

1 **CLASS SIZE REDUCTION PROGRAM AMENDMENTS**

2 2015 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Wayne A. Harper**

5 House Sponsor: Rebecca P. Edwards

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions related to class size reduction in public schools.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ amends the distribution formula for the Class Size Reduction Program (Program) to
13 distribute certain program money to qualifying local education agencies;
14 ▶ defines terms; and
15 ▶ makes technical changes.

16 **Money Appropriated in this Bill:**

17 This bill appropriates in fiscal year 2016:

- 18 ▶ To the State Board of Education - Minimum School Program as an ongoing
19 appropriation:
20 • from the Education Fund, \$10,000,000.

21 **Other Special Clauses:**

22 This bill provides a special effective date.

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **53A-17a-124.5**, as last amended by Laws of Utah 2013, Chapter 299

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



28 Section 1. Section 53A-17a-124.5 is amended to read:

29 **53A-17a-124.5. Class Size Reduction Program -- Distribution of money --**

30 **Allowable uses -- Reporting requirements.**

31 (1) ~~Money~~ As used in this section:

32 (a) "ADM" or "average daily membership" means the same as that term is defined in

33 Section 53A-17a-103.

34 (b) "Board" means the State Board of Education.

35 (c) "Derived net taxable value" means the quotient of:

36 (i) the total property tax collections from April 1 through the following March 31 for a
37 school district for the calendar year preceding the March 31 date; divided by

38 (ii) the school district's total tax rate for the calendar year preceding the March 31
39 referenced in Subsection (1)(c)(i).

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

41 (e) "Program" means the Class Size Reduction Program created in Subsection (2).

42 (f) "Qualifying LEA" means an LEA that:

43 (i) has a median class size in kindergarten through grade 8 above the statewide median;

44 (ii) levies local property taxes; and

45 (iii) is below the statewide average property tax base per ADM.

46 (g) "Statewide average property tax base per ADM" means the quotient of:

47 (i) the sum of all school districts' derived net taxable value; divided by

48 (ii) the sum of all school districts' ADM.

49 (2) (a) There is created the Class Size Reduction Program to provide money to LEAs to
50 reduce the average class size in public schools.

51 (b) The board shall distribute money appropriated [to the State Board of Education for
52 class size reduction shall be used] for the program to LEAs to reduce the average class size in
53 kindergarten through [the eighth grade in the state's public schools] grade 8.

54 [~~(2) Each district or charter school shall receive its allocation~~]

55 (3) (a) The board shall distribute the first \$115,000,000 of the money appropriated for
56 the program to LEAs based upon prior year average daily membership in kindergarten through
57 grade 8 plus growth as determined under Subsection 53A-17a-106(3) as compared to the total
58 prior year average daily membership in kindergarten through grade 8 plus growth of [school

59 ~~districts and charter schools]~~ LEAs that qualify for ~~[an allocation pursuant to]~~ a distribution of
60 program money as described in Subsection (8).

61 (b) The board shall distribute money appropriated to the program in addition to the
62 \$115,000,000 described in Subsection (3)(a) as follows:

63 (i) 20% of the money shall be distributed to each qualifying LEA in proportion to
64 student enrollment in the qualifying LEA as compared to total student enrollment in all
65 qualifying LEAs; and

66 (ii) 80% of the money shall be distributed to LEAs in the same manner as money is
67 distributed to LEAs pursuant to Subsection (3)(a).

68 ~~[(3)]~~ (4) (a) [A district] Subject to the requirements of Subsection (4)(b), an LEA may
69 use [its allocation] program money to reduce class size in [any] one or [all] more of the grades
70 [referred to under] described in this section[~~, except as otherwise provided in Subsection (3)~~
71 (b)].

72 ~~(b) (i) [Each district or charter school]~~ An LEA shall use 50% of ~~[its allocation]~~ the
73 LEA's program money to reduce class size in ~~[any]~~ one or ~~[all of]~~ more grades from
74 kindergarten through grade 2, with an emphasis on improving student reading skills.

75 ~~(ii) If [a district's or charter school's]~~ an LEA's average class size is below 18 in grades
76 kindergarten through grade 2, ~~[it]~~ the LEA may petition the ~~[state]~~ board for, and the ~~[state]~~
77 board may grant, a waiver to use ~~[its allocation]~~ the money the LEA received under Subsection
78 ~~[(3)]~~ (4)(b)(i) for class size reduction in [the] other grades.

