

PUBLIC EDUCATION BUDGET AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Susan Pulsipher

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill supplements or reduces appropriations otherwise provided for the support and operation of public education for the fiscal year beginning July 1, 2022, and ending June 30, 2023, and for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

Highlighted Provisions:

This bill:

- ▶ provides appropriations for the use and support of school districts, charter schools, and state education agencies;
- ▶ sets the value of the weighted pupil unit (WPU) at \$4,280 for fiscal year 2023-2024, which is 6% higher than the WPU Value in fiscal year 2023;
- ▶ amends provisions related to scholarship amounts tied to the length of a kindergarten class;
- ▶ removes fiscal year limitations on a provision allowing for the unrestricted use of a portion of restricted funds;
- ▶ repeals provisions related to an obsolete equity pupil tax rate;
- ▶ amends funding formulas related to kindergarten to reflect a full-day length of a kindergarten class;
- ▶ amends the intended use of the Enrollment Growth Contingency Program;
- ▶ enacts provisions regarding the distribution of a flexible allocation;
- ▶ amends directions for the distribution of a voted and board local levy funding



- 28 balance for a prior fiscal year;
- 29 ▶ requires certain reporting of one-time funds for student and school support;
- 30 ▶ amends a formula for small charter school base funding;
- 31 ▶ broadens the school districts that are eligible for one-time capital development
- 32 project funding;
- 33 ▶ requires local education agency governing boards to provide an optional half-day
- 34 kindergarten class upon request;
- 35 ▶ amends provisions regarding a requirement for a kindergarten assessment;
- 36 ▶ repeals an optional expanded kindergarten program and an obsolete program
- 37 regarding enrollment growth for certain previous fiscal years;
- 38 ▶ adjusts the number of weighted pupil units for the Kindergarten and At-Risk
- 39 Students Add-on WPU programs to reflect statutory changes made in this bill and
- 40 anticipated student enrollment in fall 2023;
- 41 ▶ makes certain statutory changes to adjust programmatic formulas with funding
- 42 changes;
- 43 ▶ provides appropriations for other purposes as described;
- 44 ▶ provides intent language; and
- 45 ▶ makes technical and conforming changes.

46 **Money Appropriated in this Bill:**

47 This bill appropriates \$48,631,700 in operating and capital budgets for fiscal year 2023,

48 including:

- 49 ▶ \$12,704,000 from the Income Tax Fund; and
- 50 ▶ \$35,927,700 from various sources as detailed in this bill.

51 This bill appropriates \$12,704,000 in transfers to unrestricted funds for fiscal year 2023.

52 This bill appropriates \$506,039,600 in operating and capital budgets for fiscal year

53 2024, including:

- 54 ▶ \$154,886,600 from the Uniform School Fund;
- 55 ▶ \$3,835,500 from the Income Tax Fund; and
- 56 ▶ \$347,317,500 from various sources as detailed in this bill.

57 This bill appropriates \$4,184,200 in restricted fund and account transfers for fiscal year

58 2024, all of which is from the Income Tax Fund.

59 This bill appropriates \$133,869,700 in transfers to unrestricted funds for fiscal year
60 2024.

61 **Other Special Clauses:**

62 This bill provides a special effective date.

63 This bill provides a coordination clause.

64 **Utah Code Sections Affected:**

65 AMENDS:

66 **53E-7-402**, as last amended by Laws of Utah 2022, Chapter 262

67 **53F-2-209**, as last amended by Laws of Utah 2022, Chapter 1

68 **53F-2-301**, as last amended by Laws of Utah 2021, Chapter 319

69 **53F-2-302**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 9

70 **53F-2-302.1**, as last amended by Laws of Utah 2022, Chapter 1

71 **53F-2-601**, as last amended by Laws of Utah 2021, Chapters 319, 382

72 **53F-2-706**, as last amended by Laws of Utah 2021, Chapter 439

73 **53F-7-202**, as enacted by Laws of Utah 2022, Chapter 407

74 **53F-10-101**, as enacted by Laws of Utah 2022, Chapter 407

75 **53G-7-203**, as last amended by Laws of Utah 2022, Chapter 316

76 **63I-2-253**, as last amended by Laws of Utah 2022, Chapters 208, 229, 274, 354, 370,

77 and 409

78 ENACTS:

79 **53F-2-421**, Utah Code Annotated 1953

80 REPEALS:

81 **53F-2-507**, as last amended by Laws of Utah 2022, Chapter 316

82 **Utah Code Sections Affected by Coordination Clause:**

83 **53F-2-301**, as last amended by Laws of Utah 2021, Chapter 319



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

86 Section 1. Section **53E-7-402** is amended to read:

87 **53E-7-402. Special Needs Opportunity Scholarship Program.**

88 (1) There is established the Special Needs Opportunity Scholarship Program under
89 which a parent may apply to a scholarship granting organization on behalf of the parent's

90 student for a scholarship to help cover the cost of a scholarship expense.

91 (2) (a) A scholarship granting organization shall:

92 (i) award, in accordance with this part, scholarships to eligible students; and

93 (ii) determine the amount of a scholarship in accordance with Subsection (3).

94 (b) In awarding scholarships, a scholarship granting organization shall give priority to
95 an eligible student described in Subsection 53E-7-401(1)(a) by:

96 (i) establishing an August 10 deadline for an eligible student described in Subsection
97 53E-7-401(1)(b) to apply for a scholarship; and

98 (ii) awarding a scholarship to an eligible student described in Subsection
99 53E-7-401(1)(b) only if funds exist after awarding scholarships to all eligible students
100 described in Subsection 53E-7-401(1)(a) who have applied and qualify.

101 (c) Subject to available funds, a scholarship awarded to an eligible student described in
102 Subsection 53E-7-401(1)(b) shall be for a similar term as a scholarship awarded to the eligible
103 student's sibling.

104 (3) A scholarship granting organization shall determine a full-year scholarship award to
105 pay for the cost of one or more scholarship expenses in an amount not more than:

106 (a) for an eligible student described in Subsection 53E-7-401(1)(a) who is~~[(i)]~~ in
107 grades 1 through 12 with an IEP and whose family income is:

108 ~~[(A)]~~ (i) at or below 185% of the federal poverty level, the value of the weighted pupil
109 unit multiplied by 2.5;

110 ~~[(B)]~~ (ii) between 185% and 555% of the federal poverty level, the value of the
111 weighted pupil unit multiplied by two; or

112 ~~[(C)]~~ (iii) above 555% of the federal poverty level, the value of the weighted pupil unit
113 multiplied by 1.5;

114 (b) for a fiscal year beginning before July 1, 2023, for an eligible student who is:

115 ~~[(i)]~~ (i) in grades 1 through 12 and who does not have an IEP, the value of the
116 weighted pupil unit;

117 ~~[(ii)]~~ (ii) in kindergarten with an IEP, the value of the weighted pupil unit; or

118 ~~[(iv)]~~ (iii) in kindergarten and who does not have an IEP, half the value of the weighted
119 pupil unit; ~~[or]~~

120 (c) for a fiscal year beginning on or after July 1, 2023, for an eligible student in

121 kindergarten or grades 1 through 12, the value of the weighted pupil unit; or

122 ~~[(b)]~~ (d) for an eligible student described in Subsection 53E-7-401(1)(b), half the value
123 of the weighted pupil unit.

124 (4) Eligibility for a scholarship as determined by a multidisciplinary evaluation team
125 under this program does not establish eligibility for an IEP under the Individuals with
126 Disabilities Education Act, Subchapter II, 20 U.S.C. Secs. 1400 to 1419, and is not binding on
127 any LEA that is required to provide an IEP under the Individuals with Disabilities Education
128 Act.

129 (5) The scholarship granting organizations shall prepare and disseminate information
130 on the program to a parent applying for a scholarship on behalf of a student.

