's

272 percentage of the total enrollment growth in all of the school districts within the qualifying

273 divided school district that have an increase in enrollment, calculated on the basis of the

274 average annual enrollment growth over the prior three years in all of the school districts within

275 the qualifying divided school district that have an increase in enrollment over the prior three

276 years, as of the October 1 enrollment counts; and

277 (b) 75% of the revenues shall be distributed in proportion to a school district's
278 percentage of the total current year enrollment in all of the school districts within the qualifying
279 divided school district, as of the October 1 enrollment counts.

280 (4) If a new school district is created or school district boundaries are adjusted, the
281 enrollment and average annual enrollment growth for each affected school district shall be
282 calculated on the basis of enrollment in school district schools located within that school
283 district's newly created or adjusted boundaries, as of October 1 enrollment counts.

284 (5) On or before December 31 of each year, the State Board of Education shall provide
285 a county treasurer with audited enrollment information from the fall enrollment audit necessary
286 to distribute revenues as required by this section.

287 (6) On or before March 31 of each year, a county treasurer in a county with a
288 qualifying divided school district shall distribute, in accordance with Subsection (3), the
289 revenue generated within the qualifying divided school district during the prior calendar year
290 from the capital outlay levy required in Subsection (2).

291 Section 5. Section **53A-16-107** is amended to read:

292 **53A-16-107. Capital outlay levy -- Maintenance of school facilities -- Authority to**
293 **use proceeds of .0002 tax rate -- Restrictions and procedure.**

294 (1) Subject to Subsection (3), a local school board may annually impose a capital
295 outlay levy not to exceed .0024 per dollar of taxable value to be used for:

- 296 (a) capital outlay;
- 297 (b) debt service; and
- 298 (c) subject to Subsection (2), school facility maintenance.

299 (2) (a) A local school board may utilize the proceeds of a maximum of .0002 per dollar
300 of taxable value of the local school board's annual capital outlay levy for the maintenance of
301 school facilities in the school district.

302 (b) A local school board that uses the option provided under Subsection (2)(a) shall:

- 303 (i) maintain the same level of expenditure for maintenance in the current year as it did
304 in the preceding year, plus the annual average percentage increase applied to the maintenance
305 and operation budget for the current year; and

- 306 (ii) identify the expenditure of capital outlay funds for maintenance by a district project

307 number to ensure that the funds are expended in the manner intended.

308 (c) The State Board of Education shall establish by rule the expenditure classification
309 for maintenance under this program using a standard classification system.

310 (3) Beginning January 1, 2009, in order to qualify for receipt of the state contribution
311 toward the minimum school program [~~described in Section 53A-17a-104~~], a local school board
312 in a county of the first class shall impose a capital outlay levy of at least .0006 per dollar of
313 taxable value.

314 (4) (a) The county treasurer of a county of the first class shall distribute revenues
315 generated by the .0006 portion of the capital outlay levy required in Subsection (3) to school
316 districts within the county in accordance with Section 53A-16-107.1.

317 (b) If a school district in a county of the first class imposes a capital outlay levy
318 pursuant to this section which exceeds .0006 per dollar of taxable value, the county treasurer of
319 a county of the first class shall distribute revenues generated by the portion of the capital outlay
320 levy which exceeds .0006 to the school district imposing the levy.

321 Section 6. Section **53A-17a-103** is amended to read:

322 **53A-17a-103. Definitions.**

323 As used in this chapter:

324 (1) "Basic state-supported school program" or "basic program" means public education
325 programs for kindergarten, elementary, and secondary school students that are operated and
326 maintained for the amount derived by multiplying the number of weighted pupil units for each
327 [~~district by \$2,577~~] school district or charter school by the value established each year in
328 statute, except as otherwise provided in this chapter.

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

331 (i) the amount of ad valorem property tax revenue to be generated statewide in the
332 previous year from imposing a minimum basic tax rate, as specified in Subsection
333 53A-17a-135(1)(a); and

334 (ii) the product of:

335 (A) new growth, as defined in:

336 (I) Section 59-2-924; and

337 (II) rules of the State Tax Commission; and

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

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

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

344 (ii) semiconductor manufacturing equipment.

345 (c) For purposes of calculating the certified revenue levy described in this Subsection
346 (2), the State Tax Commission shall use:

347 (i) the taxable value of real property assessed by a county assessor contained on the
348 assessment roll;

349 (ii) the taxable value of real and personal property assessed by the State Tax
350 Commission; and

351 (iii) the taxable year end value of personal property assessed by a county assessor
352 contained on the prior year's assessment roll.

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

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

356 (5) (a) "State-supported minimum school program" or [~~"minimum school program"~~]
357 "Minimum School Program" means public school programs for kindergarten, elementary, and
358 secondary schools as described in this Subsection (5).

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

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

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

367 [~~(d) The program includes the total of the following annual costs:]~~

368 [~~(i) the cost of a basic state-supported school program; and]~~

369 ~~[(ii) other amounts appropriated in this chapter in addition to the basic program.]~~

370 (d) The Minimum School Program includes a program or allocation funded by a line
371 item appropriation or other appropriation designated as follows:

372 (i) Basic School Program;

373 (ii) Related to Basic Programs;

374 (iii) Voted and Board Leeway Programs; or

375 (iv) Minimum School Program.

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

379 Section 7. Section **53A-17a-105** is repealed and reenacted to read:

380 **53A-17a-105. Powers and duties of state superintendent to adjust minimum**
381 **school program allocations.**

382 (1) Except as provided in Subsection (2) or (4), if the number of weighted pupil units
383 in a program is underestimated, the state superintendent shall reduce the value of the weighted
384 pupil unit in that program so that the total amount paid for the program does not exceed the
385 amount appropriated for the program.

386 (2) If the number of weighted pupil units in a program is overestimated, the state
387 superintendent shall spend excess monies appropriated for the following purposes:

388 (a) to support the value of the weighted pupil unit in a program in which the number of
389 weighted pupil units is underestimated;

390 (b) to support the state guarantee per weighted pupil unit provided under the voted
391 leeway program established in Section 53A-17a-133 or the board-approved leeway program
392 established in Section 53A-17a-134, if:

393 (i) local contributions to the voted leeway program or board-approved leeway program
394 are overestimated; or

395 (ii) the number of weighted pupil units within school districts qualifying for a
396 guarantee is underestimated;

397 (c) to support the state supplement to local property taxes allocated to charter schools,
398 if the state supplement is less than the amount prescribed by Subsection 53A-1a-513(4);

399 (d) for charter school administrative costs, if the appropriation for charter school

400 administrative costs is insufficient to provide the amount per student prescribed in Subsection
401 53A-17a-108(2)(a); or

402 (e) to support a school district with a loss in student enrollment as provided in Section
403 53A-17a-139.

404 (3) If local contributions from the minimum basic tax rate imposed under Section
405 53A-17a-135 are overestimated, the state superintendent shall reduce the value of the weighted
406 pupil unit for all programs within the basic state-supported school program so the total state
407 contribution to the basic state-supported school program does not exceed the amount of state
408 funds appropriated.

