

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

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor: Matt MacPherson

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**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

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*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 --**

**Salary bonus -- Evaluation.**

(1) As used in this section:

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

- 27        ~~[(b) "Cohort" means a group of students, defined by the year in which the group enters~~  
 28            ~~kindergarten.]~~
- 29        ~~[(e)] (b) "Eligible teacher" means a general education or special education teacher who is~~  
 30            ~~employed as a teacher in kindergarten through grade 8 in a high poverty school[-] :~~  
 31            ~~(i) at the time the teacher is considered by the state board for a salary bonus[;] ; and[;]~~  
 32        ~~[(f)] (ii) a full school year before the school year the eligible teacher is being~~  
 33            ~~considered by the state board for a salary bonus under this section, regardless of~~  
 34            ~~whether the teacher was employed the previous year by a high poverty school or a~~  
 35            ~~different public school, either:~~
- 36            ~~(A) achieves a median growth percentile of 70 or higher while teaching in grade 4~~  
 37            ~~through 8 at any public school in the state a course for which a standards~~  
 38            ~~assessment is administered as described in Section 53E-4-303; or~~
- 39            ~~(B) achieves at least 85% of students whose progress is assessed as typical or~~  
 40            ~~better at the end of the year assessment while teaching kindergarten or grade 1,~~  
 41            ~~2, or 3 at any public school in the state at which a benchmark assessment is~~  
 42            ~~administered[; and] .~~
- 43        ~~[(ii) for a salary bonus awarded to a grade 4 teacher in the 2022-2023 school year,~~  
 44            ~~regardless of whether the teacher was employed the previous year by a high~~  
 45            ~~poverty school or a different public school, teaches grade 4 and achieves the~~  
 46            ~~criteria under the method that the state board creates as described in Subsection~~  
 47            ~~(2)(b)(iv).]~~
- 48        ~~[(d)] (c) "High poverty school" means a public school:~~
- 49            ~~(i) in which, during the previous school year, based on October 1 enrollment as of the~~  
 50            ~~year-end data submission:~~
- 51            ~~(A) more than 20% of the enrolled students are classified as children affected by~~  
 52            ~~intergenerational poverty; or~~
- 53            ~~(B) 70% or more of the enrolled students qualify for free or reduced lunch; or~~
- 54        ~~(ii) (A) that has previously met the criteria described in Subsection [(f)(d)(i)(A)]~~  
 55            ~~(1)(c)(i)(A) and for each school year since meeting that criteria at least 15% of~~  
 56            ~~the enrolled students at the public school have been classified as children~~  
 57            ~~affected by intergenerational poverty; or~~
- 58            ~~(B) that has previously met the criteria described in Subsection [(f)(d)(i)(A)]~~  
 59            ~~(1)(c)(i)(A) and for each school year since meeting that criteria at least 60% of~~  
 60            ~~the enrolled students at the public school have qualified for free or reduced~~

- 61 lunch.
- 62 ~~[(e)]~~ (d) "Intergenerational poverty" means the same as that term is defined in Section  
63 35A-9-102.
- 64 ~~[(f)]~~ (e) "Median growth percentile" means a number that describes the comparative  
65 effectiveness of a teacher in helping the teacher's students achieve growth in a year  
66 by identifying the median student growth percentile of all the students a teacher  
67 instructs for each standards assessment ~~[or benchmark assessment]~~.
- 68 ~~[(g)]~~ (f) "Program" means the Effective Teachers in High Poverty Schools Incentive  
69 Program created in Subsection (2).
- 70 ~~[(h)]~~ (g) "Standards assessment" means the assessments described in Section 53E-4-303.
- 71 ~~[(i)]~~ (h) "Student growth percentile" is a number that describes where a student ranks in  
72 comparison to ~~[the student's cohort]~~ students with similar achievement on standards  
73 assessments in previous years.
- 74 (2) (a) The Effective Teachers in High Poverty Schools Incentive Program is created to  
75 provide an annual salary bonus for an eligible teacher.
- 76 (b) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative  
77 Rulemaking Act, make rules for:
- 78 (i) the administration of the program;
- 79 (ii) payment of a salary bonus; and
- 80 (iii) application requirements~~;~~ and .
- 81 ~~[(iv) a method for:]~~
- 82 ~~[(A) norm-referencing available reading assessment data for grade 4; and]~~
- 83 ~~[(B) for using the data described in Subsection (2)(b)(iv)(A) to set criteria for the~~  
84 ~~purpose of determining teacher eligibility for salary bonuses awarded in the~~  
85 ~~2022-2023 school year for teachers in grade 4.]~~
- 86 (c) The state board shall make an annual salary bonus payment in ~~[a fiscal year that~~  
87 ~~begins on July 1, 2017, and]~~ each fiscal year ~~[thereafter]~~ in which money is  
88 appropriated for the program.
- 89 (d) The state board shall make a partial payment of the annual salary bonus described in  
90 Subsection (2)(c), to an eligible teacher who has a part-time assignment in a regular  
91 or special education classroom at an eligible school, based on the number of hours  
92 the eligible teacher works in the classroom assignment.
- 93 (3) (a) Subject to future budget constraints, the Legislature shall annually appropriate  
94 money to fund the program.

