

## HB0323S01 compared with HB0323

~~{deleted text}~~ shows text that was in HB0323 but was deleted in HB0323S01.

inserted text shows text that was not in HB0323 but was inserted into HB0323S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

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

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#### 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:

- ~~{ → }~~ waives the requirement for the State Board of Education (state board) to assign to each school an overall rating using an A through F letter grading scale for the ~~2020-2021 school year;~~
- ~~{ }~~ ▶ amends the eligibility requirements for teachers in high poverty schools to receive a salary bonus in the ~~{2021-2022 and 2022-2023}~~ 2020-2021 school ~~{years}~~ year;

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- ▶ 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 to:~~
  - ~~• create a method to norm-reference available reading assessments to determine teacher eligibility for salary bonuses awarded in the 2022-2023 school year for teachers in grades 4 through 12;~~
  - ~~• maintain}{State Board of Education to publish a list of high poverty schools}{ and make the list available to teachers; and~~
  - ~~• send an email to a teacher who receives a salary bonus}; and~~
- ▶ makes technical and conforming changes.

### Money Appropriated in this Bill:

None

### Other Special Clauses:

None

### Utah Code Sections Affected:

AMENDS:

~~{ 53E-5-204, as last amended by Laws of Utah 2020, Chapter 266~~

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

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

Section 1. Section ~~{53E-5-204}~~53F-2-513 is amended to read:

~~{ 53E-5-204. Rating schools.~~

~~———— (1) Except as provided in Subsection (3), and in accordance with this part, the state board shall annually assign to each school an overall rating using an A through F letter grading scale where, based on the school's performance level on the indicators described in Subsection (2):~~

~~———— (a) an A grade represents an exemplary school;~~

~~———— (b) a B grade represents a commendable school;~~

~~———— (c) a C grade represents a typical school;~~

~~———— (d) a D grade represents a developing school; and~~

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- ~~— (c) an F grade represents a critical needs school.~~
- ~~— (2) A school's overall rating described in Subsection (1) shall be based on the school's performance on the indicators described in:~~
- ~~— (a) Section 53E-5-205, for an elementary school or a middle school; or~~
- ~~— (b) Section 53E-5-206, for a high school.~~
- ~~— (3) (a) For a school year in which the state board determines it is necessary to establish, due to a transition to a new assessment, a new baseline to determine student growth described in Section 53E-5-210, the state board is not required to assign an overall rating described in Subsection (1) to a school to which the new baseline applies.~~
- ~~— (b) For the 2017-2018, 2018-2019, [and] 2019-2020, and 2020-2021 school years, the state board:~~
- ~~— (i) shall evaluate a school based on the school's performance level on the indicators described in Subsection (2) and in accordance with this part; and~~
- ~~— (ii) is not required to assign a school an overall rating described in Subsection (1).~~
- ~~— Section 2. 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 grade 1 through 8 in a high poverty school at the time the teacher is considered by the state board for a salary bonus~~];~~ and:
- ~~[(ii)]~~ (i) 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:
- (A) achieves a median growth percentile of 70 or higher while teaching in grade 4 through 8 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 grade 1, 2, or 3, and]~~ achieves at least 85% of students whose progress is

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

(ii) for a salary bonus awarded in the ~~{2021-2022}~~2020-2021 school year, regardless of whether the teacher was employed the previous year by a high poverty school or a different public school, either:

(A) in the 2018-2019 school year, achieves a median growth percentile of 70 or higher while teaching in grade 4 through 8 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) in the 2018-2019 school year, achieves at least 85% of students whose progress is assessed as typical or better at the end of the year assessment while teaching grade 1, 2, or 3 at any public school in the state at which a benchmark assessment is administered as described in Section 53F-2-503; or

(iii) for a salary bonus awarded to a grade 4 teacher in the ~~{2022-2023}~~2021-2022 school year, regardless of whether the teacher was employed the previous year by a high poverty school or a different public school, ~~either:~~

~~—— (A) in the 2021-2022 school year, achieves at least 85% of students whose progress is assessed as typical or better at the end of the year assessment while teaching grade 1, 2, or 3 at any public school in the state at which a benchmark assessment is administered as described in Section 53F-2-503; or~~

~~—— (B) teaches ~~{grades}~~grade 4~~{through 12,}~~ and achieves the criteria under the method that the state board creates as described in Subsection (2)(b)(iv).~~

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

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

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each school year since meeting that criteria at least 60% of the enrolled students at the public school have qualified for free or reduced lunch[-]; ~~or~~

(iii) for the ~~2021-2022~~ 2020-2021 school year, that met the criteria described in Subsection (1)(c)(i) or (ii) in the ~~2019-2020~~ 2018-2019 school year ~~or~~

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

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

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

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

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

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

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

(i) the administration of the program;

(ii) payment of a salary bonus; ~~and~~

(iii) application requirements[-]; and

(iv) a method for:

(A) norm-referencing available reading assessment data for ~~grades~~ grade 4 ~~through 12~~; and

(B) for using the data described in Subsection (2)(b)(iv)(A) to set criteria for the purpose of determining teacher eligibility for salary bonuses awarded in the ~~2022-2023~~ 2021-2022 school year for teachers in ~~grades~~ grade 4 ~~through 12~~.

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

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

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

- (i) social security; and
- (ii) Medicare.

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

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

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

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

(d) The state board shall ~~;~~

~~— (i) —~~ award a salary bonus to an eligible teacher based on the order that an application from a public school on behalf of the eligible teacher is received ~~{[-]; and~~

~~— (ii) send an email to each teacher to whom the state board awards a salary bonus that:~~

~~— (A) congratulates the teacher and thanks the teacher for working in the education field;~~

~~— (B) explains how the teacher's instruction was statistically significant in helping the teacher's students achieve academic growth;~~

~~— (C) notifies the teacher that the teacher may be eligible to receive a salary bonus in the future if the teacher continues employment at a high poverty school; and~~

~~— (D) notifies the teacher that the state board maintains a list of high poverty schools that is available to teachers.~~

~~};~~

(5) The state board shall:

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

(b) verify, as needed, the determinations made under Subsection (5)(a) with the school district and school district administrators~~[-]; and~~

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(c) ~~{maintain}~~ publish a list of high poverty schools ~~{and make the list available to teachers}~~.

(6) The state board shall:

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

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

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

(8) (a) After the third year salary bonus payments are made, and each succeeding year, the state board shall evaluate the extent to which a salary bonus described in this section improves recruitment and retention of effective teachers in high poverty schools by ~~[at least: (i) surveying teachers who receive the salary bonus; and (ii)]~~ examining turnover rates of teachers who receive the salary bonus compared to teachers who do not receive the salary bonus.

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

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

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

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

(10) Notwithstanding this section, if the appropriation for the program is insufficient to cover the costs associated with salary bonuses, the state board may limit or reduce a salary bonus.