

Representative Mike Winder proposes the following substitute bill:

EFFECTIVE TEACHERS IN HIGH POVERTY SCHOOLS

INCENTIVE PROGRAM AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Mike Winder

Senate Sponsor: Lyle W. Hillyard

LONG TITLE

General Description:

This bill amends the Effective Teachers in High Poverty Schools Incentive Program.

Highlighted Provisions:

This bill:

▶ amends the definition of eligible teacher to allow teachers of ~~H~~→ **[kindergarten]**

grade 1 ←~~H~~ through

grade 3 to become eligible for the Effective Teachers in High Poverty Schools

Incentive Program;

▶ increases the amount of the annual salary bonus; and

▶ guarantees the portion of the annual salary bonus paid to an eligible teacher by the state board.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53F-2-513, as last amended by Laws of Utah 2019, Chapter 186

2nd Sub. H.B. 107



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

Section 1. Section **53F-2-513** is amended to read:

**53F-2-513. Effective Teachers in High Poverty Schools Incentive Program --
Salary bonus -- Evaluation.**

(1) As used in this section:

(a) "Cohort" means a group of students, defined by the year in which the group enters grade 1.

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

(i) is employed as a teacher in a high poverty school at the time the teacher is considered by the state board for a salary bonus; and

~~[(ii) achieves a median growth percentile of 70 or higher:]~~

~~[(A) a full school year before the school year the eligible teacher is being considered by the state board for a salary bonus under this section, regardless of whether the teacher was employed the previous school year by a high poverty school or a different public school; and]~~

(ii) a full school year before the school year the eligible teacher is being considered by the state board for a salary bonus under this section, regardless of whether the teacher was employed the previous year by a high poverty school or a different public school, either:

~~[(B)]~~ (A) achieves a median growth percentile of 70 or higher while teaching at any public school in the state a course for which a standards assessment is administered as described in Section 53E-4-303[-]; or

(B) teaches ~~Ĥ~~ → [kindergarten or] ← ~~Ĥ~~ grade 1, 2, or 3, and achieves at least 85% of students whose progress is assessed as typical or better at the end of the year assessment while teaching at any public school in the state at which a benchmark assessment is administered as described in Section 53F-2-503.

(c) "High poverty school" means a public school:

(i) in which:

(A) more than 20% of the enrolled students are classified as children affected by intergenerational poverty; or

(B) 70% or more of the enrolled students qualify for free or reduced lunch; or

(ii) (A) that has previously met the criteria described in Subsection (1)(c)(i)(A) and for

57 each school year since meeting that criteria at least 15% of the enrolled students at the public
58 school have been classified as children affected by intergenerational poverty; or

59 (B) that has previously met the criteria described in Subsection (1)(c)(i)(B) and for
60 each school year since meeting that criteria at least 60% of the enrolled students at the public
61 school have qualified for free or reduced lunch.

62 (d) "Intergenerational poverty" means the same as that term is defined in Section
63 [35A-9-102](#).

64 (e) "Median growth percentile" means a number that describes the comparative
65 effectiveness of a teacher in helping the teacher's students achieve growth in a year by
66 identifying the median student growth percentile of all the students a teacher instructs.

67 (f) "Program" means the Effective Teachers in High Poverty Schools Incentive
68 Program created in Subsection (2).

69 (g) "Student growth percentile" is a number that describes where a student ranks in
70 comparison to the student's cohort.

71 (2) (a) The Effective Teachers in High Poverty Schools Incentive Program is created to
72 provide an annual salary bonus for an eligible teacher.

73 (b) The state board shall make rules for:

74 (i) the administration of the program;

75 (ii) payment of a salary bonus; and

76 (iii) application requirements.

77 (c) The state board shall make an annual salary bonus payment in a fiscal year that
78 begins on July 1, 2017, and each fiscal year thereafter in which money is appropriated for the
79 program.

80 (3) (a) Subject to future budget constraints, the Legislature shall annually appropriate
81 money to fund the program.

82 (b) Money appropriated for the program shall include money for the following
83 employer-paid benefits:

84 (i) social security; and

85 (ii) Medicare.

86 (4) (a) (i) A charter school or school district school shall annually apply to the state
87 board on behalf of an eligible teacher for an eligible teacher to receive an annual salary bonus

88 each year that the teacher is an eligible teacher.

89 (ii) A teacher need not be an eligible teacher in consecutive years to receive the
90 increased annual salary bonus described in Subsection (4)(b).

91 (b) The annual salary bonus for an eligible teacher is [~~\$5,000~~] \$7,000.

92 (c) A public school that applies on behalf of an eligible teacher under Subsection
93 (4)(a)(i) shall pay half of the salary bonus described in Subsection (4)(b) each year the eligible
94 teacher is awarded the salary bonus.

95 (d) The state board shall award a salary bonus to an eligible teacher based on the order
96 that an application from a public school on behalf of the eligible teacher is received.

97 (5) The state board shall:

98 (a) determine if a teacher is an eligible teacher; and

99 (b) verify, as needed, the determinations made under Subsection (5)(a) with the school
100 district and school district administrators.

101 (6) The state board shall:

102 (a) distribute money from the program to school districts and charter schools in
103 accordance with this section and state board rule; and

104 (b) include the employer-paid benefits described in Subsection (3)(b) in addition to the
105 salary bonus amount described in Subsection (4)(b).

106 (7) Money received from the program shall be used by a school district or charter
107 school to provide an annual salary bonus equal to the amount specified in Subsection (4)(b) for
108 each eligible teacher and to pay affiliated employer-paid benefits described in Subsection
109 (3)(b).

110 (8) (a) After the third year salary bonus payments are made, and each succeeding year,
111 the state board shall evaluate the extent to which a salary bonus described in this section
112 improves recruitment and retention of effective teachers in high poverty schools by at least:

113 (i) surveying teachers who receive the salary bonus; and

114 (ii) examining turnover rates of teachers who receive the salary bonus compared to
115 teachers who do not receive the salary bonus.

116 (b) Each year that the state board conducts an evaluation described in Subsection
117 (8)(a), the state board shall, in accordance with Section [68-3-14](#), submit a report on the results
118 of the evaluation to the Education Interim Committee on or before November 30.

119 (9) A public school shall annually notify a teacher:

120 (a) of the teacher's median growth percentile; and

121 (b) how the teacher's median growth percentile is calculated.

122 (10) Notwithstanding this section, if the appropriation for the program is insufficient to

123 cover the costs associated with salary bonuses, the state board may limit or reduce a salary

124 bonus.