

1 COMMISSION ON CIVIC AND CHARACTER EDUCATION

2 2011 GENERAL SESSION

3 STATE OF UTAH

4 Chief Sponsor: LaVar Christensen

5 Senate Sponsor: _____

6

7 LONG TITLE

8 General Description:

9 This bill amends the use of the School LAND Trust Program.

10 Highlighted Provisions:

11 This bill:

12 ▶ requires the Legislature to annually allocate, through an appropriation to the
13 Commission on Civic and Character Education, 1% of the School LAND Trust
14 funds to the Commission for the purpose of providing leadership to the state's
15 continuous focus on civic and character education in public schools.

16 Money Appropriated in this Bill:

17 None

18 Other Special Clauses:

19 None

20 Utah Code Sections Affected:

21 AMENDS:

22 53A-16-101.5, as last amended by Laws of Utah 2008, Chapters 332 and 382

23

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

25 Section 1. Section 53A-16-101.5 is amended to read:

26 53A-16-101.5. School LAND Trust Program -- Purpose -- Distribution of funds --
27 School plans for use of funds.



28 (1) There is established the School LAND (Learning And Nurturing Development)
29 Trust Program for the state's public schools to provide financial resources to enhance or
30 improve student academic achievement and implement a component of the school
31 improvement plan.

32 (2) (a) The program shall be funded each fiscal year:

33 (i) from the Interest and Dividends Account created in Section 53A-16-101; and

34 (ii) in the amount of the sum of the following:

35 (A) the interest and dividends from the investment of money in the permanent State
36 School Fund deposited to the Interest and Dividends Account in the immediately preceding
37 year; and

38 (B) interest accrued on money in the Interest and Dividends Account in the
39 immediately preceding fiscal year.

40 (b) ~~[On and after July 1, 2003, the]~~ The program shall be funded as provided in
41 Subsection (2)(a) up to a maximum of an amount equal to 2% of the funds provided for the
42 Minimum School Program, pursuant to Title 53A, Chapter 17a, Minimum School Program
43 Act, each fiscal year.

44 (c) The Legislature shall annually allocate, through an appropriation to the State Board
45 of Education, a portion of School LAND Trust Program money for the administration of the
46 program.

47 (d) The Legislature shall annually allocate, through an appropriation to the
48 Commission on Civic and Character Education, created in Section 67-1a-10, 1% of the School
49 LAND Trust Program money. The Commission on Civic and Character Education shall use
50 this money to provide leadership to the state's continuous focus on civic and character
51 education in the public schools as provided in Section 67-1a-11.

52 (3) (a) The State Board of Education shall allocate the money referred to in Subsection
53 (2) annually for the fiscal year beginning July 1, 2000, and for each fiscal year thereafter as
54 follows:

55 (i) school districts shall receive 10% of the funds on an equal basis; and

56 (ii) the remaining 90% of the funds shall be distributed on a per student basis, with
57 each district receiving its allocation based on the number of students in the district as compared
58 to the state total.

59 (b) Each school district shall distribute its allocation under Subsection (3)(a) to each
60 school within the district on an equal per student basis.

61 (c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
62 board may make rules regarding the time and manner in which the student count shall be made
63 for allocation of the money.

64 (4) Except as provided in Subsection (7), in order to receive its allocation under
65 Subsection (3), a school shall have established a school community council under Section
66 53A-1a-108.

67 (5) (a) The school community council or its subcommittee shall develop a program to
68 use its allocation under Subsection (3) to implement a component of the school's improvement
69 plan, including:

- 70 (i) the school's identified most critical academic needs;
- 71 (ii) a recommended course of action to meet the identified academic needs;
- 72 (iii) a specific listing of any programs, practices, materials, or equipment which the
73 school will need to implement a component of its school improvement plan to have a direct
74 impact on the instruction of students and result in measurable increased student performance;
75 and

76 (iv) how the school intends to spend its allocation of funds under this section to
77 enhance or improve academic excellence at the school.

78 (b) The school may develop a multiyear program, but the program shall be presented
79 and approved by the school community council and the local school board of the district in
80 which the school is located annually and as a prerequisite to receiving program funds allocated
81 under this section.

82 (6) (a) Each school shall:

83 (i) implement the program as approved by the school community council and approved
84 by the local school board;

85 (ii) provide ongoing support for the council's or its subcommittee's program; and

86 (iii) meet school board reporting requirements regarding financial and performance
87 accountability of the program.

88 (b) (i) Each school through its council or its subcommittee shall prepare and present an
89 annual report of the program to its local school board at the end of the school year.

90 (ii) The report shall detail the use of program funds received by the school under this
91 section and an assessment of the results obtained from the use of the funds.

92 (iii) A summary of the report shall be sent to households in accordance with the
93 provisions under Subsection 53A-1a-108(7).

94 (7) (a) The governing board of a charter school shall prepare a plan for the use of
95 school trust money that includes the elements listed in Subsection (5).

96 (b) The plan shall be subject to approval by the entity that authorized the establishment
97 of the charter school.

98 (8) (a) A school community council and a governing board of a charter school may not
99 be required to:

100 (i) send a letter to legislators or other elected officials on the school's use of School
101 LAND Trust Program money as a condition of receiving the money; or

102 (ii) report to the State Board of Education or any local school board on whether any
103 letters were sent to legislators or other elected officials on the school's use of School LAND
104 Trust Program money.

105 (b) Subsection (8)(a)(i) does not apply to the annual report to the local school board
106 required by Subsection (6)(b).

Legislative Review Note
as of 1-28-11 9:55 AM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 269

SHORT TITLE: Commission on Civic and Character Education

SPONSOR: Christensen, L.

2011 GENERAL SESSION, STATE OF UTAH

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

Enactment of this bill will reallocate approximately \$250,000 in Uniform School Fund Restricted - Interest & Dividends revenues from the School LAND Trust program for distribution to public schools through the Minimum School Program to the Commission on Civic and Character Education as outlined in the bill.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue	\$0	\$0	\$0
Expenditure:			
Uniform School Fund Restricted	\$0	(\$250,000)	(\$250,000)
Uniform School Fund Restricted	\$0	\$250,000	\$250,000
Total Expenditure	\$0	\$0	\$0
Net Impact, All Funds (Rev.-Exp.)	\$0	\$0	\$0
Net Impact, General/Education Funds	\$0	\$0	\$0

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

Enactment of this bill likely will not result in direct, measurable costs for local governments.

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.