409 (4) If local contributions from the minimum basic tax rate imposed under Section
410 53A-17a-135 are underestimated, the state superintendent shall:

411 (a) spend the excess local contributions for the purposes specified in Subsection (2),
412 giving priority to supporting the value of the weighted pupil unit in programs in which the
413 number of weighted pupil units is underestimated; and

414 (b) reduce the state contribution to the basic state-supported school program so the
415 total cost of the basic state-supported school program does not exceed the total state and local
416 funds appropriated to the basic state-supported school program plus the local contributions
417 necessary to support the value of the weighted pupil unit in programs in which the number of
418 weighted pupil units is underestimated.

419 (5) Except as provided in Subsection (2) or (4), the state superintendent shall reduce
420 the guarantee per weighted pupil unit provided under the voted leeway program established in
421 Section 53A-17a-133 or board-approved leeway program established in Section 53A-17a-134
422 if:

423 (a) local contributions to the voted leeway program or board-approved leeway program
424 are overestimated; or

425 (b) the number of weighted pupil units within school districts qualifying for a
426 guarantee is underestimated.

427 (6) Monies appropriated to the State Board of Education from the Uniform School
428 Fund are nonlapsing.

429 Section 8. Section **53A-17a-108** is amended to read:

430 **53A-17a-108. Weighted pupil units for small school district administrative costs**

431 -- Appropriation for charter school administrative costs.

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

434 Administrative Costs Schedule

435 School District Enrollment as of October 1	Weighted Pupil Units
436 1 - 500 students	95
437 501 - 1,000 students	80
438 1,001 - 2,000 students	70
439 2,001 - 5,000 students	60

440 (2) (a) ~~Money~~ Except as provided in Subsection (2)(b), money appropriated to the
441 State Board of Education for charter school administrative costs~~[, including an appropriation in~~
442 ~~Section 53A-17a-104,]~~ shall be distributed to charter schools in the amount of \$100 for each
443 charter school student in enrollment.

444 (b) If money appropriated for charter school administrative costs are insufficient to
445 provide the amount per student prescribed in Subsection (2)(a), the appropriation shall be
446 allocated among charter schools in proportion to each charter school's enrollment as a
447 percentage of the total enrollment in charter schools.

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

451 (3) Charter schools are not eligible for funds for administrative costs under Subsection
452 (1).

453 Section 9. Section **53A-17a-111** is amended to read:

454 **53A-17a-111. Weighted pupil units for programs for students with disabilities --**
455 **District allocation.**

456 (1) The number of weighted pupil units for students with disabilities shall reflect the
457 direct cost of programs for those students conducted in accordance with rules established by the
458 State Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative
459 Rulemaking Act.

460 (2) Disability program monies allocated to districts are restricted and shall be spent for
461 the education of students with disabilities but may include expenditures for approved programs

462 of services conducted for certified instructional personnel who have students with disabilities
463 in their classes.

464 (3) The State Board of Education shall establish and strictly interpret definitions and
465 provide standards for determining which students have disabilities and shall assist districts in
466 determining the services that should be provided to students with disabilities.

467 (4) Each year the board shall evaluate the standards and guidelines that establish the
468 identifying criteria for disability classifications to assure strict compliance with those standards
469 by the districts.

470 (5) (a) Monies appropriated to the State Board of Education [~~in Section 53A-17a-104~~]
471 for add-on WPUs for students with disabilities enrolled in regular programs shall be allocated
472 to school districts as provided in this Subsection (5).

473 (b) Beginning on July 1, 2003, the State Board of Education shall:

474 (i) use a district's average number of special education add-on weighted pupil units
475 determined by the previous five year's average daily membership data as a foundation for the
476 special education add-on appropriation; and

477 (ii) implement a hold harmless provision for up to three years as needed to accomplish
478 a phase-in period for school districts to accommodate the change in the special education
479 add-on WPUs foundation formula.

480 (c) A district's special education add-on WPUs for the current year may not be less than
481 the foundation special education add-on WPUs.

482 (d) Growth WPUs shall be added to the prior year special education add-on WPUs, and
483 growth WPUs shall be determined as follows:

484 (i) The special education student growth factor is calculated by comparing S-3 total
485 special education ADM of two years previous to the current year to the S-3 total special
486 education ADM three years previous to the current year, not to exceed the official October total
487 district growth factor from the prior year.

488 (ii) When calculating and applying the growth factor, a district's S-3 total special
489 education ADM for a given year is limited to 12.18% of the district's S-3 total student ADM
490 for the same year.

491 (iii) Growth ADMs are calculated by applying the growth factor to the S-3 total special
492 education ADM of two years previous to the current year.

493 (iv) Growth ADMs for each district are multiplied by 1.53 weighted pupil units and
494 added to the prior year special education add-on WPU to determine each district's total
495 allocation.

496 (6) If monies appropriated under this chapter for programs for students with disabilities
497 do not meet the costs of districts for those programs, each district shall first receive the amount
498 generated for each student with a disability under the basic program.

499 Section 10. Section **53A-17a-112** is amended to read:

500 **53A-17a-112. Preschool special education appropriation -- Extended year**
501 **program appropriation -- Appropriation for special education programs in state**
502 **institutions.**

503 (1) (a) Money appropriated to the State Board of Education for the preschool special
504 education program [~~in Section 53A-17a-104~~] shall be allocated to school districts to provide a
505 free, appropriate public education to preschool students with a disability, ages three through
506 five.

507 (b) The monies shall be distributed on the basis of a school district's previous year
508 December 1 disabled preschool child count as mandated by federal law.

509 (2) Monies appropriated for the extended school year program for the severely disabled
510 [~~in Section 53A-17a-104~~] shall be limited to students with severe disabilities with education
511 program goals identifying significant regression and recoupment disability as approved by the
512 State Board of Education.

513 (3) (a) Monies appropriated [~~in Section 53A-17a-104~~] for self-contained regular special
514 education programs may not be used to supplement other school programs.

515 (b) Monies in any of the other restricted line item appropriations may not be reduced
516 more than 2% to be used for purposes other than those specified by the appropriation, unless
517 otherwise provided by law.

518 (4) (a) The State Board of Education shall compute preschool funding by a factor of
519 1.47 times the current December 1 child count of eligible preschool aged three, four, and
520 five-year-olds times the WPU value, limited to 8% growth over the prior year December 1
521 count.

522 (b) The board shall develop guidelines to implement the funding formula for preschool
523 special education, and establish prevalence limits for distribution of the monies.

524 Section 11. Section **53A-17a-113** is amended to read:

525 **53A-17a-113. Weighted pupil units for career and technical education programs**
526 **-- Funding of approved programs -- Performance measures -- Qualifying criteria.**

527 (1) (a) Money appropriated to the State Board of Education [~~in Section 53A-17a-104~~]
528 for approved career and technical education programs and the comprehensive guidance
529 program:

530 (i) shall be allocated to eligible recipients as provided in Subsections (2), (3), (4), and
531 (5); and

532 (ii) may not be used to fund programs below the ninth grade level.

533 (b) Subsection (1)(a)(ii) does not apply to the following programs:

534 (i) comprehensive guidance;

535 (ii) Technology-Life-Careers; and

536 (iii) work-based learning programs.

537 (2) (a) Weighted pupil units are computed for pupils in approved programs.

