

Representative Kenneth W. Sumsion proposes the following substitute bill:

MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION

BUDGET AMENDMENTS

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Merlynn T. Newbold

Senate Sponsor: _____

LONG TITLE

General Description:

This bill supplements or reduces appropriations previously provided for school districts, charter schools, and certain state education agencies for the fiscal year beginning July 1, 2011 and ending June 30, 2012 and modifies related budgetary provisions.

Highlighted Provisions:

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state education agencies;
- ▶ provides budget increases and decreases for programs that support school districts and charter schools;
- ▶ provides intent language;
- ▶ eliminates weighted pupil units based on the experience and educational level of professional staff;
- ▶ requires the State Board of Education to adopt rules regarding the distribution of funds for youth in custody;
- ▶ amends the weighting factor applied to the average daily membership of students with disabilities to determine the weighted pupil units for the Special Education



26 Add-on program;

27 ▶ provides that the State Board of Education may use a portion of an appropriation for
28 the K-3 Reading Improvement Program for computer-assisted instructional learning
29 and assessment programs;

30 ▶ establishes the value of the weighted pupil unit at \$3,035 for fiscal year 2011-12;
31 and

32 ▶ makes technical changes.

33 **Money Appropriated in this Bill:**

34 This bill appropriates for fiscal year 2012:

35 ▶ \$538,200 from the General Fund;

36 ▶ \$10,000,000 from the Uniform School Fund;

37 ▶ \$294,333,009 from the Education Fund; and

38 ▶ \$13,605,700 from various sources as detailed in this bill.

39 **Other Special Clauses:**

40 This bill takes effect on July 1, 2011.

41 This bill coordinates with S.B. 1, Public Education Base Budget, by providing
42 superseding substantive amendments.

43 **Utah Code Sections Affected:**

44 AMENDS:

45 **53A-1-403**, as last amended by Laws of Utah 2003, Chapter 171

46 **53A-1-708**, as enacted by Laws of Utah 2004, Chapter 265

47 **53A-17a-111**, as last amended by Laws of Utah 2010, Chapter 3

48 **53A-17a-112**, as last amended by Laws of Utah 2010, Chapter 3

49 **53A-17a-150**, as enacted by Laws of Utah 2004, Chapter 305

50 ENACTS:

51 **53A-17a-164**, Utah Code Annotated 1953

52 REPEALS:

53 **53A-17a-107**, as last amended by Laws of Utah 2008, Chapter 382

54 **Utah Code Sections Affected by Coordination Clause:**

55 **53A-17a-108**, as last amended by Laws of Utah 2010, Chapters 3 and 399

56 **53A-17a-164**, Utah Code Annotated 1953

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

Section 1. Section **53A-1-403** is amended to read:

**53A-1-403. Education of persons under 21 in custody of state agency --
Establishment of coordinating council -- Advisory councils.**

(1) For purposes of this section, "board" means the State Board of Education.

~~[(1)]~~ (2) (a) The ~~[State Board of Education]~~ board is directly responsible for the education of all persons under the age of 21 who are:

~~[(a)]~~ (i) in the custody of the Department of Human Services;

~~[(b)]~~ (ii) in the custody of an equivalent agency of a Native American tribe recognized by the United States Bureau of Indian Affairs and whose custodial parent or legal guardian resides within the state; or

~~[(c)]~~ (iii) being held in a juvenile detention facility.

(b) The board shall adopt rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to provide for the distribution of funds for the education of persons described in Subsection (2)(a).

~~[(2)]~~ (3) Subsection ~~[(1)]~~ (2)(b) does not apply to persons taken into custody for the primary purpose of obtaining access to education programs provided for youth in custody.

~~[(3)]~~ (4) The board shall, where feasible, contract with school districts or other appropriate agencies to provide educational, administrative, and supportive services, but the board shall retain responsibility for the programs.

~~[(4)]~~ (5) The Legislature shall establish and maintain separate education budget categories for youth in custody who are under the jurisdiction of the following state agencies:

(a) detention centers and the Divisions of Juvenile Justice Services and Child and Family Services;

(b) the Division of Substance Abuse and Mental Health; and

(c) the Division of Services for People with Disabilities.