131 Section 2. Section 53F-2-209 is amended to read:

132 **53F-2-209. Limited LEA budgetary flexibility.**

133 (1) Notwithstanding any other provision of the Utah Code~~[- for fiscal years 2021, 2022,~~
134 ~~and 2023]~~:

135 (a) except as provided in Subsection (1)(b), an LEA may:

136 (i) use up to 35% of the LEA's state restricted funding for each formula-based program
137 to flexibly and without restriction respond to changing circumstances and student needs
138 ~~[resulting from the COVID-19 emergency, as that term is defined in Section 53-2c-102];~~

139 (ii) transfer fund balances between funds as necessary to flexibly expend funds as
140 described in Subsection (1)(a)(i); and

141 (b) an LEA may not:

142 (i) transfer funds under Subsection (1)(a)(i) related to the school LAND Trust Program,
143 established in Section 53G-7-1206, or a qualified grant program; or

144 (ii) expend the transferred funds for capital projects or improvements.

145 ~~[(2) Notwithstanding any other provision of the Utah Code, for any funds for which the~~
146 ~~state imposes restrictions on the use of the funds:]~~

147 ~~[(a) any expenditure that would have been required to be made before the end of fiscal~~
148 ~~year 2021 without the application of this section is extended to fiscal year 2022;]~~

149 ~~[(b) any expenditure that would have been required to be made before the end of fiscal~~
150 ~~year 2022 without the application of this section is extended to fiscal year 2023; and]~~

151 ~~[(c) any expenditure that would have been required to be made before the end of fiscal~~

152 ~~year 2023 without the application of this section is extended to fiscal year 2024.]~~

153 (2) The state board shall make rules, in accordance with Title 63G, Chapter 3, Utah
 154 Administrative Rulemaking Act, regarding LEA record-keeping of flexible uses of restricted
 155 funds under this section.

156 (3) (a) Nothing in this section authorizes an LEA to violate federal law or federal
 157 restrictions on the LEA's funds.

158 (b) An LEA that takes an action that this section authorizes shall ensure that the LEA
 159 continues to meet federal maintenance of effort requirements.

160 Section 3. Section **53F-2-301** is amended to read:

161 **53F-2-301. Minimum basic tax rate for a fiscal year that begins after July 1, 2022.**

162 ~~[(1) The provisions of this section are not in effect for a fiscal year that begins on July~~
 163 ~~1, 2018, 2019, 2020, 2021, or 2022.]~~

164 ~~[(2)]~~ (1) As used in this section:

165 (a) "Basic levy increment rate" means a tax rate that will generate an amount of
 166 revenue equal to \$75,000,000.

167 (b) "Combined basic rate" means a rate that is the sum of:

- 168 (i) the minimum basic tax rate; and
- 169 (ii) the WPU value rate.

170 (c) "Commission" means the State Tax Commission.

171 ~~[(d) "Equity pupil tax rate" means the tax rate that will generate an amount of revenue~~
 172 ~~equal to the amount generated by the equity pupil tax rate as defined in Section 53F-2-301.5 in~~
 173 ~~the fiscal year that begins July 1, 2022.]~~

174 ~~[(e)]~~ (d) "Minimum basic local amount" means an amount that is:

175 (i) equal to the sum of:

176 (A) the school districts' contribution to the basic school program the previous fiscal
 177 year;

178 (B) the amount generated by the basic levy increment rate; and

179 ~~[(C) the amount generated by the equity pupil tax rate; and]~~

180 ~~[(D)]~~ (C) the eligible new growth, as defined in Section 59-2-924 and rules of the State
 181 Tax Commission multiplied by the minimum basic rate; and

182 (ii) set annually by the Legislature in Subsection ~~[(3)(a)]~~ (2)(a).

183 [(f)] (e) "Minimum basic tax rate" means a tax rate certified by the commission that
 184 will generate an amount of revenue equal to the minimum basic local amount described in
 185 Subsection [(3)(a)] (2)(a).

186 [(g)] (f) "Weighted pupil unit value" or "WPU value" means the amount established
 187 each year in the enacted public education budget that is multiplied by the number of weighted
 188 pupil units to yield the funding level for the basic school program.

189 [(h)] (g) "WPU value amount" means an amount:

190 (i) that is equal to the product of:

191 (A) the WPU value increase limit; and

192 (B) the percentage share of local revenue to the cost of the basic school program in the
 193 immediately preceding fiscal year; and

194 (ii) set annually by the Legislature in Subsection [(4)(a)] (3)(a).

195 [(i)] (h) "WPU value increase limit" means the lesser of:

196 (i) the total cost to the basic school program to increase the WPU value over the WPU
 197 value in the prior fiscal year; or

198 (ii) the total cost to the basic school program to increase the WPU value by 4% over
 199 the WPU value in the prior fiscal year.

200 [(j)] (i) "WPU value rate" means a tax rate certified by the commission that will
 201 generate an amount of revenue equal to the WPU value amount described in Subsection
 202 [(4)(a)] (3)(a).

203 [(3)] (2) (a) The minimum basic local amount for the fiscal year that begins on July 1,
 204 [~~2018, is \$408,073,800~~] 2023, is \$708,960,800 in revenue statewide.

205 (b) The preliminary estimate of the minimum basic tax rate for a fiscal year that begins
 206 on July 1, [~~2018, is .001498~~] 2023, is .001356.

207 [(4)] (3) (a) The WPU value amount for the fiscal year that begins on July 1, [~~2018, is~~
 208 \$18,650,000] 2023, is \$27,113,600 in revenue statewide.

209 (b) The preliminary estimate of the WPU value rate for the fiscal year that begins on
 210 July 1, [~~2018, is .000069~~] 2023, is .000052.

211 [(5)] (4) (a) On or before June 22, the commission shall certify for the year:

212 (i) the minimum basic tax rate; and

213 (ii) the WPU value rate.

214 (b) The estimate of the minimum basic tax rate provided in Subsection ~~[(3)(b)]~~ (2)(b)
215 and the estimate of the WPU value rate provided in Subsection ~~[(4)(b)]~~ (3)(b) are based on a
216 forecast for property values for the next calendar year.

217 (c) The certified minimum basic tax rate described in Subsection ~~[(5)(a)(i)]~~ (4)(a)(i)
218 and the certified WPU value rate described in Subsection ~~[(5)(a)(ii)]~~ (4)(a)(ii) are based on
219 property values as of January 1 of the current calendar year, except personal property, which is
220 based on values from the previous calendar year.

221 ~~[(6)]~~ (5) (a) To qualify for receipt of the state contribution toward the basic school
222 program and as a school district's contribution toward the cost of the basic school program for
223 the school district, each local school board shall impose the combined basic rate.

224 (b) (i) The state is not subject to the notice requirements of Section 59-2-926 before
225 imposing the tax rates described in this Subsection ~~[(6)]~~ (5).

226 (ii) ~~[(A) Except as provided in Subsection (6)(b)(ii)(B), the]~~ The state is subject to the
227 notice requirements of Section 59-2-926 if the state authorizes a tax rate that exceeds the tax
228 rates described in this Subsection ~~[(6)]~~ (5).

229 ~~[(B) For a calendar year that begins on January 1, 2018, the state is not subject to the~~
230 ~~notice and public hearing requirements of Section 59-2-926 if the state authorizes a combined~~
231 ~~basic rate that exceeds the tax rates authorized in this section.]~~

232 ~~[(7)]~~ (6) (a) The state shall contribute to each school district toward the cost of the
233 basic school program in the school district an amount of money that is the difference between
234 the cost of the school district's basic school program and the sum of revenue generated by the
235 school district by the following:

236 (i) the combined basic rate; and

237 (ii) the basic levy increment rate~~;~~ and.

238 ~~[(iii) the equity pupil tax rate.]~~

239 (b) (i) If the difference described in Subsection ~~[(7)(a)]~~ (6)(a) equals or exceeds the
240 cost of the basic school program in a school district, no state contribution shall be made to the
241 basic school program for the school district.

242 (ii) The proceeds of the difference described in Subsection ~~[(7)(a)]~~ (6)(a) that exceed
243 the cost of the basic school program shall be paid into the Uniform School Fund as provided by
244 law and by the close of the fiscal year in which the proceeds were calculated.

