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EDUCATOR SALARY AMENDMENTS
2024 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Evan J. Vickers
House Sponsor: Steven J. Lund

LONG TITLE

General Description:

This bill amends educator salary adjustments and the Teacher Salary Supplemental Program to include regional education service agencies.

Highlighted Provisions:

This bill:

- defines terms;
- includes regional education service agencies to educator salary adjustments and the Teacher Salary Supplement Program; and
- provides for an annual increase to the legislative appropriation under certain circumstances.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:

AMENDS:

- 53F-2-405**, as last amended by Laws of Utah 2023, Chapters 1, 373
- 53F-2-504**, as last amended by Laws of Utah 2023, Chapter 373
- 53G-4-410**, as last amended by Laws of Utah 2020, Chapters 253, 408

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

Section 1. Section **53F-2-405** is amended to read:

53F-2-405 . Educator salary adjustments.

- (1) As used in this section, "educator" means a person employed by a school district, charter school, regional education service agency, or the Utah Schools for the Deaf and

- 29 the Blind who holds:
- 30 (a) (i) a license issued by the state board; and
- 31 (ii) a position as a:
- 32 (A) classroom teacher;
- 33 (B) speech pathologist;
- 34 (C) librarian or media specialist;
- 35 (D) preschool teacher;
- 36 (E) mentor teacher;
- 37 (F) teacher specialist or teacher leader;
- 38 (G) guidance counselor;
- 39 (H) audiologist;
- 40 (I) psychologist; or
- 41 (J) social worker; or
- 42 (b) (i) a license issued by the Division of Professional Licensing; and
- 43 (ii) a position as a social worker.
- 44 (2) In recognition of the need to attract and retain highly skilled and dedicated educators,
- 45 the Legislature shall annually appropriate money for educator salary adjustments,
- 46 subject to future budget constraints.
- 47 (3) (a) The state board shall distribute to each school district, each charter school, each
- 48 regional education service agency, and the Utah Schools for the Deaf and the Blind
- 49 money that the Legislature appropriates for educator salary adjustments based on the
- 50 number of educator positions described in Subsection (4) in the school district, the
- 51 charter school, each regional education service agency, or the Utah Schools for the
- 52 Deaf and the Blind.
- 53 (b) Notwithstanding Subsections (3)(a), if appropriations are insufficient to provide the
- 54 full amount of educator salary adjustments described in this section, the state board
- 55 shall distribute money appropriated for educator salary adjustments to school
- 56 districts, charter schools, each regional education service agency, and the Utah
- 57 Schools for the Deaf and the Blind in proportion to the number of
- 58 full-time-equivalent educator positions in a school district, a charter school, each
- 59 regional education service agency, or the Utah Schools for the Deaf and the Blind as
- 60 compared to the total number of full-time-equivalent educator positions in school
- 61 districts, charter schools, each regional education service agency, and the Utah
- 62 Schools for the Deaf and the Blind.

