

SB0151S01 compared with SB0151

~~text~~ shows text that was in SB0151 but was deleted in SB0151S01.

text shows text that was not in SB0151 but was inserted into SB0151S01.

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Senator Karen Mayne proposes the following substitute bill:

ACCELERATED STUDENT PROGRAM AMENDMENTS

2020 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen Mayne

House Sponsor: _____

LONG TITLE

General Description:

This bill amends provisions related to early college programs and a program for accelerated students.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the State Board of Education to make rules;
- ▶ removes early college programs from the Enhancement for Accelerated Students Program;
- ▶ creates a funding formula for early college programs;
- ▶ provides for funding distribution formulas for the Enhancement for Accelerated Students Program and early college programs to prioritize increasing access to the

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programs for groups of students who are underrepresented in the programs;

- ▶ ~~{adds a growth adjustment to the Enhancement for Accelerated Students Program;~~

→ ~~amends a growth adjustment for the }~~ provides that an LEA that receives funding for concurrent enrollment may prioritize using the funding to increase access to concurrent enrollment ~~{program}~~ for groups of students who are underrepresented in concurrent enrollment; and

- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53F-2-206, as last amended by Laws of Utah 2019, Chapter 186

53F-2-408, as last amended by Laws of Utah 2019, Chapter 186

53F-2-409, as last amended by Laws of Utah 2019, Chapters 136 and 186

ENACTS:

53F-2-408.5, Utah Code Annotated 1953

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

Section 1. Section **53F-2-206** is amended to read:

53F-2-206. Flexibility in the use of certain related to basic program funds.

(1) As used in this section, "qualifying program" means:

- (a) the Enhancement for At-Risk Students Program created in Section 53F-2-410;
- (b) the Enhancement for Accelerated Students Program created in Section 53F-2-408;

[and]

(c) the early college programs described in Section 53F-2-408.5; and

~~(c)~~ (d) the concurrent enrollment program established in Section 53E-10-302.

(2) If a school district or charter school receives an allocation of state funds for a qualifying program that is less than \$10,000, the LEA governing board of the receiving school district or charter school may:

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(a) (i) combine the funds with one or more qualifying program fund allocations each of which is less than \$10,000; and

(ii) use the combined funds in accordance with the program requirements for any of the qualifying programs that are combined; or

(b) (i) transfer the funds to a qualifying program for which the school district or charter school received an allocation of funds that is greater than or equal to \$10,000; and

(ii) use the combined funds in accordance with the program requirements for the qualifying program to which the funds are transferred.

Section 2. Section **53F-2-408** is amended to read:

53F-2-408. Enhancement for Accelerated Students Program.

(1) As used in this section, ~~the~~ ~~term~~ ~~"eligible low-income student" means a student who~~

~~(a) takes an Advanced Placement test;~~

~~(b) has applied for an Advanced Placement test fee reduction; and~~

~~(c) qualifies for a free lunch or a lunch provided at reduced cost.]~~

~~(a) "LEA governing board" means:~~

~~(i) a local school board; or~~

~~(ii) a charter school governing board;~~

~~(b) "Local" "local education agency" or "LEA" means:~~

~~(i) a school district; or~~

~~(ii) a charter school.~~

~~(2) The state board shall distribute money appropriated for the Enhancement for Accelerated Students Program to school districts and charter schools according to a formula adopted by the state board, after consultation with LEA governing boards.]~~

(2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to establish a formula to distribute money appropriated for the Enhancement for Accelerated Students Program.

(b) The state board shall consult with ~~LEA governing boards~~ LEAs before making the rules described in Subsection (2)(a).

(3) A distribution formula adopted under Subsection (2) [may] shall:

(a) include an allocation of money for[:] gifted and talented programs ~~;~~ including

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~~professional development for teachers of high ability students~~; and

~~[(a) Advanced Placement courses;]~~

~~[(b) Advanced Placement test fees of eligible low-income students;]~~

~~[(c) gifted and talented programs, including professional development for teachers of high ability students; and]~~

~~[(d) International Baccalaureate programs.]~~

(b) prioritize funding to increase access to gifted and talented programs for groups of students who are underrepresented in gifted and talented programs.

~~[(4) The greater of 1.5% or \$100,000 of the appropriation for the Enhancement for Accelerated Students Program may be allowed for International Baccalaureate programs.]~~

(4) A school district or charter school shall use money distributed under this section to enhance the academic growth of students whose academic achievement is accelerated.

~~[(6) (5) The state board shall develop performance criteria to measure the effectiveness of the Enhancement for Accelerated Students Program.~~

~~[(7) (6) If a school district or charter school receives an allocation of less than \$10,000 under this section, the school district or charter school may use the allocation as described in Section 53F-2-206.~~

~~{ (7) Subject to future budget constraints, the Legislature shall annually increase the appropriation for the Enhancement for Accelerated Students Program based on:~~

~~_____ (a) a student growth adjustment that is the higher of:~~

~~_____ (i) the percentage of enrollment growth of students in kindergarten through grade 12;~~

~~or~~

~~_____ (ii) the percentage of enrollment growth in students who participate in a program described in Subsection (2); and~~

~~_____ (b) a change to the value of the weighted pupil unit, as defined in Section 53F-2-301.~~

~~‡~~ Section 3. Section **53F-2-408.5** is enacted to read:

53F-2-408.5. Early college programs.

