{deleted text} shows text that was in HB0431S01 but was deleted in HB0431S02.

inserted text shows text that was not in HB0431S01 but was inserted into HB0431S02.

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

Representative Candice B. Pierucci Senator Ann Millner proposes the following substitute bill:

TEACHER RETENTION

2024 GENERAL SESSION STATE OF UTAH

Chief Sponsor: Candice B. Pierucci

Senate Sponsor: \(\) Ann Millner

Cosponsors:Tim JimenezRobert M. SpendloveCheryl K. ActonDan N. JohnsonJordan D. TeuscherKera BirkelandJason B. KyleRaymond P. WardTyler ClancyKarianne LisonbeeChristine F. WatkinsPaul A. CutlerAnthony E. LoubetDouglas R. Welton

<u>Stephanie Gricius</u> <u>Thomas W. Peterson</u>

Katy Hall Val L. Peterson

LONG TITLE

General Description:

This bill creates multiple programs to support teacher retention efforts.

Highlighted Provisions:

This bill:

- creates the educator support hotline;
- requires the state board to administer the support hotline;
- creates the Mentoring and Supporting Teacher Excellence and Refinement Program (the program);
- establishes the required criteria for a local education agency or regional education service agency (LEA) or regional education service agency to apply for a grant under the program; and
- requires an LEA to provide paid postpartum recovery leave.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2025:

- to State Board of Education State Board and Administrative Operations -Mentoring and Supporting Teacher Excellence and Refinement Pilot Program as a one-time appropriation:
 - from the Public Education Economic Stabilization Restricted Account,
 One-time, \$4,800,000

Other Special Clauses:

This bill provides a special effective date.

This bill provides a coordination clause.

Utah Code Sections Affected:

ENACTS:

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53E-10-801, Utah Code Annotated 1953
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53F-5-222, Utah Code Annotated 1953

53G-11-208, Utah Code Annotated 1953

Utah Code Sections Affected By Coordination Clause:

53G-11-208, as Utah Code Annotated 1953

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

Section 1. Section (53E-10-801) 53F-5-222 is enacted to read:

53E-10-801. Educator support hotline.

(1) The state board shall:

(a) create the educator support hotline to provide an educator with professional resources and supports; and (b) allow an educator the option to call the hotline anonymously. (2) An educator may use the hotline to: (a) report school or LEA practices impairing an educator's ability to perform the educator's job; (b) receive technical assistance for fulfilling job responsibilities and duties; (c) receive referrals for additional resources and supports; (d) inquire about professional development opportunities being offered by the state board; and (e) make general inquiries related to an educator's professional needs. (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board may make rules regarding the administration of the hotline. (4) The state board shall: (a) track aggregated deidentified data regarding hotline use and types of hotline calls; <u>and</u> (b) present the data comparison described in Subsection (4)(b) annually in a state board meeting. Section 2. Section 53F-5-222 is enacted to read: } 53F-5-222. Mentoring and Supporting Teacher Excellence and Refinement Pilot Program. (1) As used in this section: (a) "Master teacher" means a classroom teacher who has been approved by the teacher's administrator for an eligible initiative described in Subsection (6). (b) "Mentoring and Supporting Teacher Excellence and Refinement Pilot Program" or "program" means the program created in Subsection (2). (c) "Regional education service agency" or "RESA" means the same as the term is defined in Section 53G-4-410. (d) "Teacher leader work" means nonadministrative leadership tasks that occur in conjunction with an teacher's main duties to provide instruction while avoiding formal administrative roles, other than those relating directly to teacher leadership or development, for

the teacher engaging in the tasks, including:

- (i) leading teachers;
- (ii) mentoring teachers; and
- (iii) providing observations or feedback to teachers.
- (2) There is created a two-year pilot program known as the Mentoring and Supporting

