

1 **LOCAL EDUCATION AGENCY SALARY AND PERSONNEL**

2 **AMENDMENTS**

3 2023 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Melissa G. Ballard**

6 Senate Sponsor: Michael K. McKell

8 **LONG TITLE**

9 **General Description:**

10 This bill establishes additional mechanisms for salary and growth opportunities for
11 certain school employees.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ broadens the scope of the Teacher Salary Supplement Program by removing a
- 15 requirement for a given number of years in a qualifying teaching background;
- 16 ▶ broadens the scope of the Grow Your Own Educator Pipeline Program to include
- 17 individuals seeking education to become a school psychologist or school social
- 18 worker;
- 19 ▶ adds psychologists and social workers to a non-inclusive list of local education
- 20 agency (LEA) employees for whom an LEA may establish a separate salary
- 21 schedule;
- 22 ▶ requires LEAs to ensure that the salary rate for certain positions meets a relative
- 23 minimum; and
- 24 ▶ makes technical and conforming changes.

25 **Money Appropriated in this Bill:**

26 None

27 **Other Special Clauses:**



28 This bill provides a special effective date.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53F-2-504**, as last amended by Laws of Utah 2021, Chapter 328

32 **53F-5-218**, as last amended by Laws of Utah 2022, Chapter 476

33 **53G-7-219**, as last amended by Laws of Utah 2022, Chapter 214



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

36 Section 1. Section **53F-2-504** is amended to read:

37 **53F-2-504. Teacher Salary Supplement Program.**

38 (1) As used in this section:

39 (a) "Eligible teacher" means a teacher who:

40 (i) has a qualifying educational background or qualifying teaching background;

41 (ii) has a supplement-approved assignment that corresponds to the teacher's qualifying
42 educational background or qualifying teaching background;

43 (iii) qualifies for the teacher's supplement-approved assignment in accordance with
44 state board rule; and

45 (iv) is a new employee or received at least a satisfactory rating on the teacher's most
46 recent evaluation.

47 (b) "Field of computer science" means:

48 (i) computer science; or

49 (ii) computer information technology.

50 (c) "Field of science" means:

51 (i) integrated science;

52 (ii) chemistry;

53 (iii) physics;

54 (iv) physical science; or

55 (v) general science.

56 (d) "Qualifying educational background" means:

57 (i) for a teacher who is assigned a secondary school level mathematics course:

58 (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics; or

59 (B) a bachelor's degree major, master's degree, or doctoral degree that has course
60 requirements that are substantially equivalent to the course requirements for a bachelor's degree
61 major, master's degree, or doctoral degree in mathematics;

62 (ii) for a teacher who is assigned a grade 7 or 8 integrated science course, chemistry
63 course, or physics course:

64 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of science;

65 or

66 (B) a bachelor's degree major, master's degree, or doctoral degree that has course
67 requirements that are substantially equivalent to the course requirements of those required for a
68 bachelor's degree major, master's degree, or doctoral degree in a field of science;

69 (iii) for a teacher who is assigned a computer science course:

70 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of

71 computer science; or

72 (B) a bachelor's degree major, master's degree, or doctoral degree that has course
73 requirements that are substantially equivalent to the course requirements of those required for a
74 bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or

75 (iv) for a teacher who is assigned to teach special education, a bachelor's degree major,
76 master's degree, or doctoral degree in special education.

77 (e) "Qualifying teaching background" means:

78 (i) the teacher has been teaching the same supplement-approved assignment in Utah
79 public schools [~~for at least 10 years~~] during the current or most recent school year; or

80 (ii) the teacher has a professional deaf education license issued by the state board.

81 (f) "Supplement-approved assignment" means an assignment to teach:

82 (i) a secondary school level mathematics course;

83 (ii) integrated science in grade 7 or 8;

84 (iii) chemistry;

85 (iv) physics;

86 (v) computer science;

87 (vi) special education; or

88 (vii) deaf education.

89 (2) (a) Subject to future budget constraints, the Legislature shall:

90 (i) annually appropriate money to the Teacher Salary Supplement Program to maintain
91 annual salary supplements for eligible teachers provided in previous years; and

92 (ii) provide salary supplements to new recipients.

93 (b) Money appropriated for the Teacher Salary Supplement Program shall include
94 money for the following employer-paid benefits:

95 (i) retirement;

96 (ii) workers' compensation;

97 (iii) Social Security; and

98 (iv) Medicare.

99 (3) (a) The annual salary supplement for an eligible teacher who is assigned full-time
100 to a supplement-approved assignment is \$4,100 and funded through an appropriation described
101 in Subsection (2).

102 (b) An eligible teacher who is assigned part-time to a supplement-approved assignment
103 shall receive a partial salary supplement based on the number of hours worked in the
104 supplement-approved assignment.

105 (4) The state board shall:

106 (a) create an online application system for a teacher to apply to receive a salary
107 supplement through the Teacher Salary Supplement Program;

108 (b) determine if a teacher is an eligible teacher;

109 (c) verify, as needed, the determinations made under Subsection (4)(b) with school
110 district and school administrators; and

111 (d) certify a list of eligible teachers.

