

**Representative Mike Winder** proposes the following substitute bill:

**HIGH POVERTY SCHOOLS TEACHER BONUS PROGRAM**

**AMENDMENTS**

2021 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mike Winder**

Senate Sponsor: Kathleen A. Riebe

**LONG TITLE**

**General Description:**

This bill makes amendments related to criteria for schools and teachers eligible for the Effective Teachers in High Poverty Schools Incentive Program.

**Highlighted Provisions:**

This bill:

- ▶ amends the eligibility requirements for teachers in high poverty schools to receive a salary bonus in the 2020-2021 school year;
- ▶ provides that a school that qualified as a high poverty school in the 2018-2019 or 2019-2020 school year qualifies as a high poverty school for the 2020-2021 school year;
- ▶ requires the State Board of Education to publish a list of high poverty schools; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**



26 AMENDS:

27 **53F-2-513**, as last amended by Laws of Utah 2020, Chapters 306 and 408



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

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

31 **53F-2-513. Effective Teachers in High Poverty Schools Incentive Program --**  
32 **Salary bonus -- Evaluation.**

33 (1) As used in this section:

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

36 (b) "Eligible teacher" means a teacher who ~~is~~ is employed as a teacher in grade 1  
37 through 8 in a high poverty school at the time the teacher is considered by the state board for a  
38 salary bonus~~;~~<sub>2</sub> and:

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

43 (A) achieves a median growth percentile of 70 or higher while teaching in grade 4  
44 through 8 at any public school in the state a course for which a standards assessment is  
45 administered as described in Section **53E-4-303**; or

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

50 (ii) for a salary bonus awarded in the 2020-2021 school year, regardless of whether the  
51 teacher was employed the previous year by a high poverty school or a different public school,  
52 either:

53 (A) in the 2018-2019 school year, achieves a median growth percentile of 70 or higher  
54 while teaching in grade 4 through 8 at any public school in the state a course for which a  
55 standards assessment is administered as described in Section **53E-4-303**; or

56 (B) in the 2018-2019 school year, achieves at least 85% of students whose progress is

57 assessed as typical or better at the end of the year assessment while teaching grade 1, 2, or 3 at  
58 any public school in the state at which a benchmark assessment is administered as described in  
59 Section 53F-2-503; or

60 (iii) for a salary bonus awarded to a grade 4 teacher in the 2021-2022 school year,  
61 regardless of whether the teacher was employed the previous year by a high poverty school or a  
62 different public school, teaches grade 4 and achieves the criteria under the method that the state  
63 board creates as described in Subsection (2)(b)(iv).

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

65 (i) in which:

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

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

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

72 (B) that has previously met the criteria described in Subsection (1)(c)(i)(B) and for  
73 each school year since meeting that criteria at least 60% of the enrolled students at the public  
74 school have qualified for free or reduced lunch[-];

75 (iii) for the 2020-2021 school year, that met the criteria described in Subsection  
76 (1)(c)(i) or (ii) in the 2018-2019 school year; or

77 (iv) for the 2021-2022 school year, that met the criteria described in Subsection  
78 (1)(c)(i) or (ii) in the 2019-2020 school year.

79 (d) "Intergenerational poverty" means the same as that term is defined in Section  
80 35A-9-102.

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

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

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

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

90 (b) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative  
91 Rulemaking Act, make rules for:

92 (i) the administration of the program;

93 (ii) payment of a salary bonus; [~~and~~]

94 (iii) application requirements[-:]; and

95 (iv) a method for:

96 (A) norm-referencing available reading assessment data for grade 4; and

97 (B) for using the data described in Subsection (2)(b)(iv)(A) to set criteria for the

98 purpose of determining teacher eligibility for salary bonuses awarded in the 2021-2022 school  
99 year for teachers in grade 4.

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

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

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

107 (i) social security; and

108 (ii) Medicare.

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

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

114 (b) The annual salary bonus for an eligible teacher is \$7,000.

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

118 (d) The state board shall award a salary bonus to an eligible teacher based on the order

119 that an application from a public school on behalf of the eligible teacher is received.

120 (5) The state board shall:

121 (a) determine if a teacher is an eligible teacher; ~~[and]~~

122 (b) verify, as needed, the determinations made under Subsection (5)(a) with the school

123 district and school district administrators[-]; and

124 (c) publish a list of high poverty schools.

125 (6) The state board shall:

126 (a) distribute money from the program to school districts and charter schools in

127 accordance with this section and state board rule; and

128 (b) include the employer-paid benefits described in Subsection (3)(b) in addition to the

129 salary bonus amount described in Subsection (4)(b).

130 (7) Money received from the program shall be used by a school district or charter

131 school to provide an annual salary bonus equal to the amount specified in Subsection (4)(b) for

132 each eligible teacher and to pay affiliated employer-paid benefits described in Subsection

133 (3)(b).

134 (8) (a) After the third year salary bonus payments are made, and each succeeding year,

135 the state board shall evaluate the extent to which a salary bonus described in this section

136 improves recruitment and retention of effective teachers in high poverty schools by ~~[at least: (i)~~

137 ~~surveying teachers who receive the salary bonus; and (ii)]~~ examining turnover rates of teachers

138 who receive the salary bonus compared to teachers who do not receive the salary bonus.

139 (b) Each year that the state board conducts an evaluation described in Subsection

140 (8)(a), the state board shall, in accordance with Section [68-3-14](#), submit a report on the results

141 of the evaluation to the Education Interim Committee on or before November 30.

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

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

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

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

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

147 bonus.