538 (b) (i) The board shall fund approved programs based upon hours of membership of
539 9th through 12th grade students.

540 (ii) Subsection (2)(b)(i) does not apply to the following programs:

541 (A) comprehensive guidance;

542 (B) Technology-Life-Careers; and

543 (C) work-based learning programs.

544 (c) The board shall use an amount not to exceed 20% of the total appropriation under
545 this section to fund approved programs based on performance measures such as placement and
546 competency attainment defined in standards set by the board.

547 (d) Leadership organization funds shall constitute an amount not to exceed 1% of the
548 total appropriation under this section, and shall be distributed to each local educational agency
549 sponsoring career and technical education student leadership organizations based on the
550 agency's share of the state's total membership in those organizations.

551 (e) The board shall make the necessary calculations for distribution of the
552 appropriation to school districts and may revise and recommend changes necessary for
553 achieving equity and ease of administration.

554 (3) (a) Twenty weighted pupil units shall be computed for career and technical

555 education administrative costs for each district, except 25 weighted pupil units may be
556 computed for each district that consolidates career and technical education administrative
557 services with one or more other districts.

558 (b) Between 10 and 25 weighted pupil units shall be computed for each high school
559 conducting approved career and technical education programs in a district according to
560 standards established by the board.

561 (c) Forty weighted pupil units shall be computed for each district that operates an
562 approved career and technical education center.

563 (d) Between five and seven weighted pupil units shall be computed for each summer
564 career and technical education agriculture program according to standards established by the
565 board.

566 (e) The board shall, by rule, establish qualifying criteria for districts to receive
567 weighted pupil units under this Subsection (3).

568 (4) (a) Monies remaining after the allocations made under Subsections (2) and (3) shall
569 be allocated using average daily membership in approved programs for the previous year.

570 (b) A district that has experienced student growth in grades 9 through 12 for the
571 previous year shall have the growth factor applied to the previous year's weighted pupil units
572 when calculating the allocation of monies under this Subsection (4).

573 (5) Of the monies allocated to comprehensive guidance programs pursuant to board
574 rules, \$1,000,000 in grants shall be awarded to school districts or charter schools that:

575 (a) provide an equal amount of matching funds; and

576 (b) do not supplant other funds used for comprehensive guidance programs.

577 (6) (a) The board shall establish rules for the upgrading of high school career and
578 technical education programs.

579 (b) The rules shall reflect career and technical training and actual marketable job skills
580 in society.

581 (c) The rules shall include procedures to assist school districts to convert existing
582 programs which are not preparing students for the job market into programs that will
583 accomplish that purpose.

584 (7) Programs that do not meet board standards may not be funded under this section.

585 Section 12. Section **53A-17a-116** is amended to read:

586 **53A-17a-116. Weighted pupil units for career and technical education set-aside**
587 **programs.**

588 (1) Each district shall receive a guaranteed minimum allocation from the monies
589 appropriated to the State Board of Education [~~in Section 53A-17a-104~~] for a career and
590 technical education set-aside program.

591 (2) The set-aside funds remaining after the initial minimum payment allocation are
592 distributed by an RFP process to help pay for equipment costs necessary to initiate new
593 programs and for high priority programs as determined by labor market information.

594 Section 13. Section **53A-17a-119** is amended to read:

595 **53A-17a-119. Appropriation for adult education programs.**

596 (1) Money appropriated to the State Board of Education [~~in Section 53A-17a-104~~] for
597 adult education shall be allocated to local school boards for adult high school completion and
598 adult basic skills programs.

599 (2) Each district shall receive its pro rata share of the appropriation for adult high
600 school completion programs based on the number of people listed in the latest official census
601 who are over 18 years of age and who do not have a high school diploma and prior year
602 participation or as approved by board rule.

603 (3) On February 1 of each school year, the State Board of Education shall recapture
604 monies not used for an adult high school completion program for reallocation to districts that
605 have implemented programs based on need and effort as determined by the board.

606 (4) To the extent of monies available, school districts shall provide programs to adults
607 who do not have a diploma and who intend to graduate from high school, with particular
608 emphasis on homeless individuals who are seeking literacy and life skills.

609 (5) Overruns in adult education in any district may not reduce the value of the weighted
610 pupil unit for this program in another district.

611 (6) School districts shall spend money on adult basic skills programs according to
612 standards established by the board.

613 Section 14. Section **53A-17a-120** is amended to read:

614 **53A-17a-120. Appropriation for accelerated learning programs.**

615 (1) Money appropriated to the State Board of Education [~~in Section 53A-17a-104~~] for
616 accelerated learning programs shall be allocated to local school boards and charter schools for

617 the following programs:

- 618 (a) programs in grades 1-12 for the gifted and talented;
- 619 (b) advanced placement; and
- 620 (c) International Baccalaureate.

621 (2) (a) Districts shall spend monies for these programs according to rules established
622 by the State Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative
623 Rulemaking Act.

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

626 Section 15. Section **53A-17a-120.5** is amended to read:

627 **53A-17a-120.5. Appropriation for concurrent enrollment.**

628 (1) Money appropriated to the State Board of Education [~~in Section 53A-17a-104~~] for
629 concurrent enrollment shall be allocated as follows:

630 (a) the monies shall first be allocated proportionally, based upon student credit hour
631 delivered, between courses that are:

- 632 (i) taught by public school educators; and
- 633 (ii) taught by college or university faculty;

634 (b) from the monies allocated under Subsection (1)(a)(i):

- 635 (i) 60% of the monies shall be allocated to local school boards and charter schools; and
- 636 (ii) 40% of the monies shall be allocated to the State Board of Regents; and

637 (c) from the monies allocated under Subsection (1)(a)(ii):

- 638 (i) 40% of the monies shall be allocated to local school boards and charter schools; and
- 639 (ii) 60% of the monies shall be allocated to the State Board of Regents.

640 (2) The State Board of Education shall make rules providing that a school participating
641 in the concurrent enrollment programs offered under Section 53A-15-101 shall receive an
642 allocation from the monies described in Subsection (1) as provided in Section 53A-15-101.

643 (3) The State Board of Regents shall make rules providing that an institution of higher
644 education participating in the concurrent enrollment programs offered under [~~Sections~~] Section
645 53A-15-101 [~~and 53B-8-112~~] shall receive an allocation from the monies described in
646 Subsection (1) as provided in the rules.

647 (4) Subject to budget constraints, the Legislature shall annually increase the money

648 appropriated to the State Board of Education [~~in Section 53A-17a-104~~] for concurrent
649 enrollment based on:

650 (a) enrollment growth in concurrent enrollment from additional students enrolled,
651 courses offered, and credit hours taken; and

652 (b) the percentage increase in the value of the weighted pupil unit.

653 (5) (a) The State Board of Education and the State Board of Regents shall annually
654 report to the Public Education Appropriations Subcommittee:

655 (i) an accounting of the money appropriated for concurrent enrollment; and

656 (ii) a justification of the split described in Subsections (1)(a) and (b).

657 (b) The State Board of Regents shall annually report to the Higher Education
658 Appropriations Subcommittee on concurrent enrollment participation and growth, including
659 data on what higher education tuition would have been charged for the hours of concurrent
660 enrollment credit granted.