245 ~~[(8)]~~ (7) Upon appropriation by the Legislature, the Division of Finance shall deposit
246 an amount equal to the proceeds generated statewide:

247 (a) by the basic levy increment rate into the Minimum Basic Growth Account created
248 in Section [53F-9-302](#); and

249 ~~[(b) by the equity pupil tax rate into the Local Levy Growth Account created in Section~~
250 [53F-9-305](#); and]

251 ~~[(c)]~~ (b) by the WPU value rate into the Teacher and Student Success Account created
252 in Section [53F-9-306](#).

253 ~~[(9) After July 1, 2021, but before November 30, 2022, the Public Education~~
254 ~~Appropriations Subcommittee:]~~

255 ~~[(a) shall review the WPU value rate, the impact of revenues generated by the WPU~~
256 ~~value rate on public education funding, and whether local school boards should continue to~~
257 ~~levy the WPU value rate; and]~~

258 ~~[(b) may recommend an increase, repeal, or continuance of the WPU value rate:]~~

259 Section 4. Section **53F-2-302** is amended to read:

260 **53F-2-302. Determination of weighted pupil units.**

261 (1) The number of weighted pupil units in the Minimum School Program for each year
262 is the total of the units for each school district and, subject to Subsection ~~[(4)]~~ (5), charter
263 school, determined ~~[as follows:]~~ in accordance with this section.

264 ~~[(1)]~~ (2) The number of weighted pupil units is computed by adding the average daily
265 membership of all pupils of the school district or charter school attending schools, other than
266 ~~[kindergarten and]~~ self-contained classes for children with a disability.

267 ~~[(2)]~~ (3) (a) Except as provided in Subsection (3)(b), for a fiscal year beginning on or
268 after July 1, 2023, the number of weighted pupil units for kindergarten students shall be
269 computed by adding the average daily membership of all pupils of the school district or charter
270 school enrolled in kindergarten.

271 (b) The number of weighted pupil units is computed by ~~[adding]~~ multiplying the
272 average daily membership ~~[of all pupils of the school district or charter school enrolled in~~
273 ~~kindergarten and multiplying the total]~~ for the number of students who are enrolled in
274 kindergarten for less than the equivalent length of the schedule for grades 1 through 3, based on
275 the October 1 data described in Section [53F-2-302](#), by .55.

276 ~~[(a) In those school districts or charter schools that do not hold kindergarten for a full~~
277 ~~nine-month term, the local school board or charter school governing board may approve a~~
278 ~~shorter term of nine weeks' duration.]~~

279 ~~[(b) Upon LEA governing board approval, the number of pupils in average daily~~
280 ~~membership at the short-term kindergarten shall be counted for the purpose of determining the~~
281 ~~number of units allowed in the same ratio as the number of days the short-term kindergarten is~~
282 ~~held, not exceeding nine weeks, compared to the total number of days schools are held in that~~
283 ~~school district or charter school in the regular school year.]~~

284 ~~[(3)] (4) (a) The state board shall use prior year plus growth to determine average daily~~
285 ~~membership in distributing money under the Minimum School Program where the distribution~~
286 ~~is based on kindergarten through grade 12 ADMs or weighted pupil units.~~

287 (b) Under prior year plus growth, kindergarten through grade 12 average daily
288 membership for the current year is based on the actual kindergarten through grade 12 average
289 daily membership for the previous year plus an estimated percentage growth factor.

290 (c) The growth factor is the percentage increase in total average daily membership on
291 the first school day of October in the current year as compared to the total average daily
292 membership on the first school day of October of the previous year.

293 ~~[(4)] (5) In distributing funds to charter schools under this section, charter school~~
294 ~~pupils shall be weighted, where applicable, as follows:~~

295 ~~[(a) .55 for kindergarten pupils;]~~

296 ~~[(b)] (a) except as provided in Subsection (3)(b), .9 for pupils in [grades 1]~~
297 ~~kindergarten through grade 6;~~

298 ~~[(c)] (b) .99 for pupils in grades 7 through 8; and~~

299 ~~[(d)] (c) 1.2 for pupils in grades 9 through 12.~~

300 ~~[(5) Notwithstanding Subsection (3)(c):]~~

301 ~~[(a) for the 2020-2021 school year the state board may use a count of average daily~~
302 ~~membership on any day or days of the current school year in 2020 to calculate a growth factor~~
303 ~~for the 2020-2021 school year; and]~~

304 ~~[(b) when calculating the growth factor as described in Subsection (5)(a), the state~~
305 ~~board shall comply with all applicable federal requirements.]~~

306 Section 5. Section **53F-2-302.1** is amended to read:

307 **53F-2-302.1. Enrollment Growth Contingency Program.**

308 (1) As used in this section:

309 (a) "Program funds" means money appropriated under the Enrollment Growth
310 Contingency Program.311 (b) "Student enrollment count" means the enrollment count on the first school day of
312 October, as described in [~~Subsection 53F-2-302(3)~~] Section 53F-2-302.313 (2) There is created the Enrollment Growth Contingency Program to mitigate funding
314 impacts on an LEA resulting from student enrollment irregularities [~~during fiscal years 2021,~~
315 ~~2022, and 2023~~] regarding kindergarten.316 (3) Subject to legislative appropriations, the state board, in consultation with the Office
317 of the Legislative Fiscal Analyst and the Governor's Office of Planning and Budget, shall use
318 program funds to[:] fund additional WPU's if the student enrollment count for kindergarten
319 exceeds the amount of legislative appropriations for kindergarten.320 [~~(a) for fiscal years 2021, 2022, and 2023 and for an LEA that has declining~~
321 ~~enrollment, pay costs associated with Subsection 53F-2-302(3) to hold LEA funding~~
322 ~~distributions at the prior year's average daily membership;]~~323 [~~(b) for fiscal year 2022, fund ongoing impacts of student enrollment changes in the~~
324 ~~2021-2022 academic year, including:]~~325 [~~(i) assigning additional weighted pupil units to an LEA experiencing a net growth in~~
326 ~~weighted pupil units over the fiscal year 2022 base allocations associated with student~~
327 ~~enrollment increases following the student enrollment count; and]~~328 [~~(ii) at the request of an LEA that experienced a significant decline in student~~
329 ~~enrollment during the 2020-2021 academic year, pre-fund significantly higher anticipated~~
330 ~~student enrollment growth before the student enrollment count; and]~~331 [~~(c) for fiscal years 2022 and 2023, with any remaining weighted pupil units, pay other~~
332 ~~weighted pupil unit related costs in accordance with Section 53F-2-205;]~~333 [~~(4) If the state board pre-funds anticipated student enrollment growth under~~
334 ~~Subsection (3)(b)(ii), the state board shall:]~~335 [~~(a) verify the LEA's enrollment after the student enrollment count; and]~~336 [~~(b) balance funds as necessary based on the actual increase in student enrollment;]~~337 Section 6. Section **53F-2-421** is enacted to read:

338 **53F-2-421. Flexible allocation.**

339 Subject to appropriations, the state board shall distribute funds in the MSP flexible
340 allocation on a WPU basis resulting in LEAs receiving funding proportional to the number of
341 WPUs the LEA generates under the Basic School Program.

342 Section 7. Section **53F-2-601** is amended to read:

343 **53F-2-601. State guaranteed local levy increments -- Appropriation to increase**
344 **number of guaranteed local levy increments -- No effect of change of minimum basic tax**
345 **rate -- Voted and board local levy funding balance -- Use of guaranteed local levy**
346 **increment funds.**

347 (1) As used in this section:

348 (a) "Board local levy" means a local levy described in Section [53F-8-302](#).

349 (b) "Guaranteed local levy increment" means a local levy increment guaranteed by the
350 state:

351 (i) for the board local levy, described in Subsections (2)(a)(ii)(A) and (2)(b)(ii)(B); or

352 (ii) for the voted local levy, described in Subsections (2)(a)(ii)(B) and (2)(b)(ii)(A).

353 (c) "Local levy increment" means .0001 per dollar of taxable value.