~~[(5)]~~ (6) (a) The Department of Human Services and the State Board of Education shall appoint a coordinating council to plan, coordinate, and recommend budget, policy, and program guidelines for the education and treatment of persons in the custody of the Division of Juvenile Justice Services and the Division of Child and Family Services.

88 (b) The department and board may appoint similar councils for those in the custody of
89 the Division of Substance Abuse and Mental Health or the Division of Services for People with
90 Disabilities.

91 [~~(6)~~] (7) A school district contracting to provide services under Subsection [~~(3)~~] (4)
92 shall establish an advisory council to plan, coordinate, and review education and treatment
93 programs for persons held in custody in the district.

94 Section 2. Section **53A-1-708** is amended to read:

95 **53A-1-708. Grants for online delivery of U-PASS tests.**

96 (1) As used in this section:

97 (a) "Summative tests" means tests administered near the end of a course to assess
98 overall achievement of course goals[;].

99 (b) "Uniform online summative test system" means a single system for the online
100 delivery of summative tests required under U-PASS that:

101 (i) is coordinated by the Utah State Office of Education;

102 (ii) ensures the reliability and security of U-PASS tests; and

103 (iii) is selected through collaboration between Utah State Office of Education and
104 school district representatives with expertise in technology, assessment, and administration[;
105 ~~and~~].

106 (c) "U-PASS" means the Utah Performance Assessment System for Students.

107 (2) The State Board of Education may award grants to school districts and charter
108 schools to implement a uniform online summative test system to enable parents of students and
109 school staff to review U-PASS test scores by the end of the school year.

110 (3) (a) Grant [~~monies~~] money may be used to pay for any of the following, provided it
111 is directly related to implementing a uniform online summative test system:

112 (i) computer equipment and peripherals, including electronic data capture devices
113 designed for electronic test administration and scoring;

114 (ii) software;

115 (iii) networking equipment;

116 (iv) upgrades of existing equipment or software;

117 (v) upgrades of existing physical plant facilities;

118 (vi) personnel to provide technical support or coordination and management; and

119 (vii) teacher professional development.

120 (b) Equipment purchased in compliance with Subsection (3)(a), when not in use for the
121 online delivery of summative tests required under U-PASS may be used for other purposes.

122 (4) The State Board of Education may award grants only to school districts and charter
123 schools that intend to implement a uniform online summative test system.

124 (5) ~~(a)~~ The State Board of Education shall make rules ~~[specifying]:~~

125 ~~(i)~~ (a) establishing procedures for applying for and awarding grants;

126 ~~(ii)~~ (b) specifying how grant ~~[monies]~~ money shall be allocated among school
127 districts and charter schools that qualify to receive grants under Subsection (4); and

128 ~~(iii)~~ (c) requiring reporting of grant money expenditures and evidence showing that
129 the grant ~~[monies]~~ money have been used to implement a uniform online summative test
130 system.

131 ~~[(b) To ensure that small school districts and charter schools receive adequate funds to
132 implement a uniform online summative test system, grant monies shall be allocated on a 25%
133 base, with the remaining 75% distributed on a per pupil basis.]~~

134 (6) If a school district or charter school uses grant ~~[monies]~~ money for purposes other
135 than those stated in Subsection (3), the school district or charter school is liable for reimbursing
136 the State Board of Education in the amount of the grant ~~[monies]~~ money improperly used.

137 Section 3. Section **53A-17a-111** is amended to read:

138 **53A-17a-111. Weighted pupil units for programs for students with disabilities --**
139 **District allocation.**

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

144 (2) Disability program monies allocated to districts are restricted and shall be spent for
145 the education of students with disabilities but may include expenditures for approved programs
146 of services conducted for certified instructional personnel who have students with disabilities
147 in their classes.

148 (3) The State Board of Education shall establish and strictly interpret definitions and
149 provide standards for determining which students have disabilities and shall assist districts in

150 determining the services that should be provided to students with disabilities.

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

154 (5) (a) Monies appropriated to the State Board of Education for add-on WPU for
155 students with disabilities enrolled in regular programs shall be allocated to school districts as
156 provided in this Subsection (5).