661 (6) In order to qualify for funds under this section, a concurrent enrollment program
662 shall comply with the requirements described in Section 53A-15-101, including rules adopted
663 in accordance with Subsection 53A-15-101(3).

664 Section 16. Section **53A-17a-121** is amended to read:

665 **53A-17a-121. Appropriation for at-risk programs.**

666 (1) Money appropriated to the State Board of Education [~~in Section 53A-17a-104~~] for
667 at-risk programs shall be allocated to local school boards for the following programs:

668 (a) youth in custody;

669 (b) homeless and disadvantaged minority students;

670 (c) mathematics, engineering, and science achievement programs;

671 (d) gang prevention and intervention; and

672 (e) at-risk flow through.

673 (2) Districts shall spend monies for these programs according to rules established by
674 the State Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative
675 Rulemaking Act.

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

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

679 (i) the total number of homeless students in the district;
680 (ii) added to 50% of the number of disadvantaged minority students in the district;
681 (iii) multiplying the total of Subsections (3)(b)(i) and (ii) by the value of the weighted
682 pupil unit; and
683 (iv) prorating the amount under Subsection (3)(b)(iii) to the amount in Subsection
684 (3)(a).

685 (4) (a) From the amount appropriated for at-risk programs, the board shall allocate
686 monies for mathematics, engineering, and science achievement programs, MESA programs, in
687 the districts.

688 (b) The board shall make the distribution to school districts on a competitive basis by
689 application under guidelines established by the board.

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

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

694 (6) (a) From the amount appropriated for at-risk programs, the board shall distribute
695 moneys for programs for youth in custody.

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

698 (7) From the amount appropriated for at-risk programs, the board shall allocate monies
699 based on:

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

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

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

704 **53A-17a-123. Local Discretionary Block Grant Program -- State contribution.**

705 (1) The State Board of Education shall distribute money appropriated for the Local
706 Discretionary Block Grant Program [~~in Section 53A-17a-104~~] to school districts and charter
707 schools according to a formula adopted by the board, after consultation with school districts
708 and charter schools, that allocates the funding in a fair and equitable manner.

709 (2) Schools districts and charter schools shall use Local Discretionary Block Grant

710 monies for:

- 711 (a) maintenance and operation costs;
- 712 (b) capital outlay; or
- 713 (c) debt service.

714 Section 18. Section **53A-17a-123.5** is amended to read:

715 **53A-17a-123.5. Interventions for Student Success Block Grant Program -- State**
716 **contribution.**

717 (1) The State Board of Education shall distribute money appropriated for the
718 Interventions for Student Success Block Grant Program [~~in Section 53A-17a-104~~] to school
719 districts and charter schools according to a formula adopted by the board, after consultation
720 with school districts and charter schools, that allocates the funding in a fair and equitable
721 manner.

722 (2) Schools districts and charter schools shall use Interventions for Student Success
723 Block Grant monies to improve student academic success, with priority given to interventions
724 on behalf of students not performing to standards as determined by U-PASS test results.

725 (3) (a) Each school district shall develop a plan for the expenditure of Interventions for
726 Student Success Block Grant monies.

727 (b) The plan:

- 728 (i) shall specify anticipated results; and
- 729 (ii) may include continuing existing programs to improve students' academic success
730 for which funds were appropriated before the establishment of the block grant.

731 (c) The local school board shall approve the plan for the expenditure of the block grant
732 monies in an open public meeting before the monies are spent.

733 Section 19. Section **53A-17a-124** is amended to read:

734 **53A-17a-124. Quality Teaching Block Grant Program -- State contributions.**

735 (1) The State Board of Education shall distribute money appropriated for the Quality
736 Teaching Block Grant Program [~~in Section 53A-17a-104~~] to school districts and charter
737 schools according to a formula adopted by the board, after consultation with school districts
738 and charter schools, that allocates the funding in a fair and equitable manner.

739 (2) (a) Schools districts and charter schools shall use Quality Teaching Block Grant
740 monies to implement school and school district comprehensive, long-term professional

741 development plans required by Section 53A-3-701.

742 (b) In recognition of exceptional quality teaching, Quality Teaching Block Grant
743 monies may be used for the award of individual Quality Teaching Bonuses for Exemplary
744 Teachers to recognize and reward excellence in classrooms as determined by school principals
745 in partnership with their school community councils.

746 (3) Each local school board shall:

747 (a) as provided by Section 53A-3-701, review and either approve or recommend
748 modifications for each school's comprehensive, long-term professional development plan
749 within the district so that each school's plan is compatible with the district's comprehensive,
750 long-term professional development plan; and

751 (b) in an open public meeting, approve a plan to spend Quality Teaching Block Grant
752 monies to implement the school district's comprehensive, long-term professional development
753 plan.

754 Section 20. Section **53A-17a-124.5** is amended to read:

755 **53A-17a-124.5. Appropriation for class size reduction.**

756 (1) Money appropriated to the State Board of Education [~~in Section 53A-17a-104~~] for
757 class size reduction shall be used to reduce the average class size in kindergarten through the
758 eighth grade in the state's public schools.

759 (2) Each district shall receive its allocation based upon prior year average daily
760 membership in kindergarten through grade eight plus growth as determined under Subsection
761 53A-17a-106(3) as compared to the state total.

762 (3) (a) A district may use its allocation to reduce class size in any one or all of the
763 grades referred to under this section, except as otherwise provided in Subsection (3)(b).

764 (b) (i) Each district shall use 50% of its allocation to reduce class size in any one or all
765 of grades kindergarten through grade two, with an emphasis on improving student reading
766 skills.

767 (ii) If a district's average class size is below 18 in grades kindergarten through two, it
768 may petition the state board for, and the state board may grant, a waiver to use its allocation
769 under Subsection (3)(b)(i) for class size reduction in the other grades.

770 (4) Schools may use nontraditional innovative and creative methods to reduce class
771 sizes with this appropriation and may use part of their allocation to focus on class size

772 reduction for specific groups, such as at risk students, or for specific blocks of time during the
773 school day.

774 (5) (a) A school district may use up to 20% of its allocation under Subsection (1) for
775 capital facilities projects if such projects would help to reduce class size.

776 (b) If a school district's student population increases by 5% or 700 students from the
777 previous school year, the school district may use up to 50% of any allocation it receives under
778 this section for classroom construction.

779 (6) This appropriation is to supplement any other appropriation made for class size
780 reduction.

781 (7) The Legislature shall provide for an annual adjustment in the appropriation
782 authorized under this section in proportion to the increase in the number of students in the state
783 in kindergarten through grade eight.

784 Section 21. Section **53A-17a-125** is amended to read:

785 **53A-17a-125. Appropriation for retirement and Social Security.**

786 (1) The employee's retirement contribution shall be 1% for employees who are under
787 the state's contributory retirement program.

788 (2) The employer's contribution under the state's contributory retirement program is
789 determined under Section 49-12-301, subject to the 1% contribution under Subsection (1).

790 (3) (a) The employer-employee contribution rate for employees who are under the
791 state's noncontributory retirement program is determined under Section 49-13-301.

792 (b) The same contribution rate used under Subsection (3)(a) shall be used to calculate
793 the appropriation for charter schools described under Subsection (5).

