

**Representative Kera Birkeland** proposes the following substitute bill:

**EDUCATOR EXPENSE MODIFICATIONS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kera Birkeland**

Senate Sponsor: Curtis S. Bramble

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**LONG TITLE**

**General Description:**

This bill provides for distribution of an appropriation for teaching supplies and materials.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ provides for the distribution of teaching supplies and materials money among teachers;
- ▶ provides for the use of the Public Education Economic Stabilization Account to fund teaching supplies and materials; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2025:

- ▶ to State Board of Education - Minimum School Program - Related to Basic School Programs - Teacher Supplies and Materials as a one-time appropriation:
  - from the Public Education Economic Stabilization Restricted Account, One-time, \$8,400,000

**Other Special Clauses:**



26 This bill provides a special effective date.

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **53F-7-203**, as last amended by Laws of Utah 2023, Chapter 348

30 **53F-9-204**, as last amended by Laws of Utah 2022, Chapters 386, 456

31 ENACTS:

32 **53F-2-526**, Utah Code Annotated 1953

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

35 Section 1. Section **53F-2-526** is enacted to read:

36 **53F-2-526. Appropriations for teaching supplies and materials.**

37 (1) As used in this section:

38 (a) "Classroom teacher" means a teacher who:

39 (i) is assigned by an LEA in a permanent teacher position filled by one teacher or two  
40 or more job-sharing teachers employed by an LEA;

41 (ii) is licensed and paid on an LEA's salary schedule;

42 (iii) is employed for an entire contract period; and

43 (iv) is primarily responsible to provide instruction or a combination of instructional  
44 and counseling services to students in public schools.

45 (b) "Teaching supplies and materials" means consumable and non-consumable items  
46 that are used for educational purposes by teachers in classroom activities that are approved by  
47 the LEA.

48 (2) For the fiscal year that begins July 1, 2024, the state board shall distribute money  
49 appropriated for teaching supplies and materials as follows:

50 (a) \$500 to each classroom teacher position for pre-kindergarten special education and  
51 kindergarten through grade 6; and

52 (b) \$250 to each classroom teacher position for grades 7 through 12.

53 Section 2. Section **53F-7-203** is amended to read:

54 **53F-7-203. Paid professional hours for educators.**

55 (1) Subject to legislative appropriations, the state board shall provide funding to each  
56 LEA to provide additional paid professional hours to the following educators in accordance

57 with this section:

58 (a) general education and special education teachers;

59 (b) counselors;

60 (c) school administration;

61 (d) school specialists;

62 (e) student support;

63 (f) school psychologists;

64 (g) speech language pathologists; and

65 (h) audiologists.

66 (2) The state board shall distribute funds appropriated to the state board under  
67 Subsection [53F-9-204\(6\)\(a\)](#) to each LEA in proportion to the number of educators described in  
68 Subsection (1) within the LEA.

69 (3) An LEA shall use funding under this section to provide paid professional hours  
70 that:

71 (a) provide educators with the knowledge and skills necessary to enable students to  
72 succeed in a well-rounded education and to meet the challenging state academic standards; and

73 (b) may include activities that:

74 (i) improve and increase an educator's:

75 (A) knowledge of the academic subjects the educator teaches;

76 (B) time to plan and prepare daily lessons based on student needs;

77 (C) understanding of how students learn; and

78 (D) ability to analyze student work and achievement from multiple sources, including  
79 how to adjust instructional strategies, assessments, and materials based on the analysis;

80 (ii) are an integral part of broad school-wide and LEA-wide educational improvement  
81 plans;

82 (iii) allow personalized plans for each educator to address the educator's specific needs  
83 identified in observation or other feedback;

84 (iv) advance educator understanding of:

85 (A) effective and evidence-based instructional strategies; and

86 (B) strategies for improving student academic achievement or substantially increasing  
87 the knowledge and teaching skills of educators;

88 (v) are aligned with, and directly related to, academic goals of the school or LEA; and  
89 (vi) include instruction in the use of data and assessments to inform and instruct  
90 classroom practice.