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

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

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

164 (c) A district's special education add-on WPU for the current year may not be less than
165 the foundation special education add-on WPU.

166 (d) Growth WPU shall be added to the prior year special education add-on WPU, and
167 growth WPU shall be determined as follows:

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

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

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

177 (iv) Growth ADMs for each district are multiplied by [~~1.53~~] 1.3 weighted pupil units
178 and added to the prior year special education add-on WPU to determine each district's total
179 allocation.

180 (6) If monies appropriated under this chapter for programs for students with disabilities

181 do not meet the costs of districts for those programs, each district shall first receive the amount
182 generated for each student with a disability under the basic program.

183 Section 4. Section **53A-17a-112** is amended to read:

184 **53A-17a-112. Preschool special education appropriation -- Extended year**
185 **program appropriation -- Appropriation for special education programs in state**
186 **institutions -- Appropriations for stipends for special educators.**

187 (1) (a) Money appropriated to the State Board of Education for the preschool special
188 education program shall be allocated to school districts to provide a free, appropriate public
189 education to preschool students with a disability, ages three through five.

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

192 (2) Money appropriated for the extended school year program for the severely disabled
193 shall be limited to students with severe disabilities with education program goals identifying
194 significant regression and recoupment disability as approved by the State Board of Education.

195 (3) (a) Money appropriated for self-contained regular special education programs may
196 not be used to supplement other school programs.

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

200 (4) (a) The State Board of Education shall compute preschool funding by a factor of
201 1.47 times the current December 1 child count of eligible preschool aged three, four, and
202 five-year-olds times the WPU value, limited to 8% growth over the prior year December 1
203 count.

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

206 (5) Of the money appropriated for Special Education - State Programming, the State
207 Board of Education shall distribute the revenue generated from 843 WPUs to school districts,
208 charter schools, and the Utah Schools for the Deaf and the Blind for stipends to special
209 educators for additional days of work pursuant to the requirements of Section 53A-17a-158.

210 Section 5. Section **53A-17a-150** is amended to read:

211 **53A-17a-150. K-3 Reading Improvement Program.**

212 (1) As used in this section:

213 (a) "Program" means the K-3 Reading Improvement Program~~[-and]~~.

214 (b) "Program [~~moneys~~] money" means:

215 (i) school district revenue from the levy authorized under Section 53A-17a-151;

216 (ii) school district revenue allocated to the program from other [~~moneys~~] money
217 available to the school district, except [~~moneys~~] money provided by the state, for the purpose of
218 receiving state funds under this section; and

219 (iii) [~~moneys~~] money appropriated by the Legislature to the program.

220 (2) The K-3 Reading Improvement Program consists of program [~~moneys~~] money and
221 is created to achieve the state's goal of having third graders reading at or above grade level.

222 (3) Subject to future budget constraints, the Legislature may annually appropriate
223 money to the K-3 Reading Improvement Program.

224 (4) (a) Prior to using program [~~moneys~~] money, a school district or charter school shall
225 submit a plan to the State Board of Education for reading proficiency improvement that
226 incorporates the following components:

227 (i) assessment;

228 (ii) intervention strategies;

229 (iii) professional development;

230 (iv) reading performance standards; and

231 (v) specific measurable goals that are based upon gain scores.

232 (b) The State Board of Education shall provide model plans which a school district or
233 charter school may use, or the district or school may develop its own plan.

234 (c) Plans developed by a school district or charter school shall be approved by the State
235 Board of Education.

236 (5) (a) There is created within the K-3 Reading Achievement Program three funding
237 programs:

238 [~~(a)~~] (i) the Base Level Program;

239 [~~(b)~~] (ii) the Guarantee Program; and

240 [~~(c)~~] (iii) the Low Income Students Program.

241 (b) The State Board of Education may use no more than \$7,500,000 from an
242 appropriation described in Subsection (3) for computer-assisted instructional learning and

243 assessment programs.

