

HB0135S01 compared with HB0135

~~{deleted text}~~ shows text that was in HB0135 but was deleted in HB0135S01.

inserted text shows text that was not in HB0135 but was inserted into HB0135S01.

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.

Representative Jim Nielson proposes the following substitute bill:

FOCUS ON FRONT-LINE TEACHERS PROGRAM

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jim Nielson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill provides additional WPUs to a school district or charter school with a higher than average percentage of resources allocated to front-line teachers.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ creates the Focus on Front-Line Teachers Program, which provides for the distribution of additional WPUs to a qualifying district or charter school, depending on how relatively high the district or charter school is in comparison to the state average in its allocation of resources for front-line teachers.

Money Appropriated in this Bill:

This bill appropriates:

HB0135S01 compared with HB0135

- ▶ to the Basic School Program, as an ongoing appropriation:
 - from the Education Fund, \$5,000,000.

Other Special Clauses:

This bill provides an effective date.

This bill coordinates with S.B. 2, Public Education Budget Amendments.

Utah Code Sections Affected:

ENACTS:

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

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

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

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

53A-17a-124.8. Definitions.

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

(1) "Base amount" means a value determined each fiscal year, based upon money appropriated by the Legislature and prior year average daily membership in kindergarten through grade 12, plus growth as determined under Subsection 53A-17a-106(3), for Tier 1, Tier 2, and Tier 3 LEAs.

(~~1~~~~1~~~~2~~) (a) "Front-line teacher" means a licensed teacher who has an assignment to teach a kindergarten, elementary, secondary, or special education course.

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

(~~2~~~~3~~) "LEA compensation percentage" means the amount of money from an LEA's general fund budgeted for 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.

(~~3~~~~4~~) "LEA front-line teacher percentage" means the number of full-time equivalent front-line teachers in an LEA divided by the total number of full-time equivalent employees in an LEA, excluding employees associated with pupil transportation.

(~~4~~~~5~~) "LEA percentage" means the average of an LEA's compensation percentage and

HB0135S01 compared with HB0135

the LEA's front-line teacher percentage.

~~(5) (6)~~ "Local education agency" or "LEA" means a school district or charter school.

~~{ (6) "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). }~~

~~† (7) "Statewide compensation percentage" means the amount of money from all LEAs' general funds budgeted for 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) "Statewide front-line teacher percentage" means the number of full-time equivalent 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.~~

~~(9) "Statewide percentage" means the average of the statewide compensation percentage and the statewide front-line teacher percentage.~~

~~(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** is enacted to read:

53A-17a-124.9. Appropriation for Focus on Front-Line Teachers Program -- Data collection -- Audit procedures.

(1) There is created within the Basic School Program, the Focus on Front-Line Teachers Program to reward an LEA that has a relatively high percentage of front-line teachers and uses a relatively high percentage of its budget for front-line teachers.

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

HB0135S01 compared with HB0135

(a) A tier 3 LEA shall receive ~~{a per-pupil allocation}~~the base amount multiplied by its average daily membership for the previous year.

(b) A tier 2 LEA shall receive ~~{a per-pupil allocation that is }~~two times the ~~{per-pupil allocation for a tier 3 LEA}~~base amount multiplied by ~~{the tier 2 LEA's}~~its average daily membership for the previous year.

(c) A tier 1 LEA shall receive ~~{a per-pupil allocation that is }~~three times the ~~{per-pupil allocation for a tier 3 LEA}~~base amount multiplied by ~~{the tier 1 LEA's}~~its average daily membership for the previous year.

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

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

(5) By November 1, 2012, the State Board of Education shall conduct an audit of the data submitted by LEAs pursuant to Subsection (4) to ensure conformity and comparability.

(6) By the November 2012 Interim meeting, the State Board of Education shall report to the Education Interim Committee:

(a) the statewide and LEA percentages defined in 53A-17a-124.8;

(b) all underlying data used to calculate the percentages, including data submitted by the LEAs described in Subsection (4)(a); and

(c) the results of the audit described in Subsection (5).

(7) The State Board of Education may use no more than 1% of money appropriated for the Focus on Front-Line Teachers Program for administrative costs.

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, or reduced from amounts previously 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 any amounts previously appropriated for fiscal year 2013.

To Basic School Program

HB0135S01 compared with HB0135

From Education Fund

\$5,000,000

Schedule of Programs:

Focus on Front-Line Teachers Program (1775 WPU's)

\$5,000,000

Section 4. **Effective date.**

(1) Except as provided in Subsection (2), this bill takes effect on May 8, 2012.

(2) Uncodified Section 3, Appropriation, takes effect on July 1, 2012.

Section 5. **Coordinating H.B. 135 with S.B. 2 -- Substantive and technical amendments.**

If this H.B. 135 and S.B. 2, Public Education Budget Amendments, both pass and become law, the Legislature intends that the number of Weighted Pupil Units (WPUs) in H.B. 135 Uncodified Section 3 Appropriation, be changed by dividing the total amount of money appropriated in H.B. 135 by the value of the WPU, as set in S.B. 2.

†

Legislative Review Note

~~as of 2-2-12 11:00 AM~~

~~Office of Legislative Research and General Counsel~~