112 (5) An eligible teacher shall apply to the state board, as provided by the board to
113 receive the salary supplement authorized in this section in accordance with state board rule
114 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

115 (6) (a) The state board shall establish and administer an appeal process for a teacher to
116 follow if the teacher applies for a salary supplement and does not receive a salary supplement
117 under Subsection (8).

118 (b) (i) The appeal process established in Subsection (6)(a) shall allow a teacher to
119 appeal eligibility as an eligible teacher with a qualifying educational background on the basis
120 that the teacher has a degree or degree major with course requirements that are substantially

121 equivalent to the qualifying educational background associated with the teacher's
122 supplement-approved assignment.

123 (ii) A teacher shall provide transcripts and other documentation to the state board in
124 order for the state board to determine if the teacher has a degree or degree major with course
125 requirements that are substantially equivalent to the qualifying educational background
126 associated with the teacher's supplement-approved assignment.

127 (c) (i) The appeal process established under Subsection (6)(a) shall allow a teacher to
128 appeal eligibility as an eligible teacher with a qualifying teaching background on the basis that
129 the teacher has a qualifying teaching background.

130 (ii) The teacher shall provide to the state board evidence to verify that the teacher has a
131 qualifying teaching background.

132 (7) (a) The state board shall distribute money appropriated to the Teacher Salary
133 Supplement Program to school districts and charter schools for the Teacher Salary Supplement
134 Program in accordance with the provisions of this section.

135 (b) The state board shall include the employer-paid benefits described under
136 Subsection (2)(b) in the amount of each salary supplement.

137 (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the
138 salary supplement limits described under Subsection (3).

139 (8) (a) Money received from the Teacher Salary Supplement Program shall be used by
140 a school district or charter school to provide a salary supplement equal to the amount specified
141 in Subsection (3) for each eligible teacher.

142 (b) The salary supplement is part of an eligible teacher's base pay, subject to eligible
143 teacher's qualification as an eligible teacher every year, semester, or trimester.

144 (9) Notwithstanding the provisions of this section, if the appropriation for the program
145 is insufficient to cover the costs associated with salary supplements, the state board may
146 distribute the funds in the Teacher Salary Supplement Program on a pro rata basis.

147 Section 2. Section **53F-5-218** is amended to read:

148 **53F-5-218. Grow Your Own Educator Pipeline Program.**

149 (1) As used in this section:

150 (a) "Paraprofessional" means an individual who:

151 (i) works with students in an LEA as a paraprofessional or in a similar teaching

152 assistant position; and

153 (ii) is not licensed to teach.

154 (b) "Program" means the Grow Your Own [~~Teacher and School Counselor~~] Pipeline
155 Program that this section creates.

156 (c) "School counselor" means an educator who is:

157 (i) licensed as a school counselor in accordance with state board rule; and

158 (ii) assigned to provide direct and indirect services to students in accordance with a
159 school counseling program model that the state board provides.

160 (d) "School counselor assistant" means a student who is:

161 (i) enrolled in an accredited bachelor's degree program in a related field; and

162 (ii) completing the student's practicum experience in a school counseling department
163 under the supervision of a licensed school counselor.

164 (e) "School counselor intern" means a student who is:

165 (i) enrolled in an accredited school counselor master's degree program; and

166 (ii) completing the student's hours of a supervised counseling internship by applying
167 appropriate school counseling techniques under the supervision of a licensed school counselor.

168 (f) "School psychologist" means an individual:

169 (i) whom the state board licenses to practice as a school psychologist; and

170 (ii) who is assigned to provide direct and indirect services to students within the
171 relevant school or LEA seeking program grant funding.

172 (g) "School social worker" means an individual:

173 (i) whom the state board licenses as a school social worker; and

174 (ii) who is assigned to provide direct and indirect services to students within the
175 relevant school or LEA seeking program grant funding.

176 ~~[(f)]~~ (h) "Teacher" means an educator who has an assignment to teach in a classroom.

177 (2) The Grow Your Own [~~Teacher and School Counselor~~] Educator Pipeline Program
178 is a competitive grant program created to provide funding to LEAs to award scholarships to
179 paraprofessionals, teachers, school counselor assistants, and school counselor interns within the
180 LEA for education and training to become licensed teachers [~~or~~], licensed school counselors,
181 licensed school psychologists, or licensed school social workers.

182 (3) The state board shall use money appropriated for the program to provide funding to

183 LEAs that are awarded grants under the program to award scholarships to eligible candidates
184 whom principals within the LEA nominate, in an amount that the state board determines.