- 63 (4) A school district, a charter school, each regional education service agency, or the Utah
64 Schools for the Deaf and the Blind shall award bonuses to educators as follows:
- 65 (a) the amount of the salary adjustment for each full-time-equivalent educator is:
- 66 (i) if Title 53F, Chapter 6, Part 4, Utah Fits All Scholarship Program, is funded and in
67 effect, \$8,400; or
- 68 (ii) if Title 53F, Chapter 6, Part 4, Utah Fits All Scholarship Program, is not funded
69 and in effect, \$4,200;
- 70 (b) an individual who is not a full-time educator shall receive a partial salary adjustment
71 based on the number of hours the individual works as an educator;
- 72 (c) a salary adjustment may not be awarded if an educator has received an unsatisfactory
73 rating on the educator's three most recent evaluations; and
- 74 (d) for a fiscal year beginning on or after July 1, 2024, the amount of the salary
75 adjustment is equal to:
- 76 (i) the amount of salary adjustment in the preceding fiscal year; and
77 (ii) a percentage increase that is equal to the percentage increase in the value of the
78 WPU in the preceding fiscal year.
- 79 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
80 state board:
- 81 (a) shall make rules to ensure that the LEAs do not reduce or artificially limit a teacher's
82 salary to convert the salary supplement in this section into a windfall to the LEA; and
83 (b) may make rules as necessary to administer this section.
- 84 (6) (a) Subject to future budget constraints, the Legislature shall appropriate sufficient
85 money each year to:
- 86 (i) maintain educator salary adjustments provided in prior years; and
87 (ii) provide educator salary adjustments to new employees.
- 88 (b) Money appropriated for educator salary adjustments shall include money for the
89 following employer-paid benefits:
- 90 (i) retirement;
91 (ii) worker's compensation;
92 (iii) social security; and
93 (iv) Medicare.
- 94 (7) (a) Subject to future budget constraints, the Legislature shall:
- 95 (i) maintain the salary adjustments provided to school administrators in the 2007-08
96 school year; and

97 (ii) provide salary adjustments for new school administrators in the same amount as
98 provided for existing school administrators.

99 (b) The appropriation provided for educator salary adjustments described in this section
100 shall include salary adjustments for school administrators as specified in Subsection
101 (7)(a).

102 (c) In distributing and awarding salary adjustments for school administrators, the state
103 board, a school district, a charter school, each regional education service agency, or
104 the Utah Schools for the Deaf and the Blind shall comply with the requirements for
105 the distribution and award of educator salary adjustments as provided in Subsections
106 (3) and (4).

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

108 **53F-2-504 . Teacher Salary Supplement Program.**

109 (1) As used in this section:

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

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

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

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

116 (iv) (A) is a new employee; or

117 (B) has not received an unsatisfactory rating on the teacher's three most recent
118 evaluations.

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

120 (i) computer science; or

121 (ii) computer information technology.

122 (c) "Field of science" means:

123 (i) integrated science;

124 (ii) chemistry;

125 (iii) physics;

126 (iv) physical science; or

127 (v) general science.

128 (d) "Qualifying educational background" means:

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

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

- 131 or
- 132 (B) a bachelor's degree major, master's degree, or doctoral degree that has course
133 requirements that are substantially equivalent to the course requirements for a
134 bachelor's degree major, master's degree, or doctoral degree in mathematics;
- 135 (ii) for a teacher who is assigned a grade 7 or 8 integrated science course, chemistry
136 course, or physics course:
- 137 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of
138 science; or
- 139 (B) a bachelor's degree major, master's degree, or doctoral degree that has course
140 requirements that are substantially equivalent to the course requirements of
141 those required for a bachelor's degree major, master's degree, or doctoral
142 degree in a field of science;
- 143 (iii) for a teacher who is assigned a computer science course:
- 144 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of
145 computer science; or
- 146 (B) a bachelor's degree major, master's degree, or doctoral degree that has course
147 requirements that are substantially equivalent to the course requirements of
148 those required for a bachelor's degree major, master's degree, or doctoral
149 degree in a field of computer science; or
- 150 (iv) for a teacher who is assigned to teach special education, a bachelor's degree
151 major, master's degree, or doctoral degree in special education.
- 152 (e) "Qualifying teaching background" means:
- 153 (i) the teacher has been teaching the same supplement-approved assignment in Utah
154 public schools for at least 10 years; or
- 155 (ii) the teacher has a professional deaf education license issued by the state board.
- 156 (f) "Supplement-approved assignment" means an assignment to teach:
- 157 (i) a secondary school level mathematics course;
- 158 (ii) integrated science in grade 7 or 8;
- 159 (iii) chemistry;
- 160 (iv) physics;
- 161 (v) computer science;
- 162 (vi) special education; or
- 163 (vii) deaf education.
- 164 (2) (a) Subject to future budget constraints, the Legislature shall:

