

**PUBLIC EDUCATION BUDGET AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Daniel McCay**

Senate Sponsor: Lyle W. Hillyard

---

---

**LONG TITLE**

**General Description:**

This bill supplements or reduces appropriations previously provided for school districts, charter schools, and certain state education agencies for the fiscal year beginning July 1, 2016, and ending June 30, 2017, and for the fiscal year beginning July 1, 2017, and ending June 30, 2018.

**Highlighted Provisions:**

This bill:

- ▶ enacts language directing the Legislature to adjust the appropriation for the Statewide Online Education Program based on certain factors;
- ▶ sets the value of the weighted pupil unit at \$3,311 for fiscal year 2018;
- ▶ adjusts the number of weighted pupil units to reflect anticipated student enrollment in fall 2017;
- ▶ repeals the Professional Practices Restricted Subfund and appropriates funding to pay teacher licensing fees;
- ▶ provides appropriations for other purposes as described;
- ▶ provides intent language; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

This bill appropriates \$5,185,100 in operating and capital budgets for fiscal year 2017, including:

- ▶ \$191,000 from the General Fund;
- ▶ \$4,795,000 from the Education Fund; and

30           ▶ \$199,100 from various sources as detailed in this bill.

31           This bill appropriates \$229,961,300 in operating and capital budgets for fiscal year  
32 2018, including:

- 33           ▶ \$1,732,100 from the General Fund;
- 34           ▶ \$203,013,600 from the Education Fund; and
- 35           ▶ \$25,215,600 from various sources as detailed in this bill.

36 **Other Special Clauses:**

37           This bill provides a special effective date.

38 **Utah Code Sections Affected:**

39 AMENDS:

- 40           **53A-6-104.1**, as last amended by Laws of Utah 2015, Chapter 389
- 41           **53A-6-305**, as enacted by Laws of Utah 1999, Chapter 108
- 42           **53A-15-1207**, as last amended by Laws of Utah 2012, Chapter 238

43 REPEALS:

- 44           **53A-6-105**, as last amended by Laws of Utah 2016, Chapter 144

45 **Uncodified Material Affected:**

46 ENACTS UNCODIFIED MATERIAL



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

49           Section 1. Section **53A-6-104.1** is amended to read:

50           **53A-6-104.1. Reinstatement of a license.**

51           (1) An educator who previously held a license and whose license has expired may have  
52 the license reinstated by:

- 53           (a) filing an application with the board on the form prescribed by the board; and
- 54           ~~[(b) paying the fee required by Section 53A-6-105; and]~~
- 55           ~~[(c)]~~ (b) submitting to a criminal background check as required by Section
- 56 **53A-15-1504.**

57           (2) Upon successful completion of the criminal background check and verification that

58 the applicant's previous license had not been revoked, suspended, or surrendered, the board  
59 shall reinstate the license.

60 (3) An educator whose license is reinstated may not be required to obtain professional  
61 development not required of other educators with the same number of years of experience,  
62 except as provided in Subsection (4).

63 (4) The principal of the school at which an educator whose license is reinstated is  
64 employed shall provide information and training, based on the educator's experience and  
65 education, that will assist the educator in performing the educator's assigned position.

66 (5) The procedures for reinstating a license as provided in this section do not apply to  
67 an educator's license that expires while the educator is employed in a position requiring the  
68 license.

69 Section 2. Section **53A-6-305** is amended to read:

70 **53A-6-305. Meetings and expenses of UPPAC members.**

71 (1) UPPAC shall meet at least quarterly and at the call of the chair or of a majority of  
72 the members.

73 (2) Members of UPPAC serve without compensation but are allowed reimbursement  
74 for actual and necessary expenses under the rules of the Division of Finance.

75 (3) The board shall pay reimbursement to UPPAC members out of the [~~Professional~~  
76 ~~Practices Restricted Subfund in the Uniform School Fund~~] Education Fund.