185 (4) An LEA that participates in the program may select a candidate for a scholarship
186 award if:

187 (a) the candidate is a resident of the state; and

188 (b) (i) for a paraprofessional:

189 (A) a school district or charter school has employed the candidate as a paraprofessional
190 for at least one year before entering the program; or

191 (B) subject to Subsection (5), the candidate has experience outside the school district,
192 charter school, or state that is equivalent to the experience described in Subsection (4)(b)

193 (i)(A);

194 (ii) for a teacher, the candidate:

195 (A) was a paraprofessional who was awarded a scholarship;

196 (B) was offered employment as a teacher before the teacher completed the training to
197 become a professionally licensed teacher; and

198 (C) is working as a teacher for the same LEA where the teacher previously worked as a
199 paraprofessional and was awarded the scholarship[-];

200 (iii) for a school counselor assistant, the candidate:

201 (A) is enrolled in a bachelor's degree program in a related field; and

202 (B) demonstrates a commitment to continue the school counselor assistant's education
203 after graduation in school counseling; [or]

204 (iv) for a school counselor intern, the candidate is enrolled in an accredited school
205 counselor master's degree program accredited by:

206 (A) the Council for Accreditation of Counseling and Related Educational Programs; or

207 (B) another regionally recognized accrediting body that meets the state board's
208 standards for school counselor education programs[-];

209 (v) for a school psychologist student, including a student, practicum student, or intern,
210 the candidate is enrolled in a school psychology education specialist or doctorate program that
211 the National Association of School Psychologists accredits; or

212 (vi) for a candidate studying to become a school social worker, including a student or
213 practicum intern, the candidate is enrolled in a masters level social work program that the

214 Council of Social Work Education accredits.

215 (5) The percentage of an LEA's paraprofessional scholarship recipients who are eligible
216 for a scholarship using equivalent experience under Subsection (4)(b)(i)(B) may not exceed
217 20%.

218 (6) A scholarship award under the program may only be used for:

219 (a) tuition, books, fees, and certification tests for required coursework and licensure;

220 (b) stipends for mentors or school counselor assistants; and

221 (c) if the LEA pays 0.15 of a full-time equivalent and all employee benefits, payment
222 of a 0.35 full-time equivalent for:

223 (i) a paraprofessional, up to one semester of student teaching; or

224 (ii) a school counselor assistant or school counselor intern, up to two semesters of
225 practicum or internship hours.

226 (7) ~~[A]~~ An LEA shall ensure that a paraprofessional scholarship recipient ~~[must be]~~ is
227 continuously employed as a paraprofessional by the paraprofessional's LEA while pursuing a
228 degree using scholarship money under the program.

229 (8) The state board shall make rules in accordance with this section and Title 63G,
230 Chapter 3, Utah Administrative Rulemaking Act, to administer the program, including rules
231 regarding:

232 (a) grant and scholarship application procedures;

233 (b) procedures for distributing scholarship money;

234 (c) assignment and eligibility of qualified mentors;

235 (d) stipends for mentors or school counselor assistants;

236 (e) administrative costs for regional education service agencies, as that term is defined
237 in Section [53G-4-410](#); and

238 (f) eligibility requirements for potential candidates for scholarships regarding the
239 completion of the Free Application for Federal Student Aid and the acceptance of other grants,
240 tuition or fee waivers, and scholarships offered to the candidate.

241 Section 3. Section **53G-7-219** is amended to read:

242 **53G-7-219. Medical specialists in public schools -- Separate salary schedules.**

243 (1) As used in this section:

244 (a) "Qualified individual" means an individual who:

- 245 (i) is employed by an LEA; and
- 246 (ii) provides related services in a school-based setting.
- 247 (b) "Qualified individual" includes:
- 248 (i) an audiologist;
- 249 (ii) a speech-language pathologist;
- 250 (iii) a mental health practitioner;
- 251 (iv) a school nurse;
- 252 (v) an occupational therapist; ~~and~~
- 253 (vi) a physical therapist[?];
- 254 (vii) a psychologist;
- 255 (viii) a school psychologist;
- 256 (ix) a licensed clinical social worker; and
- 257 (x) a school social worker, as that term is defined in Section 53F-5-218.
- 258 (c) "Related services" means the same as that term is defined in 34 C.F.R. 300.34.
- 259 (d) "School psychologist" means the same as that term is defined in Section 53F-5-218.
- 260 (e) "School social worker" means the same as. that term is defined in Section

261 53F-5-218.

262 (2) An LEA may adopt a salary schedule, or salary schedules, for qualified individuals,
263 that:

- 264 (a) is separate from salary schedules adopted for other LEA employees; and
- 265 (b) takes into consideration the market rate for related services provided outside of a
266 school-based setting.

267 (3) Beginning July 1, 2025, under any salary schedule that an LEA adopts under
268 Subsection (2), the LEA shall ensure that the salary schedule includes:

- 269 (a) separate salary schedules for teachers with a master's degree and teachers with a
270 doctorate degree;
- 271 (b) a salary for a qualified individual with a master's degree that is at least equal to the
272 salary for teachers with a master's degree; and
- 273 (c) a salary for a qualified individual with a doctorate degree that is at least equal to the
274 salary for teachers with a doctorate degree.

275 Section 4. **Effective date.**

276

This bill takes effect on July 1, 2023.