79 ~~[(4) Schools]~~ (5) An LEA may use nontraditional innovative and creative methods to
80 reduce class sizes with ~~[this appropriation]~~ program money and may use part of ~~[their~~
81 allocation] the LEA's program money to focus on class size reduction for specific groups, such
82 as at-risk students, or for specific blocks of time during the school day.

83 ~~[(5)]~~ (6) (a) [A school district or charter school] An LEA may use up to 20% of ~~[its~~
84 allocation under Subsection (1)] the LEA's program money for ~~[capital facilities projects if~~
85 such projects would help to] a capital facility project if the capital facility project will reduce
86 class size.

87 ~~(b) If [a school district's or charter school's]~~ an LEA's student population increases by
88 5% or 700 students from the previous school year, the ~~[school district or charter school]~~ LEA
89 may use up to 50% of ~~[any allocation it receives under this section]~~ the LEA's program money

90 for classroom construction.

91 ~~[(6) This appropriation is to supplement any other appropriation made for class size~~
92 ~~reduction.]~~

93 (7) The Legislature shall ~~[provide for an annual adjustment in]~~ annually adjust the
94 appropriation authorized ~~[under this section]~~ for the program in proportion to the increase in
95 the number of students ~~[in the state]~~ in kindergarten through grade ~~[eight]~~ 8 statewide.

96 (8) (a) To qualify for ~~[class size reduction]~~ program money, ~~[a school district or charter~~
97 ~~school]~~ an LEA shall submit:

98 (i) ~~[a] the LEA's plan [for the use of the school district's or charter school's allocation of~~
99 ~~class size reduction money] to the [State Board of Education] board describing how the LEA~~
100 ~~will use the LEA's program money; and~~

101 (ii) beginning with the 2014-15 school year, a report on the ~~[school district's or charter~~
102 ~~school's] LEA's use of [class size reduction] program money [in] during the prior school year.~~

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

105 (i) (A) the number of teachers employed using ~~[class size reduction]~~ program money;

106 (B) the amount of ~~[class size reduction]~~ program money expended for teachers; and

107 (C) if supplemental ~~[school district or charter school]~~ LEA funds are expended to pay
108 for teachers employed using ~~[class size reduction]~~ program money, the amount of the
109 supplemental money;

110 (ii) (A) the number of paraprofessionals employed using ~~[class size reduction]~~ program
111 money;

112 (B) the amount of ~~[class size reduction]~~ program money expended for
113 paraprofessionals; and

114 (C) if supplemental ~~[school district or charter school]~~ LEA funds are expended to pay
115 for paraprofessionals employed using ~~[class size reduction]~~ program money, the amount of the
116 supplemental money; and

117 (iii) the amount of ~~[class size reduction]~~ program money expended for capital facilities.

118 (c) In addition to submitting a plan and report ~~[on the use of class size reduction~~
119 ~~money, a school district or charter school]~~ described in Subsection (8)(a), an LEA shall
120 annually submit a report to the ~~[State Board of Education]~~ board that includes the following

121 information:

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

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

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

127 (iv) the amount of Title I money expended for teachers in kindergarten through grade
128 8; and

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

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

135 (e) The ~~[State Board of Education]~~ board may make rules specifying procedures and
136 standards for the submission of:

137 (i) a plan and a report on the use of ~~[class size reduction]~~ program money as required
138 by this section; and

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

140 (f) Based on the data contained in the ~~[class size reduction]~~ program plans and reports
141 submitted by ~~[school districts and charter schools]~~ LEAs as required in this Subsection (8), and
142 based on the data on average class size, the ~~[State Board of Education]~~ board shall annually
143 report to the Education Interim Committee on the impact of class size reduction, K-3 Reading
144 Improvement Program, and Title I money on class size.

145 **Section 2. Appropriation.**

146 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
147 the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money
148 are appropriated from resources not otherwise appropriated, or reduced from amounts
149 previously appropriated, out of the funds or accounts indicated. These sums of money are in
150 addition to any amounts previously appropriated for fiscal year 2016.

151 To State Board of Education - Minimum School Program - Basic School Program