244 (6) [~~Monies~~] Money appropriated to the State Board of Education for the K-3 Reading
245 Improvement Program and not used by the State Board of Education for computer-assisted
246 instructional learning and assessments as described in Subsection (5)(b). shall be allocated to
247 the three funding programs as follows:

- 248 (a) 8% to the Base Level Program;
- 249 (b) 46% to the Guarantee Program; and
- 250 (c) 46% to the Low Income Students Program.

251 (7) (a) To participate in the Base Level Program, a school district or charter school
252 shall submit a reading proficiency improvement plan to the State Board of Education as
253 provided in Subsection (4) and must receive approval of the plan from the board.

254 (b) (i) Each school district qualifying for Base Level Program funds and the qualifying
255 elementary charter schools combined shall receive a base amount.

256 (ii) The base amount for the qualifying elementary charter schools combined shall be
257 allocated among each school in an amount proportionate to:

258 (A) each existing charter school's prior year fall enrollment in grades kindergarten
259 through grade 3; and

260 (B) each new charter school's estimated fall enrollment in grades kindergarten through
261 grade 3.

262 (8) (a) A school district that applies for program [~~monies~~] money in excess of the Base
263 Level Program funds shall choose to first participate in either the Guarantee Program or the
264 Low Income Students Program.

265 (b) A school district must fully participate in either the Guarantee Program or the Low
266 Income Students Program before it may elect to either fully or partially participate in the other
267 program.

268 (c) To fully participate in the Guarantee Program, a school district shall:

269 (i) levy a tax rate of .000056 under Section 53A-17a-151;

270 (ii) allocate to the program other [~~monies~~] money available to the school district,
271 except [~~monies~~] money provided by the state, equal to the amount of revenue that would be
272 generated by a tax rate of .000056; or

273 (iii) levy a tax under Section 53A-17a-151 and allocate to the program other [~~monies~~]

274 money available to the school district, except [~~monies~~] money provided by the state, so that the
275 total revenue from the combined revenue sources equals the amount of revenue that would be
276 generated by a tax rate of .000056.

277 (d) To fully participate in the Low Income Students Program, a school district shall:

278 (i) levy a tax rate of .000065 under Section 53A-17a-151;

279 (ii) allocate to the program other [~~monies~~] money available to the school district,
280 except [~~monies~~] money provided by the state, equal to the amount of revenue that would be
281 generated by a tax rate of .000065; or

282 (iii) levy a tax under Section 53A-17a-151 and allocate to the program other [~~monies~~]
283 money available to the school district, except [~~monies~~] money provided by the state, so that the
284 total revenue from the combined revenue sources equals the amount of revenue that would be
285 generated by a tax rate of .000065.

286 (9) (a) [~~A~~] Except as provided in Subsection (9)(c), a school district that fully
287 participates in the Guarantee Program shall receive state funds in an amount that is:

288 (i) equal to the difference between \$21 times the district's total WPUs and the revenue
289 the school district is required to generate or allocate under Subsection (8)(c) to fully participate
290 in the Guarantee Program; and

291 (ii) not less than \$0.

292 (b) [~~An~~] Except as provided in Subsection (9)(c), an elementary charter school shall
293 receive under the Guarantee Program an amount equal to \$21 times the school's total WPUs.

294 (c) The State Board of Education may adjust the \$21 guarantee amount described in
295 Subsections (9)(a) and (b) to account for actual appropriations and money used by the State
296 Board of Education for computer-assisted instructional learning and assessments.

297 (10) The State Board of Education shall distribute Low Income Students Program
298 funds in an amount proportionate to the number of students in each school district or charter
299 school who qualify for free or reduced price school lunch multiplied by two.

300 (11) A school district that partially participates in the Guarantee Program or Low
301 Income Students Program shall receive program funds based on the amount of district revenue
302 generated for or allocated to the program as a percentage of the amount of revenue that could
303 have been generated or allocated if the district had fully participated in the program.

304 (12) (a) Each school district and charter school shall use program [~~monies~~] money for

305 reading proficiency improvement in grades kindergarten through grade three.

306 (b) Program [~~monies~~] money may not be used to supplant funds for existing programs,
307 but may be used to augment existing programs.

