

**EDUCATOR SALARY AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Evan J. Vickers**

House Sponsor: Steven J. Lund

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**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



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

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

30 **53F-2-405. Educator salary adjustments.**

31 (1) As used in this section, "educator" means a person employed by a school district,  
32 charter school, regional education service agency, or the Utah Schools for the Deaf and the  
33 Blind who holds:

34 (a) (i) a license issued by the state board; and

35 (ii) a position as a:

36 (A) classroom teacher;

37 (B) speech pathologist;

38 (C) librarian or media specialist;

39 (D) preschool teacher;

40 (E) mentor teacher;

41 (F) teacher specialist or teacher leader;

42 (G) guidance counselor;

43 (H) audiologist;

44 (I) psychologist; or

45 (J) social worker; or

46 (b) (i) a license issued by the Division of Professional Licensing; and

47 (ii) a position as a social worker.

48 (2) In recognition of the need to attract and retain highly skilled and dedicated  
49 educators, the Legislature shall annually appropriate money for educator salary adjustments,  
50 subject to future budget constraints.

51 (3) (a) The state board shall distribute to each school district, each charter school, each  
52 regional education service agency, and the Utah Schools for the Deaf and the Blind money that  
53 the Legislature appropriates for educator salary adjustments based on the number of educator  
54 positions described in Subsection (4) in the school district, the charter school, each regional  
55 education service agency, or the Utah Schools for the Deaf and the Blind.

56 (b) Notwithstanding Subsections (3)(a), if appropriations are insufficient to provide the  
57 full amount of educator salary adjustments described in this section, the state board shall  
58 distribute money appropriated for educator salary adjustments to school districts, charter

59 schools, each regional education service agency, and the Utah Schools for the Deaf and the  
60 Blind in proportion to the number of full-time-equivalent educator positions in a school  
61 district, a charter school, each regional education service agency, or the Utah Schools for the  
62 Deaf and the Blind as compared to the total number of full-time-equivalent educator positions  
63 in school districts, charter schools, each regional education service agency, and the Utah  
64 Schools for the Deaf and the Blind.

65 (4) A school district, a charter school, each regional education service agency, or the  
66 Utah Schools for the Deaf and the Blind shall award bonuses to educators as follows:

67 (a) the amount of the salary adjustment for each full-time-equivalent educator is:

68 (i) if Title 53F, Chapter 6, Part 4, Utah Fits All Scholarship Program, is funded and in  
69 effect, \$8,400; or

70 (ii) if Title 53F, Chapter 6, Part 4, Utah Fits All Scholarship Program, is not funded  
71 and in effect, \$4,200;

72 (b) an individual who is not a full-time educator shall receive a partial salary  
73 adjustment based on the number of hours the individual works as an educator;

74 (c) a salary adjustment may not be awarded if an educator has received an  
75 unsatisfactory rating on the educator's three most recent evaluations; and

76 (d) for a fiscal year beginning on or after July 1, 2024, the amount of the salary  
77 adjustment is equal to:

78 (i) the amount of salary adjustment in the preceding fiscal year; and

79 (ii) a percentage increase that is equal to the percentage increase in the value of the  
80 WPU in the preceding fiscal year.

81 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
82 state board:

83 (a) shall make rules to ensure that the LEAs do not reduce or artificially limit a  
84 teacher's salary to convert the salary supplement in this section into a windfall to the LEA; and

85 (b) may make rules as necessary to administer this section.

86 (6) (a) Subject to future budget constraints, the Legislature shall appropriate sufficient  
87 money each year to:

88 (i) maintain educator salary adjustments provided in prior years; and

89 (ii) provide educator salary adjustments to new employees.

90 (b) Money appropriated for educator salary adjustments shall include money for the  
91 following employer-paid benefits:

- 92 (i) retirement;
- 93 (ii) worker's compensation;
- 94 (iii) social security; and
- 95 (iv) Medicare.

