

LOCAL SCHOOL FUNDING OPTIONS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Norman K Thurston

Senate Sponsor: _____

LONG TITLE

General Description:

This bill creates the Block Grant Funding Pilot Program.

Highlighted Provisions:

This bill:

- ▶ creates the Block Grant Funding Pilot Program (program);
- ▶ requires the State Board of Education to select qualifying local education agencies (LEA) to participate in the program;
- ▶ provides for an LEA that participates in the program to receive most state funding as a block grant for a certain period of time;
- ▶ provides an exception to certain program requirements for a certain period of time for an LEA that participates in the program;
- ▶ requires the State Board of Education to report to the Education Interim Committee on the status of the program; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:



- 28 **53A-15-104**, as last amended by Laws of Utah 2014, Chapter 63
- 29 **53A-15-105**, as enacted by Laws of Utah 2008, Chapter 235
- 30 **53A-17a-111**, as last amended by Laws of Utah 2011, Chapter 342
- 31 **53A-17a-112**, as last amended by Laws of Utah 2011, Chapters 359 and 366
- 32 **53A-17a-113**, as last amended by Laws of Utah 2010, Chapter 3
- 33 **53A-17a-120.5**, as last amended by Laws of Utah 2010, Chapter 3
- 34 **53A-17a-124.5**, as last amended by Laws of Utah 2013, Chapter 299
- 35 **53A-17a-127**, as last amended by Laws of Utah 2011, Chapters 366 and 371
- 36 **53A-17a-150**, as last amended by Laws of Utah 2013, Chapter 466
- 37 **53A-17a-154**, as last amended by Laws of Utah 2010, Chapter 3
- 38 **53A-17a-155**, as last amended by Laws of Utah 2010, Chapter 3
- 39 **53A-17a-159**, as enacted by Laws of Utah 2008, Chapter 397
- 40 **53A-17a-162**, as last amended by Laws of Utah 2011, Chapter 330
- 41 **53A-17a-165**, as last amended by Laws of Utah 2014, Chapter 193
- 42 **53A-17a-167**, as last amended by Laws of Utah 2013, Chapter 466
- 43 **53A-17a-168**, as enacted by Laws of Utah 2012, Chapter 188
- 44 **53A-21-202**, as last amended by Laws of Utah 2010, Chapter 185
- 45 **63I-1-253**, as last amended by Laws of Utah 2014, Chapters 189, 226, and 412

46 ENACTS:

- 47 **53A-17a-301**, Utah Code Annotated 1953
- 48 **53A-17a-302**, Utah Code Annotated 1953



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

51 Section 1. Section **53A-15-104** is amended to read:

52 **53A-15-104. Critical Languages Program -- Pilot.**

53 (1) (a) As used in this section, "critical languages" means those languages described in
54 the federal National Security Language Initiative, including Chinese, Arabic, Russian, Farsi,
55 Hindi, and Korean.

56 (b) The Legislature recognizes:

57 (i) the importance of students acquiring skills in foreign languages in order for them to
58 successfully compete in a global society; and

59 (ii) the academic, societal, and economic development benefits of the acquisition of
60 critical languages.

61 (2) (a) The State Board of Education, in consultation with the Utah Education and
62 Telehealth Network, shall develop and implement courses of study in the critical languages.

63 (b) A course may be taught:

64 (i) over the state's two-way interactive video conferencing system for video and audio,
65 to students in the state's public education system;

66 (ii) through the Electronic High School;

67 (iii) through traditional instruction; or

68 (iv) by visiting guest teachers.

69 (3) (a) The courses authorized in Subsection (2) may use paraprofessionals in the
70 classroom who:

71 (i) are fluent in the critical language being taught; and

72 (ii) can provide reinforcement and tutoring to students on days and at times when they
73 are not receiving instruction under Subsection (2)(b).

74 (b) The State Board of Education, through the state superintendent of public
75 instruction, shall ensure that the paraprofessionals are fluent in the critical languages.

76 (4) The State Board of Education shall make rules on the critical languages courses
77 authorized under this section in accordance with Title 63G, Chapter 3, Utah Administrative
78 Rulemaking Act, to include:

79 (a) notification to school districts on the times and places of the course offerings; and

80 (b) instructional materials for the courses.

81 (5) The State Board of Education shall track and monitor the Critical Languages
82 Program and may expand the program to include more course offerings and other critical
83 languages, subject to student demand for the courses and available resources.

84 (6) (a) Subject to funding for the program, the State Board of Education shall establish
85 a pilot program for school districts and schools to initially participate in the Critical Languages
86 Program that provides:

87 (i) up to \$6,000 per language per school, for up to 60 schools, for courses offered in
88 critical languages;

89 (ii) up to \$100 per student who completes a critical languages course; and

90 (iii) up to an additional \$400 per foreign exchange student who completes a critical
91 languages course.

92 (b) If the available funding is insufficient to provide the amounts described under
93 Subsection (6)(a), the amounts provided shall be reduced pro rata so that the total provided
94 does not exceed the available funding.

95 (c) During the fiscal years that a school district or charter school receives state funding
96 as a block grant under Part 3, Block Grant Funding Pilot Program, the school district or charter
97 school may use the funding described in this Subsection (6) for any public education purpose.

98 Section 2. Section **53A-15-105** is amended to read:

99 **53A-15-105. Dual Language Immersion Program -- Pilot.**

100 (1) Subject to funding for the program, the State Board of Education shall establish a
101 pilot program for school districts and schools to initially participate in the Dual Language
102 Immersion Program.

103 (2) The program shall provide funds as an incentive to 15 qualifying schools for the
104 following languages:

- 105 (a) six pilots for Chinese;
- 106 (b) six pilots for Spanish;
- 107 (c) two pilots for French; and
- 108 (d) one pilot for Navajo.

109 (3) Subject to funding for the program, a qualifying school shall:

- 110 (a) receive up to \$18,000 per year for up to six years;
- 111 (b) establish an instructional model that uses 50% of instruction in English and 50% of
112 instruction in another language; and
- 113 (c) begin the instructional model described under Subsection (3)(b) in kindergarten or
114 grade 1 and add an additional grade each year.

115 (4) During the fiscal years that a school district or charter school receives state funding
116 as a block grant under Part 3, Block Grant Funding Pilot Program, the school district or charter
117 school may use the funding described in Subsection (3)(a) for any public education purpose.

118 Section 3. Section **53A-17a-111** is amended to read:

119 **53A-17a-111. Weighted pupil units for programs for students with disabilities --**
120 **District allocation.**

121 (1) The number of weighted pupil units for students with disabilities shall reflect the
122 direct cost of programs for those students conducted in accordance with rules established by the
123 State Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative
124 Rulemaking Act.

125 (2) ~~[Disability]~~ (a) Except as provided in Subsection (2)(b), disability program money
126 allocated to districts is restricted and shall be spent for the education of students with
127 disabilities but may include expenditures for approved programs of services conducted for
128 certified instructional personnel who have students with disabilities in their classes.

129 (b) During the fiscal years that a school district or charter school receives state funding
130 as a block grant under Part 3, Block Grant Funding Pilot Program, the school district or charter
131 school:

132 (i) except as provided in Subsection (2)(b)(ii), may use disability program money
133 described in this section for any public education purpose; and

134 (ii) shall comply with the Individuals with Disabilities Education Act Amendments of
135 1997, Pub. L. No. 105-17, and subsequent amendments.

136 (3) The State Board of Education shall establish and strictly interpret definitions and
137 provide standards for determining which students have disabilities and shall assist districts in
138 determining the services that should be provided to students with disabilities.

139 (4) Each year the board shall evaluate the standards and guidelines that establish the
140 identifying criteria for disability classifications to assure strict compliance with those standards
141 by the districts.