91 (4) (a) An educator shall:

92 (i) on or before the fifth day of instruction in a given school year, create a plan, in  
93 consultation with the educator's principal, on how the educator plans to use paid professional  
94 hours provided under this section during the school year; and

95 (ii) before the end of a given school year, provide a written statement to the educator's  
96 principal of how the educator used paid professional hours provided under this section during  
97 the school year.

98 (b) (i) Subsection (4)(a)(i) does not limit an educator who begins employment after the  
99 fifth day of instruction in a given year from receiving paid professional hours under this  
100 section.

101 (ii) An LEA may prorate the paid professional hours of an educator who begins  
102 employment after the fifth day of instruction in a given year according to the portion of the  
103 school year for which the LEA employs the educator.

104 Section 3. Section **53F-9-204** is amended to read:

105 **53F-9-204. Public Education Economic Stabilization Restricted Account.**

106 (1) There is created within the Uniform School Fund a restricted account known as the  
107 "Public Education Economic Stabilization Restricted Account."

108 (2) (a) Except as provided in Subsection (2)(b), the account shall be funded from the  
109 following revenue sources:

110 (i) 15% of the difference between, as determined by the Office of the Legislative Fiscal  
111 Analyst:

112 (A) the estimated amount of ongoing Income Tax Fund and Uniform School Fund  
113 revenue available for the Legislature to appropriate for the next fiscal year; and

114 (B) the amount of ongoing appropriations from the Income Tax Fund and Uniform  
115 School Fund in the current fiscal year; and

116 (ii) other appropriations as the Legislature may designate.

117 (b) If the appropriation described in Subsection (2)(a) would cause the ongoing  
118 appropriations to the account to exceed 11% of Uniform School Fund appropriations described

119 in Section 53F-9-201.1 for the same fiscal year, the Legislature shall appropriate only those  
120 funds necessary to ensure that the ongoing appropriations to the account equal 11% of Uniform  
121 School Fund appropriations for that fiscal year.

122 (3) Subject to the availability of ongoing appropriations to the account, in accordance  
123 with

124 Utah Constitution, Article X, Section 5, Subsection (4), the ongoing appropriation to the  
125 account shall be used to fund:

126 (a) except for a year described in Subsection (3)(b), one-time appropriations to the  
127 public education system; and

128 (b) the Minimum School Program for a year in which Income Tax Fund revenue and  
129 Uniform School Fund revenue are insufficient to fund:

130 (i) ongoing appropriations to the public education system; and

131 (ii) enrollment growth and inflation estimates, as defined in Section 53F-9-201.1.

132 (4) (a) The account shall earn interest.

133 (b) All interest earned on account money shall be deposited in the account.

134 (5) On or before December 31, 2023, and every three years thereafter, the Office of the  
135 Legislative Fiscal Analyst shall:

136 (a) review the percentages described in Subsections (2)(a)(i) and (2)(b); and

137 (b) recommend to the Executive Appropriations Subcommittee any changes based on  
138 the review described in Subsection (5)(a).

139 (6) In preparing budget bills for a given fiscal year, the Executive Appropriations  
140 Committee shall make the one-time appropriations described in Subsection (3)(a) by  
141 appropriating at least the lesser of 10% of the total amount of the one-time appropriations; or

142 (a) the cost of providing 32 paid professional hours for teachers in accordance with  
143 Section 53F-7-203[-]; and

144 (b) the amount to make the distribution required under Section 53F-2-526.

#### 145 Section 4. **FY 2025 Appropriation.**

146 The following sums of money are appropriated for the fiscal year beginning July 1,  
147 2024, and ending June 30, 2025. These are additions to amounts previously appropriated for  
148 fiscal year 2025.

149 Subsection 4(a). **Operating and Capital Budgets.**

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

153 ITEM 1 To State Board of Education - Minimum School Program - Related to Basic  
154 School Programs

155 From Public Education Economic Stabilization Restricted \$8,400,000  
156 Account, One-time

156 Schedule of Programs:

157 Teacher Supplies and Materials \$8,400,000

158 The Legislature intends that the State Board use the appropriations provided under this section  
159 in accordance with Section [53F-2-526](#).

160 Section 5. **Effective date.**

161 This bill takes effect on July 1, 2024.