96 (7) (a) Subject to future budget constraints, the Legislature shall:

97 (i) maintain the salary adjustments provided to school administrators in the 2007-08  
98 school year; and

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

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

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

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

109 **53F-2-504. Teacher Salary Supplement Program.**

110 (1) As used in this section:

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

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

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

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

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

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

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

- 121 (i) computer science; or  
122 (ii) computer information technology.  
123 (c) "Field of science" means:  
124 (i) integrated science;  
125 (ii) chemistry;  
126 (iii) physics;  
127 (iv) physical science; or  
128 (v) general science.  
129 (d) "Qualifying educational background" means:  
130 (i) for a teacher who is assigned a secondary school level mathematics course:  
131 (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics; 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 bachelor's degree  
134 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 science;  
138 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 those required for a  
141 bachelor's degree major, master's degree, or doctoral degree in a field of science;  
142 (iii) for a teacher who is assigned a computer science course:  
143 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of  
144 computer science; or  
145 (B) a bachelor's degree major, master's degree, or doctoral degree that has course  
146 requirements that are substantially equivalent to the course requirements of those required for a  
147 bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or  
148 (iv) for a teacher who is assigned to teach special education, a bachelor's degree major,  
149 master's degree, or doctoral degree in special education.  
150 (e) "Qualifying teaching background" means:  
151 (i) the teacher has been teaching the same supplement-approved assignment in Utah

152 public schools for at least 10 years; or  
153 (ii) the teacher has a professional deaf education license issued by the state board.  
154 (f) "Supplement-approved assignment" means an assignment to teach:  
155 (i) a secondary school level mathematics course;  
156 (ii) integrated science in grade 7 or 8;  
157 (iii) chemistry;  
158 (iv) physics;  
159 (v) computer science;  
160 (vi) special education; or  
161 (vii) deaf education.  
162 (2) (a) Subject to future budget constraints, the Legislature shall:  
163 (i) annually appropriate money to the Teacher Salary Supplement Program to maintain  
164 annual salary supplements for eligible teachers provided in previous years; and  
165 (ii) provide salary supplements to new recipients.  
166 (b) Money appropriated for the Teacher Salary Supplement Program shall include  
167 money for the following employer-paid benefits:  
168 (i) retirement;  
169 (ii) workers' compensation;  
170 (iii) Social Security; and  
171 (iv) Medicare.  
172 (3) (a) The annual salary supplement for an eligible teacher who is assigned full-time  
173 to a supplement-approved assignment is:  
174 (i) for a fiscal year beginning before July 1, 2023, \$4,100 and funded through an  
175 appropriation described in Subsection (2); and  
176 (ii) for a fiscal year beginning on or after July 1, 2023, the amount equal to:  
177 (A) the amount of the annual salary supplement in the preceding fiscal year; and  
178 (B) a percentage increase that is equal to the percentage increase in the value of the  
179 WPU in the preceding fiscal year.  
180 (b) An eligible teacher who is assigned part-time to a supplement-approved assignment  
181 shall receive a partial salary supplement based on the number of hours worked in the  
182 supplement-approved assignment.

183 (4) The state board shall:

184 (a) create an online application system for a teacher to apply to receive a salary  
185 supplement through the Teacher Salary Supplement Program;

186 (b) determine if a teacher is an eligible teacher;

187 (c) verify, as needed, the determinations made under Subsection (4)(b) with school  
188 district and school administrators; and

189 (d) certify a list of eligible teachers.

190 (5) An eligible teacher shall apply to the state board, as provided by the board to  
191 receive the salary supplement authorized in this section in accordance with state board rule  
192 made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.

193 (6) (a) The state board shall establish and administer an appeal process for a teacher to  
194 follow if the teacher applies for a salary supplement and does not receive a salary supplement  
195 under Subsection (8).

196 (b) (i) The appeal process established in Subsection (6)(a) shall allow a teacher to  
197 appeal eligibility as an eligible teacher with a qualifying educational background on the basis  
198 that the teacher has a degree or degree major with course requirements that are substantially  
199 equivalent to the qualifying educational background associated with the teacher's  
200 supplement-approved assignment.

201 (ii) A teacher shall provide transcripts and other documentation to the state board in  
202 order for the state board to determine if the teacher has a degree or degree major with course  
203 requirements that are substantially equivalent to the qualifying educational background  
204 associated with the teacher's supplement-approved assignment.

205 (c) (i) The appeal process established under Subsection (6)(a) shall allow a teacher to  
206 appeal eligibility as an eligible teacher with a qualifying teaching background on the basis that  
207 the teacher has a qualifying teaching background.

208 (ii) The teacher shall provide to the state board evidence to verify that the teacher has a  
209 qualifying teaching background.

210 (7) (a) The state board shall distribute money appropriated to the Teacher Salary  
211 Supplement Program to school districts, ~~and~~ charter schools, and regional education service  
212 agencies for the Teacher Salary Supplement Program in accordance with the provisions of this  
213 section.