 Teacher Excellence and Refinement Pilot Program to provide funding to an LEA to improve

 retention of strong educators who remain in the classroom and have access to growth

 opportunities in the form of innovative teacher leadership tracks outside of contractual educator

 steps and lanes to:
 - (a) foster development of leadership skills in participating teachers; and
- (b) provide the opportunity for a master teacher to impact and provide guidance for fellow teachers seeking to refine instructional skills.
 - (3) The state board shall:
 - (a) solicit proposals from LEAs and RESAs to receive a grant under this section; and
- (b) award grants to LEAs or RESAs on a competitive basis based on the LEA's or RESA's application described in Subsection (4)(a).
 - (4) To receive a grant under this section, an LEA or RESA shall:
 - (a) submit an application to the state board that:
 - (i) describes the program tier for which the LEA or RESA is applying;
- (ii) describes the eligible initiatives for which the LEA or RESA will use the grant amount;
 - (iii) provides evidence of the required matching funds described in Subsection (4)(b);
- (iv) describes how the proposal will further the purposes of the program described in Subsection (2); and
- (v) outlines the metrics the LEA or RESA will use to measure success of the program; and
 - (b) provide matching funds for a grant from a program tier as follows:
 - (i) a 10% match by the LEA or RESA for a tier 1 level grant amount;
 - (ii) a 15% match by the LEA or RESA for a tier 2 level grant amount; and
 - (iii) a 20% match by the LEA or RESA for a tier 3 level grant amount.
 - (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

state board shall make rules:

- (a) subject to legislative appropriations, outlining the grant amount for each program tier described in Subsection (4)(b);
 - (b) describing the application requirements including:
 - (i) the required format for submission; and
 - (ii) relevant deadlines;
 - (c) establishing a scoring rubric; and
 - (d) describing any required reporting and performance measures.
- (6) An LEA or RESA that receives a grant under this section shall use the grant award for an eligible initiative to achieve the purposes described in Subsection (2) including:
- (a) allowing a teacher to be released from all or part of an existing teacher contract to engage in teacher leader work, which may involve a new contract for a master teacher, for a period determined by the LEA including indefinitely;
- (b) providing extended contracts outside of steps and lanes, resulting in increased pay for increased work or for new roles involving teacher leader work on a schedule outside of steps and lanes as determined by the LEA or RESA and the teacher; and
- (c) building or expanding LEA or RESA leadership tracks including incentives for differentiated teacher leader work pay scales for classroom teachers.
- (7) The state board may use up to 6.25% of the money appropriated for the purposes described in this section to pay for administrative costs the state board, an LEA, or a RESA incurrs in implementing the program.
- (8) Upon request of the Education Interim Committee, an LEA that receives a grant and the state board shall report to the Education Interim Committee on the program's progress and outcomes.

The following section is affected by a coordination clause at the end of this bill.

Section $\frac{3}{2}$. Section 53G-11-208 is enacted to read:

53G-11-208. Paid leave -- Postpartum recovery leave -- Leave sharing.

- (1) As used in this section:
- (a) (i) "Paid leave hours" means leave hours an LEA provides to an LEA employee who accrues paid leave benefits in accordance with the LEA's leave policies.
 - (ii) "Paid leave hours" includes annual, vacation, sick, paid time off, or any other type

of leave an employee may take while still receiving compensation.

- (iii) "Paid leave hours" is not limited postpartum recovery leave.
- (b) "Postpartum recovery leave" means leave hours a state employer provides to a postpartum recovery leave eligible employee to recover from childbirth.
 - (c) "Postpartum recovery leave eligible employee" means an employee of an LEA who:
 - (i) accrues paid leave benefits in accordance with the LEA's leave policies; and
 - (ii) gives birth to a child.
 - (2) Beginning July 1, 2027, each LEA shall:
- (a) provide postpartum recovery leave in an amount that is at least equivalent to the postpartum recovery leave available to state employees under Section 63A-17-511: and
- (b) allow a postpartum recovery leave eligible employee who is part-time or who works in excess of a 40-hour work week or the equivalent of a 40-hour work week to use the amount of postpartum recovery leave available under this section on a pro rata basis.
- (3) An LEA shall provide for the use and administration of postpartum recovery leave under this section in a manner that is not more restrictive than the postpartum recovery leave available to state employees under Section 63A-17-511.
- (4) An LEA may not charge postpartum recovery leave against paid leave hours to which a qualified employee is entitled as described in Subsection 63A-17-511(6).
- (5) An LEA may provide leave that exceeds the benefits of the state leave policies described in this section.

Section \(\frac{4+\frac{3}{2}}{2}\). FY 2025 Appropriation.

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

Subsection (4)2(a). Operating and Capital Budgets.