794 (4) (a) Money appropriated to the State Board of Education [~~in Section 53A-17a-104~~]
795 for retirement and Social Security monies shall be allocated to school districts and charter
796 schools based on a district's or charter school's total weighted pupil units compared to the total
797 weighted pupil units for all districts in the state.

798 (b) Subject to budget constraints, monies needed to support retirement and Social
799 Security shall be determined by taking the district's prior year allocation and adjusting it for:

800 (i) student growth;

801 (ii) the percentage increase in the value of the weighted pupil unit; and

802 (iii) the effect of any change in the rates for retirement, Social Security, or both.

803 (5) A charter school that has made an election of nonparticipation in the Utah State
804 Retirement Systems in accordance with Section 53A-1a-512 and Title 49, Utah State
805 Retirement and Insurance Benefit Act, shall use the funds described under this section for
806 retirement to provide its own compensation, benefit, and retirement programs.

807 Section 22. Section **53A-17a-126** is amended to read:

808 **53A-17a-126. State support of pupil transportation.**

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

812 (2) (a) The Utah Schools for the Deaf and the Blind shall use [~~money appropriated in~~
813 ~~Section 53A-17a-104~~] its allocation of pupil transportation monies to pay for transportation of
814 their students based on current valid contractual arrangements and best transportation options
815 and methods as determined by the schools.

816 (b) All student transportation costs of the schools shall be paid from the allocation of
817 pupil transportation monies [~~received under Section 53A-17a-104~~] specified in statute.

818 (3) (a) A school district may only claim eligible transportation costs as legally reported
819 on the prior year's annual financial report submitted under Section 53A-3-404.

820 (b) The state shall contribute 85% of approved transportation costs, subject to budget
821 constraints.

822 (c) If in a fiscal year the total transportation allowance for all districts exceeds the
823 amount appropriated for that purpose, all allowances shall be reduced pro rata to equal not
824 more than the amount appropriated.

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

829 Section 23. Section **53A-17a-131.15** is amended to read:

830 **53A-17a-131.15. State contribution for the Electronic High School.**

831 Money appropriated to the State Board of Education [~~in Section 53A-17a-104~~] for the
832 Electronic High School shall be distributed to the school according to rules established by the
833 board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

834 Section 24. Section **53A-17a-131.17** is amended to read:

835 **53A-17a-131.17. State contribution for School LAND Trust Program.**

836 (1) If the amount of money prescribed for funding the School LAND Trust Program in
837 Section 53A-16-101.5 is less than or greater than the money appropriated [~~in Section~~
838 ~~53A-17a-104~~] for the School LAND Trust Program, the appropriation shall be equal to the
839 amount of money prescribed for funding the School LAND Trust Program in Section
840 53A-16-101.5, up to a maximum of an amount equal to 2% of the funds provided for the
841 Minimum School Program[~~, pursuant to Title 53A, Chapter 17a, Minimum School Program~~
842 ~~Act~~].

843 (2) The State Board of Education shall distribute the money appropriated in Subsection
844 (1) in accordance with Section 53A-16-101.5 and rules established by the board in accordance
845 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

846 Section 25. Section **53A-17a-133** is amended to read:

847 **53A-17a-133. State-supported voted leeway program authorized -- Election**
848 **requirements -- State guarantee -- Reconsideration of the program.**

849 (1) An election to consider adoption or modification of a voted leeway program is
850 required if initiative petitions signed by 10% of the number of electors who voted at the last
851 preceding general election are presented to the local school board or by action of the board.

852 (2) (a) (i) To establish a voted leeway program, a majority of the electors of a district
853 voting at an election in the manner set forth in Section 53A-16-110 must vote in favor of a
854 special tax.

855 (ii) The tax rate may not exceed .002 per dollar of taxable value.

856 (b) The district may maintain a school program which exceeds the cost of the program
857 referred to in Section 53A-17a-145 with this voted leeway.

858 (c) In order to receive state support the first year, a district must receive voter approval
859 no later than December 1 of the year prior to implementation.

860 (3) (a) Under the voted leeway program, the state shall contribute an amount sufficient
861 to guarantee \$25.25 per weighted pupil unit for each .0001 of the first .0016 per dollar of
862 taxable value.

863 (b) The same dollar amount guarantee per weighted pupil unit for the .0016 per dollar
864 of taxable value under Subsection (3)(a) shall apply to the board-approved leeway authorized

865 in Section 53A-17a-134, so that the guarantee shall apply up to a total of .002 per dollar of
866 taxable value if a school district levies a tax rate under both programs.

867 (c) (i) Beginning July 1, 2009, the \$25.25 guarantee under Subsections (3)(a) and (b)
868 shall be indexed each year to the value of the weighted pupil unit by making the value of the
869 guarantee equal to .009798 times the value of the prior year's weighted pupil unit.

870 (ii) The guarantee shall increase by .0005 times the value of the prior year's weighted
871 pupil unit for each succeeding year until the guarantee is equal to .010544 times the value of
872 the prior year's weighted pupil unit.

873 (d) (i) The amount of state guarantee money to which a school district would otherwise
874 be entitled to under this Subsection (3) may not be reduced for the sole reason that the district's
875 levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924
876 pursuant to changes in property valuation.

877 (ii) Subsection (3)(d)(i) applies for a period of five years following any such change in
878 the certified tax rate.

879 (e) The guarantee provided under this section does not apply to the portion of a voted
880 leeway rate that exceeds the voted leeway rate that was in effect for the previous fiscal year,
881 unless an increase in the voted leeway rate was authorized in an election conducted on or after
882 July 1 of the previous fiscal year and before December 2 of the previous fiscal year.

883 (4) (a) An election to modify an existing voted leeway program is not a reconsideration
884 of the existing program unless the proposition submitted to the electors expressly so states.

885 (b) A majority vote opposing a modification does not deprive the district of authority to
886 continue an existing program.

887 (c) If adoption of a leeway program is contingent upon an offset reducing other local
888 school board levies, the board must allow the electors, in an election, to consider modifying or
889 discontinuing the program prior to a subsequent increase in other levies that would increase the
890 total local school board levy.

891 (d) Nothing contained in this section terminates, without an election, the authority of a
892 school district to continue an existing voted leeway program previously authorized by the
893 voters.

894 (5) Notwithstanding Section 59-2-919, a school district may budget an increased
895 amount of ad valorem property tax revenue derived from a voted leeway imposed under this

896 section in addition to revenue from new growth as defined in Subsection 59-2-924(4), without
897 having to comply with the notice requirements of Section 59-2-919, if:

898 (a) the voted leeway is approved:

899 (i) in accordance with Section 53A-16-110 on or after January 1, 2003; and

900 (ii) within the four-year period immediately preceding the year in which the school
901 district seeks to budget an increased amount of ad valorem property tax revenue derived from
902 the voted leeway; and

903 (b) for a voted leeway approved or modified in accordance with this section on or after
904 January 1, 2009, the school district complies with the requirements of Subsection (7).