308 (13) (a) Each school district and charter school shall annually submit a report to the
309 State Board of Education accounting for the expenditure of program [~~monies~~] money in
310 accordance with its plan for reading proficiency improvement.

311 (b) If a school district or charter school uses program [~~monies~~] money in a manner that
312 is inconsistent with Subsection (12), the school district or charter school is liable for
313 reimbursing the State Board of Education for the amount of program [~~monies~~] money
314 improperly used, up to the amount of program [~~monies~~] money received from the State Board
315 of Education.

316 (14) (a) The State Board of Education shall make rules to implement the program.

317 (b) (i) The rules under Subsection (14)(a) shall require each school district or charter
318 school to annually report progress in meeting goals stated in the district's or charter school's
319 plan for student reading proficiency as measured by gain scores.

320 (ii) If a school district or charter school does not meet or exceed the goals, the school
321 district or charter school shall prepare a new plan which corrects deficiencies. The new plan
322 must be approved by the State Board of Education before the school district or charter school
323 receives an allocation for the next year.

324 (15) If after 36 months of program operation, a school district fails to meet goals stated
325 in the district's plan for student reading proficiency as measured by gain scores, the school
326 district shall terminate any levy imposed under Section 53A-17a-151.

327 Section 6. Section **53A-17a-164** is enacted to read:

328 **53A-17a-164. Enhancement for At-Risk Students Program.**

329 (1) (a) Subject to the requirements of Subsection (1)(b), the State Board of Education
330 shall distribute money appropriated for the Enhancement for At-Risk Students Program to
331 school districts and charter schools according to a formula adopted by the State Board of
332 Education, after consultation with school districts and charter schools.

333 (b) (i) The State Board of Education shall appropriate \$1,200,000 from the
334 appropriation for Enhancement for At-Risk Students for a gang prevention and intervention
335 program designed to help students at-risk for gang involvement stay in school.

336 (ii) Money for the gang prevention and intervention program shall be distributed to
337 school districts and charter schools through a request for proposals process.

338 (2) In establishing a distribution formula under Subsection (1)(a), the State Board of
339 Education shall use the following criteria:

340 (a) low performance on U-PASS tests;

341 (b) poverty;

342 (c) mobility; and

343 (d) limited English proficiency.

344 (3) A school district or charter school shall use money distributed under this section to
345 improve the academic achievement of students who are at risk of academic failure.

346 (4) The State Board of Education shall develop performance criteria to measure the
347 effectiveness of the Enhancement for At-Risk Students Program and make an annual report to
348 the Public Education Appropriations Subcommittee on the effectiveness of the program.

349 **Section 7. Repealer.**

350 This bill repeals:

351 **Section 53A-17a-107, Professional staff weighted pupil units.**

352 **Section 8. One-time appropriation for classroom supplies.**

353 (1) (a) The State Board of Education shall distribute money appropriated for Teacher
354 Supplies and Materials to classroom teachers in school districts, the Utah Schools for the Deaf
355 and the Blind, and charter schools on the basis of the number of classroom teachers in each
356 school as compared to the total number of classroom teachers.

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

358 (i) a teacher on salary schedule steps one through three teaching in grades kindergarten
359 through six or preschool handicapped - \$250;

360 (ii) a teacher on salary schedule steps one through three teaching in grades seven
361 through twelve - \$200;

362 (iii) a teacher on salary schedule step four or higher teaching in grades kindergarten
363 through six or preschool handicapped - \$175; and

364 (iv) a teacher on salary schedule step four or higher teaching in grades seven through
365 twelve - \$150.

366 (c) If the appropriation is not sufficient to provide to each teacher the full amount

367 allowed under Subsection (1)(b), teachers on salary schedule steps one through three shall
368 receive the full amount allowed with the remaining monies apportioned to all other teachers.

369 (2) Teachers shall spend money appropriated for classroom supplies and materials for
370 school supplies, materials, or field trips under rules adopted by the State Board of Education.

