

**EFFECTIVE TEACHERS IN HIGH POVERTY SCHOOLS
INCENTIVE PROGRAM AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Lincoln Fillmore

House Sponsor: Matt MacPherson

LONG TITLE

General Description:

This bill requires the state board of education to notify each qualifying teacher of potential eligibility in the program.

Highlighted Provisions:

This bill:

- ▶ requires the state board of education to provide notice of the program to a teacher who meets certain criteria; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

53F-2-513, as last amended by Laws of Utah 2023, Chapter 376

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

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

53F-2-513. Effective Teachers in High Poverty Schools Incentive Program --



28 **Salary bonus -- Evaluation.**

29 (1) As used in this section:

30 (a) "Benchmark assessment" means the assessment described in Sections 53E-4-307
31 and 53E-4-307.5.

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

34 ~~[(c)]~~ (b) "Eligible teacher" means a general education or special education teacher who
35 is employed as a teacher in kindergarten through grade 8 in a high poverty school:

36 (i) at the time the teacher is considered by the state board for a salary bonus~~[-];~~ and~~[-]~~

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

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

44 (B) achieves at least 85% of students whose progress is assessed as typical or better at
45 the end of the year assessment while teaching kindergarten or grade 1, 2, or 3 at any public
46 school in the state at which a benchmark assessment is administered~~[-and].~~

47 ~~[(ii) for a salary bonus awarded to a grade 4 teacher in the 2022-2023 school year,
48 regardless of whether the teacher was employed the previous year by a high poverty school or a
49 different public school, teaches grade 4 and achieves the criteria under the method that the state
50 board creates as described in Subsection (2)(b)(iv).]~~

51 ~~[(d)]~~ (c) "High poverty school" means a public school:

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

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

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

57 (ii) (A) that has previously met the criteria described in Subsection ~~[(1)(d)(i)(A)]~~

58 (1)(c)(i)(A) and for each school year since meeting that criteria at least 15% of the enrolled

59 students at the public school have been classified as children affected by intergenerational
60 poverty; or

61 (B) that has previously met the criteria described in Subsection ~~[(1)(d)(i)(A)]~~
62 (1)(c)(i)(A) and for each school year since meeting that criteria at least 60% of the enrolled
63 students at the public school have qualified for free or reduced lunch.

64 ~~[(e)]~~ (d) "Intergenerational poverty" means the same as that term is defined in Section
65 35A-9-102.

66 ~~[(f)]~~ (e) "Median growth percentile" means a number that describes the comparative
67 effectiveness of a teacher in helping the teacher's students achieve growth in a year by
68 identifying the median student growth percentile of all the students a teacher instructs for each
69 standards assessment ~~[or benchmark assessment]~~.

70 ~~[(g)]~~ (f) "Program" means the Effective Teachers in High Poverty Schools Incentive
71 Program created in Subsection (2).

72 ~~[(h)]~~ (g) "Standards assessment" means the assessments described in Section
73 53E-4-303.

74 ~~[(i)]~~ (h) "Student growth percentile" is a number that describes where a student ranks in
75 comparison to ~~[the student's cohort]~~ students with similar achievement on standards
76 assessments in previous years.

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

79 (b) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
80 Rulemaking Act, make rules for:

81 (i) the administration of the program;

82 (ii) payment of a salary bonus; and

83 (iii) application requirements~~[-and]~~;

84 ~~[(iv) a method for:]~~

85 ~~[(A) norm-referencing available reading assessment data for grade 4; and]~~

86 ~~[(B) for using the data described in Subsection (2)(b)(iv)(A) to set criteria for the~~
87 ~~purpose of determining teacher eligibility for salary bonuses awarded in the 2022-2023 school~~
88 ~~year for teachers in grade 4.]~~

89 (c) The state board shall make an annual salary bonus payment in ~~[a fiscal year that~~

90 ~~begins on July 1, 2017, and]~~ each fiscal year [~~thereafter~~] in which money is appropriated for the
91 program.

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

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

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

- 100 (i) social security; and
- 101 (ii) Medicare.

102 (4) (a) (i) An LEA shall annually apply to the state board on behalf of an eligible
103 teacher for an eligible teacher to receive an annual salary bonus each year that the teacher is an
104 eligible teacher.

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

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

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

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

113 (5) The state board shall:

- 114 (a) determine if a teacher is an eligible teacher;
- 115 (b) verify, as needed, the determinations made under Subsection (5)(a) with the school
116 district and school district administrators; [~~and~~]

117 (c) publish a list of high poverty schools[-]; and

118 (d) ~~H→ [at the beginning of each school year,]~~ **within 30 days of the data being available,**

118a ~~←H~~ provide notice to each teacher in the state

119 who, for the H→ [previous] current ←H school year, achieved the criteria described in Subsection

119a (1)(b) and

120 include:

121 (i) a summary of the program including:
122 (A) the amount of the annual salary bonus; and
123 (B) the remaining requirements to qualify for the annual salary bonus; and
124 (ii) the list of schools described in Subsection (5)(c).
125 (6) The state board shall:
126 (a) distribute money from the program to an LEA in accordance with this section and
127 state board rule; and
128 (b) include the employer-paid benefits described in Subsection (3)(b) in addition to the
129 salary bonus amount described in Subsection (4)(b).
130 (7) Money received from the program shall be used by an LEA to provide an annual
131 salary bonus equal to the amount specified in Subsection (4)(b) for each eligible teacher and to
132 pay affiliated employer-paid benefits described in Subsection (3)(b).
133 (8) (a) After the third year salary bonus payments are made, and each succeeding year,
134 the state board shall evaluate the extent to which a salary bonus described in this section
135 improves recruitment and retention of effective teachers in high poverty schools by examining
136 turnover rates of teachers who receive the salary bonus compared to teachers who do not
137 receive the salary bonus.
138 (b) Each year that the state board conducts an evaluation described in Subsection
139 (8)(a), the state board shall, in accordance with Section [68-3-14](#), submit a report on the results
140 of the evaluation to the Education Interim Committee on or before November 30.
141 (9) A public school shall annually notify a teacher:
142 (a) of the teacher's median growth percentile; and
143 (b) how the teacher's median growth percentile is calculated.
144 (10) Notwithstanding this section, if the appropriation for the program is insufficient to
145 cover the costs associated with salary bonuses, the state board may limit or reduce a salary
146 bonus.
147 Section 2. **Effective date.**
148 This bill takes effect on July 1, 2024.