

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: _____

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 kindergarten 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:

This bill appropriates in fiscal year 2021:

- ▶ to State Board of Education - Initiative Programs, as an ongoing appropriation:
 - from the Education Fund, (\$481,000); and
- ▶ to State Board of Education - Minimum School Program - Related to Basic School Programs, as an ongoing appropriation:
 - from the Education Fund, \$481,000.



26 **Other Special Clauses:**

27 None

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53F-2-513**, as last amended by Laws of Utah 2019, Chapter 186



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

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

33 **53F-2-513. Effective Teachers in High Poverty Schools Incentive Program --**

34 **Salary bonus -- Evaluation.**

35 (1) As used in this section:

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

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

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

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

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

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

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

51 (B) achieves at least 85% of students whose progress is assessed as typical or better at
52 the end of the year assessment while teaching at any public school in the state at which a
53 benchmark assessment is administered as described in Section **53F-2-503**.

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

55 (i) in which:

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

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

60 (ii) (A) that has previously met the criteria described in Subsection (1)(c)(i)(A) and for
61 each school year since meeting that criteria at least 15% of the enrolled students at the public
62 school have been classified as children affected by intergenerational poverty; or

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

66 (d) "Intergenerational poverty" means the same as that term is defined in Section
67 [35A-9-102](#).

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

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

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

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

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

78 (i) the administration of the program;

79 (ii) payment of a salary bonus; and

80 (iii) application requirements.

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

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

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

88 (i) social security; and

89 (ii) Medicare.

90 (4) (a) (i) A charter school or school district school shall annually apply to the state
91 board on behalf of an eligible teacher for an eligible teacher to receive an annual salary bonus
92 each year that the teacher is an eligible teacher.

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

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

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

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

101 (5) The state board shall:

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

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

105 (6) The state board shall:

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

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

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

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

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

118 (ii) examining turnover rates of teachers who receive the salary bonus compared to

119 teachers who do not receive the salary bonus.

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

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

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

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

126 (10) Notwithstanding this section, if the appropriation for the program under this
127 section is insufficient to cover the costs associated with salary bonuses, [~~the state board may~~
128 ~~limit or reduce a salary bonus.~~] the state board shall use funds appropriated under Title 53E,
129 Chapter 5, Part 3, School Turnaround and Leadership Development, to cover the costs.

130 Section 2. **Appropriation.**

131 The following sums of money are appropriated for the fiscal year beginning July 1,
132 2020, and ending June 30, 2021. These are additions to amounts previously appropriated for
133 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
134 Act, the Legislature appropriates the following sums of money from the funds or accounts
135 indicated for the use and support of the government of the state of Utah.

136 ITEM 1

137 To State Board of Education - Initiative Programs

138 From Education Fund (\$481,000)

139 Schedule of Programs:

140 School Turnaround and Leadership Development Act (\$481,000)

141 ITEM 2

142 To State Board of Education - Minimum School Program -

143 Related to Basic School Programs

144 From Education Fund \$481,000

145 Schedule of Programs:

146 Effective Teachers in High Poverty Schools Incentive Program

147 \$481,000

148 The Legislature intends that appropriations provided under this section be used to cover
149 the costs of teacher salary bonuses for the Effective Teachers in High Poverty Schools

150 Incentive Program created in Section [53F-2-513](#), if the money appropriated for the program is
151 insufficient, as described in Subsection [53F-2-513\(10\)](#).