

MINIMUM SCHOOL PROGRAM AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Bruce R. Cutler

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill amends provisions related to the Minimum School Program.

Highlighted Provisions:

This bill:

- ▶ amends provisions related to a local school board paying for a student to attend a school district outside of the state;
- ▶ amends funding requirements for comprehensive guidance programs; and
- ▶ repeals the Teacher Salary Supplement Restricted Account.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-2-204, as enacted by Laws of Utah 1988, Chapter 2

53A-17a-113, as last amended by Laws of Utah 2010, Chapter 3

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

REPEALS:

53A-17a-157, as last amended by Laws of Utah 2015, Chapter 122



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

29 Section 1. Section **53A-2-204** is amended to read:

30 **53A-2-204. District paying tuition -- Effect on state aid.**

31 (1) A local school board may by written agreement pay the tuition of a child attending
32 school in a district outside the state. Both districts shall approve the agreement and file it with
33 the State Board of Education.

34 (2) The average daily membership of the child may be added to that of other eligible
35 children attending schools within the district of residence for the purpose of apportionment of
36 state funds.

37 (3) The district of residence shall bear any excess tuition costs over the state's
38 contribution for attendance [~~in the district of residence unless otherwise approved in advance~~
39 ~~by the State Board of Education~~].

40 Section 2. Section **53A-17a-113** is amended to read:

41 **53A-17a-113. Weighted pupil units for career and technical education programs**
42 **-- Funding of approved programs -- Performance measures -- Qualifying criteria.**

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

45 (i) shall be allocated to eligible recipients as provided in Subsections (2), (3), and (4);
46 ~~and (5)~~; and

47 (ii) may not be used to fund programs below the ninth grade level.

48 (b) Subsection (1)(a)(ii) does not apply to the following programs:

49 (i) comprehensive guidance;

50 (ii) Technology-Life-Careers; and

51 (iii) work-based learning programs.

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

53 (b) (i) The board shall fund approved programs based upon hours of membership of
54 9th through 12th grade students.

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

56 (A) comprehensive guidance;

57 (B) Technology-Life-Careers; and

58 (C) work-based learning programs.

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

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

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

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

73 (b) Between 10 and 25 weighted pupil units shall be computed for each high school
74 conducting approved career and technical education programs in a district according to
75 standards established by the board.

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

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

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

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

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

88 [~~5) Of the money allocated to comprehensive guidance programs pursuant to board
89 rules, \$1,000,000 in grants shall be awarded to school districts or charter schools that.]~~

90 ~~[(a) provide an equal amount of matching funds; and]~~
91 ~~[(b) do not supplant other funds used for comprehensive guidance programs.]~~
92 [(6)] (5) (a) The board shall establish rules for the upgrading of high school career and
93 technical education programs.

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

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

99 [(7)] (6) Programs that do not meet board standards may not be funded under this
100 section.

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

102 **53A-17a-156. Teacher Salary Supplement Program -- Appeal process.**

103 (1) As used in this section:

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

105 (b) "Eligible teacher" means a teacher who:

106 (i) has an assignment to teach:

107 (A) a secondary school level mathematics course;

108 (B) integrated science in grade seven or eight;

109 (C) chemistry;

110 (D) physics; or

111 (E) computer science;

112 (ii) holds the appropriate endorsement for the assigned course;

113 (iii) has qualifying educational background; and

114 (iv) (A) is a new employee; or

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

116 (c) "Qualifying educational background" means:

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

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

119 (B) a bachelor's degree major, master's degree, or doctoral degree that has course

120 requirements that are substantially equivalent to the course requirements for a bachelor's degree

121 major, master's degree, or doctoral degree in mathematics;

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

125 (A) integrated science;

126 (B) chemistry;

127 (C) physics;

128 (D) physical science;

129 (E) general science; or

130 (F) a bachelor's degree major, master's degree, or doctoral degree that has course
131 requirements that are substantially equivalent to the course requirements of those required for a
132 degree listed in Subsections (1)(c)(ii)(A) through (E);

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

135 (A) computer science;

136 (B) computer information technology; or

137 (C) a bachelor's degree major, master's degree, or doctoral degree that has course
138 requirements that are substantially equivalent to the course requirements of those required for a
139 degree listed in Subsections (1)(c)(iii)(A) and (B).

140 (2) (a) Subject to future budget constraints, the Legislature shall annually appropriate
141 money to ~~[the Teacher Salary Supplement Restricted Account established in Section~~
142 ~~53A-17a-157 to fund]~~ the Teacher Salary Supplement Program.

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

145 (i) retirement;

146 (ii) workers' compensation;

147 (iii) social security; and

148 (iv) Medicare.

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

151 (b) An eligible teacher who has a part-time assignment to teach one or more courses

152 listed in Subsections (1)(b)(i)(A) through (E) shall receive a partial salary supplement based on
153 the number of hours worked in a course assignment that meets the requirements of Subsections
154 (1)(b)(ii) and (iii).

155 (4) The board shall:

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

158 (b) determine if a teacher:

159 (i) is an eligible teacher; and

160 (ii) has a course assignment as listed in Subsections (1)(b)(i)(A) through (E); and

161 (c) verify, as needed, the determinations made under Subsection (4)(b) with school
162 district and school administrators.

163 (5) (a) An eligible teacher shall apply with the board before the conclusion of a school
164 year to receive the salary supplement authorized in this section.

165 (b) An eligible teacher may apply with the board, after verification that the
166 requirements under this section have been satisfied, to receive a salary supplement after the
167 completion of:

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

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

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

173 (b) (i) The appeal process established in Subsection (6)(a) shall allow a teacher to
174 appeal on the basis that the teacher has a degree or degree major with course requirements that
175 are substantially equivalent to the course requirements for a degree listed in:

176 (A) Subsection (1)(c)(i)(A);

177 (B) Subsections (1)(c)(ii)(A) through (E); or

178 (C) Subsections (1)(c)(iii)(A) and (B).

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

182 (A) Subsection (1)(c)(i)(A);

183 (B) Subsections (1)(c)(ii)(A) through (E); or

184 (C) Subsections (1)(c)(iii)(A) and (B).

185 (7) (a) The board shall distribute money [~~from~~] appropriated to the Teacher Salary

186 Supplement [~~Restricted Account~~] Program to school districts and charter schools for the

187 Teacher Salary Supplement 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~~]

193 Program shall be used by a school district or charter school to provide a salary supplement

194 equal to the amount specified in Subsection (3) for each eligible teacher.

195 (b) The salary supplement is part of the teacher's base pay, subject to the teacher's

196 qualification as an eligible teacher every year, semester, or trimester.

197 (9) Notwithstanding the provisions of this section, if the appropriation for the program

198 is insufficient to cover the costs associated with salary supplements, the board may limit or

199 reduce the salary supplements.

200 Section 4. **Repealer.**

201 This bill repeals:

202 Section **53A-17a-157**, **Teacher Salary Supplement Restricted Account.**

Legislative Review Note

Office of Legislative Research and General Counsel