

1 **EFFECTIVE TEACHERS IN HIGH POVERTY SCHOOLS**

2 **INCENTIVE PROGRAM AMENDMENTS**

3 2022 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Mike Winder**

6 Senate Sponsor: Lincoln Fillmore

7

8 **LONG TITLE**

9 **General Description:**

10 This bill makes changes to the Effective Teachers in High Poverty Schools Incentive
11 Program.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ clarifies that special education teachers are eligible for the Effective Teachers in
- 15 High Poverty Schools Incentive Program (incentive program);
- 16 ▶ makes kindergarten teachers eligible for the incentive program;
- 17 ▶ adds a second method for teachers in grades 1 through 3 to be eligible for the
- 18 incentive program; and
- 19 ▶ makes technical and conforming changes.

20 **Money Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 AMENDS:

26 **53F-2-513**, as last amended by Laws of Utah 2021, Chapter 268



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

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

30 **53F-2-513. Effective Teachers in High Poverty Schools Incentive Program --**
31 **Salary bonus -- Evaluation.**

32 (1) As used in this section:

33 (a) "Cohort" means a group of students, defined by the year in which the group enters
34 ~~[grade 1]~~ kindergarten.

35 (b) "Eligible teacher" means a general education or special education teacher who is
36 employed as a teacher in ~~[grade 1 through]~~ kindergarten through grade 8 in a high poverty
37 school at the time the teacher is considered by the state board for a salary bonus, and:

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

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

44 (B) achieves at least 85% of students whose progress is assessed as typical or better at
45 the end of the year assessment while teaching kindergarten or grade 1, 2, or 3 at any public
46 school in the state at which a benchmark assessment is administered as described in Section
47 [53F-2-503](#) [;] or Section [53E-4-307.5](#);

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

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

54 (B) in the 2018-2019 school year, achieves at least 85% of students whose progress is
55 assessed as typical or better at the end of the year assessment while teaching grade 1, 2, or 3 at
56 any public school in the state at which a benchmark assessment is administered as described in
57 Section [53F-2-503](#); or

58 (iii) for a salary bonus awarded to a grade 4 teacher in the ~~[2021-2022]~~ 2022-2023

59 school year, regardless of whether the teacher was employed the previous year by a high
60 poverty school or a different public school, teaches grade 4 and achieves the criteria under the
61 method that the state board creates as described in Subsection (2)(b)(iv).

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

63 (i) in which, during the previous school year, based on October 1 enrollment as of the
64 year-end data submission:

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

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

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

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

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

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

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

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

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

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

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

89 (b) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative

90 Rulemaking Act, make rules for:

91 (i) the administration of the program;

92 (ii) payment of a salary bonus;

93 (iii) application requirements; and

94 (iv) a method for:

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

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

97 purpose of determining teacher eligibility for salary bonuses awarded in the [2021-2022]

98 2022-2023 school year for teachers in grade 4.

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

102 (d) The state board shall make a partial payment of the annual salary bonus described
103 in Subsection (2)(c), to an eligible teacher who has a part-time assignment in a regular or
104 special education classroom at an eligible school, based on the number of hours the eligible
105 teacher works in the classroom assignment.

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

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

110 (i) social security; and

111 (ii) Medicare.

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

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

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

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

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

123 (5) The state board shall:

124 (a) determine if a teacher is an eligible teacher;

125 (b) verify, as needed, the determinations made under Subsection (5)(a) with the school
126 district and school district administrators; and

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

128 (6) The state board shall:

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

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

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

137 (8) (a) After the third year salary bonus payments are made, and each succeeding year,
138 the state board shall evaluate the extent to which a salary bonus described in this section
139 improves recruitment and retention of effective teachers in high poverty schools by examining
140 turnover rates of teachers who receive the salary bonus compared to teachers who do not
141 receive the salary bonus.

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

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

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

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

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