

Representative Steve Eliason proposes the following substitute bill:

EDUCATION PROVISIONS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Howard A. Stephenson

LONG TITLE

General Description:

This bill enacts provisions related to school expenditure reporting and funding for educators.

Highlighted Provisions:

This bill:

- ▶ requires the State Board of Education to make recommendations on reporting certain school expenditures;
- ▶ enacts language related to reimbursement for a teacher who receives a certificate;
- ▶ amends the Teacher Salary Supplement Program to include certain certificate teachers; and
- ▶ makes technical and conforming corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-17a-156, as last amended by Laws of Utah 2015, Chapter 122



26 ENACTS:

27 **53A-1-414**, Utah Code Annotated 1953

28 **53A-6-114**, Utah Code Annotated 1953

29

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

31 Section 1. Section **53A-1-414** is enacted to read:

32 **53A-1-414. School expenditures -- Report.**

33 (1) As used in this section:

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

35 (b) "Local education agency" or "LEA" means:

36 (i) a school district; or

37 (ii) a charter school.

38 (c) "Teacher" means an individual employed by an LEA who:

39 (i) is licensed under Title 53A, Chapter 6, Educator Licensing and Professional

40 Practices Act; and

41 (ii) has an assignment to teach in a classroom.

42 (2) (a) On or before October 31, 2017, the board or the board's designee shall make
43 recommendations to the Education Interim Committee regarding the feasibility of reporting
44 certain school level expenditures on the board's website.

45 (b) The school level expenditures to be reported on the board's website may include the
46 following information:

47 (i) total teacher salary expenditures;

48 (ii) capital expenditures;

49 (iii) overhead and other expenditures not reported under Subsection (2)(b)(i) or (ii);

50 (iv) the average per pupil funding; and

51 (v) the percent of teacher turnover from the prior school year.

52 (3) An LEA shall provide the information described in Subsection (2)(b) as requested
53 by the board or the board's designee.

54 Section 2. Section **53A-6-114** is enacted to read:

55 **53A-6-114. National Board certification reimbursement.**

56 (1) As used in this section:

- 57 (a) "Eligible educator" means an educator who:
58 (i) holds a current National Board certification; and
59 (ii) is employed as an educator by an LEA.
60 (b) "Local education agency" or "LEA" means:
61 (i) a school district;
62 (ii) a charter school; or
63 (iii) the Utah Schools for the Deaf and the Blind.
64 (2) (a) Subject to legislative appropriations and Subsection (2)(b), the board shall
65 reimburse an eligible educator for the cost to attain or renew a National Board certification.
66 (b) The board may only issue a reimbursement under Subsection (2)(a) for a
67 certification attained or renewed after July 1, 2016.
68 (3) The board shall reimburse an eligible educator under this section on a first come,
69 first served basis.
70 (4) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah
71 Administrative Rulemaking Act, specifying procedures and timelines for reimbursing costs
72 under Subsection (2).

73 Section 3. Section **53A-17a-156** is amended to read:

74 **53A-17a-156. Teacher Salary Supplement Program -- Appeal process.**

- 75 (1) As used in this section:
76 (a) "Board" means the State Board of Education.
77 (b) "Certificate teacher" means a teacher who holds a National Board certification.
78 ~~[(b)]~~ (c) "Eligible teacher" means a teacher who:
79 (i) has an assignment to teach:
80 (A) a secondary school level mathematics course;
81 (B) integrated science in grade seven or eight;
82 (C) chemistry;
83 (D) physics; or
84 (E) computer science;
85 (ii) holds the appropriate endorsement for the assigned course;
86 (iii) has qualifying educational background; and
87 (iv) (A) is a new employee; or

88 (B) received a satisfactory rating or above on the teacher's most recent evaluation.

89 (d) "National Board certification" means the same as that term is defined in Section

90 53A-6-103.

91 [~~(c)~~] (e) "Qualifying educational background" means:

92 (i) for a teacher who is assigned a secondary school level mathematics course:

93 (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics; or

94 (B) a bachelor's degree major, master's degree, or doctoral degree that has course
95 requirements that are substantially equivalent to the course requirements for a bachelor's degree
96 major, master's degree, or doctoral degree in mathematics;

97 (ii) for a teacher who is assigned a grade seven or eight integrated science course,
98 chemistry course, or physics course, a bachelor's degree major, master's degree, or doctoral
99 degree in:

100 (A) integrated science;

101 (B) chemistry;

102 (C) physics;

103 (D) physical science;

104 (E) general science; or

105 (F) a bachelor's degree major, master's degree, or doctoral degree that has course
106 requirements that are substantially equivalent to the course requirements of those required for a
107 degree listed in Subsections (1)[~~(c)~~](e)(ii)(A) through (E);

108 (iii) for a teacher who is assigned a computer science course, a bachelor's degree major,
109 master's degree, or doctoral degree in:

110 (A) computer science;

111 (B) computer information technology; or

112 (C) a bachelor's degree major, master's degree, or doctoral degree that has course
113 requirements that are substantially equivalent to the course requirements of those required for a
114 degree listed in Subsections (1)[~~(c)~~](e)(iii)(A) and (B).

115 (f) "Title I school" means a school that receives funds under the Elementary and
116 Secondary Education Act of 1965, Title I, 20 U.S.C. Sec. 6301 et seq.

117 (g) "Title I school certificate teacher" means a certificate teacher who is assigned to
118 teach at a Title I school.