142 (5) (a) Money appropriated to the State Board of Education for add-on WPU for
143 students with disabilities enrolled in regular programs shall be allocated to school districts as
144 provided in this Subsection (5).

145 (b) Beginning on July 1, 2003, the State Board of Education shall:

146 (i) use a district's average number of special education add-on weighted pupil units
147 determined by the previous five year's average daily membership data as a foundation for the
148 special education add-on appropriation; and

149 (ii) implement a hold harmless provision for up to three years as needed to accomplish
150 a phase-in period for school districts to accommodate the change in the special education
151 add-on WPU foundation formula.

152 (c) A district's special education add-on WPU's for the current year may not be less than
153 the foundation special education add-on WPU's.

154 (d) Growth WPU's shall be added to the prior year special education add-on WPU's, and
155 growth WPU's shall be determined as follows:

156 (i) The special education student growth factor is calculated by comparing S-3 total
157 special education ADM of two years previous to the current year to the S-3 total special
158 education ADM three years previous to the current year, not to exceed the official October total
159 district growth factor from the prior year.

160 (ii) When calculating and applying the growth factor, a district's S-3 total special
161 education ADM for a given year is limited to 12.18% of the district's S-3 total student ADM
162 for the same year.

163 (iii) Growth ADM's are calculated by applying the growth factor to the S-3 total special
164 education ADM of two years previous to the current year.

165 (iv) Growth ADM's for each district are multiplied by 1.53 weighted pupil units and
166 added to the prior year special education add-on WPU to determine each district's total
167 allocation.

168 (6) If money appropriated under this chapter for programs for students with disabilities
169 does not meet the costs of districts for those programs, each district shall first receive the
170 amount generated for each student with a disability under the basic program.

171 Section 4. Section **53A-17a-112** is amended to read:

172 **53A-17a-112. Preschool special education appropriation -- Extended year**
173 **program appropriation -- Appropriation for special education programs in state**
174 **institutions -- Appropriations for stipends for special educators.**

175 (1) (a) Money appropriated to the State Board of Education for the preschool special
176 education program shall be allocated to school districts to provide a free, appropriate public
177 education to preschool students with a disability, ages three through five, except as provided in
178 Subsection (6).

179 (b) The money shall be distributed on the basis of the school district's count of
180 preschool children with a disability for December 1 of the previous year, as mandated by
181 federal law.

182 (2) Money appropriated for the extended school year program for children with a

183 severe disability shall be limited to students with severe disabilities with education program
184 goals identifying significant regression and recoupment disability as approved by the State
185 Board of Education.

186 (3) (a) Money appropriated for self-contained regular special education programs may
187 not be used to supplement other school programs.

188 (b) Money in any of the other restricted line item appropriations may not be reduced
189 more than 2% to be used for purposes other than those specified by the appropriation, unless
190 otherwise provided by law.

191 (4) (a) The State Board of Education shall compute preschool funding by a factor of
192 1.47 times the current December 1 child count of eligible preschool aged three, four, and
193 five-year-olds times the WPU value, limited to 8% growth over the prior year December 1
194 count.

195 (b) The board shall develop guidelines to implement the funding formula for preschool
196 special education, and establish prevalence limits for distribution of the money.

197 (5) Of the money appropriated for Special Education - State Programming, the State
198 Board of Education shall distribute the revenue generated from 909 WPUs to school districts,
199 charter schools, and the Utah Schools for the Deaf and the Blind for stipends to special
200 educators for additional days of work pursuant to the requirements of Section 53A-17a-158.

201 (6) During the fiscal years that a school district or charter school receives state funding
202 as a block grant under Part 3, Block Grant Funding Pilot Program, the school district or charter
203 school:

204 (a) except as provided in Subsection (6)(b), may use money appropriated under this
205 section for any public education purpose; and

206 (b) shall comply with the Individuals with Disabilities Education Act Amendments of
207 1997, Pub. L. No. 105-17, and subsequent amendments.

208 Section 5. Section 53A-17a-113 is amended to read:

209 **53A-17a-113. Weighted pupil units for career and technical education programs**
210 **-- Funding of approved programs -- Performance measures -- Qualifying criteria.**

211 (1) (a) Money appropriated to the State Board of Education for approved career and
212 technical education programs and the comprehensive guidance program:

213 (i) shall be allocated to eligible recipients as provided in Subsections (2), (3), (4), and

214 (5); and

215 (ii) except as provided in Subsections (1)(b) and (8), may not be used to fund programs
216 below the [ninth] grade 9 level.

217 [~~(b) Subsection (1)(a)(ii) does not apply to the following programs:~~]

218 (b) Funds appropriated to the State Board of Education for the following programs may
219 be used to fund programs below the grade 9 level:

220 (i) comprehensive guidance;

221 (ii) Technology-Life-Careers; and

222 (iii) work-based learning programs.

223 (2) (a) Weighted pupil units are computed for pupils in approved programs.

224 (b) (i) The board shall fund approved programs based upon hours of membership of
225 [~~9th through 12th grade~~] students in grades 9 through 12.

226 (ii) Subsection (2)(b)(i) does not apply to the following programs:

227 (A) comprehensive guidance;

228 (B) Technology-Life-Careers; and

229 (C) work-based learning programs.

230 (c) The board shall use an amount not to exceed 20% of the total appropriation under
231 this section to fund approved programs based on performance measures such as placement and
232 competency attainment defined in standards set by the board.

233 (d) Leadership organization funds shall constitute an amount not to exceed 1% of the
234 total appropriation under this section, and shall be distributed to each local educational agency
235 sponsoring career and technical education student leadership organizations based on the
236 agency's share of the state's total membership in those organizations.

237 (e) The board shall make the necessary calculations for distribution of the
238 appropriation to school districts and may revise and recommend changes necessary for
239 achieving equity and ease of administration.

240 (3) (a) Twenty weighted pupil units shall be computed for career and technical
241 education administrative costs for each district, except 25 weighted pupil units may be
242 computed for each district that consolidates career and technical education administrative
243 services with one or more other districts.

244 (b) Between 10 and 25 weighted pupil units shall be computed for each high school

245 conducting approved career and technical education programs in a district according to
246 standards established by the board.

247 (c) Forty weighted pupil units shall be computed for each district that operates an
248 approved career and technical education center.

249 (d) Between five and seven weighted pupil units shall be computed for each summer
250 career and technical education agriculture program according to standards established by the
251 board.

252 (e) The board shall, by rule, establish qualifying criteria for districts to receive
253 weighted pupil units under this Subsection (3).

254 (4) (a) Money remaining after the allocations made under Subsections (2) and (3) shall
255 be allocated using average daily membership in approved programs for the previous year.

256 (b) A district that has experienced student growth in grades 9 through 12 for the
257 previous year shall have the growth factor applied to the previous year's weighted pupil units
258 when calculating the allocation of money under this Subsection (4).

259 (5) Of the money allocated to comprehensive guidance programs pursuant to board
260 rules, \$1,000,000 in grants shall be awarded to school districts or charter schools that:

261 (a) provide an equal amount of matching funds; and

262 (b) do not supplant other funds used for comprehensive guidance programs.

263 (6) (a) The board shall establish rules for the upgrading of high school career and
264 technical education programs.

265 (b) The rules shall reflect career and technical training and actual marketable job skills
266 in society.

267 (c) The rules shall include procedures to assist school districts to convert existing
268 programs which are not preparing students for the job market into programs that will
269 accomplish that purpose.

270 (7) Programs that do not meet board standards may not be funded under this section.

271 (8) During the fiscal years that a school district or charter school receives state funding
272 as a block grant under Part 3, Block Grant Funding Pilot Program, the school district or charter
273 school:

274 (a) may use funds appropriated under this section for any public education purpose;

275 and

276 (b) is not subject to the requirements described in Subsection (1), (3), (5), or (7).