371 (3) As used in this section, "classroom teacher" or "teacher" means permanent teacher
372 positions filled by one teacher or two or more job-sharing teachers:

373 (a) who are licensed personnel;

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

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

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

378 **Section 9. Appropriation.**

379 (1) Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act,
380 as applicable, the following sums of money are appropriated from resources not otherwise
381 appropriated, or reduced from amounts previously appropriated, out of the funds or fund
382 accounts indicated for distribution to state education agencies, school districts, and charter
383 schools for the fiscal year beginning July 1, 2011 and ending June 30, 2012. These
384 appropriations are additions to amounts previously appropriated for fiscal year 2011-12.

385 (2) The value of each weighted pupil unit (WPU) for fiscal year 2011-12 is increased
386 by \$458 over the value of the WPU for fiscal year 2011-12 established in S.B. 1, Public
387 Education Base Budget, for a total WPU value of \$3,035.

388 BASIC SCHOOL PROGRAM

389 ITEM 1 To Basic School Program

390	From Uniform School Fund, One-time	\$10,000,000
391	From Education Fund	\$178,260,268
392	From Education Fund, One-time	(\$10,000,000)

393 Schedule of Programs:

394	Kindergarten	\$12,374,244
395	Grades 1 - 12	\$239,673,232
396	Necessarily Existent Small Schools	\$3,503,242
397	Professional Staff (-48,886 WPUs)	(\$125,979,222)

398	Administrative Costs (1,535 WPUs)	\$4,658,725
399	Special Education - Add-on (-9,790 WPUs)	\$144,370
400	Special Education - Pre-school	\$4,208,104
401	Special Education - Self-contained	\$6,478,868
402	Special Education - Extended Year	\$184,574
403	Special Education - State Programs (843 WPUs)	\$3,392,981
404	Career & Technical Ed District Add-on	\$12,781,406
405	Class Size Reduction	\$16,839,744

406 The Legislature intends that the State Board of Education review reports required of
 407 local education agencies in statute or board rule, and that the State Board of Education submit
 408 any recommended report eliminations to the Education Interim Committee by the October
 409 meeting of the Education Interim Committee in 2011.

410 RELATED TO BASIC PROGRAMS

411 ITEM 2 To Related to Basic Programs

412	From Education Fund	\$124,458,915
413	From Education Fund, One-time	\$13,500,000
414	From Uniform School Fund Restricted - Interest and Dividends Account	\$2,600,000
415	From Nonlapsing Balances - MSP - Basic Program	\$6,300,000
416	From Nonlapsing Balances - MSP - Related to Basic Program	\$4,000,000

417 Schedule of Programs:

418	To and From School - Pupil Transportation	\$63,062,465
419	Flexible Allocation - WPU Distribution	\$29,712,650
420	Guarantee Transportation Levy	\$500,000
421	Adult Education	\$9,000,000
422	School LAND Trust Program	\$2,600,000
423	Charter School Administration	\$4,627,800
424	K-3 Reading Improvement	\$15,000,000
425	USFR Teacher Salary Supplement Restricted	
426	Account	\$1,374,000
427	Library Books & Electronic Resources	\$400,000
428	Matching Funds for School Nurses	\$882,000

429	USTAR Centers (Year-Round Math & Science)	\$6,200,000
430	Teacher Supplies and Materials	\$5,000,000
431	Beverley Taylor Sorenson Elementary Arts	\$4,000,000
432	Early Intervention	\$7,500,000
433	Pilot Assessment	\$1,000,000

434 The Legislature intends that the appropriation for the Flexible Allocation - WPU
435 Distribution program be distributed to school districts and charter schools on the basis of the
436 number of weighted pupil units in a school district or charter school compared to the total
437 number of weighted pupil units and that the State Board of Education provide for the reporting
438 of school districts' and charter schools' expenditures of the program money.

439 The Legislature intends that the State Board of Education issue a request for proposals
440 for computer-assisted instructional learning and assessments for the K-3 Reading Improvement
441 Program and that the State Board of Education may use no more than \$7,500,000 from the
442 appropriation for K-3 Reading Improvement for computer-assisted instructional learning and
443 assessment programs. The Legislature intends that the State Board of Education provide
444 copies of all requests for proposals submitted for a computer-assisted instruction learning and
445 assessment program for the K-3 Reading Improvement Program to the Governor's Office of
446 Planning and Budget.