354 (d) (i) "Voted and board local levy funding balance" means the difference between:

355 (A) the amount appropriated for the guaranteed local levy increments in a fiscal year;

356 and

357 (B) the amount necessary to fund in the same fiscal year the guaranteed local levy

358 increments as determined under this section.

359 (ii) "Voted and board local levy funding balance" does not include appropriations
360 described in Subsection (2)(b)(i).

361 (e) "Voted local levy" means a local levy described in Section [53F-8-301](#).

362 (2) (a) (i) In addition to the revenue collected from the imposition of a voted local levy
363 or a board local levy, the state shall guarantee that a school district receives, subject to
364 Subsections (2)(b)(ii)(C) and (3)(a), for each guaranteed local levy increment, an amount
365 sufficient to guarantee for a fiscal year that begins on July 1, 2018, \$43.10 per weighted pupil
366 unit.

367 (ii) Except as provided in Subsection (2)(b)(ii), the number of local levy increments
368 that are subject to the guarantee amount described in Subsection (2)(a)(i) are:

369 (A) for a board local levy, the first four local levy increments a local school board
370 imposes under the board local levy; and

371 (B) for a voted local levy, the first 16 local levy increments a local school board
372 imposes under the voted local levy.

373 (b) (i) Subject to future budget constraints and Subsection (2)(c), the Legislature shall
374 annually appropriate money from the Local Levy Growth Account established in Section
375 53F-9-305 for purposes described in Subsection (2)(b)(ii).

376 (ii) The state board shall, for a fiscal year beginning on or after July 1, 2018, and
377 subject to Subsection (2)(c), allocate funds appropriated under Subsection (2)(b)(i) and the
378 amount described in Subsection (3)(c) in the following order of priority by increasing:

379 (A) by up to four increments the number of voted local levy guaranteed local levy
380 increments above 16;

381 (B) by up to 16 increments the number of board local levy guaranteed local levy
382 increments above four; and

383 (C) the guaranteed amount described in Subsection (2)(a)(i).

384 (c) The number of guaranteed local levy increments under this Subsection (2) for a
385 school district may not exceed 20 guaranteed local levy increments, regardless of whether the
386 guaranteed local levy increments are from the imposition of a voted local levy, a board local
387 levy, or a combination of the two.

388 (3) (a) The guarantee described in Subsection (2)(a)(i) is indexed each year to the value
389 of the weighted pupil unit by making the value of the guarantee equal to .011962 times the
390 value of the prior year's weighted pupil unit.

391 (b) The guarantee shall increase by .0005 times the value of the prior year's weighted
392 pupil unit for each year subject to the Legislature appropriating funds for an increase in the
393 guarantee.

394 (c) If the indexing and growth described in Subsections (3)(a) and (b) result in a cost to
395 the state in a given fiscal year that is less than the amount the Legislature appropriated, the state
396 board shall dedicate the difference to the allocation described in Subsection (2)(b)(ii).

397 (4) (a) The amount of state guarantee money that a school district would otherwise be
398 entitled to receive under this section may not be reduced for the sole reason that the school
399 district's board local levy or voted local levy is reduced as a consequence of changes in the

400 certified tax rate under Section 59-2-924 pursuant to changes in property valuation.

401 (b) Subsection (4)(a) applies for a period of five years following a change in the
402 certified tax rate as described in Subsection (4)(a).

403 (5) The guarantee provided under this section does not apply to the portion of a voted
404 local levy rate that exceeds the voted local levy rate that was in effect for the previous fiscal
405 year, unless an increase in the voted local levy rate was authorized in an election conducted on
406 or after July 1 of the previous fiscal year and before December 2 of the previous fiscal year.

407 (6) (a) If a voted and board local levy funding balance exists for the prior fiscal year,
408 the state board shall ~~[(i) use]~~ distribute the voted and board local levy funding balance ~~[to~~
409 ~~increase the value of the state guarantee per weighted pupil unit described in Subsection (3)(a)~~
410 ~~in the current fiscal year; and]~~, using the calculations for distribution of program balances for
411 the fiscal year in which the balance occurs, to qualifying school districts in a one-time payment
412 during the first quarter of the current fiscal year.

413 ~~[(ii) distribute guaranteed local levy increment funds to school districts based on the~~
414 ~~increased value of the state guarantee per weighted pupil unit described in Subsection~~
415 ~~(6)(a)(i).]~~

416 (b) The state board shall report action taken under Subsection (6)(a) to the Office of the
417 Legislative Fiscal Analyst and the Governor's Office of Planning and Budget.

418 (7) A local school board of a school district that receives funds described in this section
419 shall budget and expend the funds for public education purposes.

420 Section 8. Section 53F-2-706 is amended to read:

421 **53F-2-706. Small charter school base funding.**

422 (1) Subject to legislative appropriation, the state board shall distribute small charter
423 school base funding ~~[in the following amounts]~~ to charter schools with 2,000 or ~~[less students:]~~
424 fewer students in the amount of the greater of \$40,000 or \$115 per student.

425 ~~[(a) for a charter school with 300 students or less, \$40,000;]~~

426 ~~[(b) for a charter school with 301 to 400 students, \$35,000;]~~

427 ~~[(c) for a charter school with 401 to 500 students, \$30,000;]~~

428 ~~[(d) for a charter school with 501 to 600 students, \$25,000;]~~

429 ~~[(e) for a charter school with 601 to 1,000 students, \$20,000; and]~~

430 ~~[(f) for a charter school with 1,001 to 2,000 students, \$15,000.]~~

431 (2) A charter school's eligibility for small charter school base funding is determined by
432 the charter school's student enrollment on October 1 of a given year.

433 (3) Notwithstanding this section and subject to legislative appropriations, the state
434 board may distribute to charter schools, regardless of size, one-time funding that the
435 Legislature appropriates to mitigate funding losses as described in legislative appropriations.

436 Section 9. Section **53F-7-202** is amended to read:

437 **53F-7-202. Distribution of one-time funding for student and school support.**

438 (1) Subject to legislative appropriations, the state board shall allocate one-time funding
439 appropriated for student and school support in accordance with this section by:

440 (a) for charter schools:

441 (i) distributing an amount that is equal to the product of:

442 (A) charter school enrollment on October 1 in the prior year, or projected enrollment
443 for a charter school in the charter school's first year of operations, divided by enrollment on
444 October 1 in public schools statewide in the prior year; and

445 (B) the total amount available for distribution; and

446 (ii) allocating to each charter school:

447 (A) an equally divided portion of 20% of the amount described in Subsection (1)(a)(i);

448 and

449 (B) 80% of the amount described in Subsection (1)(a)(i) on a per-student basis; and

450 (b) for school districts, distributing the remainder of funds available for distribution
451 after the distribution to charter schools under Subsection (1)(a) by allocating to each school
452 district:

453 (i) a base allocation relative to student enrollment as follows:

454 (A) for a school district with enrollment less than 1% of total state enrollment,
455 \$500,000;

456 (B) for a school district with enrollment of between 1% and 5% of total state
457 enrollment, \$350,000; and

458 (C) for a school district with enrollment greater than 5% of total state enrollment,
459 \$200,000; and

460 (ii) after the base allocation described in Subsection (1)(b)(i), the remainder on a
461 per-student basis.

462 (2) (a) An LEA shall:
463 (i) use funds that the state board distributes under this section to support students and
464 schools through one-time priorities that the relevant local governing board approves, including
465 student safety, technology, instructional materials, and capital facility improvements; and
466 (ii) submit to the state board, using the survey described in Subsection (3), an
467 accounting of [the use of] the LEA's use of the funds that the state board distributes under this
468 section for the given fiscal year.

469 (b) Subsection (2)(a) does not require state board authorization or approval of an LEA
470 expenditure.

471 (3) The state board shall:

472 (a) create a one-page survey to allow LEAs to report the LEA's expenditures as
473 described in Subsection (2)(a); and

474 (b) after the close of each fiscal year, report to the Public Education Appropriations
475 Subcommittee at or before the subcommittee's October meeting regarding expenditures
476 described in this section statewide the previous fiscal year.