214 (b) The state board shall include the employer-paid benefits described under  
215 Subsection (2)(b) in the amount of each salary supplement.

216 (c) The employer-paid benefits described under Subsection (2)(b) are an addition to the  
217 salary supplement limits described under Subsection (3).

218 (8) (a) Money received from the Teacher Salary Supplement Program shall be used by  
219 a school district, ~~or~~ charter school, or regional education service agencies to provide a salary  
220 supplement equal to the amount specified in Subsection (3) for each eligible teacher.

221 (b) The salary supplement is part of an eligible teacher's base pay, subject to eligible  
222 teacher's qualification as an eligible teacher every year, semester, or trimester.

223 (9) Notwithstanding the provisions of this section, if the appropriation for the program  
224 is insufficient to cover the costs associated with salary supplements, the state board may  
225 distribute the funds in the Teacher Salary Supplement Program on a pro rata basis.

226 Section 3. Section **53G-4-410** is amended to read:

227 **53G-4-410. Regional education service agencies.**

228 (1) As used in this section:

229 (a) "Eligible regional education service agency" means a regional education service  
230 agency in existence before July 1, 2020.

231 (b) "Regional education service agency" means an entity formed by two or more school  
232 districts as an interlocal entity, in accordance with Title 11, Chapter 13, Interlocal Cooperation  
233 Act, with the authority and duties described in this section.

234 (2) The Legislature strongly encourages school districts to collaborate and cooperate to  
235 provide educational services in a manner that will best utilize resources for the overall  
236 operation of the public education system.

237 (3) A regional education service agency formed by an interlocal agreement, in  
238 accordance with Title 11, Chapter 13, Interlocal Cooperation Act:

239 (a) for an eligible regional education service agency, may receive a distribution  
240 described in Subsection (6) if the Legislature appropriates money for eligible regional  
241 education service agencies;

242 (b) may apply directly for any grant or program in which an LEA may participate if the  
243 agency has the written consent of the LEAs that the agency serves;

244 (c) may receive services from or partner with any department, division, or agency of



245 the state, including coverage by the Division of Risk Management;

246 (d) may recommend educators for licensing;

247 (e) may provide services for students as approved by the regional education service

248 agency's board;

249 (f) may access as necessary LEA systems that the board provides; and

250 (g) does not have authority over the LEAs which the agency serves.

251 (4) A regional education service agency may elect to participate as an employer for

252 retirement programs under:

253 (a) Title 49, Chapter 12, Public Employees' Contributory Retirement Act;

254 (b) Title 49, Chapter 13, Public Employees' Noncontributory Retirement Act; and

255 (c) Title 49, Chapter 22, New Public Employees' Tier II Contributory Retirement Act.

256 (5) (a) If local school boards enter into an interlocal agreement to confirm or formalize

257 a regional education service agency in operation before July 1, 2011, the interlocal agreement

258 may not eliminate any rights or obligations of the regional education service agency in effect

259 before entering into the interlocal agreement.

260 (b) An interlocal agreement entered into to confirm or formalize an existing regional

261 education service agency shall have the effect of confirming and ratifying in the regional

262 education service agency, the title to any property held in the name, or for the benefit of the

263 regional education service agency as of the effective date of the interlocal agreement.

264 (6) (a) The state board shall distribute any funding appropriated to eligible regional

265 education service agencies as provided by the Legislature.

266 (b) The state board may provide funding to an eligible regional education service

267 agency in addition to legislative appropriations.

268 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

269 state board shall make rules regarding regional education service agencies including:

270 (a) the authority, scope, and duties of a regional education service agency;

271 (b) the creation of a regional education service agency coordinating council, including:

272 (i) defining the council's role and authority; and

273 (ii) provisions for the council's membership;

274 (c) the distribution of legislative appropriations to eligible regional education service

275 agencies;

276 (d) the designation of eligible regional education service agencies as agents to  
277 distribute Utah Education and Telehealth Network services; and

278 (e) the designation of eligible regional education service agencies as agents for regional  
279 coordination of public education and higher education services.

280 (8) The board shall annually:

281 (a) review the funding the Legislature appropriates to support regional education  
282 service agencies; and

283 (b) recommend any adjustments as part of the board's annual budget request.

284 (9) Subject to future budgetary constraints, the Legislature shall increase the annual  
285 appropriation for regional education service agencies at the same percentage as the annual state  
286 labor market increase for state agencies.

287 Section 4. **Effective date.**

288 This bill takes effect on July 1, 2024.