447 The Legislature intends that the State Board of Education issue a request for proposals
448 for adaptive learning technology and assessments for Early Intervention and that the State
449 Board of Education may use no more than \$2,500,000 from the appropriation for Early
450 Intervention for adaptive learning technology and assessments. The Legislature intends that the
451 State Board of Education provide copies of all requests for proposals submitted for an adaptive
452 learning technology and assessment program for Early Intervention to the Governor's Office of
453 Planning and Budget.

454 The Legislature intends that the State Board of Education allocate all of the
455 appropriation for Pilot Assessment to large school districts for online delivery of U-PASS tests
456 in accordance with Section 53A-1-708.

457 The Legislature intends that enrollment in charter schools in the 2012-13 school year
458 may increase up to 7,100 students over the projected enrollment of 46,278 in the 2011-12
459 school year.

460	VOTED AND BOARD LEEWAY PROGRAMS	
461	ITEM 3 To Voted and Board Leeway Programs	
462	From Education Fund	(\$18,456,774)
463	Schedule of Programs:	
464	Voted Leeway	(\$14,478,708)
465	Board Leeway	(\$3,978,066)
466	STATE BOARD OF EDUCATION	
467	ITEM 4 To State Board of Education - State Office of Education	
468	From Education Fund	\$2,816,900
469	From Education Fund, One-time	\$2,000,000
470	From Federal Funds	(\$200)
471	Schedule of Programs:	
472	Board of Education - Administration	\$10,200
473	Student Achievement	\$4,806,500
474	ITEM 5 To State Board of Education - Utah State Office of Education - Initiative Programs	
475	From General Fund	\$538,200
476	From Education Fund	\$299,900
477	From Education Fund, One-time	\$926,400
478	Schedule of Programs:	
479	Contracts and Grants	\$1,764,500
480	The Legislature intends that the State Board of Education allocate \$300,000 from the	
481	appropriation for Contracts and Grants to provide statewide access to software licenses for	
482	programs to improve English language learner literacy.	
483	The Legislature intends that the State Board of Education allocate \$750,000 from the	
484	appropriation for Contracts and Grants to support a sixth grade math assessment program.	
485	ITEM 6 To State Board of Education - Educator Licensing Professional Practices	
486	From Uniform School Fund Restricted - Professional Practices	\$702,700
487	Schedule of Programs:	
488	Educator Licensing	\$702,700
489	ITEM 7 To State Board of Education - State Office of Education - Child Nutrition	
490	From Federal Funds	\$200

491	Schedule of Programs:	
492	Child Nutrition	\$200
493	ITEM 8 To State Board of Education - Fine Arts Outreach	
494	From Education Fund	\$213,200
495	Schedule of Programs:	
496	Professional Outreach Programs	\$213,200
497	ITEM 9 To State Board of Education - Science Outreach	
498	From Education Fund	\$304,500
499	Schedule of Programs:	
500	Informal Science Education Enhancement	\$304,500

501 The Legislature intends that the State Board of Education distribute any fiscal year 2011
502 beginning nonlapsing balances in the Science Education Outreach line item to program
503 participants on a pro-rata basis in fiscal year 2011.

504	ITEM 10 To State Board of Education - Utah Schools for the Deaf and the Blind	
505	From Education Fund	\$9,700
506	From Dedicated Credits Revenue	\$500
507	From Revenue Transfers	\$2,500
508	Schedule of Programs:	
509	Support Services	\$12,700

510 Section 10. **Effective date.**
511 This bill takes effect on July 1, 2011.
512 Section 11. **Coordinating H.B. 2 with S.B. 1 -- Superseding substantive**
513 **amendments.**

514 If this H.B. 2 and S.B. 1, Public Education Base Budget, both pass, it is the intent of the
515 Legislature that the Office of Legislative Research and General Counsel when preparing the
516 Utah Code database for publication:

- 517 (1) not give effect to the repeal of Section 53A-17a-108 in S.B. 1; and
- 518 (2) that the enactment of Section 53A-17a-164 in this bill supersedes the enactment of
- 519 Section 53A-17a-164 in S.B. 1.

520