477 (4) An LEA may use funds distributed under this section in a given fiscal year over
478 multiple fiscal years.

479 Section 10. Section **53F-10-101** is amended to read:

480 **53F-10-101. Definitions.**

481 As used in this section:

482 (1) "Capital development project" means the same as that term is defined in Section
483 [63A-5b-401](#), including new construction, capital expansion, and renovation.

484 (2) "Capital local levy" means the levy that a local school board imposes under Section
485 [53F-8-303](#).

486 (3) "Capital Projects Evaluation Panel" or "panel" means the panel established in
487 Section [53F-10-201](#).

488 (4) "Capital projects funding" means funds distributed from the Small School District
489 Capital Projects Fund.

490 (5) "Division" means the Division of Facilities Construction and Management.

491 (6) "Eligible school district" means a school district:

492 (a) in a county of the fourth, fifth, or sixth class; and

493 (b) (i) that qualifies for state guarantee funding related to local levies under Section
 494 53F-2-601[-]; or

495 (ii) (A) that has a project that the panel has approved; and

496 (B) that the state board approves, upon the state superintendent's recommendation.

497 (7) "Small School District Capital Projects Fund" or "fund" means the capital projects
 498 fund created in Section 53F-9-601.

499 Section 11. Section **53G-7-203** is amended to read:

500 **53G-7-203. Kindergartens -- Establishment -- Funding -- Assessment.**

501 (1) Kindergartens are an integral part of the state's public education system.

502 (2) (a) Each [~~local school~~] LEA governing board shall provide kindergarten classes
 503 free of charge for kindergarten children residing within the district or attending the charter
 504 school.

505 (b) Each LEA governing board shall provide a half-day kindergarten option for a
 506 student if the student's parent requests a half-day option.

507 [~~(b)~~] (c) Nothing in this Subsection (2):

508 (i) allows an LEA governing board to require a student to participate in a full-day
 509 kindergarten program;

510 (ii) modifies the non-compulsory status of kindergarten under Title 53G, Chapter 6,
 511 Part 2, Compulsory Education; or

512 (iii) requires a student who only attends a half day of kindergarten to participate in dual
 513 enrollment under Section 53G-6-702.

514 (3) Kindergartens established under Subsection (2) shall receive state money under
 515 Title 53F, Public Education System -- Funding.

516 (4) (a) The state board shall:

517 (i) develop and collect data from a kindergarten [~~entry and exit assessments~~]
 518 assessment that the board selects by rule; and

519 (ii) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative
 520 Rulemaking Act, regarding the administration of and reporting regarding the [~~assessments~~]
 521 assessment described in Subsection (4)(a)(i).

522 (b) An LEA shall:

523 (i) administer the [~~entry and exit assessments~~] assessment described in Subsection

524 (4)(a) to each kindergarten student; and

525 (ii) report to the state board the results of the [~~entry and exit assessments~~] assessment
526 described in Subsection (4)(b)(i) in relation to each kindergarten student in the LEA.

527 (5) Beginning with the 2022-2023 school year, the state board shall require LEAs to
528 report average daily membership for all kindergarten students who attend kindergarten on a
529 schedule that is equivalent in length to the schedule for grades 1 through 3 with the October 1
530 data described in Section [53F-2-302](#).

531 Section 12. Section **63I-2-253** is amended to read:

532 **63I-2-253. Repeal dates: Titles 53 through 53G.**

533 (1) (a) Subsection [53B-2a-108\(5\)](#), regarding exceptions to the composition of a
534 technical college board of trustees, is repealed July 1, 2022.

535 (b) When repealing Subsection [53B-2a-108\(5\)](#), the Office of Legislative Research and
536 General Counsel shall, in addition to its authority under Subsection [36-12-12\(3\)](#), make
537 necessary changes to subsection numbering and cross references.

538 (2) Section [53B-6-105.7](#) is repealed July 1, 2024.

539 (3) Section [53B-7-707](#) regarding performance metrics for technical colleges is repealed
540 July 1, 2023.

541 (4) Section [53B-8-114](#) is repealed July 1, 2024.

542 (5) The following provisions, regarding the Regents' scholarship program, are repealed
543 on July 1, 2023:

544 (a) in Subsection [53B-8-105\(12\)](#), the language that states, "or any scholarship
545 established under Sections [53B-8-202](#) through [53B-8-205](#)";

546 (b) Section [53B-8-202](#);

547 (c) Section [53B-8-203](#);

548 (d) Section [53B-8-204](#); and

549 (e) Section [53B-8-205](#).

550 (6) Section [53B-10-101](#) is repealed on July 1, 2027.

551 (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
552 repealed July 1, 2023.

553 (8) Subsection [53E-1-201\(1\)\(s\)](#) regarding the report by the Educational Interpretation
554 and Translation Services Procurement Advisory Council is repealed July 1, 2024.

555 (9) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee
556 evaluation and recommendations, is repealed January 1, 2024.

557 (10) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed July 1,
558 2024.

559 (11) In Subsections 53F-2-205(4) and (5), regarding the State Board of Education's
560 duties if contributions from the minimum basic tax rate are overestimated or underestimated,
561 the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

562 (12) Section 53F-2-209, regarding local education agency budgetary flexibility, is
563 repealed July 1, 2024.

564 [~~(13)~~ Subsection 53F-2-301(1), relating to the years the section is not in effect, is
565 repealed July 1, 2023.]

566 [~~(14)~~ Section 53F-2-302.1, regarding the Enrollment Growth Contingency Program, is
567 repealed July 1, 2023.]

568 [~~(15)~~ (13) Subsection 53F-2-314(4), relating to a one-time expenditure between the
569 at-risk WPU add-on funding and previous at-risk funding, is repealed January 1, 2024.

570 [~~(16)~~ (14) Section 53F-2-524, regarding teacher bonuses for extra work assignments,
571 is repealed July 1, 2024.

572 [~~(17)~~ (15) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as
573 applicable" is repealed July 1, 2023.

574 [~~(18)~~ (16) Subsection 53F-4-401(3)(b), regarding a child enrolled or eligible for
575 enrollment in kindergarten, is repealed July 1, 2022.

576 [~~(19)~~ (17) In Subsection 53F-4-404(4)(c), the language that states "Except as provided
577 in Subsection (4)(d)" is repealed July 1, 2022.

578 [~~(20)~~ (18) Subsection 53F-4-404(4)(d) is repealed July 1, 2022.

579 [~~(21)~~ (19) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as
580 applicable" is repealed July 1, 2023.

581 [~~(22)~~ (20) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
582 applicable" is repealed July 1, 2023.

583 [~~(23)~~ (21) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
584 applicable" is repealed July 1, 2023.

585 [~~(24)~~ (22) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5,

586 as applicable" is repealed July 1, 2023.

587 [~~25~~] (23) On July 1, 2023, when making changes in this section, the Office of
588 Legislative Research and General Counsel shall, in addition to the office's authority under
589 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections
590 identified in this section are complete sentences and accurately reflect the office's perception of
591 the Legislature's intent.

592 Section 13. **Repealer.**

593 This bill repeals:

594 Section **53F-2-507, Enhanced kindergarten early intervention program.**

595 Section 14. **Fiscal Year 2023 Appropriations.**

596 The following sums of money are appropriated for the fiscal year beginning July 1,
597 2022, and ending June 30, 2023. These are additions to amounts otherwise appropriated for
598 fiscal year 2023.

599 Subsection 14(a). **Operating and Capital Budgets.**

600 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
601 Legislature appropriates the following sums of money from the funds or accounts indicated for
602 the use and support of the government of the state of Utah.