77 Section 3. Section **53A-15-1207** is amended to read:

78 **53A-15-1207. State Board of Education to deduct funds and make payments --**  
79 **Plan for the payment of online courses taken by private and home school students.**

80 (1) For a fiscal year that begins on or after July 1, 2018, and subject to future budget  
81 constraints, the Legislature shall adjust the appropriation for the Statewide Online Education  
82 Program based on:

83 (a) the anticipated increase of eligible home school and private school students  
84 enrolled in the Statewide Online Education Program; and

85 (b) the value of the weighted pupil unit.

86           ~~[(1)]~~ (2) (a) The State Board of Education shall deduct money from funds allocated to  
87 the student's primary LEA of enrollment under Chapter 17a, Minimum School Program Act, to  
88 pay for online course fees.

89           (b) Money shall be deducted under Subsection ~~[(1)]~~ (2) in the amount and at the time  
90 an online course provider qualifies to receive payment for an online course as provided in  
91 Subsection [53A-15-1206\(4\)](#).

92           ~~[(2)]~~ (3) From money deducted under Subsection ~~[(1)]~~ (2), the State Board of  
93 Education shall make payments to the student's online course provider as provided in Section  
94 [53A-15-1206](#).

95           ~~[(3)]~~ (4) The Legislature shall establish a plan, which shall take effect beginning on  
96 July 1, 2013, for the payment of online courses taken by a private school or home school  
97 student.

98           Section 4. **Repealer.**

99           This bill repeals:

100           Section [53A-6-105](#), **Licensing fees -- Credit to subfund -- Payment of expenses.**

101           Section 5. **Appropriation for classroom supplies.**

102           (1) As used in this section, "classroom teacher" or "teacher" means permanent teacher  
103 positions filled by one teacher or two or more job-sharing teachers:

104           (a) who are licensed personnel;

105           (b) who are paid on the teacher's salary schedule;

106           (c) who are hired for an entire contract period; and

107           (d) whose primary function is to provide instructional or a combination of instructional  
108 and counseling services to students in public schools.

109           (2) (a) The State Board of Education shall distribute money appropriated for teacher  
110 supplies and materials to classroom teachers in school districts, charter schools, and the Utah  
111 Schools for the Deaf and the Blind based on the number of classroom teachers in each school  
112 as compared to the total number of classroom teachers.

113           (b) Teachers shall receive up to the following amounts:

114 (i) \$250 for a teacher on salary schedule steps one through three teaching in grades  
115 kindergarten through 6 or preschool handicapped;

116 (ii) \$200 for a teacher on salary schedule steps one through three teaching in grades 7  
117 through 12;

118 (iii) \$175 for a teacher on salary schedule step four or higher teaching in grades  
119 kindergarten through 6 or preschool handicapped; and

120 (iv) \$150 for a teacher on salary schedule step four or higher teaching in grades 7  
121 through 12.

122 (c) If the appropriation is not sufficient to provide each teacher the full amount allowed  
123 under Subsection (2)(b), teachers on salary schedule steps one through three shall receive the  
124 full amount allowed with the remaining money apportioned to all other teachers.

125 (3) Teachers shall spend money appropriated for classroom supplies and materials for  
126 school supplies, materials, or field trips under rules adopted by the State Board of Education.

127 **Section 6. Operating and capital budgets -- FY 2017 appropriations for state**  
128 **education agencies, school districts, and charter schools.**

129 The following sums of money are appropriated for the fiscal year beginning July 1,  
130 2016, and ending June 30, 2017. These are additions to amounts previously appropriated for  
131 fiscal year 2017. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
132 Act, the Legislature appropriates the following sums of money from the funds or accounts  
133 indicated for the use and support of the government of the state of Utah.