905 (6) Notwithstanding Section 59-2-919, a school district may levy a tax rate under this
906 section that exceeds the certified tax rate without having to comply with the notice
907 requirements of Section 59-2-919 if:

908 (a) the levy exceeds the certified tax rate as the result of a school district budgeting an
909 increased amount of ad valorem property tax revenue derived from a voted leeway imposed
910 under this section;

911 (b) [if] the voted leeway was approved:

912 (i) in accordance with Section 53A-16-110 on or after January 1, 2003; and

913 (ii) within the four-year period immediately preceding the year in which the school
914 district seeks to budget an increased amount of ad valorem property tax revenue derived from
915 the voted leeway; and

916 (c) for a voted leeway approved or modified in accordance with this section on or after
917 January 1, 2009, the school district complies with requirements of Subsection (7).

918 (7) For purposes of Subsection (5)(b) or (6)(c), the proposition submitted to the
919 electors regarding the adoption or modification of a voted leeway program shall contain the
920 following statement:

921 "A vote in favor of this tax means that (name of the school district) may increase
922 revenue from this property tax without advertising the increase for the next five years."

923 Section 26. Section **53A-17a-134** is amended to read:

924 **53A-17a-134. Board-approved leeway -- Purpose -- State support -- Disapproval.**

925 (1) Each local school board may levy a tax rate of up to .0004 per dollar of taxable
926 value to maintain a school program above the cost of the basic school program as follows:

927 (a) a local school board shall use the monies generated by the tax for class size
928 reduction within the school district;

929 (b) if a local school board determines that the average class size in the school district is
930 not excessive, it may use the monies for other school purposes but only if the board has
931 declared the use for other school purposes in a public meeting prior to levying the tax rate; and

932 (c) a district may not use the monies for other school purposes under Subsection (1)(b)
933 until it has certified in writing that its class size needs are already being met and has identified
934 the other school purposes for which the monies will be used to the State Board of Education
935 and the state board has approved their use for other school purposes.

936 (2) (a) The state shall contribute an amount sufficient to guarantee \$25.25 per weighted
937 pupil unit for each .0001 per dollar of taxable value.

938 (b) The guarantee shall increase in the same manner as provided for the voted leeway
939 guarantee in Subsections 53A-17a-133(3)(c)(i) and (ii).

940 (c) (i) The amount of state guarantee money to which a school district would otherwise
941 be entitled to under this Subsection (2) may not be reduced for the sole reason that the district's
942 levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924
943 pursuant to changes in property valuation.

944 (ii) Subsection (2)(c)(i) applies for a period of five years following any such change in
945 the certified tax rate.

946 (d) The guarantee provided under this section does not apply to:

947 (i) a board-authorized leeway in the first fiscal year the leeway is in effect, unless the
948 leeway was approved by voters pursuant to Subsections (4) through (6); or

949 (ii) the portion of a board-authorized leeway rate that is in excess of the
950 board-authorized leeway rate that was in effect for the previous fiscal year.

951 (3) The levy authorized under this section is not in addition to the maximum rate of
952 .002 authorized in Section 53A-17a-133, but is a board-authorized component of the total tax
953 rate under that section.

954 (4) As an exception to Section 53A-17a-133, the board-authorized levy does not
955 require voter approval, but the board may require voter approval if requested by a majority of
956 the board.

957 (5) An election to consider disapproval of the board-authorized levy is required, if

958 within 60 days after the levy is established by the board, referendum petitions signed by the
959 number of legal voters required in Section 20A-7-301, who reside within the school district, are
960 filed with the school district.

961 (6) (a) A local school board shall establish its board-approved levy by April 1 to have
962 the levy apply to the fiscal year beginning July 1 in that same calendar year except that if an
963 election is required under this section, the levy applies to the fiscal year beginning July 1 of the
964 next calendar year.

965 (b) The approval and disapproval votes authorized in Subsections (4) and (5) shall
966 occur at a general election in even-numbered years, except that a vote required under this
967 section in odd-numbered years shall occur at a special election held on a day in odd-numbered
968 years that corresponds to the general election date. The school district shall pay for the cost of
969 a special election.

970 (7) (a) Modification or termination of a voter-approved leeway rate authorized under
971 this section is governed by Section 53A-17a-133.

972 (b) A board-authorized leeway rate may be modified or terminated by a majority vote
973 of the board subject to disapproval procedures specified in this section.

974 (8) A board levy election does not require publication of a voter information pamphlet.
975 Section 27. Section **53A-17a-135** is amended to read:

976 **53A-17a-135. Minimum basic tax rate -- Certified revenue levy.**

977 (1) (a) In order to qualify for receipt of the state contribution toward the basic program
978 and as its contribution toward its costs of the basic program, each school district shall impose a
979 minimum basic tax rate per dollar of taxable value that generates \$273,950,764 in revenues
980 statewide.

981 (b) The preliminary estimate for the [~~2009-10~~] 2010-11 minimum basic tax rate is
982 [~~.001303~~] .001513.

983 (c) The State Tax Commission shall certify on or before June 22 the rate that generates
984 \$273,950,764 in revenues statewide.

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

987 (2) (a) The state shall contribute to each district toward the cost of the basic program in
988 the district that portion which exceeds the proceeds of the levy authorized under Subsection

989 (1).

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

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

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

999 Section 28. Section **53A-17a-146** is amended to read:

1000 **53A-17a-146. Reduction of district allocation based on insufficient revenues.**

1001 (1) ~~[(a)]~~ As used in this section, "Minimum School Program funds" means the total of
1002 state and local funds appropriated ~~[under Section 53A-17a-104]~~ for the Minimum School
1003 Program, excluding:

1004 ~~[(i)]~~ (a) the state-supported voter leeway pursuant to Section 53A-17a-133;

1005 ~~[(ii)]~~ (b) the state-supported board leeway pursuant to Section 53A-17a-134; and

1006 ~~[(iii)]~~ (c) the appropriation to charter schools to replace local property tax revenues
1007 pursuant to Section 53A-1a-513.

1008 ~~[(b) The State Board of Education,]~~

1009 (2) If it is necessary because of insufficient revenues in the Uniform School Fund for
1010 the Legislature to reduce appropriations made to support public schools under Title 53A,
1011 Chapter 17a, Minimum School Program Act, the State Board of Education, after consultation
1012 with each school district and charter school, shall allocate the ~~[ongoing locally determined]~~
1013 reduction ~~[provided in Section 53A-17a-104 for fiscal year 2008-09]~~ among school districts
1014 and charter schools in proportion to each school district's or charter school's percentage share
1015 of Minimum School Program funds.

1016 ~~[(2) Each district and]~~ (3) Except as provided in Subsection (5), a school district or
1017 charter school shall determine which programs are affected by a reduction pursuant to
1018 Subsection (2), and the amount [of, the reductions, except as provided in Subsection (4)] each
1019 program is reduced.

1020 [~~(3) The~~] (4) Except as provided in Subsection (5), the requirement to spend a
1021 specified amount in any particular program is waived if reductions are [~~required under this~~
1022 ~~section, except as provided in Subsection (4)~~] made pursuant to Subsection (2).

1023 [~~(4)~~] (5) A school district or charter school may not reduce or reallocate spending of
1024 funds distributed to the school district or charter school for the following programs:

- 1025 (a) educator salary adjustments provided in Section 53A-17a-153;
- 1026 (b) the Teacher Salary Supplement Program provided in Section 53A-17a-156;
- 1027 (c) the extended year for special educators provided in Section 53A-17a-158; and
- 1028 (d) USTAR centers provided in Section 53A-17a-159.