603 PUBLIC EDUCATION

604 STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM

605 ITEM 1 To State Board of Education - Minimum School Program - Basic School Program

606	<u>From Uniform School Fund, One-Time</u>	<u>50,000,000</u>
607	<u>From Local Revenue, One-Time</u>	<u>126,000,000</u>
608	<u>From Closing Nonlapsing Balances</u>	<u>(126,000,000)</u>

609 Schedule of Programs:

610	<u>Grades 1 - 12</u>	<u>50,000,000</u>
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611 ITEM 2 To State Board of Education - Minimum School Program - Voted and Board Local

612 Levy Programs

613	<u>From Uniform School Fund, One-Time</u>	<u>(50,000,000)</u>
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614 Schedule of Programs:

615	<u>Voted Local Levy Program</u>	<u>(50,000,000)</u>
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616 STATE BOARD OF EDUCATION

617	<u>ITEM 3 To State Board of Education - Educator Licensing</u>	
618	<u>From Income Tax Fund, One-Time</u>	<u>(20,300)</u>
619	<u>Schedule of Programs:</u>	
620	<u>Educator Licensing</u>	<u>(20,300)</u>
621	<u>ITEM 4 To State Board of Education - Contracted Initiatives and Grants</u>	
622	<u>From Income Tax Fund, One-Time</u>	<u>(11,500)</u>
623	<u>From Revenue Transfers, One-Time</u>	<u>(5,848,600)</u>
624	<u>From Closing Nonlapsing Balances</u>	<u>3,089,900</u>
625	<u>Schedule of Programs:</u>	
626	<u>Contracts and Grants</u>	<u>(2,758,700)</u>
627	<u>Software Licenses for Early Literacy</u>	<u>(1,100)</u>
628	<u>General Financial Literacy</u>	<u>(1,100)</u>
629	<u>Intergenerational Poverty Interventions</u>	<u>(900)</u>
630	<u>Partnerships for Student Success</u>	<u>(2,100)</u>
631	<u>UPSTART</u>	<u>(2,000)</u>
632	<u>ULEAD</u>	<u>(3,500)</u>
633	<u>Special Needs Opportunity Scholarship Administration</u>	<u>(800)</u>
634	<u>ITEM 5 To State Board of Education - MSP Categorical Program Administration</u>	
635	<u>From Income Tax Fund, One-Time</u>	<u>(47,000)</u>
636	<u>From Revenue Transfers, One-Time</u>	<u>(885,200)</u>
637	<u>From Closing Nonlapsing Balances</u>	<u>885,200</u>
638	<u>Schedule of Programs:</u>	
639	<u>Adult Education</u>	<u>(2,800)</u>
640	<u>Beverley Taylor Sorenson Elementary</u>	
641	<u>Arts Learning Program</u>	<u>(1,800)</u>
642	<u>CTE Comprehensive Guidance</u>	<u>(2,400)</u>
643	<u>Digital Teaching and Learning</u>	<u>(6,900)</u>
644	<u>Dual Immersion</u>	<u>(2,000)</u>
645	<u>At-Risk Students</u>	<u>(7,000)</u>
646	<u>Special Education State Programs</u>	<u>(2,400)</u>
647	<u>Youth-in-Custody</u>	<u>(8,100)</u>

648	<u>Early Literacy Program</u>	(4,200)	
649	<u>State Safety and Support Program</u>	(1,600)	
650	<u>Student Health and Counseling</u>		
651	<u>Support Program</u>	(3,300)	
652	<u>Early Learning Training and</u>		
653	<u>Assessment</u>	(2,000)	
654	<u>Early Intervention</u>	(2,500)	
655	<u>ITEM 6 To State Board of Education - Policy, Communication, & Oversight</u>		
656	<u>From Income Tax Fund, One-Time</u>		171,400
657	<u>From Revenue Transfers, One-Time</u>		(4,000,000)
658	<u>From Closing Nonlapsing Balances</u>		4,000,000
659	<u>Schedule of Programs:</u>		
660	<u>Teacher Retention in Indigenous Schools Grants</u>	225,000	
661	<u>Policy and Communication</u>	(24,700)	
662	<u>Student Support Services</u>	(25,000)	
663	<u>School Turnaround and Leadership Development Act</u>	(3,900)	
664	<u>ITEM 7 To State Board of Education - System Standards & Accountability</u>		
665	<u>From Income Tax Fund, One-Time</u>		(330,000)
666	<u>From Federal Funds, One-Time</u>		38,686,400
667	<u>From Revenue Transfers, One-Time</u>		(1,970,200)
668	<u>From Closing Nonlapsing Balances</u>		1,970,200
669	<u>Schedule of Programs:</u>		
670	<u>Teaching and Learning</u>	8,807,300	
671	<u>Assessment and Accountability</u>	456,700	
672	<u>Career and Technical Education</u>	1,285,000	
673	<u>Special Education</u>	27,807,400	
674	<u>ITEM 8 To State Board of Education - State Charter School Board</u>		
675	<u>From Income Tax Fund, One-Time</u>		(13,000)
676	<u>Schedule of Programs:</u>		
677	<u>State Charter School Board & Administration</u>	(13,000)	
678	<u>ITEM 9 To State Board of Education - Statewide Online Education Program Subsidy</u>		

679	<u>From Income Tax Fund, One-Time</u>		<u>(6,700)</u>
680	<u>Schedule of Programs:</u>		
681	<u>Statewide Online Education Program</u>	<u>(7,276,700)</u>	
682	<u>Home and Private School Students</u>	<u>6,588,400</u>	
683	<u>Small High School Support</u>	<u>681,600</u>	
684	<u>ITEM 10 To State Board of Education - State Board and Administrative Operations</u>		
685	<u>From Income Tax Fund, One-Time</u>		<u>12,961,100</u>
686	<u>Schedule of Programs:</u>		
687	<u>Financial Operations</u>	<u>(51,000)</u>	
688	<u>Information Technology</u>	<u>351,300</u>	
689	<u>Indirect Cost Pool</u>	<u>(5,800)</u>	
690	<u>Data and Statistics</u>	<u>(14,300)</u>	
691	<u>Statewide Financial Management Systems Grants</u>	<u>4,000,000</u>	
692	<u>Board and Administration</u>	<u>8,680,900</u>	
693	Subsection 14(b). Transfers to Unrestricted Funds.		
694	<u>The Legislature authorizes the State Division of Finance to transfer the following</u>		
695	<u>amounts to the unrestricted General Fund, Income Tax Fund, or Uniform School Fund, as</u>		
696	<u>indicated, from the restricted funds or accounts indicated. Expenditures and outlays from the</u>		
697	<u>General Fund, Income Tax Fund, or Uniform School Fund must be authorized by an</u>		
698	<u>appropriation.</u>		
699	<u>PUBLIC EDUCATION</u>		
700	<u>ITEM 11 To Income Tax Fund</u>		
701	<u>From Nonlapsing Balances - \$5,848,600 from Contracts & Grants;</u>		
702	<u>\$1,970,200 from Student Achievement; and \$885,200 from</u>		
703	<u>CTE Comprehensive Guidance</u>		<u>8,704,000</u>
704	<u>From Nonlapsing Balances - Transfer from Statewide</u>		
705	<u>Financial Management Software Grants</u>		<u>4,000,000</u>
706	<u>Schedule of Programs:</u>		
707	<u>Income Tax Fund, One-Time</u>	<u>12,704,000</u>	
708	Section 15. Fiscal Year 2024 Appropriations.		
709	<u>(1) The following sums of money are appropriated for the fiscal year beginning July 1,</u>		

710 2023, and ending June 30, 2024.

711 (2) Notwithstanding S.B. 1, Public Education Base Budget Amendments, the value of
 712 the weighted pupil unit for fiscal year 2024 is \$4,280.

713 Subsection 15(a). **Operating and Capital Budgets.**

714 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
 715 Legislature appropriates the following sums of money from the funds or accounts indicated for
 716 the use and support of the government of the state of Utah.