134 **STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM**

135 **ITEM 1 To State Board of Education - Minimum School Program - Basic School Program**

136 From Education Fund, One-time 10,000,000

137 Schedule of Programs:

138 Grades 1 - 12 10,000,000

139 **ITEM 2 To State Board of Education - Minimum School Program - Related to Basic School**  
140 **Programs**

141 From Education Fund, One-time (1,785,000)

**H.B. 2****Enrolled Copy**

142	Schedule of Programs:		
143	Charter School Local Replacement	(5,000,000)	
144	Educator Salary Adjustments	3,995,000	
145	Digital Teaching and Learning Program	(780,000)	
146	ITEM 3 To State Board of Education - Minimum School Program - Voted and Board Local		
147	Levy Programs		
148	From Education Fund, One-time		(5,000,000)
149	Schedule of Programs:		
150	Voted Local Levy Program	(2,500,000)	
151	Board Local Levy Program	(2,500,000)	
152	STATE BOARD OF EDUCATION		
153	ITEM 4 To State Board of Education - State Administrative Office		
154	From Education Fund, One-time		800,000
155	From Revenue Transfers, One-time		888,800
156	Schedule of Programs:		
157	Board and Administration	888,800	
158	Business Services	800,000	
159	Notwithstanding the fees in H.B. 8 G.S. 2016, State Agency Fees and Internal Service		
160	Fund Rate Authorization and Appropriations, the Legislature intends that the State Board of		
161	Education is authorized to charge an indirect cost pool rate of up to 15% for restricted funds		
162	and up to 26% for unrestricted funds where possible for FY 2017.		
163	ITEM 5 To State Board of Education - Minimum School Program Categorical Program		
164	Administration		
165	From Education Fund, One-time		780,000
166	From Revenue Transfers, One-time		(287,200)
167	Schedule of Programs:		
168	CTE Comprehensive Guidance	(35,000)	
169	Enhancement for At-Risk Students	(50,000)	

**Enrolled Copy**

**H.B. 2**

170	Youth-in-Custody	(150,000)	
171	Adult Education	(22,200)	
172	Dual Immersion	(30,000)	
173	Digital Teaching and Learning	780,000	
174	Notwithstanding the fees in H.B. 8 G.S. 2016, State Agency Fees and Internal Service		
175	Fund Rate Authorization and Appropriations, the Legislature intends that the State Board of		
176	Education is authorized to charge an indirect cost pool rate of up to 15% for restricted funds		
177	and up to 26% for unrestricted funds where possible for FY 2017.		
178	ITEM 6 To State Board of Education - Initiative Programs		
179	From General Fund, One-time		191,000
180	From Revenue Transfers, One-time		(37,200)
181	Schedule of Programs:		
182	Contracts and Grants	191,000	
183	Carson Smith Scholarships	(22,400)	
184	Partnerships for Student Success	(14,800)	
185	Notwithstanding the fees in H.B. 8 G.S. 2016, State Agency Fees and Internal Service		
186	Fund Rate Authorization and Appropriations, the Legislature intends that the State Board of		
187	Education is authorized to charge an indirect cost pool rate of up to 15% for restricted funds		
188	and up to 26% for unrestricted funds where possible for FY 2017.		
189	ITEM 7 To State Board of Education - State Charter School Board		
190	From Revenue Transfers, One-time		(147,900)
191	Schedule of Programs:		
192	State Charter School Board	(147,900)	
193	Notwithstanding the fees in H.B. 8 G.S. 2016, State Agency Fees and Internal Service		
194	Fund Rate Authorization and Appropriations, the Legislature intends that the State Board of		
195	Education is authorized to charge an indirect cost pool rate of up to 15% for restricted funds		
196	and up to 26% for unrestricted funds where possible for FY 2017.		
197	ITEM 8 To State Board of Education - Educator Licensing		