277 Section 6. Section **53A-17a-120.5** is amended to read:

278 **53A-17a-120.5. Appropriation for concurrent enrollment.**

279 (1) Money appropriated to the State Board of Education for concurrent enrollment shall
280 be allocated as follows:

281 (a) the money shall first be allocated proportionally, based upon student credit hour
282 delivered, between courses that are:

283 (i) taught by public school educators; and

284 (ii) taught by college or university faculty;

285 (b) from the money allocated under Subsection (1)(a)(i):

286 (i) 60% of the money shall be allocated to local school boards and charter schools; and

287 (ii) 40% of the money shall be allocated to the State Board of Regents; and

288 (c) from the money allocated under Subsection (1)(a)(ii):

289 (i) 40% of the money shall be allocated to local school boards and charter schools; and

290 (ii) 60% of the money shall be allocated to the State Board of Regents.

291 (2) The State Board of Education shall make rules providing that a school participating
292 in the concurrent enrollment programs offered under Section **53A-15-101** shall receive an
293 allocation from the money described in Subsection (1) as provided in Section **53A-15-101**.

294 (3) The State Board of Regents shall make rules providing that an institution of higher
295 education participating in the concurrent enrollment programs offered under Section
296 **53A-15-101** shall receive an allocation from the money described in Subsection (1) as provided
297 in the rules.

298 (4) Subject to budget constraints, the Legislature shall annually increase the money
299 appropriated to the State Board of Education for concurrent enrollment based on:

300 (a) enrollment growth in concurrent enrollment from additional students enrolled,
301 courses offered, and credit hours taken; and

302 (b) the percentage increase in the value of the weighted pupil unit.

303 (5) (a) The State Board of Education and the State Board of Regents shall annually
304 report to the Public Education Appropriations Subcommittee:

305 (i) an accounting of the money appropriated for concurrent enrollment; and

306 (ii) a justification of the split described in Subsections (1)(a) and (b).

307 (b) The State Board of Regents shall annually report to the Higher Education
308 Appropriations Subcommittee on concurrent enrollment participation and growth, including
309 data on what higher education tuition would have been charged for the hours of concurrent
310 enrollment credit granted.

311 (6) ~~[It]~~ (a) Except as provided in Subsection (6)(b), in order to qualify for funds under
312 this section, a concurrent enrollment program shall comply with the requirements described in
313 Section 53A-15-101, including rules adopted in accordance with Subsection 53A-15-101(3).

314 (b) During the fiscal years that a school district or charter school receives state funding
315 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may use
316 funds appropriated under this section for any public education purpose.

317 Section 7. Section 53A-17a-124.5 is amended to read:

318 **53A-17a-124.5. Appropriation for class size reduction.**

319 (1) ~~[Money]~~ Except as provided in Subsection (9), funds appropriated to the State
320 Board of Education for class size reduction shall be used to reduce the average class size in
321 kindergarten through ~~[the eighth]~~ grade 8 in the state's public schools.

322 (2) Each school district or charter school shall receive its allocation based upon prior
323 year average daily membership in kindergarten through grade 8 plus growth as determined
324 under Subsection 53A-17a-106(3) as compared to the total prior year average daily
325 membership in kindergarten through grade 8 plus growth of school districts and charter schools
326 that qualify for an allocation pursuant to Subsection (8).

327 (3) (a) A school district may use its allocation to reduce class size in any one or all of
328 the grades referred to under this section, except as otherwise provided in Subsection (3)(b).

329 (b) (i) Each school district or charter school shall use 50% of its allocation to reduce
330 class size in any one or all of grades kindergarten through grade 2, with an emphasis on
331 improving student reading skills.

332 (ii) If a school district's or charter school's average class size is below 18 in grades
333 kindergarten through grade 2, it may petition the state board for, and the state board may grant,
334 a waiver to use its allocation under Subsection (3)(b)(i) for class size reduction in the other
335 grades.

336 (4) ~~[Schools]~~ A school may use nontraditional innovative and creative methods to
337 reduce class sizes with this appropriation and may use part of their allocation to focus on class

338 size reduction for specific groups, such as at risk students, or for specific blocks of time during
339 the school day.

340 (5) (a) A school district or charter school may use up to 20% of its allocation under
341 Subsection (1) for capital facilities projects if such projects would help to reduce class size.

342 (b) If a school district's or charter school's student population increases by 5% or 700
343 students from the previous school year, the school district or charter school may use up to 50%
344 of any allocation it receives under this section for classroom construction.

345 (6) This appropriation is to supplement any other appropriation made for class size
346 reduction.

347 (7) The Legislature shall provide for an annual adjustment in the appropriation
348 authorized under this section in proportion to the increase in the number of students in the state
349 in kindergarten through grade eight.

350 (8) (a) To qualify for class size reduction money, a school district or charter school
351 shall submit:

352 (i) a plan for the use of the school district's or charter school's allocation of class size
353 reduction money to the State Board of Education; and

354 (ii) beginning with the 2014-15 school year, a report on the school district's or charter
355 school's use of class size reduction money in the prior school year.

356 (b) The plan and report required pursuant to Subsection (8)(a) shall include the
357 following information:

358 (i) (A) the number of teachers employed using class size reduction money;

359 (B) the amount of class size reduction money expended for teachers; and

360 (C) if supplemental school district or charter school funds are expended to pay for
361 teachers employed using class size reduction money, the amount of the supplemental money;

362 (ii) (A) the number of paraprofessionals employed using class size reduction money;

363 (B) the amount of class size reduction money expended for paraprofessionals; and

364 (C) if supplemental school district or charter school funds are expended to pay for
365 paraprofessionals employed using class size reduction money, the amount of the supplemental
366 money; and

367 (iii) the amount of class size reduction money expended for capital facilities.

368 (c) In addition to submitting a plan and report on the use of class size reduction money,

369 a school district or charter school shall annually submit a report to the State Board of Education
370 that includes the following information:

371 (i) the number of teachers employed using K-3 Reading Improvement Program money
372 received pursuant to Sections [53A-17a-150](#) and [53A-17a-151](#);

373 (ii) the amount of K-3 Reading Improvement Program money expended for teachers;

374 (iii) the number of teachers employed in kindergarten through grade 8 using Title I
375 money;

376 (iv) the amount of Title I money expended for teachers in kindergarten through grade
377 8; and

378 (v) a comparison of actual average class size by grade in grades kindergarten through 8
379 in the school district or charter school with what the average class size would be without the
380 expenditure of class size reduction, K-3 Reading Improvement Program, and Title I money.

381 (d) The information required to be reported in Subsections (8)(b)(i)(A) through (C),
382 (8)(b)(ii)(A) through (C), and (8)(c) shall be categorized by a teacher's or paraprofessional's
383 teaching assignment, such as the grade level, course, or subject taught.

384 (e) The State Board of Education may make rules specifying procedures and standards
385 for the submission of:

386 (i) a plan and a report on the use of class size reduction money as required by this
387 section; and

388 (ii) a report required under Subsection (8)(c).

389 (f) Based on the data contained in the class size reduction plans and reports submitted
390 by school districts and charter schools, and data on average class size, the State Board of
391 Education shall annually report to the Education Interim Committee on the impact of class size
392 reduction, K-3 Reading Improvement Program, and Title I money on class size.

393 (9) During the fiscal years that a school district or charter school receives state funding
394 under Part 3, Block Grant Funding Pilot Program, the school district or charter school:

395 (a) may use funds received under this section for any public education purpose; and

396 (b) is not subject to the requirements in Subsection (3), (5), or (8).

