

TEACHER SALARY SUPPLEMENT AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kay J. Christofferson

Senate Sponsor: _____

LONG TITLE**General Description:**

This bill amends provisions related to teacher salary supplements.

Highlighted Provisions:

This bill:

- defines terms;
- amends provisions related to an individual's eligibility for a teacher salary supplement; and
- makes technical and conforming changes.

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 2016, Chapter 217

*Be it enacted by the Legislature of the state of Utah:*Section 1. Section **53A-17a-156** is amended to read:**53A-17a-156. Teacher Salary Supplement Program -- Appeal process.**

(1) As used in this section:



- (a) "Board" means the State Board of Education.
- (b) "Certificate teacher" means a teacher who holds a National Board certification.
- (c) "Eligible teacher" means a teacher who:
- (i) has an assignment to teach:
 - (A) a secondary school level mathematics course;
 - (B) integrated science in grade ~~[seven or eight]~~ $\hat{H} \rightarrow 7$ or $\leftarrow \hat{H} 8$;
 - (C) chemistry;
 - (D) physics; or
 - (E) computer science;
 - (ii) holds the appropriate endorsement for the assigned course;
 - (iii) has qualifying educational background; and
 - (iv) (A) is a new employee; or
(B) received a satisfactory rating or above on the teacher's most recent evaluation.
- (d) "Endorsement" means a stipulation, authorized by the board and appended to a license, that specifies an area of practice to which the license applies.
- (e) "Field of computer science" means:
- (i) computer science; or
 - (ii) computer information technology.
- (f) "Field of science" means:
- (i) integrated science;
 - (ii) chemistry;
 - (iii) physics;
 - (iv) physical science; $\hat{H} \rightarrow [\text{or}] \leftarrow \hat{H}$
 - (v) general science $\hat{H} \rightarrow [;]$;
 - 51a (vi) earth science; or
 - 51b (vii) biology. $\leftarrow \hat{H}$
- (g) "License" means the same as that term is defined in Section [53A-6-103](#).
- ~~[(d)]~~ (h) "National Board certification" means the same as that term is defined in
Section [53A-6-103](#).
- ~~[(e)]~~ (i) "Qualifying educational background" means:
- (i) for a teacher who is assigned a secondary school level mathematics course:
 - (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics; ~~[(or)]~~
 - (B) a bachelor's degree major, master's degree, or doctoral degree that has course

requirements that are substantially equivalent to the course requirements for a bachelor's degree major, master's degree, or doctoral degree in mathematics; or

(C) a license with a mathematics level four endorsement, as established by the board;

(ii) for a teacher who is assigned a grade [~~seven or eight~~] ~~7 or 8~~ integrated

science course,

chemistry course, or physics course[;]:

(A) a bachelor's degree major, master's degree, or doctoral degree in[:] a field science;

~~[(A) integrated science;]~~

~~[(B) chemistry;]~~

~~[(C) physics;]~~

~~[(D) physical science;]~~

~~[(E) general science; or]~~

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

(C) a license with a chemistry or physics endorsement, as established by the board; or

(iii) for a teacher who is assigned a computer science course[;]:

(A) a bachelor's degree major, master's degree, or doctoral degree in[:] a field of computer science;

~~[(A) computer science;]~~

~~[(B) computer information technology; or]~~

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

(C) a license with a computer science level two endorsement, as established by the board.

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

~~[(g)]~~ (k) "Title I school certificate teacher" means a certificate teacher who is assigned to teach at a Title I school.

(2) (a) Subject to future budget constraints, the Legislature shall annually appropriate money to the Teacher Salary Supplement Restricted Account established in Section

53A-17a-157 to fund the Teacher Salary Supplement Program.

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

- (i) retirement;
- (ii) workers' compensation;
- (iii) social security; and
- (iv) Medicare.

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

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

(b) The annual salary supplement for a certificate teacher is \$750.

(c) (i) The annual salary supplement for a Title I school certificate teacher is \$1,500.

(ii) A certificate teacher who qualifies for a salary supplement under Subsections (3)(b) and (c) may only receive the salary supplement that is greater in value.

(4) The board shall:

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

(b) determine if a teacher:

- (i) (A) is an eligible teacher; and
- (B) has a course assignment as listed in Subsections (1)(c)(i)(A) through (E);
- (ii) is a certificate teacher; or
- (iii) is a Title I school certificate teacher;

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

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

(5) (a) An eligible teacher, a certificate teacher, or a Title I school certificate teacher shall apply with the board before the conclusion of a school year to receive the salary

supplement authorized in this section.

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

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

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

(6) (a) The board shall establish and administer an appeal process for a teacher to follow if the teacher applies for ~~the~~ a salary supplement and ~~is not certified under Subsection (4)]~~ does not receive a salary supplement under Subsection (8).

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

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

(B) ~~Subsections (1)(c)(ii)(A) through (E)]~~ Subsection (1)(i)(ii)(A); or

(C) ~~Subsections (1)(c)(iii)(A) and (B)]~~ Subsection (1)(i)(iii)(A).

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

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

(B) ~~Subsections (1)(c)(ii)(A) through (E)]~~ Subsection (1)(i)(ii)(A); or

(C) ~~Subsections (1)(c)(iii)(A) and (B)]~~ Subsection (1)(i)(iii)(A).

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

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

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

(A) holds a current certificate; and

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

(ii) A teacher shall provide to the board:

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

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

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

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

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

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

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

(9) Notwithstanding the provisions of this section, if the appropriation for the program is insufficient to cover the costs associated with salary supplements, the board ~~[may limit or reduce the salary supplements]~~ shall distribute the funds in the Teacher Salary Supplement Restricted Account on a pro rata basis.

Legislative Review Note
Office of Legislative Research and General Counsel