

Representative Merlynn T. Newbold 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: D. Chris Butters

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;
- ▶ requires the State Board of Education to adopt rules regarding the distribution of funds for youth in custody;
- ▶ enacts provisions related to funding for International Baccalaureate programs;
- ▶ provides that the State Board of Education may use a portion of an appropriation for the K-3 Reading Improvement Program for computer-assisted instructional learning and assessment programs;



- 26 ▶ provides a distribution formula for the appropriation for Teacher Supplies and
- 27 Materials;
- 28 ▶ provides that the State Board of Education may use a portion of an appropriation for
- 29 Early Intervention for adaptive learning technology and assessments;
- 30 ▶ establishes the value of the weighted pupil unit at \$2,816 for fiscal year 2011-12;
- 31 ▶ establishes the value of the weighted pupil unit at \$2,577 for fiscal year 2011-12,
- 32 for:
- 33 • the Special Education Add-on program; and
- 34 • the Career & Technical Ed District Add-on program; and
- 35 ▶ makes technical changes.

36 Money Appropriated in this Bill:

- 37 This bill appropriates for fiscal year 2012:
- 38 ▶ \$538,200 from the General Fund;
 - 39 ▶ \$10,000,000 from the Uniform School Fund;
 - 40 ▶ \$294,333,009 from the Education Fund; and
 - 41 ▶ \$13,605,700 from various sources as detailed in this bill.

42 Other Special Clauses:

- 43 This bill takes effect on July 1, 2011.
- 44 This bill coordinates with S.B. 1, Public Education Base Budget, by providing
- 45 superseding substantive amendments.

46 Utah Code Sections Affected:

- 47 AMENDS:
- 48 **53A-1-403**, as last amended by Laws of Utah 2003, Chapter 171
 - 49 **53A-1-708**, as enacted by Laws of Utah 2004, Chapter 265
 - 50 **53A-17a-112**, as last amended by Laws of Utah 2010, Chapter 3
 - 51 **53A-17a-150**, as enacted by Laws of Utah 2004, Chapter 305

52 ENACTS:

- 53 **53A-17a-164**, Utah Code Annotated 1953
- 54 **53A-17a-165**, Utah Code Annotated 1953

55 Utah Code Sections Affected by Coordination Clause:

- 56 **53A-17a-108**, as last amended by Laws of Utah 2010, Chapters 3 and 399

57 **53A-17a-164**, Utah Code Annotated 1953

58 **Uncodified Material Affected:**

59 ENACTS UNCODIFIED MATERIAL



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

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

63 **53A-1-403. Education of persons under 21 in custody of state agency --**

64 **Establishment of coordinating council -- Advisory councils.**

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

66 [~~(1)~~] (2) (a) The [~~State Board of Education~~] board is directly responsible for the
67 education of all persons under the age of 21 who are:

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

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

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

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

76 [~~(2)~~] (3) Subsection [~~(1)~~] (2)(b) does not apply to persons taken into custody for the
77 primary purpose of obtaining access to education programs provided for youth in custody.

78 [~~(3)~~] (4) The board shall, where feasible, contract with school districts or other
79 appropriate agencies to provide educational, administrative, and supportive services, but the
80 board shall retain responsibility for the programs.

81 [~~(4)~~] (5) The Legislature shall establish and maintain separate education budget
82 categories for youth in custody who are under the jurisdiction of the following state agencies:

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

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

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

87 [~~(5)~~] (6) (a) The Department of Human Services and the State Board of Education shall

88 appoint a coordinating council to plan, coordinate, and recommend budget, policy, and
89 program guidelines for the education and treatment of persons in the custody of the Division of
90 Juvenile Justice Services and the Division of Child and Family Services.

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

94 ~~[(6)]~~ (7) A school district contracting to provide services under Subsection ~~[(3)]~~ (4)
95 shall establish an advisory council to plan, coordinate, and review education and treatment
96 programs for persons held in custody in the district.

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

98 **53A-1-708. Grants for online delivery of U-PASS tests.**

99 (1) As used in this section:

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

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

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

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

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

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

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

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

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

117 (ii) software;

118 (iii) networking equipment;

- 119 (iv) upgrades of existing equipment or software;
- 120 (v) upgrades of existing physical plant facilities;
- 121 (vi) personnel to provide technical support or coordination and management; and
- 122 (vii) teacher professional development.