- 165 (i) annually appropriate money to the Teacher Salary Supplement Program to
166 maintain annual salary supplements for eligible teachers provided in previous
167 years; and
- 168 (ii) provide salary supplements to new recipients.
- 169 (b) Money appropriated for the Teacher Salary Supplement Program shall include
170 money for the following employer-paid benefits:
- 171 (i) retirement;
- 172 (ii) workers' compensation;
- 173 (iii) Social Security; and
- 174 (iv) Medicare.
- 175 (3) (a) The annual salary supplement for an eligible teacher who is assigned full-time to
176 a supplement-approved assignment is:
- 177 (i) for a fiscal year beginning before July 1, 2023, \$4,100 and funded through an
178 appropriation described in Subsection (2); and
- 179 (ii) for a fiscal year beginning on or after July 1, 2023, the amount equal to:
- 180 (A) the amount of the annual salary supplement in the preceding fiscal year; and
- 181 (B) a percentage increase that is equal to the percentage increase in the value of
182 the WPU in the preceding fiscal year.
- 183 (b) An eligible teacher who is assigned part-time to a supplement-approved assignment
184 shall receive a partial salary supplement based on the number of hours worked in the
185 supplement-approved assignment.
- 186 (4) The state board shall:
- 187 (a) create an online application system for a teacher to apply to receive a salary
188 supplement through the Teacher Salary Supplement Program;
- 189 (b) determine if a teacher is an eligible teacher;
- 190 (c) verify, as needed, the determinations made under Subsection (4)(b) with school
191 district and school administrators; and
- 192 (d) certify a list of eligible teachers.
- 193 (5) An eligible teacher shall apply to the state board, as provided by the board to receive the
194 salary supplement authorized in this section in accordance with state board rule made in
195 accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- 196 (6) (a) The state board shall establish and administer an appeal process for a teacher to
197 follow if the teacher applies for a salary supplement and does not receive a salary
198 supplement under Subsection (8).

- 199 (b) (i) The appeal process established in Subsection (6)(a) shall allow a teacher to
200 appeal eligibility as an eligible teacher with a qualifying educational background
201 on the basis that the teacher has a degree or degree major with course
202 requirements that are substantially equivalent to the qualifying educational
203 background associated with the teacher's supplement-approved assignment.
- 204 (ii) A teacher shall provide transcripts and other documentation to the state board in
205 order for the state board to determine if the teacher has a degree or degree major
206 with course requirements that are substantially equivalent to the qualifying
207 educational background associated with the teacher's supplement-approved
208 assignment.
- 209 (c) (i) The appeal process established under Subsection (6)(a) shall allow a teacher to
210 appeal eligibility as an eligible teacher with a qualifying teaching background on
211 the basis that the teacher has a qualifying teaching background.
- 212 (ii) The teacher shall provide to the state board evidence to verify that the teacher has
213 a qualifying teaching background.
- 214 (7) (a) The state board shall distribute money appropriated to the Teacher Salary
215 Supplement Program to school districts, ~~and~~ charter schools, and regional education
216 service agencies for the Teacher Salary Supplement Program in accordance with the
217 provisions of this section.
- 218 (b) The state board shall include the employer-paid benefits described under Subsection
219 (2)(b) in the amount of each salary supplement.
- 220 (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the
221 salary supplement limits described under Subsection (3).
- 222 (8) (a) Money received from the Teacher Salary Supplement Program shall be used by a
223 school district, ~~or~~ charter school, or regional education service agencies to provide a
224 salary supplement equal to the amount specified in Subsection (3) for each eligible
225 teacher.
- 226 (b) The salary supplement is part of an eligible teacher's base pay, subject to eligible
227 teacher's qualification as an eligible teacher every year, semester, or trimester.
- 228 (9) Notwithstanding the provisions of this section, if the appropriation for the program is
229 insufficient to cover the costs associated with salary supplements, the state board may
230 distribute the funds in the Teacher Salary Supplement Program on a pro rata basis.
- 231 Section 3. Section **53G-4-410** is amended to read:
232 **53G-4-410 . Regional education service agencies.**