1029 Section 29. Section **53A-17a-153** is amended to read:

1030 **53A-17a-153. Educator salary adjustments.**

1031 (1) As used in this section, "educator" means a person employed by a school district,
1032 charter school, or the Utah Schools for the Deaf and the Blind who holds:

- 1033 (a) a license issued under Title 53A, Chapter 6, Educator Licensing and Professional
1034 Practices Act; and
- 1035 (b) a position as a:
 - 1036 (i) classroom teacher;
 - 1037 (ii) speech pathologist;
 - 1038 (iii) librarian or media specialist;
 - 1039 (iv) preschool teacher;
 - 1040 (v) mentor teacher;
 - 1041 (vi) teacher specialist or teacher leader;
 - 1042 (vii) guidance counselor;
 - 1043 (viii) audiologist;
 - 1044 (ix) psychologist; or
 - 1045 (x) social worker.

1046 (2) In recognition of the need to attract and retain highly skilled and dedicated
1047 educators, the Legislature shall annually appropriate money for educator salary adjustments,
1048 subject to future budget constraints.

1049 (3) Money appropriated to the State Board of Education for educator salary
1050 adjustments shall be distributed to school districts, charter schools, and the Utah Schools for

1051 the Deaf and the Blind in proportion to the number of full-time-equivalent educator positions
1052 in a school district, a charter school, or the Utah Schools for the Deaf and the Blind as
1053 compared to the total number of full-time-equivalent educator positions in school districts,
1054 charter schools, and the Utah Schools for the Deaf and the Blind.

1055 (4) School districts, charter schools, and the Utah Schools for the Deaf and the Blind
1056 shall award bonuses to educators as follows:

1057 (a) the amount of the salary adjustment shall be the same for each full-time-equivalent
1058 educator position in the school district, charter school, or the Utah Schools for the Deaf and the
1059 Blind;

1060 (b) a person who is not a full-time educator shall receive a partial salary adjustment
1061 based on the number of hours the person works as an educator; and

1062 (c) salary adjustments may be awarded only to educators who have received a
1063 satisfactory rating or above on their most recent evaluation.

1064 (5) (a) Each school district and charter school and the Utah Schools for the Deaf and
1065 the Blind shall submit a report to the State Board of Education on how the money for salary
1066 adjustments was spent, including the amount of the salary adjustment and the number of full
1067 and partial salary adjustments awarded.

1068 (b) The State Board of Education shall compile the information reported under
1069 Subsection (5) and submit it to the Public Education Appropriations Subcommittee by
1070 November 30 each year.

1071 (6) The State Board of Education may make rules as necessary to administer this
1072 section, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

1073 (7) (a) Subject to future budget constraints, the Legislature shall appropriate sufficient
1074 monies each year to:

1075 (i) maintain educator salary adjustments provided in prior years; and
1076 (ii) provide educator salary adjustments to new employees.

1077 (b) Money appropriated for educator salary adjustments shall include money for the
1078 following employer-paid benefits:

1079 (i) retirement;
1080 (ii) worker's compensation;
1081 (iii) Social Security; and

1082 (iv) Medicare.
1083 (8) (a) Subject to future budget constraints, the Legislature shall:
1084 (i) maintain the salary adjustments provided to school administrators in the 2007-08
1085 school year; and
1086 (ii) provide salary adjustments for new school administrators in the same amount as
1087 provided for existing school administrators.

1088 (b) The appropriation provided for educator salary adjustments [~~in Section~~
1089 ~~53A-17a-104~~] shall include salary adjustments for school administrators as specified in
1090 Subsection (8)(a).

1091 (c) In distributing and awarding salary adjustments for school administrators, the State
1092 Board of Education, school districts, charter schools, and the Utah Schools for the Deaf and the
1093 Blind shall comply with the requirements for the distribution and award of educator salary
1094 adjustments as provided in Subsections (3) and (4).

1095 Section 30. Section ~~53A-17a-154~~ is amended to read:

1096 **53A-17a-154. Appropriation for school nurses.**

1097 The State Board of Education shall distribute monies appropriated [~~in Section~~
1098 ~~53A-17a-104~~] for school nurses to award grants to school districts and charter schools that:

- 1099 (1) provide an equal amount of matching funds; and
- 1100 (2) do not supplant other monies used for school nurses.

1101 Section 31. Section ~~53A-17a-155~~ is amended to read:

1102 **53A-17a-155. Appropriation for library books and electronic resources.**

1103 (1) The State Board of Education shall distribute monies appropriated [~~in Section~~
1104 ~~53A-17a-104~~] for library books and electronic resources as follows:

- 1105 (a) 25% shall be divided equally among all public schools; and
- 1106 (b) 75% shall be divided among public schools based on each school's average daily
1107 membership as compared to the total average daily membership.

1108 (2) A school district or charter school may not use monies distributed under Subsection
1109 (1) to supplant other monies used to purchase library books or electronic resources.

1110 Section 32. Section ~~63J-1-206~~ is amended to read:

1111 **63J-1-206. Appropriations governed by chapter -- Restrictions on expenditures --**
1112 **Transfer of funds -- Exclusion.**

1113 (1) As used in this section, "work program" means a budget that contains revenues and
1114 expenditures for specific purposes or functions within an item of appropriation.

1115 (2) (a) Except as provided in Subsection (2)(b), (3)(e), or where expressly exempted in
1116 the appropriating act:

1117 (i) all monies appropriated by the Legislature are appropriated upon the terms and
1118 conditions set forth in this chapter; and

1119 (ii) any department, agency, or institution that accepts monies appropriated by the
1120 Legislature does so subject to the requirements of this chapter.

1121 (b) This section does not apply to:

1122 (i) the Legislature and its committees; and

1123 (ii) the Investigation Account of the Water Resources Construction Fund, which is
1124 governed by Section 73-10-8.

1125 (3) (a) Each appropriation item is to be expended subject to any schedule of programs
1126 and any restriction attached to the appropriation item, as designated by the Legislature.

1127 (b) Each schedule of programs or restriction attached to an appropriation item:

1128 (i) is a restriction or limitation upon the expenditure of the respective appropriation
1129 made;

1130 (ii) does not itself appropriate any money; and

1131 (iii) is not itself an item of appropriation.

1132 (c) An appropriation or any surplus of any appropriation may not be diverted from any
1133 department, agency, institution, or division to any other department, agency, institution, or
1134 division.

1135 (d) The money appropriated subject to a schedule or programs or restriction may be
1136 used only for the purposes authorized.

1137 (e) In order for a department, agency, or institution to transfer monies appropriated to it
1138 from one program to another program within an item of appropriation, the following procedure
1139 shall be followed:

1140 (i) The department, agency, or institution seeking to make the transfer shall prepare:

1141 (A) a new work program for the fiscal year involved that consists of the currently
1142 approved work program and the transfer sought to be made; and

1143 (B) a written justification for the new work program that sets forth the purpose and

1144 necessity for the transfer.