(1) As used in this section:

(a) "Advanced placement course" means a rigorous course developed by the College

Board that:

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(i) is developed by a committee composed of college faculty and advanced placement teachers and covers the breadth of information, skills, and assignments found in the corresponding college course; and

(ii) for which a student who performs well on an exam for the course may be:

(A) granted college credit; or

(B) given advanced standing at a college or university.

(b) "Eligible low income student" means a student who:

(i) takes an advanced placement course test;

(ii) has applied for an advanced placement course test fee reduction; and

(iii) qualifies for a free lunch or a lunch provided at a reduced cost.

(c) "International Baccalaureate program" means a program established by the International Baccalaureate Organization.

~~{ (d) "LEA governing board" means:~~

~~(i) a local school board; or~~

~~(ii) a charter school governing board.~~

~~{ (c) } (d) "Local education agency" or "LEA" means:~~

(i) a school district; or

(ii) a charter school.

(2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to establish a formula to distribute money appropriated for the early college programs described in Subsection (2)(b).

(b) Subject to Subsection (2)(c), the formula described in Subsection (2)(a) shall:

(i) include an allocation of money for the following early college programs:

(A) advanced placement courses;

(B) advanced placement course test fees for eligible low income students; and

(C) International Baccalaureate programs; and

(ii) prioritize funding to increase access to early college programs for groups of students who are underrepresented in early college programs.

(c) The ~~{allocation}~~ state board may not allocate more than \$100,000 of an appropriation under this section for International Baccalaureate programs ~~{may not exceed the greater of:~~

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- ~~—— (i) 1.5% of the total appropriation for:~~
- ~~—— (A) early college programs described in this section; and~~
- ~~—— (B) the appropriation for the Enhancement for Accelerated Students Program described in Section 53F-2-408; or~~
- ~~—— (ii) \$100,000.~~

~~(d) The state board shall consult with {LEA governing boards} LEAs before making the rules described in Subsection (2)(a).~~

~~(3) An LEA shall use money distributed under this section for the purposes described in Subsection (2)(b).~~

~~(4) The state board shall develop performance criteria to measure the effectiveness of the early college programs described in this section.~~

~~(5) If an LEA receives an allocation of less than \$10,000 {under} for the early college programs described in this section, the LEA may use the allocation as described in Section 53F-2-206.~~

~~{ —— (6) Subject to future budget constraints, the Legislature shall increase the annual appropriation for the early college programs described in this section based on:~~

- ~~—— (a) a student growth adjustment that is the higher of:~~
- ~~—— (i) the percentage of enrollment growth of students in kindergarten through grade 12;~~
- ~~or~~
- ~~—— (ii) the percentage of enrollment growth in students who participate in the programs described in Subsection (2); and~~
- ~~—— (b) a change to the value of the weighted pupil unit, as defined in Section 53F-2-301.~~

~~‡ Section 4. Section 53F-2-409 is amended to read:~~

~~53F-2-409. Concurrent enrollment funding.~~

- ~~(1) The terms defined in Section 53E-10-301 apply to this section.~~
- ~~(2) The state board shall allocate money appropriated for concurrent enrollment in accordance with this section.~~
- ~~(3) (a) The state board shall allocate money appropriated for concurrent enrollment in proportion to the number of credit hours earned for courses taken [where] for which:~~
 - ~~(i) an LEA primarily bears the cost of instruction; and~~
 - ~~(ii) an institution of higher education primarily bears the cost of instruction.~~

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(b) From the money allocated under Subsection (3)(a)(i), the state board shall distribute:

- (i) 60% of the money to LEAs; and
- (ii) 40% of the money to the State Board of Regents.

(c) From the money allocated under Subsection (3)(a)(ii), the state board shall distribute:

- (i) 40% of the money to LEAs; and
- (ii) 60% of the money to the State Board of Regents.

(d) The state board shall make rules providing for the distribution of the money to LEAs under Subsections (3)(b)(i) and (3)(c)(i).

(e) The State Board of Regents shall make rules providing for the distribution of the money allocated to institutions of higher education under Subsections (3)(b)(ii) and (3)(c)(ii).

(4) Subject to budget constraints, the Legislature shall annually increase the money appropriated for concurrent enrollment ~~{}~~ in proportion to the percentage increase over the previous school year in ~~{}~~ based on:

~~— (a) a student growth adjustment that is the greater of:~~

~~— [(a)] (i) the percentage of enrollment growth of students in};~~

~~(a) kindergarten through grade 12 ~~{}~~ student enrollment; and ~~{}~~; or~~

~~— (ii) the percentage of growth in the number of credit hours earned through concurrent enrollment; and}~~

(b) the value of the weighted pupil unit.

(5) (a) An LEA that receives money under this section may prioritize using the money to increase access to concurrent enrollment for groups of students who are underrepresented in concurrent enrollment.

(b) If an LEA receives an allocation of less than \$10,000 under this section, the LEA may use the allocation as described in Section 53F-2-206.