397 Section 8. Section **53A-17a-127** is amended to read:

398 **53A-17a-127. Eligibility for state-supported transportation -- Approved bus**
399 **routes -- Additional local tax.**

400 (1) A student eligible for state-supported transportation means:

401 (a) a student enrolled in kindergarten through grade six who lives at least 1-1/2 miles
402 from school;

403 (b) a student enrolled in grades seven through 12 who lives at least two miles from
404 school; and

405 (c) a student enrolled in a special program offered by a school district and approved by
406 the State Board of Education for trainable, motor, multiple-disability, or other students with
407 severe disabilities who are incapable of walking to school or where it is unsafe for students to
408 walk because of their disabling condition, without reference to distance from school.

409 (2) If a school district implements double sessions as an alternative to new building
410 construction, with the approval of the State Board of Education, those affected elementary
411 school students residing less than 1-1/2 miles from school may be transported one way to or
412 from school because of safety factors relating to darkness or other hazardous conditions as
413 determined by the local school board.

414 (3) (a) The State Board of Education shall distribute transportation money to school
415 districts based on:

416 (i) an allowance per mile for approved bus routes;

417 (ii) an allowance per hour for approved bus routes; and

418 (iii) a minimum allocation for each school district eligible for transportation funding.

419 (b) The State Board of Education shall distribute appropriated transportation funds
420 based on the prior year's eligible transportation costs as legally reported under Subsection
421 [53A-17a-126\(3\)](#).

422 (c) The State Board of Education shall annually review the allowance per mile and the
423 allowance per hour and adjust the allowances to reflect current economic conditions.

424 (4) (a) Approved bus routes for funding purposes shall be determined on fall data
425 collected by October 1.

426 (b) Approved route funding shall be determined on the basis of the most efficient and
427 economic routes.

428 (5) A transportation advisory committee with representation from local school
429 superintendents, business officials, school district transportation supervisors, and the state
430 superintendent's staff shall serve as a review committee for addressing school transportation

431 needs, including recommended approved bus routes.

432 (6) During the fiscal years that a school district or charter school receives state funding
433 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may use
434 funding provided under this section for any public education purpose.

435 [~~(6)~~] (7) (a) Except as provided in Subsection [~~(6)~~] (7)(e), a local school board may
436 provide for the transportation of students regardless of the distance from school, from:

437 (i) general funds of the district; and

438 (ii) a tax rate not to exceed .0003 per dollar of taxable value imposed on the district.

439 (b) A local school board may use revenue from the tax described in Subsection [~~(6)~~]
440 (7)(a)(ii) to pay for transporting students and for the replacement of school buses.

441 (c) (i) If a local school board levies a tax under Subsection [~~(6)~~] (7)(a)(ii) of at least
442 .0002, the state may contribute an amount not to exceed 85% of the state average cost per mile,
443 contingent upon the Legislature appropriating funds for a state contribution.

444 (ii) The state superintendent's staff shall distribute the state contribution according to
445 rules enacted by the State Board of Education.

446 (d) (i) The amount of state guarantee money which a school district would otherwise be
447 entitled to receive under Subsection [~~(6)~~] (7)(c) may not be reduced for the sole reason that the
448 district's levy is reduced as a consequence of changes in the certified tax rate under Section
449 59-2-924 due to changes in property valuation.

450 (ii) Subsection [~~(6)~~] (7)(d)(i) applies for a period of two years following the change in
451 the certified tax rate.

452 (e) Beginning January 1, 2012, a local school board may not impose a tax in
453 accordance with this Subsection [~~(6)~~] (7).

454 [~~(7)~~] (8) (a) (i) If a local school board expends an amount of revenue equal to at least
455 .0002 per dollar of taxable value of the school district's board local levy imposed under Section
456 53A-17a-164 for the uses described in Subsection [~~(6)~~] (7)(b), the state may contribute an
457 amount not to exceed 85% of the state average cost per mile, contingent upon the Legislature
458 appropriating funds for a state contribution.

459 (ii) The state superintendent's staff shall distribute the state contribution according to
460 rules enacted by the State Board of Education.

461 (b) (i) The amount of state guarantee money that a school district would otherwise be

462 entitled to receive under Subsection [(7)] (8)(a) may not be reduced for the sole reason that the
463 district's levy is reduced as a consequence of changes in the certified tax rate under Section
464 59-2-924 due to changes in property valuation.

465 (ii) Subsection [(7)] (8)(b)(i) applies for a period of two years following the change in
466 the certified tax rate.

467 Section 9. Section 53A-17a-150 is amended to read:

468 **53A-17a-150. K-3 Reading Improvement Program.**

469 (1) As used in this section:

470 (a) "Board" means the State Board of Education.

471 (b) "Five domains of reading" include phonological awareness, phonics, fluency,
472 comprehension, and vocabulary.

473 (c) "Program" means the K-3 Reading Improvement Program.

474 (d) "Program money" means:

475 (i) school district revenue allocated to the program from other money available to the
476 school district, except money provided by the state, for the purpose of receiving state funds
477 under this section; and

478 (ii) money appropriated by the Legislature to the program.

479 (2) The K-3 Reading Improvement Program consists of program money and is created
480 to supplement other school resources to achieve the state's goal of having third graders reading
481 at or above grade level.

482 (3) Subject to future budget constraints, the Legislature may annually appropriate
483 money to the K-3 Reading Improvement Program.

484 (4) (a) [Fø] Except as provided in Subsection (4)(e), to receive program money, a
485 school district or charter school [must] shall submit a plan to the board for reading proficiency
486 improvement that incorporates the following components:

487 (i) assessment;

488 (ii) intervention strategies;

489 (iii) professional development for classroom teachers in kindergarten through grade
490 three;

491 (iv) reading performance standards; and

492 (v) specific measurable goals that include the following:

493 (A) a growth goal for each school within a school district and each charter school
494 based upon student learning gains as measured by benchmark assessments administered
495 pursuant to Section 53A-1-606.6; and

496 (B) a growth goal for each school district and charter school to increase the percentage
497 of third grade students who read on grade level from year to year as measured by the third
498 grade reading test administered pursuant to Section 53A-1-603.

499 (b) The board shall provide model plans which a school district or charter school may
500 use, or the school district or charter school may develop its own plan.

501 (c) Plans developed by a school district or charter school shall be approved by the
502 board.

503 (d) The board shall develop uniform standards for acceptable growth goals that a
504 school district or charter school adopts as described in this Subsection (4).

505 (e) During the fiscal years that a school district or charter school receives state funding
506 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may
507 receive funding under this section without submitting a plan under Subsection (4)(a).

508 (5) (a) There is created within the K-3 Reading Achievement Program three funding
509 programs:

- 510 (i) the Base Level Program;
- 511 (ii) the Guarantee Program; and
- 512 (iii) the Low Income Students Program.

513 (b) The board may use no more than \$7,500,000 from an appropriation described in
514 Subsection (3) for computer-assisted instructional learning and assessment programs.

515 (6) Money appropriated to the board for the K-3 Reading Improvement Program and
516 not used by the board for computer-assisted instructional learning and assessments as described
517 in Subsection (5)(b), shall be allocated to the three funding programs as follows:

- 518 (a) 8% to the Base Level Program;
- 519 (b) 46% to the Guarantee Program; and
- 520 (c) 46% to the Low Income Students Program.

521 (7) (a) ~~[F]~~ Except as provided in Subsection (7)(c), to participate in the Base Level
522 Program, a school district or charter school shall submit a reading proficiency improvement
523 plan to the board as provided in Subsection (4) and must receive approval of the plan from the

524 board.

525 (b) (i) Each school district qualifying for Base Level Program funds and the qualifying
526 elementary charter schools combined shall receive a base amount.

527 (ii) The base amount for the qualifying elementary charter schools combined shall be
528 allocated among each school in an amount proportionate to:

529 (A) each existing charter school's prior year fall enrollment in grades kindergarten
530 through grade three; and

531 (B) each new charter school's estimated fall enrollment in grades kindergarten through
532 grade three.