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

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

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

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

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

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

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

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

140 Section 3. Section **53A-17a-112** is amended to read:

141 **53A-17a-112. Preschool special education appropriation -- Extended year**
 142 **program appropriation -- Appropriation for special education programs in state**
 143 **institutions -- Appropriations for stipends for special educators.**

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

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

149 (2) Money appropriated for the extended school year program for the severely disabled

150 shall be limited to students with severe disabilities with education program goals identifying
151 significant regression and recoupment disability as approved by the State Board of Education.

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

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

157 (4) (a) The State Board of Education shall compute preschool funding by a factor of
158 1.47 times the current December 1 child count of eligible preschool aged three, four, and
159 five-year-olds times the WPU value, limited to 8% growth over the prior year December 1
160 count.

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

163 (5) Of the money appropriated for Special Education - State Programming, the State
164 Board of Education shall distribute the revenue generated from 909 WPUs to school districts,
165 charter schools, and the Utah Schools for the Deaf and the Blind for stipends to special
166 educators for additional days of work pursuant to the requirements of Section 53A-17a-158.

167 Section 4. Section **53A-17a-150** is amended to read:

168 **53A-17a-150. K-3 Reading Improvement Program.**

169 (1) As used in this section:

170 (a) "Program" means the K-3 Reading Improvement Program~~;~~ ~~and~~.

171 (b) "Program [~~monies~~] money" means:

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

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

176 (iii) [~~monies~~] money appropriated by the Legislature to the program.

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

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

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

- 184 (i) assessment;
- 185 (ii) intervention strategies;
- 186 (iii) professional development;
- 187 (iv) reading performance standards; and
- 188 (v) specific measurable goals that are based upon gain scores.

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

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

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

- 195 [~~(a)~~] (i) the Base Level Program;
- 196 [~~(b)~~] (ii) the Guarantee Program; and
- 197 [~~(c)~~] (iii) the Low Income Students Program.

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

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

- 205 (a) 8% to the Base Level Program;
- 206 (b) 46% to the Guarantee Program; and
- 207 (c) 46% to the Low Income Students Program.

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

211 (b) (i) Each school district qualifying for Base Level Program funds and the qualifying

212 elementary charter schools combined shall receive a base amount.

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

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

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

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

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

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

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

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

230 (iii) levy a tax under Section 53A-17a-151 and allocate to the program other [~~monies~~]
231 money available to the school district, except [~~monies~~] money provided by the state, so that the
232 total revenue from the combined revenue sources equals the amount of revenue that would be
233 generated by a tax rate of .000056.

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

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

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

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

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

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

248 (ii) not less than \$0.

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

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

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

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

261 (12) (a) Each school district and charter school shall use program [~~monies~~] money for
262 reading proficiency improvement in grades kindergarten through grade three.

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

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

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

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

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

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

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

284 Section 5. Section **53A-17a-164** is enacted to read:

285 **53A-17a-164. Enhancement for At-Risk Students Program.**

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

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

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

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

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

298 (b) poverty;

299 (c) mobility; and

300 (d) limited English proficiency.

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

303 (4) The State Board of Education shall develop performance criteria to measure the
304 effectiveness of the Enhancement for At-Risk Students Program and make an annual report to

305 the Public Education Appropriations Subcommittee on the effectiveness of the program.

306 Section 6. Section **53A-17a-165** is enacted to read:

307 **53A-17a-165. Enhancement for Accelerated Students Program.**

308 (1) The State Board of Education shall distribute money appropriated for the
309 Enhancement for Accelerated Students Program to school districts and charter schools
310 according to a formula adopted by the State Board of Education, after consultation with school
311 districts and charter schools.

312 (2) A distribution formula adopted under Subsection (1) may include an allocation of
313 money for:

314 (a) advanced placement courses;

315 (b) gifted and talented programs, including professional development for teachers of
316 high ability students; and

317 (c) International Baccalaureate programs.

318 (3) The greater of 1.5% or \$100,000 of the appropriation for the Enhancement for
319 Accelerated Students Program may be allowed for International Baccalaureate programs.