717 PUBLIC EDUCATION

718 STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM

719 ITEM 12 To State Board of Education - Minimum School Program - Basic School Program

720 From Uniform School Fund 195,851,600

721 From Public Education Economic Stabilization

722 Restricted Account, One-Time 4,186,500

723 From Local Revenue 4,184,200

724 From Revenue Transfers, One-Time (126,000,000)

725 From Beginning Nonlapsing Balances 126,000,000

726 Schedule of Programs:

727 Kindergarten (14,405 WPU's) 64,347,900

728 Grades 1 - 12 64,202,300

729 Foreign Exchange 41,800

730 Necessarily Existent Small Schools 4,724,300

731 Professional Staff 5,997,400

732 Special Education - Add-on 9,825,800

733 Special Education - Self-Contained 1,190,100

734 Special Education - Preschool 1,194,100

735 Special Education - Extended School Year 48,300

736 Special Education - Impact Aid 217,600

737 Special Education - Extended Year for Special Educators 95,500

738 Career and Technical Education - Add-on 3,072,000

739 Class Size Reduction 4,473,400

740 Enrollment Growth Contingency 19,101,000

741	<u>Students At-Risk Add-on (5,432 WPUs)</u>	<u>25,690,800</u>
742	<u>The Legislature intends that local education agencies prioritize classified staff</u>	
743	<u>compensation increases with additional funding received through the WPU Value increase in</u>	
744	<u>fiscal year 2024.</u>	
745	<u>ITEM 13 To State Board of Education - Minimum School Program - Related to Basic School</u>	
746	<u>Programs</u>	
747	<u>From Uniform School Fund</u>	<u>(44,131,800)</u>
748	<u>From Public Education Economic Stabilization</u>	
749	<u>Restricted Account, One-Time</u>	<u>189,650,000</u>
750	<u>From Teacher and Student Success Account</u>	<u>4,184,200</u>
751	<u>From Revenue Transfers, One-Time</u>	<u>(2,204,400)</u>
752	<u>From Closing Nonlapsing Balances</u>	<u>2,204,400</u>
753	<u>Schedule of Programs:</u>	
754	<u>Pupil Transportation To & From School</u>	<u>9,053,600</u>
755	<u>Flexible Allocation - WPU Distribution</u>	<u>12,666,000</u>
756	<u>At-Risk Students - Gang Prevention and Intervention</u>	<u>58,400</u>
757	<u>Youth in Custody</u>	<u>771,600</u>
758	<u>Adult Education</u>	<u>433,600</u>
759	<u>Enhancement for Accelerated Students</u>	<u>167,700</u>
760	<u>Concurrent Enrollment</u>	<u>434,300</u>
761	<u>Teacher Salary Supplement</u>	<u>(510,000)</u>
762	<u>School Library Books and Electronic Resources</u>	<u>(765,000)</u>
763	<u>Matching Fund for School Nurses</u>	<u>(1,002,000)</u>
764	<u>Beverley Taylor Sorenson Elementary</u>	
765	<u>Arts Learning Program</u>	<u>4,865,000</u>
766	<u>Early Intervention (36,655,000)</u>	
767	<u>Teacher and Student Success Program</u>	<u>4,184,200</u>
768	<u>Charter School Funding Base Program</u>	<u>4,850,000</u>
769	<u>English Language Learner Software</u>	<u>5,000,000</u>
770	<u>Grow Your Own Teacher and Counselor Pipeline</u>	<u>7,150,000</u>
771	<u>Educator Professional Time</u>	<u>64,000,000</u>

772	<u>Public Education Capital and Technology</u>	<u>75,000,000</u>
773	<u>The Legislature intends that the State Board of Education:</u>	
774	<u>(1) allocate funds appropriated for English Language Learner Software to qualifying</u>	
775	<u>local education agencies as provided in Section 53F-2-419; and</u>	
776	<u>(2) distribute \$30,000,000, one-time, appropriated to the Flexible Allocation - WPU</u>	
777	<u>Distribution program to local education agencies in counties of the 4th through 6th class in</u>	
778	<u>accordance with Section 53F-2-421.</u>	
779	<u>ITEM 14 To State Board of Education - Minimum School Program - Voted and Board Local</u>	
780	<u>Levy Programs</u>	
781	<u>From Uniform School Fund</u>	<u>3,166,800</u>
782	<u>Schedule of Programs:</u>	
783	<u>Board Local Levy Program</u>	<u>3,166,800</u>
784	<u>STATE BOARD OF EDUCATION</u>	
785	<u>ITEM 15 To State Board of Education - Child Nutrition Programs</u>	
786	<u>From Federal Funds</u>	<u>16,173,500</u>
787	<u>Schedule of Programs:</u>	
788	<u>Child Nutrition</u>	<u>14,906,600</u>
789	<u>Federal Commodities</u>	<u>1,266,900</u>
790	<u>ITEM 16 To State Board of Education - Educator Licensing</u>	
791	<u>From Income Tax Fund</u>	<u>29,700</u>
792	<u>Schedule of Programs:</u>	
793	<u>Educator Licensing</u>	<u>(20,300)</u>
794	<u>National Board-Certified Teachers</u>	<u>50,000</u>
795	<u>ITEM 17 To State Board of Education - Fine Arts Outreach</u>	
796	<u>From Income Tax Fund</u>	<u>465,000</u>
797	<u>Schedule of Programs:</u>	
798	<u>Professional Outreach Programs in the Schools</u>	<u>750,000</u>
799	<u>Provisional Program (285,000)</u>	
800	<u>ITEM 18 To State Board of Education - Contracted Initiatives and Grants</u>	
801	<u>From Income Tax Fund</u>	<u>2,638,500</u>
802	<u>From Public Education Economic Stabilization Restricted</u>	

803	<u>Account, One-Time</u>	<u>28,128,000</u>
804	<u>From Revenue Transfers, One-Time</u>	<u>(1,400,500)</u>
805	<u>From Beginning Nonlapsing Balances</u>	<u>(3,089,900)</u>
806	<u>From Closing Nonlapsing Balances</u>	<u>1,400,500</u>
807	<u>Schedule of Programs:</u>	
808	<u>Computer Science Initiatives</u>	<u>8,000,000</u>
809	<u>Contracts and Grants</u>	<u>20,038,100</u>
810	<u>Software Licenses for Early Literacy</u>	<u>(1,100)</u>
811	<u>General Financial Literacy</u>	<u>(1,100)</u>
812	<u>Intergenerational Poverty Interventions</u>	<u>(900)</u>
813	<u>Interventions for Reading Difficulties</u>	<u>(350,000)</u>
814	<u>Partnerships for Student Success</u>	<u>(2,100)</u>
815	<u>UPSTART</u>	<u>(2,000)</u>
816	<u>ULEAD</u>	<u>(3,500)</u>
817	<u>Special Needs Opportunity Scholarship Administration</u>	<u>(800)</u>
818	<u>ITEM 19 To State Board of Education - MSP Categorical Program Administration</u>	
819	<u>From Income Tax Fund</u>	<u>(32,000)</u>
820	<u>From Revenue Transfers, One-Time</u>	<u>(999,400)</u>
821	<u>From Beginning Nonlapsing Balances</u>	<u>(885,200)</u>
822	<u>From Closing Nonlapsing Balances</u>	<u>1,884,600</u>
823	<u>Schedule of Programs:</u>	
824	<u>Adult Education</u>	<u>(2,800)</u>
825	<u>Beverly Taylor Sorenson Elementary Arts</u>	
826	<u>Learning Program</u>	<u>133,200</u>
827	<u>CTE Comprehensive Guidance</u>	<u>(2,400)</u>
828	<u>Digital Teaching and Learning</u>	<u>(6,900)</u>
829	<u>Dual Immersion</u>	<u>(2,000)</u>
830	<u>At-Risk Students</u>	<u>(7,000)</u>
831	<u>Special Education State Programs</u>	<u>(2,400)</u>
832	<u>Youth-in-Custody</u>	<u>(8,100)</u>
833	<u>Early Literacy Program</u>	<u>(4,200)</u>