533 (c) During the fiscal years that a school district or charter school receives state funding
534 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may
535 participate in the Base Level Program without:

536 (i) submitting a reading improvement plan to the board; or

537 (ii) receiving board approval of a reading improvement plan.

538 (8) (a) A school district that applies for program money in excess of the Base Level
539 Program funds shall choose to first participate in either the Guarantee Program or the Low
540 Income Students Program.

541 (b) A school district must fully participate in either the Guarantee Program or the Low
542 Income Students Program before it may elect to either fully or partially participate in the other
543 program.

544 (c) To fully participate in the Guarantee Program, a school district shall allocate to the
545 program money available to the school district, except money provided by the state, equal to
546 the amount of revenue that would be generated by a tax rate of .000056.

547 (d) To fully participate in the Low Income Students Program, a school district shall
548 allocate to the program money available to the school district, except money provided by the
549 state, equal to the amount of revenue that would be generated by a tax rate of .000065.

550 (e) (i) The board shall verify that a school district allocates the money required in
551 accordance with Subsections (8)(c) and (d) before it distributes funds in accordance with this
552 section.

553 (ii) The State Tax Commission shall provide the board the information the board needs
554 in order to comply with Subsection (8)(e)(i).

555 (9) (a) Except as provided in Subsection (9)(c), a school district that fully participates in
556 the Guarantee Program shall receive state funds in an amount that is:

557 (i) equal to the difference between \$21 times the district's total WPU's and the revenue
558 the school district is required to allocate under Subsection (8)(c) to fully participate in the
559 Guarantee Program; and

560 (ii) not less than \$0.

561 (b) Except as provided in Subsection (9)(c), an elementary charter school shall receive
562 under the Guarantee Program an amount equal to \$21 times the school's total WPU's.

563 (c) The board may adjust the \$21 guarantee amount described in Subsections (9)(a) and
564 (b) to account for actual appropriations and money used by the board for computer-assisted
565 instructional learning and assessments.

566 (10) The board shall distribute Low Income Students Program funds in an amount
567 proportionate to the number of students in each school district or charter school who qualify for
568 free or reduced price school lunch multiplied by two.

569 (11) A school district that partially participates in the Guarantee Program or Low
570 Income Students Program shall receive program funds based on the amount of school district
571 revenue allocated to the program as a percentage of the amount of revenue that could have been
572 allocated if the school district had fully participated in the program.

573 (12) (a) [A] Except as provided in Subsection (12)(d), a school district or charter
574 school shall use program money for reading proficiency improvement interventions in grades
575 kindergarten through grade 3 that have proven to significantly increase the percentage of
576 students reading at grade level, including:

577 (i) reading assessments; and

578 (ii) focused reading remediations that may include:

579 (A) the use of reading specialists;

580 (B) tutoring;

581 (C) before or after school programs;

582 (D) summer school programs; or

583 (E) the use of reading software; or

584 (F) the use of interactive computer software programs for literacy instruction and
585 assessments for students.

586 (b) A school district or charter school may use program money for portable technology
587 devices used to administer reading assessments.

588 (c) Program money may not be used to supplant funds for existing programs, but may
589 be used to augment existing programs.

590 (d) During the fiscal years that a school district or charter school receives state funding
591 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may use
592 funds appropriated under this section for any public education purpose.

593 (13) (a) Each school district and charter school shall annually submit a report to the
594 board accounting for the expenditure of program money in accordance with its plan for reading
595 proficiency improvement.

596 (b) On or before the November meeting of the Education Interim Committee of each
597 year, the board shall report a summary of the reading improvement program expenditures of
598 each school district and charter school.

599 (c) [~~H~~] Except as provided in Subsection (13)(d), if a school district or charter school
600 uses program money in a manner that is inconsistent with Subsection (12), the school district or
601 charter school is liable for reimbursing the board for the amount of program money improperly
602 used, up to the amount of program money received from the board.

603 (d) During the fiscal years that a school district or charter school receives state funding
604 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may use
605 funds appropriated under this section for any public education purpose.

606 (14) (a) The board shall make rules to implement the program.

607 (b) (i) The rules under Subsection (14)(a) shall require each school district or charter
608 school to annually report progress in meeting school and school district goals stated in the
609 school district's or charter school's plan for student reading proficiency.

610 (ii) If a school does not meet or exceed the school's goals, the school district or charter
611 school shall prepare a new plan which corrects deficiencies. [~~The~~]

612 (iii) Except as provided in Subsection (14)(b)(iv), the new plan must be approved by
613 the board before the school district or charter school receives an allocation for the next year.

614 (iv) During the fiscal years that a school district or charter school receives state funding
615 under Part 3, Block Grant Funding Pilot Program, the school district or charter school shall
616 receive an allocation for the next year regardless of board approval of the school district's plan

617 for student reading proficiency.

618 (15) (a) [~~H~~] Except as provided in Subsection (15)(b), if for two consecutive school
619 years, a school district fails to meet its goal to increase the percentage of third grade students
620 who read on grade level as measured by the third grade reading test administered pursuant to
621 Section 53A-1-603, the school district shall terminate any levy imposed under Section
622 53A-17a-151 and may not receive money appropriated by the Legislature for the K-3 Reading
623 Improvement Program.

624 (b) During the fiscal years that a school district or charter school receives state funding
625 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may
626 receive funds appropriated under this section if the school district or charter school fails to
627 meet the school district's or charter school's goal under Subsection (15)(a).

628 [~~(b)~~] (c) If for two consecutive school years, a charter school fails to meet its goal to
629 increase the percentage of third grade students who read on grade level as measured by the
630 third grade reading test administered pursuant to Section 53A-1-603, the charter school may
631 not receive money appropriated by the Legislature for the K-3 Reading Improvement Program.

632 (16) The board shall make an annual report to the Public Education Appropriations
633 Subcommittee that:

634 (a) includes information on:

635 (i) student learning gains in reading for the past school year and the five-year trend;

636 (ii) the percentage of third grade students reading on grade level in the past school year
637 and the five-year trend;

638 (iii) the progress of schools and school districts in meeting goals stated in a school
639 district's or charter school's plan for student reading proficiency; and

640 (iv) the correlation between third grade students reading on grade level and results of
641 third grade language arts scores on a criterion-referenced test or computer adaptive test; and

642 (b) may include recommendations on how to increase the percentage of third grade
643 students who read on grade level.

644 Section 10. Section 53A-17a-154 is amended to read:

645 **53A-17a-154. Appropriation for school nurses.**

646 (1) The State Board of Education shall distribute money appropriated for school nurses
647 to award grants to school districts and charter schools that:

648 [~~(1)~~] (a) provide an equal amount of matching funds; and
649 [~~(2)~~] (b) do not supplant other money used for school nurses.

650 (2) During the fiscal years that a school district or charter school receives state funding
651 as a block grant under Part 3, Block Grant Funding Pilot Program, the school district or charter
652 school may use the funding described in this section for any public education purpose.

653 Section 11. Section **53A-17a-155** is amended to read:

654 **53A-17a-155. Appropriation for library books and electronic resources.**

655 (1) The State Board of Education shall distribute money appropriated for library books
656 and electronic resources as follows:

657 (a) 25% shall be divided equally among all public schools; and

658 (b) 75% shall be divided among public schools based on each school's average daily
659 membership as compared to the total average daily membership.

660 (2) A school district or charter school may not use money distributed under Subsection
661 (1) to supplant other money used to purchase library books or electronic resources.

662 (3) During the fiscal years that a school district or charter school receives state funding
663 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may use
664 funds appropriated under this section for any public education purpose.