119 (2) (a) Subject to future budget constraints, the Legislature shall annually appropriate
 120 money to the Teacher Salary Supplement Restricted Account established in Section
 121 [53A-17a-157](#) to fund the Teacher Salary Supplement Program.

122 (b) Money appropriated for the Teacher Salary Supplement Program shall include
 123 money for the following employer-paid benefits:

- 124 (i) retirement;
- 125 (ii) workers' compensation;
- 126 (iii) Social Security; and
- 127 (iv) Medicare.

128 (3) (a) (i) The annual salary supplement for an eligible teacher who is assigned full
 129 time to teach one or more courses listed in Subsections (1)(b)(c)(i)(A) through (E) is \$4,100.

130 (b) (ii) An eligible teacher who has a part-time assignment to teach one or more
 131 courses listed in Subsections (1)(b)(c)(i)(A) through (E) shall receive a partial salary
 132 supplement based on the number of hours worked in a course assignment that meets the
 133 requirements of Subsections (1)(b)(c)(ii) and (iii).

134 (b) The annual salary supplement for a certificate teacher is ~~\$1,500~~ \$750 .

135 (c) ~~\$2,500~~ (i) ~~\$2,500~~ The annual salary supplement for a Title I school certificate teacher is ~~\$2,500~~ [

135a in-addition

136 to the supplement described in Subsection (3)(b), \$2,500;] \$1,500.

136a (ii) A certificate teacher who qualifies for a salary supplement under Subsections (3)(b)

136b and (c) may only receive the salary supplement that is greater in value. ~~\$~~

137 (4) The board shall:

138 (a) create an online application system for a teacher to apply to receive a salary
 139 supplement through the Teacher Salary Supplement Program;

140 (b) determine if a teacher:

141 (i) (A) is an eligible teacher; and

142 (b) (B) has a course assignment as listed in Subsections (1)(b)(c)(i)(A) through (E);

143 [and]

144 (ii) is a certificate teacher; or

145 (iii) is a Title I school certificate teacher;

146 (c) verify, as needed, the determinations made under Subsection (4)(b) with school
 147 district and school administrators[-]; and

148 (d) certify a list of eligible teachers, certificate teachers, and Title I school certificate
 149 teachers.

150 (5) (a) An eligible teacher, a certificate teacher, or a Title I school certificate teacher
151 shall apply with the board before the conclusion of a school year to receive the salary
152 supplement authorized in this section.

153 (b) An eligible teacher, a certificate teacher, or a Title I school certificate teacher may
154 apply with the board, after verification that the requirements under this section have been
155 satisfied, to receive a salary supplement after the completion of:

156 (i) the school year as an annual award; or

157 (ii) a semester or trimester as a partial award based on the portion of the school year
158 that has been completed.

159 (6) (a) The board shall establish and administer an appeal process for a teacher to
160 follow if the teacher applies for the salary supplement and is not certified under Subsection (4).

161 (b) (i) The appeal process established in Subsection (6)(a) shall allow a teacher to
162 appeal eligibility as an eligible teacher on the basis that the teacher has a degree or degree
163 major with course requirements that are substantially equivalent to the course requirements for
164 a degree listed in:

165 (A) Subsection (1)~~(f)~~(e)(i)(A);

166 (B) Subsections (1)~~(f)~~(e)(ii)(A) through (E); or

167 (C) Subsections (1)~~(f)~~(e)(iii)(A) and (B).

168 (ii) A teacher shall provide transcripts and other documentation to the board in order
169 for the board to determine if the teacher has a degree or degree major with course requirements
170 that are substantially equivalent to the course requirements for a degree listed in:

171 (A) Subsection (1)~~(f)~~(e)(i)(A);

172 (B) Subsections (1)~~(f)~~(e)(ii)(A) through (E); or

173 (C) Subsections (1)~~(f)~~(e)(iii)(A) and (B).

174 (c) (i) The appeal process established under Subsection (6)(a) shall allow a teacher to
175 appeal eligibility as a certificate teacher on the basis that the teacher holds a current certificate.

176 (ii) A teacher shall provide to the board a certificate or other related documentation in
177 order for the board to determine if the teacher holds a current certificate.

178 (d) (i) The appeal process established under Subsection (6)(a) shall allow a teacher to
179 appeal eligibility as a Title I school certificate teacher on the basis that the teacher:

180 (A) holds a current certificate; and

181 (B) is assigned to teach at a Title I school.

182 (ii) A teacher shall provide to the board:

183 (A) information described in Subsection (6)(c)(ii); and

184 (B) verification that the teacher is assigned to teach at a Title I school.

185 (7) (a) The board shall distribute money from the Teacher Salary Supplement
186 Restricted Account to school districts and charter schools for the Teacher Salary Supplement
187 Program in accordance with the provisions of this section.

188 (b) The board shall include the employer-paid benefits described under Subsection
189 (2)(b) in the amount of each salary supplement.

190 (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the
191 salary supplement limits described under Subsection (3).

192 (8) (a) Money received from the Teacher Salary Supplement Restricted Account shall
193 be used by a school district or charter school to provide a salary supplement equal to the
194 amount specified in Subsection (3) for each eligible teacher, certificate teacher, or Title I
195 school certificate teacher.

196 (b) The salary supplement is part of the teacher's base pay, subject to the teacher's
197 qualification as an eligible teacher, a certificate teacher, or a Title I school certificate teacher
198 every year, semester, or trimester.

199 (9) Notwithstanding the provisions of this section, if the appropriation for the program
200 is insufficient to cover the costs associated with salary supplements, the board may limit or
201 reduce the salary supplements.