834	<u>State Safety and Support Program</u>	<u>(101,600)</u>	
835	<u>Student Health and Counseling Support Program</u>	<u>(23,300)</u>	
836	<u>Early Learning Training and Assessment</u>	<u>(2,000)</u>	
837	<u>Early Intervention</u>	<u>(2,500)</u>	
838	<u>ITEM 20 To State Board of Education - Regional Education Service Agencies</u>		
839	<u>From Income Tax Fund</u>		<u>115,000</u>
840	<u>Schedule of Programs:</u>		
841	<u>Regional Education Service Agencies</u>	<u>115,000</u>	
842	<u>ITEM 21 To State Board of Education - Policy, Communication, & Oversight</u>		
843	<u>From Income Tax Fund</u>		<u>171,400</u>
844	<u>From Federal Funds</u>		<u>(10,992,800)</u>
845	<u>From Beginning Nonlapsing Balances</u>		<u>(4,000,000)</u>
846	<u>From Closing Nonlapsing Balances</u>		<u>4,000,000</u>
847	<u>Schedule of Programs:</u>		
848	<u>Teacher Retention in Indigenous Schools Grants</u>	<u>225,000</u>	
849	<u>Policy and Communication</u>	<u>(24,700)</u>	
850	<u>Student Support Services</u>	<u>(11,017,800)</u>	
851	<u>School Turnaround and Leadership Development Act</u>	<u>(3,900)</u>	
852	<u>ITEM 22 To State Board of Education - System Standards & Accountability</u>		
853	<u>From Income Tax Fund</u>		<u>20,000</u>
854	<u>From Federal Funds</u>		<u>58,477,800</u>
855	<u>From Revenue Transfers, One-Time</u>		<u>(49,500)</u>
856	<u>From Beginning Nonlapsing Balances</u>		<u>(1,970,200)</u>
857	<u>From Closing Nonlapsing Balances</u>		<u>5,235,600</u>
858	<u>Schedule of Programs:</u>		
859	<u>Student Achievement</u>	<u>573,300</u>	
860	<u>Teaching and Learning</u>	<u>(2,811,000)</u>	
861	<u>Assessment and Accountability</u>	<u>3,447,000</u>	
862	<u>Career and Technical Education</u>	<u>1,285,000</u>	
863	<u>Special Education</u>	<u>59,219,400</u>	
864	<u>ITEM 23 To State Board of Education - State Charter School Board</u>		

865	<u>From Income Tax Fund</u>		<u>(13,000)</u>
866	<u>Schedule of Programs:</u>		
867	<u>State Charter School Board & Administration</u>	<u>(1,978,900)</u>	
868	<u>Statewide Charter School Training Programs</u>	<u>400,000</u>	
869	<u>New Charter School Start-up Funding</u>	<u>1,565,900</u>	
870	<u>ITEM 24 To State Board of Education - Utah Schools for the Deaf and the Blind</u>		
871	<u>From Federal Funds</u>		<u>(1,500)</u>
872	<u>Schedule of Programs:</u>		
873	<u>School for the Deaf</u>	<u>(1,000)</u>	
874	<u>School for the Blind</u>	<u>(500)</u>	
875	<u>ITEM 25 To State Board of Education - Statewide Online Education Program Subsidy</u>		
876	<u>From Income Tax Fund</u>		<u>183,800</u>
877	<u>From Public Education Economic Stabilization</u>		
878	<u>Restricted Account, One-Time</u>		<u>3,200,000</u>
879	<u>Schedule of Programs:</u>		
880	<u>Statewide Online Education Program</u>	<u>(5,063,700)</u>	
881	<u>Home and Private School Students</u>	<u>7,652,200</u>	
882	<u>Small High School Support</u>	<u>795,300</u>	
883	<u>The Legislature intends that the State Board of Education:</u>		
884	<u>(1) use \$3.2 million, one-time, appropriated to the Statewide Online Education</u>		
885	<u>Program to support students from small high schools, home schools, or private schools; and</u>		
886	<u>(2) manage the funding between the programs to best meet the needs of students.</u>		
887	<u>ITEM 26 To State Board of Education - State Board and Administrative Operations</u>		
888	<u>From Income Tax Fund</u>		<u>257,100</u>
889	<u>From Federal Funds</u>		<u>1,600</u>
890	<u>Schedule of Programs:</u>		
891	<u>Financial Operations</u>	<u>(51,000)</u>	
892	<u>Information Technology</u>	<u>352,900</u>	
893	<u>Indirect Cost Pool</u>	<u>(5,800)</u>	
894	<u>Data and Statistics</u>	<u>(14,300)</u>	
895	<u>Board and Administration</u>	<u>(23,100)</u>	

896	<u>ITEM 27 To State Board of Education - Public Education Capital Projects</u>	
897	<u>From Public Education Economic Stabilization Restricted</u>	
898	<u>Account, One-Time</u>	<u>50,000,000</u>
899	<u>Schedule of Programs:</u>	
900	<u>Small School District Capital Projects</u>	<u>50,000,000</u>
901	Subsection 15(b). Restricted Fund and Account Transfers.	
902	<u>The Legislature authorizes the State Division of Finance to transfer the following</u>	
903	<u>amounts between the following funds or accounts as indicated. Expenditures and outlays from</u>	
904	<u>the funds to which the money is transferred must be authorized by an appropriation.</u>	
905	<u>PUBLIC EDUCATION</u>	
906	<u>ITEM 28 To Teacher and Student Success Account</u>	
907	<u>From Income Tax Fund</u>	<u>4,184,200</u>
908	<u>Schedule of Programs:</u>	
909	<u>Teacher and Student Success Account</u>	<u>4,184,200</u>
910	Subsection 15(c). Transfers to Unrestricted Funds.	
911	<u>The Legislature authorizes the State Division of Finance to transfer the following</u>	
912	<u>amounts to the unrestricted General Fund, Income Tax Fund, or Uniform School Fund, as</u>	
913	<u>indicated, from the restricted funds or accounts indicated. Expenditures and outlays from the</u>	
914	<u>General Fund, Income Tax Fund, or Uniform School Fund must be authorized by an</u>	
915	<u>appropriation.</u>	
916	<u>PUBLIC EDUCATION</u>	
917	<u>ITEM 29 To Income Tax Fund</u>	
918	<u>From Nonlapsing Balances - From MSP - Related to Basic</u>	<u>2,204,400</u>
919	<u>From Nonlapsing Balances - From State Board - Contracted</u>	
920	<u>Initiatives and Grants</u>	<u>1,400,500</u>
921	<u>From Nonlapsing Balances - From State Board - MSP</u>	
922	<u>Categorical Program Administration</u>	<u>999,400</u>
923	<u>From Nonlapsing Balances - From State Board - System</u>	
924	<u>Standards & Accountability</u>	<u>3,265,400</u>
925	<u>From Nonlapsing Balances - MSP - Basic Program, One-Time</u>	<u>126,000,000</u>
926	<u>Schedule of Programs:</u>	

927 Income Tax Fund, One-Time 133,869,700

928 Section 16. **Effective date.**

929 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members
930 elected to each house, this bill takes effect upon approval by the governor, or the day following
931 the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's
932 signature, or in the case of a veto, the date of veto override.

933 (2) The following sections of this bill take effect on July 1, 2023:

934 (a) Section [53E-7-402](#);

935 (b) Section [53F-2-209](#);

936 (c) Section [53F-2-301](#);

937 (d) Section [53F-2-302](#);

938 (e) Section [53F-2-302.1](#);

939 (f) Section [53F-2-421](#);

940 (g) Section [53F-2-601](#);

941 (h) Section [53F-2-706](#);

942 (i) Section [53F-7-202](#);

943 (j) Section [53G-7-203](#);

944 (k) Section [63I-2-253](#);

945 (l) Section 15, Fiscal Year 2024 Appropriations;

946 (m) Subsection 15(a), Operating and Capital Budgets; and

947 (n) Subsection 15(b), Restricted Fund and Account Transfers.

948 Section 17. **Coordinating H.B. 2 with S.B. 1 -- Superseding technical and**
949 **substantive amendments.**

950 If this H.B. 2 and S.B. 1, Public Education Base Budget Amendments, both pass and
951 become law, it is the intent of the Legislature that the amendments to Section [53F-2-301](#) in this
952 bill supersede the amendments to Section [53F-2-301](#) in S.B. 1 when the Office of Legislative
953 Research and General Counsel prepares the Utah Code database for publication.