1145 (ii) The Division of Finance shall process the new work program with written
1146 justification and make this information available to the Governor's Office of Planning and
1147 Budget and the legislative fiscal analyst.

1148 (f) Monies may not be transferred from one item of appropriation to any other item of
1149 appropriation.

1150 (g) (i) The procedures for transferring monies between programs within an item of
1151 appropriation as provided by Subsection (3)(e) do not apply to monies appropriated to the State
1152 Board of Education for the Minimum School Program or capital outlay programs created in
1153 Title 53A, Chapter 21, Public Education Capital Outlay Act.

1154 (ii) The state superintendent may transfer monies appropriated for the programs
1155 specified in Subsection (3)(g)(i) only as provided by Section 53A-17a-105.

1156 Section 33. **Repealer.**

1157 This bill repeals:

1158 Section **53A-17a-104, Amount of state's contribution toward minimum school**
1159 **program.**

1160 Section **53A-21-501, State contribution to capital outlay programs.**

1161 Section 34. **Appropriations for Minimum School Program and school building aid**
1162 **programs - Value of weighted pupil unit.**

1163 (1) The following sums of money are appropriated from the funds or fund accounts
1164 indicated for distribution to school districts and charter schools for the fiscal year beginning
1165 July 1, 2010 and ending June 30, 2011.

1166 (2) The value of the weighted pupil unit (WPU) for fiscal year 2011 is \$2,487.

1167 ITEM 1 BASIC SCHOOL PROGRAM

1168 To Basic School Program

1169 From Uniform School Fund \$1,579,112,936

1170 From Local Revenue \$273,950,764

1171 Schedule of Programs:

1172 Kindergarten (26,503 WPUs) \$65,912,961

1173 Grades 1 - 12 (510,441 WPUs) \$1,269,466,767

1174 Necessarily Existent Small Schools (7,649 WPUs) \$19,023,063

1175	Professional Staff (46,698 WPUs)	\$116,137,926
1176	Administrative Costs (1,550 WPUs)	\$3,854,850
1177	Special Education - Add-on (63,903 WPUs)	\$158,926,761
1178	Special Education - Pre-school (8,955 WPUs)	\$22,271,085
1179	Special Education - Self-contained (14,137 WPUs)	\$35,158,719
1180	Special Education - Extended Year (393 WPUs)	\$977,391
1181	Special Education - State Programs (1,776 WPUs)	\$4,416,912
1182	Career & Technical Ed District Add-on (27,259 WPUs)	\$67,793,133
1183	Class Size Reduction (35,836 WPUs)	\$89,124,132
1184	The Legislature intends that the State Board of	
1185	Education allocate \$1,150,600 from the appropriation	
1186	to the Career & Technical Education District Add-on	
1187	program to support summer Career & Technical	
1188	Education agriculture programs.	
1189	ITEM 2 RELATED TO BASIC PROGRAMS	
1190	To Related to Basic Programs	
1191	From Uniform School Fund	\$374,194,403
1192	From Uniform School Fund Restricted - Interest and Dividends Account	\$20,000,000
1193	Schedule of Programs:	
1194	Social Security and Retirement	\$13,139,631
1195	To and From School - Pupil Transportation	\$64,333,965
1196	Guarantee Transportation Levy	\$490,000
1197	Intervention for Student Success Block Grant	\$14,700,000
1198	Highly Impacted Schools	\$4,518,707
1199	Youth At-Risk	\$27,704,741
1200	Adult Education	\$9,080,846
1201	Accelerated Learning	\$3,494,781
1202	Concurrent Enrollment	\$8,531,186
1203	High-Ability Student Initiative	\$485,100
1204	English Language Learner Family Literacy Centers	\$1,764,000
1205	Electronic High School	\$1,960,000

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1206	School LAND Trust Program	\$20,000,000
1207	Charter School Local Replacement	\$44,382,646
1208	Charter School Administration	\$3,603,500
1209	K-3 Reading Improvement	\$14,700,000
1210	Public Education Job Enhancement	\$2,143,300
1211	Educator Salary Adjustments	\$145,295,000
1212	USFR Teacher Salary Supplement Restricted Account	\$3,626,000
1213	Library Books & Electronic Resources	\$490,000
1214	Matching Fund for School Nurses	\$882,000
1215	Critical Languages & Dual Immersion	\$225,400
1216	Extended Year for Special Educators	\$2,557,800
1217	USTAR Centers (Year-Round Math & Science)	\$6,085,800
1218	The Legislature intends that the State Board	
1219	of Education allocate \$2,532,700 from the appropriation	
1220	for To and From School - Pupil Transportation to	
1221	support transportation costs at the Utah	
1222	Schools for the Deaf and the Blind.	
1223	ITEM 3 VOTED AND BOARD LEEWAY PROGRAMS	
1224	To Voted and Board Leeway Programs	
1225	From Uniform School Fund	\$37,240,184
1226	From Local Revenue	\$310,463,914
1227	Schedule of Programs:	
1228	Voted Leeway	\$265,569,683
1229	Board Leeway	\$67,134,415
1230	Board Leeway - Reading Improvement	\$15,000,000
1231	ITEM 4 SCHOOL BUILDING PROGRAMS	
1232	To School Building Programs	
1233	From Uniform School Fund	\$22,049,700
1234	Schedule of Programs:	
1235	Capital Outlay Foundation Program	\$19,177,400
1236	Capital Outlay Enrollment Growth Program	\$2,872,300

1237 Section 35. **Effective date.**
1238 This bill takes effect on July 1, 2010.

Legislative Review Note
as of 1-25-10 7:45 AM

Office of Legislative Research and General Counsel

H.B. 1 - Minimum School Program Base Budget

Fiscal Note

2010 General Session
State of Utah

State Impact

Enactment of this bill appropriates \$2,012,597,223 in ongoing Uniform School Funds, \$20,000,000 in ongoing Uniform School Fund Restricted - Interest and Dividends, and \$584,414,678 in local school district property tax revenues to support the Minimum School Program and School Building Program in fiscal year 2011. Enactment of the bill establishes the estimated minimum basic tax rate at .001513 and changes the value of each Weighted Pupil Unit from \$2,577 to \$2,487 for FY 2011.

	<u>FY 2010</u> <u>Approp.</u>	<u>FY 2011</u> <u>Approp.</u>	<u>FY 2012</u> <u>Approp.</u>	<u>FY 2010</u> <u>Revenue</u>	<u>FY 2011</u> <u>Revenue</u>	<u>FY 2012</u> <u>Revenue</u>
Uniform School Fund	\$0	\$2,012,597,223	\$2,012,597,223	\$0	\$0	\$0
Uniform School Fund Restricted	\$0	\$20,000,000	\$20,000,000	\$0	\$0	\$0
Local Revenue	\$0	\$584,414,678	\$584,414,678	\$0	\$0	\$0
Total	\$0	\$2,617,011,901	\$2,617,011,901	\$0	\$0	\$0

Individual, Business and/or Local Impact

Enactment of this bill provides funding for programs within the Minimum School Program and School Building Programs distributed to support the operation of local public schools. Individuals and businesses may be impacted through their associated dealings with school districts and charter schools, the extent of which is dependent on the overall impact to each school district or charter school.