665 Section 12. Section **53A-17a-159** is amended to read:

666 **53A-17a-159. Utah Science Technology and Research Initiative Centers**
667 **Program.**

668 (1) (a) The Utah Science Technology and Research Initiative (USTAR) Centers
669 Program is created to provide a financial incentive for charter schools and school districts to
670 adopt programs that result in a more efficient use of human resources and capital facilities.

671 (b) The potential benefits of the USTAR Centers Program include:

672 (i) increased compensation for math and science teachers by providing opportunities
673 for an expanded contract year which will enhance school districts' and charter schools' ability to
674 attract and retain talented and highly qualified math and science teachers;

675 (ii) increased capacity of school buildings by using buildings more hours of the day or
676 more days of the year, resulting in reduced capital facilities costs;

677 (iii) decreased class sizes created by expanding the number of instructional
678 opportunities in a year;

679 (iv) opportunities for earlier high school graduation;
680 (v) improved student college preparation;
681 (vi) increased opportunities to offer additional remedial and advanced courses in math
682 and science;

683 (vii) opportunities to coordinate high school and post-secondary math and science
684 education; and

685 (viii) the creation or improvement of science, technology, engineering, and math
686 centers (STEM Centers).

687 (2) ~~[From]~~ (a) Except as provided in Subsection (2)(b), from money appropriated for
688 the USTAR Centers Program, the State Board of Education shall award grants to charter
689 schools and school districts to pay for costs related to the adoption and implementation of the
690 program.

691 (b) During the fiscal years that a school district or charter school receives state funding
692 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may use
693 funds appropriated under this section for any public education purpose.

694 (3) The State Board of Education shall:

695 (a) solicit proposals from the State Charter School Board and school districts for the
696 use of grant money to facilitate the adoption and implementation of the program; and

697 (b) award grants on a competitive basis.

698 (4) The State Charter School Board shall:

699 (a) solicit proposals from charter schools that may be interested in participating in the
700 USTAR Centers Program;

701 (b) prioritize the charter school proposals and consolidate them into the equivalent of a
702 single school district request; and

703 (c) submit the consolidated request to the State Board of Education.

704 (5) In selecting a grant recipient, the State Board of Education shall consider:

705 (a) the degree to which a charter school or school district's proposed adoption and
706 implementation of an extended year for math and science teachers achieves the benefits
707 described in Subsection (1);

708 (b) the unique circumstances of different urban, rural, large, small, growing, and
709 declining charter schools and school districts; and

710 (c) providing pilot programs in as many different school districts and charter schools as
711 possible.

712 (6) (a) Except as provided in ~~[Subsection]~~ Subsections (6)(b) and (c), a school district
713 or charter school may only use grant money to provide full year teacher contracts, part-time
714 teacher contract extensions, or combinations of both, for math and science teachers.

715 (b) Up to 5% of the grant money may be used to fund math and science field trips,
716 textbooks, and supplies.

717 (c) During the fiscal years that a school district or charter school receives state funding
718 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may use
719 USTAR grant money appropriated under this section for any public education purpose.

720 (7) Participation in the USTAR Centers Program shall be:

721 (a) voluntary for an individual teacher; and

722 (b) voluntary for a charter school or school district.

723 (8) The State Board of Education shall make an annual report during the 2009, 2010,
724 and 2011 interims to the Public Education Appropriations Subcommittee describing the
725 program's impact on students and its effectiveness at achieving the benefits described in
726 Subsection (1).

727 Section 13. Section **53A-17a-162** is amended to read:

728 **53A-17a-162. Beverley Taylor Sorenson Elementary Arts Learning Program.**

729 (1) The Legislature finds that a strategic placement of arts in elementary education can
730 impact the critical thinking of students in other core subject areas, including mathematics,
731 reading, and science.

732 (2) The Beverley Taylor Sorenson Elementary Arts Learning Program is created to
733 enhance the social, emotional, academic, and arts learning of students in kindergarten through
734 grade six by integrating arts teaching and learning into core subject areas.

735 (3) From money appropriated for the Beverley Taylor Sorenson Elementary Arts
736 Learning Program, the State Board of Education shall, after consulting with the Utah Arts
737 Council and receiving their recommendations:

738 (a) subject to Subsection ~~[(6)]~~ (7), establish a grant program to allow school districts
739 and charter schools to hire 50 highly qualified, full-time arts specialists to be based at 50
740 schools;

741 (b) provide up to \$10,000 in one-time funds for each school arts specialist described
742 under Subsection (3)(a) to purchase supplies and equipment;

743 (c) establish a grant program to allow 10 school districts to hire art coordinators,
744 provided that a qualifying school district provides matching funds in an amount equal to the
745 grant amount; and

746 (d) annually contract with an independent, qualified evaluator, selected through a
747 request for proposals process, to evaluate the Beverley Taylor Sorenson Elementary Arts
748 Learning Program.

749 (4) Beverley Taylor Sorenson Elementary Arts Learning Program money may not be
750 used to supplant funds for existing programs funded by the state, but shall be used to augment
751 existing programs.

752 (5) [~~Schools that participate~~] Except as provided in Subsection (6)(b), a school that
753 participates in the Beverley Taylor Sorenson Elementary Arts Learning Program shall partner
754 with [~~institutions~~] an institution of higher education that [~~award~~] awards elementary education
755 degrees to obtain quality pre-service and in-service training, research, and leadership
756 development for arts education.

757 (6) During the fiscal years that a school district or charter school receives state funding
758 under Part 3, Block Grant Funding Pilot Program, the school district or charter school:

759 (a) may use funds awarded under this section for any public education purpose; and

760 (b) is not required to partner with an institution of higher education as described in
761 Subsection (5).

762 [~~(7)~~] (7) (a) Beginning with the 2011-12 school year, a school district or charter school
763 may receive a grant under Subsection (3)(a) if the school district or charter school provides
764 matching funds for 10% of the grant amount.

765 (b) A qualifying school district or charter school under Subsection [~~(7)~~] (7)(a) shall
766 increase its match amount by an additional 10% each subsequent year, until the school district
767 or charter school provides matching funds in an amount equal to the grant amount.

768 [~~(8)~~] (8) Beginning with the 2011-12 school year, the State Board of Education shall
769 make funds available for additional schools to participate in the [~~Beverly~~] Beverley Taylor
770 Sorenson Elementary Arts Learning Program, corresponding to the amount of the matching
771 funds required from schools under Subsection [~~(7)~~] (7).

772 ~~[(8)]~~ (9) The State Board of Education shall, after consultation with the Utah Arts
773 Council, make an annual report during the 2009, 2010, and 2011 interims to the Education
774 Interim Committee describing the program's impact on students in kindergarten through grade
775 ~~[six]~~ 6.

776 Section 14. Section **53A-17a-165** is amended to read:

777 **53A-17a-165. Enhancement for Accelerated Students Program.**

778 (1) As used in this section, "eligible low-income student" means a student who:

779 (a) takes an Advanced Placement test;

780 (b) has applied for an Advanced Placement test fee reduction; and

781 (c) qualifies for a free or a lunch provided at reduced cost.

782 (2) The State Board of Education shall distribute money appropriated for the
783 Enhancement for Accelerated Students Program to school districts and charter schools
784 according to a formula adopted by the State Board of Education, after consultation with school
785 districts and charter schools.

786 (3) A distribution formula adopted under Subsection (2) may include an allocation of
787 money for:

788 (a) Advanced Placement courses;

789 (b) Advanced Placement test fees of eligible low-income students;

790 (c) gifted and talented programs, including professional development for teachers of
791 high ability students; and

792 (d) International Baccalaureate programs.

793 (4) The greater of 1.5% or \$100,000 of the appropriation for the Enhancement for
794 Accelerated Students Program may be allowed for International Baccalaureate programs.