**H.B. 2****Enrolled Copy**

198	From Professional Practices Restricted Subfund, One-time	199,100
199	From Revenue Transfers, One-time	(213,900)
200	Schedule of Programs:	
201	Educator Licensing	(14,800)
202	Notwithstanding the fees in H.B. 8 G.S. 2016, State Agency Fees and Internal Service	
203	Fund Rate Authorization and Appropriations, the Legislature intends that the State Board of	
204	Education is authorized to charge an indirect cost pool rate of up to 15% for restricted funds	
205	and up to 26% for unrestricted funds where possible for FY 2017.	
206	ITEM 9 To State Board of Education - Child Nutrition	
207	From Revenue Transfers, One-time	(153,900)
208	Schedule of Programs:	
209	Child Nutrition	(153,900)
210	Notwithstanding the fees in H.B. 8 G.S. 2016, State Agency Fees and Internal Service	
211	Fund Rate Authorization and Appropriations, the Legislature intends that the State Board of	
212	Education is authorized to charge an indirect cost pool rate of up to 15% for restricted funds	
213	and up to 26% for unrestricted funds where possible for FY 2017.	
214	ITEM 10 To State Board of Education - Education Contracts	
215	From Revenue Transfers, One-time	(23,500)
216	Schedule of Programs:	
217	Corrections Institutions	(23,500)
218	Notwithstanding the fees in H.B. 8 G.S. 2016, State Agency Fees and Internal Service	
219	Fund Rate Authorization and Appropriations, the Legislature intends that the State Board of	
220	Education is authorized to charge an indirect cost pool rate of up to 15% for restricted funds	
221	and up to 26% for unrestricted funds where possible for FY 2017.	
222	ITEM 11 To State Board of Education - Teaching and Learning	
223	From Revenue Transfers, One-time	(25,200)
224	Schedule of Programs:	
225	Student Access to High Quality School	



226 Readiness Programs (25,200)

227 Section 7. **Operating and capital budgets -- FY 2018 appropriations for state**  
 228 **education agencies, school districts, and charter schools.**

229 (1) The following sums of money are appropriated for the fiscal year beginning July 1,  
 230 2017, and ending June 30, 2018. These are additions to amounts previously appropriated for  
 231 fiscal year 2018. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
 232 Act, the Legislature appropriates the following sums of money from the funds or accounts  
 233 indicated for the use and support of the government of the state of Utah.

234 (2) The value of each weighted pupil unit (WPU) for fiscal year 2018 is increased from  
 235 the value of the WPU for fiscal year 2018 established in S.B. 1, Public Education Base Budget  
 236 Amendments, and set at \$3,311.

237 STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM

238 ITEM 12 To State Board of Education - Minimum School Program - Basic School Program

239 From Education Fund 153,982,900

240 Schedule of Programs:

241	Kindergarten (-430 WPUs)	2,072,500
242	Grades 1 - 12 (11,299 WPUs)	103,838,500
243	Foreign Exchange	41,600
244	Necessarily Existent Small Schools	1,208,300
245	Professional Staff (231 WPUs)	7,823,100
246	Administrative Costs (75 WPUs)	437,500
247	Special Education - Add-on (2,736 WPUs)	18,903,200
248	Special Education - Preschool (539 WPUs)	3,084,800
249	Special Education - Self-contained (4 WPUs)	1,783,600
250	Special Education - Extended School Year	
251	(10 WPUs)	87,600
252	Special Education - Impact Aid (-28 WPUs)	165,200
253	Special Education - Intensive Services	