- 233 (1) As used in this section:
- 234 (a) "Eligible regional education service agency" means a regional education service
235 agency in existence before July 1, 2020.
- 236 (b) "Regional education service agency" means an entity formed by two or more school
237 districts as an interlocal entity, in accordance with Title 11, Chapter 13, Interlocal
238 Cooperation Act, with the authority and duties described in this section.
- 239 (2) The Legislature strongly encourages school districts to collaborate and cooperate to
240 provide educational services in a manner that will best utilize resources for the overall
241 operation of the public education system.
- 242 (3) A regional education service agency formed by an interlocal agreement, in accordance
243 with Title 11, Chapter 13, Interlocal Cooperation Act:
- 244 (a) for an eligible regional education service agency, may receive a distribution
245 described in Subsection (6) if the Legislature appropriates money for eligible regional
246 education service agencies;
- 247 (b) may apply directly for any grant or program in which an LEA may participate if the
248 agency has the written consent of the LEAs that the agency serves;
- 249 (c) may receive services from or partner with any department, division, or agency of the
250 state, including coverage by the Division of Risk Management;
- 251 (d) may recommend educators for licensing;
- 252 (e) may provide services for students as approved by the regional education service
253 agency's board;
- 254 (f) may access as necessary LEA systems that the board provides; and
- 255 (g) does not have authority over the LEAs which the agency serves.
- 256 (4) A regional education service agency may elect to participate as an employer for
257 retirement programs under:
- 258 (a) Title 49, Chapter 12, Public Employees' Contributory Retirement Act;
- 259 (b) Title 49, Chapter 13, Public Employees' Noncontributory Retirement Act; and
- 260 (c) Title 49, Chapter 22, New Public Employees' Tier II Contributory Retirement Act.
- 261 (5) (a) If local school boards enter into an interlocal agreement to confirm or formalize a
262 regional education service agency in operation before July 1, 2011, the interlocal
263 agreement may not eliminate any rights or obligations of the regional education
264 service agency in effect before entering into the interlocal agreement.
- 265 (b) An interlocal agreement entered into to confirm or formalize an existing regional
266 education service agency shall have the effect of confirming and ratifying in the

- 267 regional education service agency, the title to any property held in the name, or for
268 the benefit of the regional education service agency as of the effective date of the
269 interlocal agreement.
- 270 (6) (a) The state board shall distribute any funding appropriated to eligible regional
271 education service agencies as provided by the Legislature.
- 272 (b) The state board may provide funding to an eligible regional education service agency
273 in addition to legislative appropriations.
- 274 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
275 state board shall make rules regarding regional education service agencies including:
- 276 (a) the authority, scope, and duties of a regional education service agency;
- 277 (b) the creation of a regional education service agency coordinating council, including:
- 278 (i) defining the council's role and authority; and
- 279 (ii) provisions for the council's membership;
- 280 (c) the distribution of legislative appropriations to eligible regional education service
281 agencies;
- 282 (d) the designation of eligible regional education service agencies as agents to distribute
283 Utah Education and Telehealth Network services; and
- 284 (e) the designation of eligible regional education service agencies as agents for regional
285 coordination of public education and higher education services.
- 286 (8) The board shall annually:
- 287 (a) review the funding the Legislature appropriates to support regional education service
288 agencies; and
- 289 (b) recommend any adjustments as part of the board's annual budget request.
- 290 (9) Subject to future budgetary constraints, the Legislature shall increase the annual
291 appropriation for regional education service agencies at the same percentage as the
292 annual state labor market increase for state agencies.

293 Section 4. **Effective date.**

294 This bill takes effect on July 1, 2024.