795 (5) ~~[A]~~ (a) Except as provided in Subsection (5)(b), a school district or charter school
796 shall use money distributed under this section to enhance the academic growth of students
797 whose academic achievement is accelerated.

798 **(b) During the fiscal years that a school district or charter school receives state funding**
799 **under Part 3, Block Grant Funding Pilot Program, the school district or charter school may use**
800 **funds appropriated under this section for any public education purpose.**

801 (6) (a) The State Board of Education shall develop performance criteria to measure the
802 effectiveness of the Enhancement for Accelerated Students Program and make an annual report

803 to the Public Education Appropriations Subcommittee on the effectiveness of the program.

804 (b) In the report required by Subsection (6)(a), the State Board of Education shall
805 include data showing the use and impact of money allocated for Advanced Placement test fees
806 of eligible low-income students.

807 Section 15. Section **53A-17a-167** is amended to read:

808 **53A-17a-167. Early intervention program -- Enhanced kindergarten program --**
809 **Educational technology.**

810 (1) The State Board of Education shall, as described in Subsection [~~(4)~~] (5), distribute
811 funds appropriated under this section for an enhanced kindergarten program described in
812 Subsection (2), to school districts and charter schools that apply for the funds.

813 (2) [~~A~~] (a) Except as provided in Subsection (3), a school district or charter school
814 shall use funds appropriated in this section to offer an early intervention program, delivered
815 through an enhanced kindergarten program that:

816 (a) is an academic program focused on building age-appropriate literacy and numeracy
817 skills;

818 (b) uses an evidence-based early intervention model;

819 (c) is targeted to at-risk students; and

820 (d) is delivered through additional hours or other means.

821 (3) During the fiscal years that a school district or charter school receives state funding
822 under Part 3, Block Grant Funding Pilot Program, the school district or charter school may use
823 funds appropriated under this section for any public education purpose.

824 [~~3~~] (4) A school district or charter school may not require a student to participate in
825 an enhanced kindergarten program described in Subsection (2).

826 [~~4~~] (5) The State Board of Education shall distribute funds appropriated under this
827 section for an enhanced kindergarten program described in Subsection (2) as follows:

828 (a) (i) the total allocation for charter schools shall be calculated by:

829 (A) dividing the number of charter school students by the total number of students in
830 the public education system in the prior school year; and

831 (B) multiplying the resulting percentage by the total amount of available funds; and

832 (ii) the amount calculated under this Subsection [~~(4)~~] (5)(a) shall be distributed to
833 charter schools with the greatest need for an enhanced kindergarten program, as determined by

834 the State Board of Education in consultation with the State Charter School Board;

835 (b) each school district shall receive the amount calculated by:

836 (i) multiplying the value of the weighted pupil unit by 0.45; and

837 (ii) multiplying the result by 20; and

838 (c) the remaining funds, after the allocations described in Subsections [~~(4)~~] (5)(a) and
839 [~~(4)~~](b) are made, shall be distributed to applicant school districts by:

840 (i) determining the number of students eligible to receive free lunch in the prior school
841 year for each school district; and

842 (ii) prorating the remaining funds based on the number of students eligible to receive
843 free lunch in each district.

844 [~~(5)~~] (6) In addition to an enhanced kindergarten program described in Subsection (2),
845 the early intervention program includes a component to address early intervention through the
846 use of an interactive computer software program.

847 [~~(6)~~] (7) (a) Subject to legislative appropriations, by September 1 of each year, the
848 State Board of Education shall select one or more technology providers, through a request for
849 proposals process, to provide an interactive computer software program for literacy instruction
850 and assessments for students in kindergarten through grade 3.

851 (b) The State Board of Education shall distribute licenses for an interactive computer
852 software program described in Subsection [~~(6)~~] (7)(a) to school districts and charter schools
853 that apply for the licenses.

854 (c) A school district or charter school that received a license described in Subsection
855 [~~(6)~~] (7)(b) during the prior year shall be given first priority to receive an equivalent license
856 during the current year.

857 (d) Licenses distributed to school districts and charter schools in addition to the
858 licenses described in Subsection [~~(6)~~] (7)(c) shall be distributed through a competitive process.

859 [~~(7)~~] (8) On or before November 1, 2013, and every year thereafter, the State Board of
860 Education shall report final testing data regarding an interactive computer software program
861 described in Subsection [~~(6)~~] (7), including student learning gains as a result of the interactive
862 computer software program, to:

863 (a) the Education Interim Committee; and

864 (b) the governor.

865 Section 16. Section 53A-17a-168 is amended to read:

866 **53A-17a-168. Appropriation for Title 1 Schools in Improvement Paraeducators**
867 **Program.**

868 (1) As used in this section:

869 (a) "Eligible school" means a Title 1 school that has not achieved adequate yearly
870 progress, as defined in the No Child Left Behind Act of 2001, 20 U.S.C. Sec. 6301 et seq., in
871 the same subject area for two consecutive years.

872 (b) "Paraeducator" means a school employee who:

873 (i) delivers instruction under the direct supervision of a teacher; and

874 (ii) meets the requirements under Subsection (3).

875 (c) "Program" means the Title 1 Schools in Improvement Paraeducators Program
876 created in this section.

877 (2) The program is created to provide funding for eligible schools to hire paraeducators
878 to provide additional instructional aid in the classroom to assist students in achieving academic
879 success and assist the school in exiting Title 1 school improvement status.

880 (3) A paraeducator who is funded under this section shall have:

881 (a) earned a secondary school diploma or a recognized equivalent;

882 (b) (i) completed at least two years with a minimum of 48 semester hours at an
883 accredited higher education institution;

884 (ii) obtained an associates or higher degree from an accredited higher education
885 institution; or

886 (iii) satisfied a rigorous state or local assessment about the individual's knowledge of,
887 and ability to assist in instructing students in reading, writing, and mathematics; and

888 (c) received large group-, small group-, and individual-level professional development
889 that is intensive and focused and covers curriculum, instruction, assessment, classroom and
890 behavior management, and teaming.

891 (4) The State Board of Education shall distribute money appropriated for the program
892 to eligible schools, in accordance with rules adopted by the board.

893 (5) During the fiscal years that a school district or charter school receives state funding
894 as a block grant under Part 3, Block Grant Funding Pilot Program, the school district or charter
895 school may use the funding described in Subsections (2) and (4) for any public education

896 purpose.

897 ~~[(5)]~~ (6) Funds appropriated under the program may not be used to supplant other
898 money used for paraeducators at eligible schools.

899 ~~[(6)]~~ (7) The State Board of Education shall submit an annual report to the
900 Legislature's Public Education Appropriations Subcommittee that includes information on:

- 901 (a) the amount of money distributed to each eligible school under this section;
- 902 (b) how many paraeducators were hired at each eligible school with program money;
- 903 (c) additional funding eligible schools used to supplement program money in hiring
904 paraeducators; and
- 905 (d) accountability measures, including test scores of students served by the program.

906 Section 17. Section **53A-17a-301** is enacted to read:

Part 3. Block Grant Funding Pilot Program

53A-17a-301. Definitions.

909 As used in this part:

- 910 (1) "Board" means the State Board of Education.
- 911 (2) "Local Education Agency" or "LEA" means:
 - 912 (a) a school district; or
 - 913 (b) a charter school.
- 914 (3) "Pilot LEA" means an LEA chosen by the board to participate in the program.
- 915 (4) "Program" means the Block Grant Funding Pilot Program.

916 Section 18. Section **53A-17a-302** is enacted to read:

53A-17a-302. Block Grant Funding Pilot Program -- Creation -- Administration -- 918 Evaluation.

919 (1) There is created the Block Grant Funding Pilot Program to give an LEA flexibility
920 in administering programs by providing state funding to the LEA as a block grant.