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

ITEM 1 To State Board of Education - State Board and Administrative Operations

From Public Education Economic Stabilization Restricted \$4,800,000

Account, One-time

Schedule of Programs:

Mentoring and Supporting Teacher

\$4,800,000

Excellence and Refinement Pilot

Program

Section $\{5\}$ 4. Effective date.

This bill takes effect on July 1, 2024.

Section 5. Coordinating H.B. 431 with H.B. 192 – .

If H.B. 431, Teacher Retention, and H.B. 192, Local Education Agency Employee Paid

Leave, both pass and become law, the Legislature intends that, on July 1, 2024, Section

53G-11-208 in H.B. 192 shall supersede amendments to Section 53G-11-208 in H.B. 431 and be amended to read:

<u>"53G-11-208. Paid leave -- Parental leave -- Postpartum recovery leave -- Leave sharing.</u>

- (1) As used in this section:
- (a) (i) Paid leave hours" means leave hours an LEA provides to an LEA employee who accrues paid leave benefits in accordance with the LEA's leave policies.
- (ii) "Paid leave hours" includes annual, vacation, sick, paid time off, or any other type of leave an employee may take while still receiving compensation.
 - (iii) "Paid leave hours" is not limited parental leave or postpartum recovery leave.
- (b) "Parental leave" means leave hours an LEA provides to a parental leave eligible employee.
- (c) "Parental leave eligible employee" means an LEA employee who accrues paid leave benefits in accordance with the LEA's leave policies and is:
 - (i) a birth parent as defined in Section 78B-6-103;
- (ii) legally adopting a minor child, unless the individual is the spouse of the pre-existing parent;
- (iii) the intended parent of a child born under a validated gestational agreement in accordance with Title 78B, Chapter 15, Part 8, Gestational Agreement; or
 - (iv) appointed the legal guardian of a minor child or incapacitated adult.
 - (d) "Postpartum recovery leave" means leave hours a state employer provides to a

postpartum recovery leave eligible employee to recover from childbirth.

- (e) "Postpartum recovery leave eligible employee" means an employee:
- (i) who accrues paid leave benefits in accordance with the LEA's leave policies; and
- (ii) who gives birth to a child.
- (f) "Qualified employee" means:
- (i) a parental leave eligible employee; or
- (ii) a postpartum recovery leave eligible employee.
- (g) "Retaliatory action" means to do any of the following regarding an employee:
- (i) dismiss the employee;
- (ii) reduce the employee's compensation;
- (iii) fail to increase the employee's compensation by an amount to which the employee is otherwise entitled to or was promised;
- (iv) fail to promote the employee if the employee would have otherwise been promoted; or
 - (v) threaten to take an action described in Subsections (1)(f)(i) through (iv).
 - (2) Beginning July 1, 2025, an LEA:
- (a) shall develop leave policies that provide for the use and administration of parental leave and postpartum recovery leave by a qualified employee under this section in a manner that is not more restrictive than the parental and postpartum recovery leave available to state employees under Section 63A-17-511; and
- (b) may develop leave policies that provide a mechanism for leave sharing between employees of the same LEA or school for all types of leave including, sick leave, annual leave, parental leave, and postpartum recovery leave;
- (c) shall allow a parental leave eligible employee and a postpartum recovery leave eligible employee who is part-time or who works in excess of a 40-hour work week or the equivalent of a 40-hour work week to use the amount of postpartum recovery leave available under this section on a pro rata basis; and
 - (d) shall provide each employee written information regarding:
- (i) a qualified employee's right to use parental leave or postpartum recovery leave under this section; and
 - (ii) the availability of and process for using or contributing to the leave sharing

mechanism described in Subsection (2)(b).

- (3) An LEA may not take retaliatory action against a qualified employee for using parental leave or postpartum recovery leave in accordance with this section.
- (4) An LEA may not charge parental leave or postpartum recovery leave against paid leave hours to which a qualified employee is entitled as described in Subsection 63A-17-511(6).
- (5) An LEA or school may use leave bank sharing and other efforts to mitigate incurred costs of compliance with this section including coordinating with other LEAs or schools to share approaches or policies designed to fulfill the requirements of this section in a cost effective manner.
- (6) An LEA may provide leave that exceeds the benefits of the state leave policies described in this section."