- 95 (b) Money appropriated for the program shall include money for the following  
96 employer-paid benefits:
- 97 (i) social security; and  
98 (ii) Medicare.
- 99 (4) (a) (i) An LEA shall annually apply to the state board on behalf of an eligible  
100 teacher for an eligible teacher to receive an annual salary bonus each year that the  
101 teacher is an eligible teacher.
- 102 (ii) A teacher need not be an eligible teacher in consecutive years to receive the  
103 increased annual salary bonus described in Subsection (4)(b).
- 104 (b) The annual salary bonus for an eligible teacher is \$7,000.
- 105 (c) A public school that applies on behalf of an eligible teacher under Subsection  
106 (4)(a)(i) shall pay half of the salary bonus described in Subsection (4)(b) each year  
107 the eligible teacher is awarded the salary bonus.
- 108 (d) The state board shall award a salary bonus to an eligible teacher based on the order  
109 that an application from a public school on behalf of the eligible teacher is received.
- 110 (5) The state board shall:
- 111 (a) determine if a teacher is an eligible teacher;  
112 (b) verify, as needed, the determinations made under Subsection (5)(a) with the school  
113 district and school district administrators; ~~and~~  
114 (c) publish a list of high poverty schools[-] ; and  
115 (d) within 30 days of the data being available, provide notice to each teacher in the state  
116 who, for the current school year, achieved the criteria described in Subsection (1)(b)  
117 and include:  
118 (i) a summary of the program, including:  
119 (A) the amount of the annual salary bonus; and  
120 (B) the remaining requirements to qualify for the annual salary bonus; and  
121 (ii) the list of schools described in Subsection (5)(c).
- 122 (6) The state board shall:
- 123 (a) distribute money from the program to an LEA in accordance with this section and  
124 state board rule; and  
125 (b) include the employer-paid benefits described in Subsection (3)(b) in addition to the  
126 salary bonus amount described in Subsection (4)(b).
- 127 (7) Money received from the program shall be used by an LEA to provide an annual salary  
128 bonus equal to the amount specified in Subsection (4)(b) for each eligible teacher and to

- 129 pay affiliated employer-paid benefits described in Subsection (3)(b).
- 130 (8) (a) After the third year salary bonus payments are made, and each succeeding year,  
131 the state board shall evaluate the extent to which a salary bonus described in this  
132 section improves recruitment and retention of effective teachers in high poverty  
133 schools by examining turnover rates of teachers who receive the salary bonus  
134 compared to teachers who do not receive the salary bonus.
- 135 (b) Each year that the state board conducts an evaluation described in Subsection (8)(a),  
136 the state board shall, in accordance with Section 68-3-14, submit a report on the  
137 results of the evaluation to the Education Interim Committee on or before November  
138 30.
- 139 (9) A public school shall annually notify a teacher:
- 140 (a) of the teacher's median growth percentile; and  
141 (b) how the teacher's median growth percentile is calculated.
- 142 (10) Notwithstanding this section, if the appropriation for the program is insufficient to  
143 cover the costs associated with salary bonuses, the state board may limit or reduce a  
144 salary bonus.
- 145 Section 2. **Effective date.**  
146 This bill takes effect on July 1, 2024.