**H.B. 2****Enrolled Copy**

254	(372 WPU)	1,282,200
255	Special Education - Extended Year	
256	for Special Educators	115,400
257	Career and Technical Education - Add-on	
258	(440 WPU)	5,017,900
259	Class Size Reduction (919 WPU)	8,121,500
260	ITEM 13 To State Board of Education - Minimum School Program - Related to Basic School	
261	Programs	
262	From Education Fund	32,652,300
263	From Education Fund Restricted - Charter School Levy Account	22,100,000
264	From Uniform School Fund Restricted Trust Distribution Account	50,400,000
265	From Interest and Dividends Account	(45,000,000)
266	Schedule of Programs:	
267	To and From School - Pupil Transportation	4,464,900
268	Enhancement for At-Risk Students	1,495,100
269	Youth in Custody	1,211,200
270	Adult Education	595,100
271	Enhancement for Accelerated Students	268,400
272	Concurrent Enrollment	575,100
273	School LAND Trust Program	5,400,000
274	Charter School Local Replacement	35,223,200
275	Charter School Administration	361,900
276	Educator Salary Adjustments	3,995,000
277	USFR Teacher Salary Supplement	
278	Restricted Account	(6,799,900)
279	Critical Languages and Dual Immersion	600,000
280	Teacher Supplies and Materials	5,000,000
281	Beverly Taylor Sorenson Elementary Arts	1,000,000

282	Civics Education - State Capitol Field Trips	150,000	
283	Digital Teaching and Learning Program	(187,600)	
284	Teacher Salary Supplement	6,799,900	
285	The Legislature intends that the Division of Finance transfer the fund balance in the		
286	Uniform School Fund Restricted - Teacher Salary Supplement Restricted Account to the		
287	Teacher Salary Supplement Program in the Minimum School Program - Related to Basic		
288	School Program when the fund is closed as provided in H.B. 35, Minimum School Program		
289	Amendments.		
290	The Legislature intends that the Division of Finance transfer the fund balance in the		
291	Interest and Dividends Account to the Trust Distribution Account on July 1, 2017, pursuant to		
292	the Laws of Utah 2016, Volume 1, Chapter 172.		
293	ITEM 14 To State Board of Education - Minimum School Program - Voted and Board Local		
294	Levy Programs		
295	From Education Fund		373,900
296	Schedule of Programs:		
297	Voted Local Levy Program	1,048,100	
298	Board Local Levy Program	(674,200)	
299	STATE BOARD OF EDUCATION		
300	ITEM 15 To State Board of Education - State Administrative Office		
301	From Education Fund		2,145,000
302	From Education Fund, One-time		400,000
303	From Uniform School Fund Restricted Trust Distribution Account		701,600
304	From Interest and Dividends Account		(635,100)
305	From Beginning Nonlapsing Balances		16,044,400
306	From Closing Nonlapsing Balances		(16,044,400)
307	Schedule of Programs:		
308	Assessment and Accountability	2,220,000	
309	Business Services	329,000	

**H.B. 2****Enrolled Copy**

310	Career and Technical Education	(50,000)	
311	Math Teacher Training	(500,000)	
312	School Trust	66,500	
313	Teaching and Learning	375,000	
314	Student Advocacy Services	171,000	
315	The Legislature intends that the State Board of Education use \$150,000 one-time of the		
316	funds appropriated in this line item for a dropout prevention program that utilizes a curriculum		
317	consisting of character development and enhancement of life skills delivered by certified		
318	trainers and is targeted at students who are at risk of dropping out.		
319	The Legislature intends that the Division of Finance transfer the fund balance in the		
320	Interest and Dividends Account to the Trust Distribution Account on July 1, 2017, pursuant to		
321	the Laws of Utah 2016, Volume 1, Chapter 172.		
322	The Legislature intends that the State Board of Education use any nonlapsing balances		
323	generated from the licensing of Student Assessment of Growth and Excellence (SAGE)		
324	assessment questions to develop additional assessment questions, to provide professional		
325	learning for Utah educators, and for risk mitigation expenditures.		
326	ITEM 16 To State Board of Education - MSP Categorical Program Administration		
327	From Education Fund		707,600
328	Schedule of Programs:		
329	Digital Teaching and Learning	487,600	
330	Special Education State Programs	220,000	
331	The Legislature intends that the State Board of Education use \$300,000 of the funds		
332	appropriated for Digital Teaching [ <del>&amp;</del> ] <u>and</u> Learning Administration to hire two full-time		
333	equivalent employees to provide program monitoring, evaluation, coaching for approved		
334	programs, and implementing the Board's Digital Teaching [ <del>&amp;</del> ] <u>and</u> Learning master plan.		
335	ITEM 17 To State Board of Education - Initiative Programs		
336	From General Fund		1,732,100
337	From Education Fund		5,797,400

