

# HB0134S01 compared with HB0134

~~{deleted text}~~ shows text that was in HB0134 but was deleted in HB0134S01.

inserted text shows text that was not in HB0134 but was inserted into HB0134S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

~~{FOCUS ON PRIMARY CLASSROOM TEACHERS PROGRAM}~~  
Representative Jim Nielson proposed the following substitute bill:

## COLLECTION OF FRONT-LINE TEACHERS DATA

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jim Nielson**

Senate Sponsor: \_\_\_\_\_

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### LONG TITLE

#### General Description:

This bill ~~{provides WPU's to a}~~ establishes reporting requirements for school ~~{district or}~~ districts, charter ~~{school with a relatively higher percentage of resources allocated to primary classroom}~~ schools, and the State Board of Education related to quantifying the number of certain teachers.

#### Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ ~~{creates the Focus on Primary Classroom Teachers Program, which provides}~~ requires school districts and charter schools to report data to the State Board of Education for a future program that will provide for the distribution of additional WPUs to a qualifying district or charter school, depending on how

## HB0134S01 compared with HB0134

relatively high the district or charter school is in comparison to other districts or charter schools in the state in its allocation of resources for ~~{primary classroom}~~ front-line teachers; and

- ▶ ~~{provides for data collection for one year, with funds to be appropriated for the second and ongoing years of the program}~~ requires the State Board of Education to report to the Education Interim Committee.

### Money Appropriated in this Bill:

~~{This bill appropriates as an ongoing appropriation subject to future budget constraints, \$5,282,850 from the Education Fund for fiscal year 2012-13 to the State Board of Education.}~~ None

### Other Special Clauses:

None

### Utah Code Sections Affected:

ENACTS:

~~{53A-17a-124.8}~~ 53A-1-410, Utah Code Annotated 1953

~~{53A-17a-124.9}~~ 53A-1-411, Utah Code Annotated 1953

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

Section 1. Section ~~{53A-17a-124.8}~~ 53A-1-410 is enacted to read:

~~{53A-17a-124.8}~~ 53A-1-410. **Definitions.**

For purposes of Sections ~~{53A-17a-124.8}~~ 53A-1-410 and ~~{53A-17a-124.9}~~ 53A-1-411:

(1) "LEA compensation percentage" means the amount of money from an LEA's general fund budgeted for ~~{primary classroom}~~ front-line teachers, including benefits, divided by the LEA's total general fund, excluding money budgeted for:

(a) capital outlay or debt service; and

(b) pupil transportation.

(2) "LEA percentage" means the average of an LEA's compensation percentage and the LEA's ~~{primary classroom}~~ front-line teacher percentage.

(3) "LEA ~~{primary classroom}~~ front-line teacher percentage" means the number of full-time equivalent ~~{primary classroom}~~ front-line teachers in an LEA divided by the total number of full-time equivalent employees in an LEA, excluding employees associated with

## HB0134S01 compared with HB0134

pupil transportation.

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

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

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

(b) "~~{Primary classroom}~~Front-line teacher" does not include a prekindergarten teacher, a school-based specialist, or a classroom aide.

~~{7}~~6 "Statewide compensation percentage" means the amount of money from all LEAs' general funds budgeted for ~~{primary classroom}~~front-line teachers, including benefits, divided by all LEAs' total general funds, excluding money budgeted for:

(a) capital outlay or debt service; and

(b) pupil transportation.

~~{8}~~7 "Statewide percentage" means the average of the statewide compensation percentage and the statewide ~~{primary classroom}~~front-line teacher percentage.

~~{9}~~8 "Statewide ~~{primary classroom}~~front-line teacher percentage" means the number of full-time equivalent ~~{primary classroom}~~front-line teachers in all LEAs divided by the total number of full-time equivalent employees in all LEAs, excluding employees associated with pupil transportation.

~~{10}~~ "Tier 1 LEA" means an LEA with an LEA percentage that is at least 7.5 percentage points above the statewide percentage.

~~{11}~~ "Tier 2 LEA" means an LEA with an LEA percentage that is between 5 percentage points and 7.4 percentage points above the statewide percentage.

~~{12}~~ "Tier 3 LEA" means an LEA with an LEA percentage that is between 2.5 percentage points and 4.9 percentage points above the statewide percentage.

~~{~~ Section 2. Section ~~{53A-17a-124.9}~~53A-1-411 is enacted to read:

~~{53A-17a-124.9}~~53A-1-411.~~{ Appropriation for Focus on Primary Classroom Teachers Program -- Data collection}~~ Reporting requirements and data collection related to front-line teachers -- Audit procedures.

## HB0134S01 compared with HB0134

(1) ~~{ There is created within the Basic School Program, the Focus on Primary Classroom Teachers Program}~~ (a) An LEA shall report all information as required in this section for the possibility of a future program to reward an LEA that has a relatively high or substantially improving percentage of ~~{primary classroom}~~ front-line teachers and uses a relatively high or substantially improving percentage of its budget for ~~{primary classroom}~~ front-line teachers.

~~{2}b~~ ~~{Beginning with fiscal year 2013, if the Legislature appropriates money to the State Board of Education for the Focus on Primary Classroom Teachers Program, the State Board of Education shall distribute the money to tier 1, tier 2, and tier 3 LEAs as follows:~~

~~—— (a) A tier 3 LEA shall receive a per-pupil allocation multiplied by its average daily membership:~~

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

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

~~—— (3) The percentages calculated in order to distribute program money shall be based on data reported}~~ The information reported in accordance with this section shall be for the previous school year.

~~{4}2~~ (a) An LEA shall report all necessary data to the State Board of Education for purposes of calculating the percentages defined in Section ~~{53A-17a-124.8:~~

~~{b}53A-1-410.~~

(b) An LEA shall report the following data to the State Board of Education:

(i) the LEA's total number of FTE front-line teachers; and

(ii) the LEA's average class size for:

(A) elementary school;

(B) middle or junior high; and

(C) high school; and

(c) The State Board of Education shall make rules specifying how an LEA reports required data for purposes of this Subsection ~~{4}a2~~.

~~{5}3~~ By November 1, 2011, the State Board of Education shall conduct an audit of the data submitted by LEAs pursuant to Subsection ~~{4}2~~ to ensure conformity and

## HB0134S01 compared with HB0134

comparability.

~~{Section 3. **Appropriation:**~~

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

~~To Basic School Program From Education Fund\$5,282,850 From}~~ (4) By the November 2011 Interim meeting, the State Board of Education shall report to the Education {Fund:  
One-time(\$5,282,850) Schedule of Programs: Focus on Primary Classroom Teachers Program\$0 ~~Section 4. **Appropriation:**~~

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

~~To Basic School Program From Education Fund\$5,282,850 Schedule of Programs: Focus on Primary Classroom Teachers Program (2,050 WPU)~~  
\$5,282,850

### Legislative Review Note

~~as of 2-7-11 5:01 PM~~

~~Office of Legislative Research and General Counsel;~~ Interim Committee:

- (a) the statewide and LEA percentages defined in Section 53A-1-410;
- (b) all underlying data submitted by the LEAs described in Subsection (2);
- (c) the results of the audit described in Subsection (3); and
- (d) the average daily membership of each LEA, as reported in the most recent state superintendent's report.