320 (4) A school district or charter school shall use money distributed under this section to
321 enhance the academic growth of students whose academic achievement is accelerated.

322 (5) The State Board of Education shall develop performance criteria to measure the
323 effectiveness of the Enhancement for Accelerated Students Program and make an annual report
324 to the Public Education Appropriations Subcommittee on the effectiveness of the program.

325 Section 7. **One-time appropriation for classroom supplies.**

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

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

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

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

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

336 through six or preschool handicapped - \$175; and

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

339 (c) If the appropriation is not sufficient to provide to each teacher the full amount
340 allowed under Subsection (1)(b), teachers on salary schedule steps one through three shall
341 receive the full amount allowed with the remaining money apportioned to all other teachers.

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

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

346 (a) who are licensed personnel;

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

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

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

351 **Section 8. Appropriation.**

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

358 (2) Except as provided in Subsection (3), the value of each weighted pupil unit (WPU)
359 for fiscal year 2011-12 is increased by \$239 over the value of the WPU for fiscal year 2011-12
360 established in S.B. 1, Public Education Base Budget, for a total WPU value of \$2,816.

361 (3) The value of the weighted pupil unit (WPU) for the following programs is \$2,577:

362 (a) Special Education - Add-on; and

363 (b) Career & Technical Ed District Add-on.

364 BASIC SCHOOL PROGRAM

365 ITEM 1 To Basic School Program

366 From Uniform School Fund, One-time \$12,000,000

367	From Education Fund	\$166,817,280
368	From Education Fund, One-time	(\$12,000,000)
369	Schedule of Programs:	
370	Kindergarten	\$6,457,302
371	Grades 1 - 12	\$125,069,656
372	Necessarily Existent Small Schools	\$1,828,111
373	Professional Staff	\$11,683,754
374	Administrative Costs (1,535 WPUs)	\$4,322,530
375	Special Education - Pre-school	\$2,195,932
376	Special Education - Self-contained	\$3,380,894
377	Special Education - Extended Year	\$96,317
378	Special Education - State Programs (909 WPUs)	\$2,995,202
379	Class Size Reduction	\$8,787,552
380	The Legislature intends that the State Board of Education review reports required of	
381	local education agencies in statute or board rule, and that the State Board of Education submit	
382	any recommended report eliminations to the Education Interim Committee by the October	
383	meeting of the Education Interim Committee in 2011.	
384	RELATED TO BASIC PROGRAMS	
385	ITEM 2 To Related to Basic Programs	
386	From Education Fund	\$117,445,129
387	From Education Fund, One-time	\$13,500,000
388	From Uniform School Fund Restricted - Interest and Dividends Account	\$2,600,000
389	From Nonlapsing Balances - MSP - Basic Program	\$6,300,000
390	From Nonlapsing Balances - MSP - Related to Basic Program	\$4,000,000
391	Schedule of Programs:	
392	To and From School - Pupil Transportation	\$63,062,465
393	Flexible Allocation - WPU Distribution	\$22,698,864
394	Guarantee Transportation Levy	\$500,000
395	Adult Education	\$9,000,000
396	School LAND Trust Program	\$2,600,000
397	Charter School Administration	\$4,627,800

398	K-3 Reading Improvement	\$15,000,000
399	USFR Teacher Salary Supplement Restricted	
400	Account	\$1,374,000
401	Library Books & Electronic Resources	\$400,000
402	Matching Funds for School Nurses	\$882,000
403	USTAR Centers (Year-Round Math & Science)	\$6,200,000
404	Teacher Supplies and Materials	\$5,000,000
405	Beverley Taylor Sorenson Elementary Arts	\$4,000,000
406	Early Intervention	\$7,500,000
407	Pilot Assessment	\$1,000,000

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

413 The Legislature intends that the State Board of Education issue a request for proposals
414 for computer-assisted instructional learning and assessments for the K-3 Reading Improvement
415 Program and that the State Board of Education may use no more than \$7,500,000 from the
416 appropriation for K-3 Reading Improvement for computer-assisted instructional learning and
417 assessment programs. The Legislature intends that the State Board of Education provide
418 copies of all requests for proposals submitted for a computer-assisted instruction learning and
419 assessment program for the K-3 Reading Improvement Program to the Governor's Office of
420 Planning and Budget.