921 (2) (a) Except as provided in Subsection (2)(b), and subject to Subsection (6), a pilot
922 LEA shall receive, as a block grant to be used for any public education purpose, funding
923 appropriated through:

- 924 (i) the state-supported Minimum School Program described in Part 1, Minimum
925 School Program; and
- 926 (ii) the Capital Outlay Foundation Program described in Chapter 21, Part 2, Capital

927 Outlay Foundation Program.

928 (b) The following state funding sources are not included in a block grant described in

929 Subsection (2)(a):

930 (i) the School LAND Trust Program described in Section 53A-16-101.5; and

931 (ii) the Teacher Salary Supplement Program described in Section 53A-17a-156.

932 (3) On a competitive basis, an LEA may apply to the board, on or before August 1,

933 2015, to be selected as a pilot LEA.

934 (4) The board shall:

935 (a) determine requirements for an LEA's application to participate in the program;

936 (b) on or before November 1, 2015, select two or more qualified pilot LEAs to

937 participate in the program;

938 (c) determine the total funding a pilot LEA would receive under the regular funding

939 formula for the programs described in Subsection (2)(a) for each year of the pilot, and provide

940 that funding to a pilot LEA as a block grant;

941 (d) work with a pilot LEA to develop goals for using the block grant and assess

942 progress toward those goals; and

943 (e) determine reporting requirements for a pilot LEA.

944 (5) The board shall begin distributing funding as a block grant to a pilot LEA

945 beginning in the 2016-17 school year or the 2017-18 school year, and continuing for three

946 consecutive school years, except as provided in Subsection (9).

947 (6) A pilot LEA may not spend funds provided through the block grant in a way that

948 would violate:

949 (a) the Individuals with Disabilities Education Act Amendments of 1997, Pub. L. No.

950 105-17, and subsequent amendments;

951 (b) the No Child Left Behind Act of 2001, 20 U.S.C. Sec. 6301, et seq.; or

952 (c) any other federal law or regulation that governs special categorical funding.

953 (7) The board shall determine:

954 (a) qualifications for a selected pilot LEA;

955 (b) a formula that determines the amount of funding a pilot LEA receives for each year

956 based on:

957 (i) funding the LEA would have received through funding formulas for the

958 state-supported Minimum School Program and Capital Outlay Foundation Program;

959 (ii) anticipated growth in the pilot LEA in the pilot year; and

960 (iii) any other factor the board determines is appropriate; and

961 (c) performance information that the board requires a pilot LEA to report, including:

962 (i) goals for the program;

963 (ii) progress toward the goals; and

964 (iii) the impacts of the program on students and teachers.

965 (8) The board shall, as possible, exempt a pilot LEA from financial reporting

966 requirements.

967 (9) The board may cancel a pilot LEA's participation in the program before the end of

968 the program:

969 (a) if the pilot LEA requests removal from the program; or

970 (b) for good cause.

971 (10) (a) On or before November 1, 2015, and each year of the program, the board shall

972 report to the Education Interim Committee on the status of the program.

973 (b) The annual report to the Education Interim Committee described in Subsection

974 (10)(a) shall include a summary of accounting for each pilot LEA.

975 Section 19. Section **53A-21-202** is amended to read:

976 **53A-21-202. Capital Outlay Foundation Program -- Distribution formulas --**

977 **Allocations.**

978 (1) (a) The State Board of Education shall determine the foundation guarantee level per

979 ADM that fully allocates the funds appropriated to the State Board of Education for

980 distribution under this section.

981 (b) In determining the foundation guarantee level per ADM and a school district's

982 allocation of funds under this part, the State Board of Education shall use data from the fiscal

983 year that is two years prior to the fiscal year the school district receives the allocation,

984 including the:

985 (i) number of pupils in average daily membership;

986 (ii) tax rates; and

987 (iii) derived net taxable value.

988 (2) By June 1, a county treasurer shall report to the State Board of Education the actual

989 collections of property taxes in the school districts located within the county treasurer's county
990 for the period beginning April 1 through the following March 31 immediately preceding that
991 June 1.

992 (3) If a qualifying school district imposes a combined capital levy rate that is greater
993 than or equal to the base tax effort rate, the State Board of Education shall allocate to the
994 qualifying school district an amount equal to the product of the following:

995 (a) the qualifying school district's ADM; and

996 (b) an amount equal to the difference between the following:

997 (i) the foundation guarantee level per ADM, as determined in accordance with
998 Subsection (1); and

999 (ii) the qualifying school district's property tax yield per ADM.

1000 (4) If a qualifying school district imposes a combined capital levy rate less than the
1001 base tax effort rate, the State Board of Education shall allocate to the qualifying school district
1002 an amount equal to the product of the following:

1003 (a) the qualifying school district's ADM;

1004 (b) an amount equal to the difference between the following:

1005 (i) the foundation guarantee level per ADM; and

1006 (ii) the qualifying school district's property tax yield per ADM; and

1007 (c) a percentage equal to:

1008 (i) the qualifying school district's combined capital levy rate; divided by

1009 (ii) the base tax effort rate.

1010 (5) (a) The State Board of Education shall allocate:

1011 (i) a minimum of \$200,000 to each small school district with a property tax base per
1012 ADM less than or equal to the statewide average property tax base per ADM;

1013 (ii) a minimum of \$100,000 to each small school district with a property tax base per
1014 ADM that is:

1015 (A) greater than the statewide average property tax base per ADM; and

1016 (B) less than or equal to two times the statewide average property tax base per ADM;

1017 and

1018 (iii) a minimum of \$50,000 to each small school district with a property tax base per
1019 ADM that is:

1020 (A) greater than two times the statewide average property tax base per ADM; and

1021 (B) less than or equal to five times the statewide average property tax base per ADM.

1022 (b) The State Board of Education shall incorporate the minimum allocations described
1023 in Subsection (5)(a) in its calculation of the foundation guarantee level per ADM determined in
1024 accordance with Subsection (1).

1025 (6) During the fiscal years that a school district or charter school receives state funding
1026 as a block grant under Part 3, Block Grant Funding Pilot Program, the school district or charter
1027 school may use funding allocated under this section for any public education purpose.

1028 Section 20. Section **63I-1-253** is amended to read:

1029 **63I-1-253. Repeal dates, Titles 53, 53A, and 53B.**

1030 The following provisions are repealed on the following dates:

1031 (1) Section **53-3-232**, Conditional license, is repealed July 1, 2015.

1032 (2) Subsection **53-10-202(18)** is repealed July 1, 2018.

1033 (3) Section **53-10-202.1** is repealed July 1, 2018.

1034 (4) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program, is
1035 repealed July 1, 2020.

1036 (5) Title 53A, Chapter 11, Part 15, School Safety Tip Line, is repealed July 1, 2015.

1037 (6) The State Instructional Materials Commission, created in Section **53A-14-101**, is
1038 repealed July 1, 2016.

1039 (7) Subsections **53A-16-113(3)** and (4) are repealed December 31, 2016.

1040 (8) Section **53A-16-114** is repealed December 31, 2016.

1041 (9) Section **53A-17a-163**, Performance-based Compensation Pilot Program is repealed
1042 July 1, 2016.

1043 (10) Title 53A, Chapter 17a, Part 3, Block Grant Funding Pilot Program, is repealed
1044 July 1, 2020.

1045 [~~(10)~~] (11) Section **53B-24-402**, Rural residency training program, is repealed July 1,
1046 2015.

1047 [~~(11)~~] (12) Subsection **53C-3-203(4)(b)(vii)**, which provides for the distribution of
1048 money from the Land Exchange Distribution Account to the Geological Survey for test wells,
1049 other hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1,
1050 2020.

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Office of Legislative Research and General Counsel