**Enrolled Copy****H.B. 2**

338	From Education Fund, One-time	250,000
339	From General Fund Restricted - Autism Awareness Account	29,000
340	From Beginning Nonlapsing Balances	16,888,300
341	From Closing Nonlapsing Balances	(16,888,300)
342	Schedule of Programs:	
343	Electronic High School	(2,600)
344	UPSTART Early Childhood Education	1,500,000
345	ProStart Culinary Arts Program	250,000
346	General Financial Literacy	200,000
347	Carson Smith Scholarships	1,732,100
348	Autism Awareness	29,000
349	Early Intervention	3,000,000
350	Peer Assistance	(400,000)
351	IT Academy	500,000
352	Partnerships for Student Success	1,000,000
353	ITEM 18 To State Board of Education - State Charter School Board	
354	From Beginning Nonlapsing Balances	1,237,100
355	From Closing Nonlapsing Balances	(1,237,100)
356	ITEM 19 To State Board of Education - Educator Licensing	
357	From Education Fund	2,600,000
358	From Professional Practices Restricted Subfund	(2,400,900)
359	Schedule of Programs:	
360	Educator Licensing	199,100
361	The Legislature intends that the Division of Finance close the Professional Practices	
362	Restricted Subfund on June 30, 2018, and transfer any remaining balances to the Uniform	
363	School Fund.	
364	ITEM 20 To State Board of Education - Fine Arts Outreach	
365	From Education Fund	700,000

**H.B. 2****Enrolled Copy**

366	Schedule of Programs:		
367	Professional Outreach Programs	700,000	
368	ITEM 21 To State Board of Education - Science Outreach		
369	From Education Fund		360,000
370	Schedule of Programs:		
371	Informal Science Education Enhancement	410,000	
372	Integrated Student and New Facility Learning	(50,000)	
373	The Legislature intends that the State Board of Education combine the grant awards for		
374	the Informal Science Education Enhancement (iSEE) program and the Integrated Student and		
375	New Facility Learning program into one grant for those organizations that participate in both		
376	grant programs.		
377	ITEM 22 To State Board of Education - Education Contracts		
378	From Beginning Nonlapsing Balances		185,600
379	From Closing Nonlapsing Balances		(185,600)
380	ITEM 23 To State Board of Education - Utah Schools for the Deaf and the Blind		
381	From Education Fund		1,084,500
382	From Education Fund, One-time		(40,000)
383	Schedule of Programs:		
384	Educational Services	1,044,500	
385	ITEM 24 To State Board of Education - Regional Service Centers		
386	From Education Fund		2,000,000
387	Schedule of Programs:		
388	Regional Service Centers	2,000,000	
389	SCHOOL AND INSTITUTIONAL TRUST FUND OFFICE		
390	ITEM 25 To School and Institutional Trust Fund Office		
391	From School and Institutional Trust Fund Management Account		21,000
392	Schedule of Programs:		
393	School and Institutional Trust Fund Office	21,000	

394 Section 8. **Effective date.**  
395 (1) Except as provided in Subsections (2) and (3), this bill takes effect on July 1, 2017.  
396 (2) On July 1, 2018:  
397 (a) Sections [53A-6-104.1](#) and [53A-6-305](#) take effect; and  
398 (b) Section [53A-6-105](#) is repealed.  
399 (3) If approved by two-thirds of all the members elected to each house, Section 5,  
400 One-time appropriation for classroom supplies, takes effect upon approval by the governor, or  
401 the day following the constitutional time limit of Utah Constitution, Article VII, Section 8,  
402 without the governor's signature, or in the case of a veto, the date of veto override.