421 The Legislature intends that the State Board of Education issue a request for proposals
422 for adaptive learning technology and assessments for Early Intervention and that the State
423 Board of Education may use no more than \$2,500,000 from the appropriation for Early
424 Intervention for adaptive learning technology and assessments. The Legislature intends that the
425 State Board of Education provide copies of all requests for proposals submitted for an adaptive
426 learning technology and assessment program for Early Intervention to the Governor's Office of
427 Planning and Budget.

428 The Legislature intends that the State Board of Education allocate all of the

429 appropriation for Pilot Assessment to large school districts for online delivery of U-PASS tests
 430 in accordance with Section 53A-1-708.

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

434 STATE BOARD OF EDUCATION

435 ITEM 3 To State Board of Education - State Office of Education

436 From Education Fund \$2,816,900

437 From Education Fund, One-time \$2,000,000

438 From Federal Funds (\$200)

439 Schedule of Programs:

440 Board of Education - Administration \$10,200

441 Student Achievement \$4,806,500

442 ITEM 4 To State Board of Education - Utah State Office of Education - Initiative Programs

443 From General Fund \$538,200

444 From Education Fund \$299,900

445 From Education Fund, One-time \$926,400

446 Schedule of Programs:

447 Contracts and Grants \$1,764,500

448 The Legislature intends that the State Board of Education allocate \$300,000 from the
 449 appropriation for Contracts and Grants to provide statewide access to software licenses for
 450 programs to improve English language learner literacy.

451 The Legislature intends that the State Board of Education allocate \$750,000 from the
 452 appropriation for Contracts and Grants to support a sixth grade math assessment program.

453 ITEM 5 To State Board of Education - Educator Licensing Professional Practices

454 From Uniform School Fund Restricted - Professional Practices \$702,700

455 Schedule of Programs:

456 Educator Licensing \$702,700

457 ITEM 6 To State Board of Education - State Office of Education - Child Nutrition

458 From Federal Funds \$200

459 Schedule of Programs:

460	Child Nutrition	\$200	
461	ITEM 7 To State Board of Education - Fine Arts Outreach		
462	From Education Fund		\$213,200
463	Schedule of Programs:		
464	Professional Outreach Programs	\$213,200	
465	ITEM 8 To State Board of Education - Science Outreach		
466	From Education Fund		\$304,500
467	Schedule of Programs:		
468	Informal Science Education Enhancement	\$304,500	
469	ITEM 9 To State Board of Education - Utah Schools for the Deaf and the Blind		
470	From Education Fund		\$9,700
471	From Education Fund, One-time		\$100,000
472	From Dedicated Credits Revenue		\$500
473	From Revenue Transfers		\$2,500
474	Schedule of Programs:		
475	Support Services	\$112,700	
476	The Legislature intends that the Utah Schools for the Deaf and the Blind allocate		
477	\$100,000 of the appropriation for the Support Services program to construct an accessible		
478	playground at the Salt Lake campus.		
479	ITEM 10 To School Building Programs		
480	From Education Fund, One-time		(\$100,000)
481	Schedule of Programs:		
482	Capital Outlay Foundation Program	(\$100,000)	
483	Section 9. Effective date.		
484	<u>This bill takes effect on July 1, 2011.</u>		
485	Section 10. Coordinating H.B. 2 with S.B. 1 -- Superseding substantive		
486	amendments.		
487	<u>If this H.B. 2 and S.B. 1, Public Education Base Budget, both pass, it is the intent of the</u>		
488	<u>Legislature that the Office of Legislative Research and General Counsel prepare the Utah Code</u>		
489	<u>database for publication as follows:</u>		
490	<u>(1) not give effect to the repeal of Section 53A-17a-108 in S.B. 1;</u>		

491 (2) Section 53A-17a-164 enacted in this bill supersedes the enactment of Section
492 53A-17a-164 in S.B. 1; and
493 (3) Section 53A-17a-165 enacted in this bill supersedes the enactment of Section
494 53A-17a-165 in S.B. 1.