

1                   **CURRENT SCHOOL YEAR SUPPLEMENTAL PUBLIC**  
2                   **EDUCATION BUDGET ADJUSTMENTS**

3                   2011 GENERAL SESSION

4                   STATE OF UTAH

5                   **Chief Sponsor: D. Chris Buttars**

6                   House Sponsor: Merlynn T. Newbold

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8                   **LONG TITLE**

9                   **General Description:**

10                  This bill modifies education funding for school districts, charter schools, and certain  
11 state agencies for the fiscal year beginning July 1, 2010 and ending June 30, 2011 and  
12 modifies related budgetary provisions.

13                  **Highlighted Provisions:**

14                  This bill:

- 15                  ▶ requires a school district or charter school to report certain transfers between
- 16 programs to the State Board of Education as part of the Annual Financial and
- 17 Program report;
- 18                  ▶ modifies funding related to the Voted and Board leeway guarantee programs;
- 19                  ▶ appropriates funding to school districts and charter schools for a certain federal
- 20 educator jobs program;
- 21                  ▶ reduces state funding for the minimum school program;
- 22                  ▶ appropriates funding to the State Board of Education for certain administrative costs
- 23 related to the federal educator jobs program;
- 24                  ▶ appropriates money for:
  - 25                      • educator salary adjustments; and
  - 26                      • library books and electronic resources; and
- 27                  ▶ makes technical changes.



28 **Money Appropriated in this Bill:**

- 29 This bill appropriates for fiscal year 2011:
- 30 ▶ \$30,000,000 from the Uniform School Fund;
- 31 ▶ (\$78,271,500) from the Education Fund; and
- 32 ▶ \$110,007,200 from other sources as detailed in this bill.

33 **Other Special Clauses:**

34 This bill provides an immediate effective date.

35 **Utah Code Sections Affected:**

36 AMENDS:

37 **53A-17a-146**, as last amended by Laws of Utah 2010, Chapters 3 and 399



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

40 Section 1. Section **53A-17a-146** is amended to read:

41 **53A-17a-146. Reduction of district allocation based on insufficient revenues.**

42 (1) As used in this section, "Minimum School Program funds" means the total of state  
43 and local funds appropriated for the Minimum School Program, excluding:

- 44 (a) the state-supported voter leeway pursuant to Section 53A-17a-133;
- 45 (b) the state-supported board leeway pursuant to Section 53A-17a-134; and
- 46 (c) the appropriation to charter schools to replace local property tax revenues pursuant  
47 to Section 53A-1a-513.

48 (2) If the Legislature reduces appropriations made to support public schools under Title  
49 53A, Chapter 17a, Minimum School Program Act, because an Education Fund budget deficit,  
50 as defined in Section 63J-1-312, exists, the State Board of Education, after consultation with  
51 each school district and charter school, shall allocate the reduction among school districts and  
52 charter schools in proportion to each school district's or charter school's percentage share of  
53 Minimum School Program funds.

54 (3) Except as provided in Subsection (5) and subject to the requirements of Subsection  
55 (7), a school district or charter school shall determine which programs are affected by a  
56 reduction pursuant to Subsection (2) and the amount each program is reduced.

57 (4) Except as provided in Subsections (5) and (6), the requirement to spend a specified  
58 amount in any particular program is waived if reductions are made pursuant to Subsection (2).

59 (5) A school district or charter school may not reduce or reallocate spending of funds  
60 distributed to the school district or charter school for the following programs:

- 61 (a) educator salary adjustments provided in Section 53A-17a-153;
- 62 (b) the Teacher Salary Supplement Program provided in Section 53A-17a-156;
- 63 (c) the extended year for special educators provided in Section 53A-17a-158;
- 64 (d) USTAR centers provided in Section 53A-17a-159;
- 65 (e) the School LAND Trust Program created in Section 53A-16-101.5; or
- 66 (f) a special education program within the Basic School Program.

67 (6) A school district or charter school may not reallocate spending of funds distributed  
68 to the school district or charter school to a reserve account.

69 (7) A school district or charter school that reduces or reallocates funds in accordance  
70 with this section shall report all transfers into, or out of, Minimum School Program programs  
71 to the State Board of Education as part of the school district or charter school's Annual  
72 Financial and Program report.

73 Section 2. **Appropriation.**

74 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
75 following sums of money are appropriated from resources not otherwise appropriated, or  
76 reduced from amounts previously appropriated, out of the funds or fund accounts indicated for  
77 distribution to state agencies, school districts, and charter schools for the fiscal year beginning  
78 July 1, 2010 and ending June 30, 2011. These appropriations are additions to amounts  
79 previously appropriated for fiscal year 2010-11.

80 BASIC SCHOOL PROGRAM

81 ITEM 1 To Basic School Program

82	From Uniform School Fund, One-time	\$30,000,000
83	From Education Fund, One-time	(\$30,000,000)
84	From Nonlapping Balances - MSP - Voted and Board Leeways	\$7,800,000
85	Schedule of Programs:	
86	Grades 1 - 12	\$7,800,000

87 RELATED TO BASIC PROGRAMS

88 ITEM 2 To Related to Basic Programs

89	From Education Fund, One-time	(\$50,000,000)
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90	From Federal Funds		\$101,004,000
91	Schedule of Programs:		
92	Flexible Allocation - WPU Distribution	(\$50,000,000)	
93	Education Jobs Fund - WPU Distribution	\$101,004,000	
94	ITEM 3 To Related to Basic Programs		
95	From Education Fund, One-time		\$1,728,500
96	From Nonlapping Balances - MSP - Voted and Board Leeways		\$200,000
97	Schedule of Programs:		
98	Educator Salary Adjustments	\$1,728,500	
99	Library Books & Electronic Resources	\$200,000	
100	STATE BOARD OF EDUCATION		
101	ITEM 4 To State Board of Education - State Office of Education		
102	From Federal Funds		\$300,000
103	Schedule of Programs:		
104	Board of Education - Administration	\$300,000	
105	ITEM 5 To State Board of Education - Educator Licensing Professional Practices		
106	From Uniform School Fund Restricted - Professional Practices		\$703,200
107	Schedule of Programs:		
108	Educator Licensing	\$703,200	
109	Section 3. <b>Effective date.</b>		
110	<u>If approved by two-thirds of all the members elected to each house, this bill takes effect</u>		
111	<u>upon approval by the governor, or the day following the constitutional time limit of Utah</u>		
112	<u>Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,</u>		
113	<u>the date of veto override.</u>		

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**Legislative Review Note**  
**as of 3-7-11 8:16 PM**

**Office of Legislative Research and General Counsel**