

1 **FOCUS ON PRIMARY CLASSROOM TEACHERS PROGRAM**

2 2011 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Jim Nielson**

5 Senate Sponsor: _____

7 **LONG TITLE**

8 **General Description:**

9 This bill provides WPU's to a school district or charter school with a relatively higher
10 percentage of resources allocated to primary classroom teachers.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ defines terms;
- 14 ▶ creates the Focus on Primary Classroom Teachers Program, which provides for the
15 distribution of additional WPU's to a qualifying district or charter school, depending
16 on how relatively high the district or charter school is in comparison to other
17 districts or charter schools in the state in its allocation of resources for primary
18 classroom teachers; and
- 19 ▶ provides for data collection for one year, with funds to be appropriated for the
20 second and ongoing years of the program.

21 **Money Appropriated in this Bill:**

22 This bill appropriates as an ongoing appropriation subject to future budget constraints,
23 \$5,282,850 from the Education Fund for fiscal year 2012-13 to the State Board of
24 Education.

25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**



28 ENACTS:

29 **53A-17a-124.8**, Utah Code Annotated 1953

30 **53A-17a-124.9**, Utah Code Annotated 1953

31

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

33 Section 1. Section **53A-17a-124.8** is enacted to read:

34 **53A-17a-124.8. Definitions.**

35 For purposes of Sections 53A-17a-124.8 and 53A-17a-124.9:

36 (1) "LEA compensation percentage" means the amount of money from an LEA's
37 general fund budgeted for primary classroom teachers, including benefits, divided by the LEA's
38 total general fund, excluding money budgeted for:

39 (a) capital outlay or debt service; and

40 (b) pupil transportation.

41 (2) "LEA percentage" means the average of an LEA's compensation percentage and the
42 LEA's primary classroom teacher percentage.

43 (3) "LEA primary classroom teacher percentage" means the number of full-time
44 equivalent primary classroom teachers in an LEA divided by the total number of full-time
45 equivalent employees in an LEA, excluding employees associated with pupil transportation.

46 (4) "Local education agency" or "LEA" means a school district or charter school.

47 (5) "Per-pupil allocation" means an equal value for each student enrolled in
48 kindergarten through grade 12 distributed to a tier 1, tier 2, or tier 3 LEA based upon prior year
49 average daily membership in kindergarten through grade 12 plus growth as determined under
50 Subsection 53A-17a-106(3).

51 (6) (a) "Primary classroom teacher" means a licensed teacher who has an assignment to
52 teach a kindergarten, elementary, secondary, or special education course.

53 (b) "Primary classroom teacher" does not include a prekindergarten teacher, a
54 school-based specialist, or a classroom aide.

55 (7) "Statewide compensation percentage" means the amount of money from all LEAs'
56 general funds budgeted for primary classroom teachers, including benefits, divided by all
57 LEAs' total general funds, excluding money budgeted for:

58 (a) capital outlay or debt service; and

59 (b) pupil transportation.

60 (8) "Statewide percentage" means the average of the statewide compensation
61 percentage and the statewide primary classroom teacher percentage.

62 (9) "Statewide primary classroom teacher percentage" means the number of full-time
63 equivalent primary classroom teachers in all LEAs divided by the total number of full-time
64 equivalent employees in all LEAs, excluding employees associated with pupil transportation.

65 (10) "Tier 1 LEA" means an LEA with an LEA percentage that is at least 7.5
66 percentage points above the statewide percentage.

67 (11) "Tier 2 LEA" means an LEA with an LEA percentage that is between 5 percentage
68 points and 7.4 percentage points above the statewide percentage.

69 (12) "Tier 3 LEA" means an LEA with an LEA percentage that is between 2.5
70 percentage points and 4.9 percentage points above the statewide percentage.

71 Section 2. Section **53A-17a-124.9** is enacted to read:

72 **53A-17a-124.9. Appropriation for Focus on Primary Classroom Teachers**

73 **Program -- Data collection -- Audit procedures.**

74 (1) There is created within the Basic School Program, the Focus on Primary Classroom
75 Teachers Program to reward an LEA that has a relatively high percentage of primary classroom
76 teachers and uses a relatively high percentage of its budget for primary classroom teachers.

77 (2) Beginning with fiscal year 2013, if the Legislature appropriates money to the State
78 Board of Education for the Focus on Primary Classroom Teachers Program, the State Board of
79 Education shall distribute the money to tier 1, tier 2, and tier 3 LEAs as follows:

80 (a) A tier 3 LEA shall receive a per-pupil allocation multiplied by its average daily
81 membership.

82 (b) A tier 2 LEA shall receive a per-pupil allocation that is two times the per-pupil
83 allocation for a tier 3 LEA multiplied by the tier 2 LEA's average daily membership.

84 (c) A tier 1 LEA shall receive a per-pupil allocation that is three times the per-pupil
85 allocation for a tier 3 LEA multiplied by the tier 1 LEA's average daily membership.

86 (3) The percentages calculated in order to distribute program money shall be based on
87 data reported for the previous school year.

88 (4) (a) An LEA shall report all necessary data to the State Board of Education for
89 purposes of calculating the percentages defined in Section 53A-17a-124.8.

90 (b) The State Board of Education shall make rules specifying how an LEA reports
91 required data for purposes of Subsection (4)(a).

92 (5) By November 1, 2011, the State Board of Education shall conduct an audit of the
93 data submitted by LEAs pursuant to Subsection (4) to ensure conformity and comparability.

94 Section 3. **Appropriation.**

95 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
96 following sums of money are appropriated from resources not otherwise appropriated out of the
97 funds or accounts indicated for the fiscal year beginning July 1, 2011 and ending June 30,
98 2012. These are additions to amounts previously appropriated for fiscal year 2012.

99 To Basic School Program

100 From Education Fund \$5,282,850

101 From Education Fund, One-time (\$5,282,850)

102 Schedule of Programs:

103 Focus on Primary Classroom Teachers \$0
Program

104 Section 4. **Appropriation.**

105 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
106 following sums of money are appropriated from resources not otherwise appropriated out of the
107 funds or accounts indicated for the fiscal year beginning July 1, 2012 and ending June 30,
108 2013. These are additions to amounts previously appropriated for fiscal year 2013.

109 To Basic School Program

110 From Education Fund \$5,282,850

111 Schedule of Programs:

112 Focus on Primary Classroom Teachers
Program (2,050 WPU's) \$5,282,850

Legislative Review Note
as of 2-7-11 5:01 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 134

SHORT TITLE: Focus on Primary Classroom Teachers Program

SPONSOR: Nielson, J.

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill appropriates \$5,282,850 ongoing from the Education Funds in FY 2012 and FY 2013 to the Minimum School Program to implement the program outlined in the bill. The program begins in FY 2013, so the ongoing appropriation is reduced on a one-time basis in FY 2012.

STATE BUDGET DETAIL TABLE

| | FY 2011 | FY 2012 | FY 2013 |
|-------------------------------------|---------|---------------|---------------|
| Revenue | \$0 | \$0 | \$0 |
| Expenditure: | | | |
| Education Fund | \$0 | \$5,282,850 | \$5,282,850 |
| Education Fund, One-Time | \$0 | (\$5,282,850) | \$0 |
| Total Expenditure | \$0 | \$0 | \$5,282,850 |
| Net Impact, All Funds (Rev.-Exp.) | \$0 | \$0 | (\$5,282,850) |
| Net Impact, General/Education Funds | \$0 | \$0 | (\$5,282,850) |

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

School districts and charter schools that meet the criteria established in the bill may receive additional funding.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.