

PUBLIC EDUCATION BUDGET AMENDMENTS

2020 FIFTH SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Steve Eliason

Senate Sponsor: Lyle W. Hillyard

LONG TITLE

General Description:

This bill supplements or reduces appropriations otherwise provided for the support and operation of public education for the fiscal year beginning July 1, 2019, and ending June 30, 2020, and for the fiscal year beginning July 1, 2020, and ending June 30, 2021.

Highlighted Provisions:

This bill:

- ▶ provides appropriations for the use and support of school districts, charter schools, and state education agencies;
- ▶ increases the value of the weighted pupil unit (WPU) by 1.8% over the value of the WPU for fiscal year 2020 to set the value at \$3,596 for fiscal year 2021;
- ▶ repeals uncodified sections containing all appropriations and intent language in S.B. 2, Chapter 330, Laws of Utah 2020, General Session;
- ▶ repeals certain programs for which funding has been eliminated;
- ▶ amends and enacts provisions related to certain appropriations for public education, including:
 - a requirement for a reading benchmark assessment;
 - a requirement for a mathematics benchmark assessment;
 - foreign exchange student weighted pupil units;
 - small district base funding;
 - small charter school base funding; and
 - additional amounts related to state guaranteed local levy increments;
- ▶ makes technical and conforming changes; and

- ▶ provides intent language.

Money Appropriated in this Bill:

This bill appropriates \$3,820,200 in operating and capital budgets for fiscal year 2020, all of which is from the Education Fund.

This bill appropriates \$58,114,600 in operating and capital budgets for fiscal year 2021, including:

- ▶ (\$236,300) from the General Fund;
- ▶ (\$45,511,600) from the Education Fund; and
- ▶ \$100,862,500 from various sources as detailed in this bill.

This bill appropriates \$34,050,000 in restricted fund and account transfers for fiscal year 2021, including:

- ▶ \$32,300,000 from the Education Fund; and
- ▶ \$1,750,000 from various sources as detailed in this bill.

This bill appropriates \$213,000 in transfers to unrestricted funds for fiscal year 2021.

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:**AMENDS:**

53E-4-307, as last amended by Laws of Utah 2020, Chapter 355

53E-4-307.5, as enacted by Laws of Utah 2020, Chapter 174

53F-2-203, as last amended by Laws of Utah 2020, Chapter 359

53F-2-208 (Contingently Effective 01/01/21), as enacted by Laws of Utah 2020, Chapter 207

53F-2-301.5 (Effective 07/01/20), as last amended by Laws of Utah 2020, Chapters 167 and 330

53F-2-303, as last amended by Laws of Utah 2020, Chapter 408

53F-2-304 (Effective 07/01/20), as last amended by Laws of Utah 2020, Chapters 224, 330, and 408

58 **53F-2-601**, as last amended by Laws of Utah 2020, Chapter 364

59 **53F-4-201**, as last amended by Laws of Utah 2020, Chapter 355

60 **53G-6-204**, as last amended by Laws of Utah 2020, Chapter 20

61 ENACTS:

62 **53F-2-706**, Utah Code Annotated 1953

63 REPEALS:

64 **53F-2-306 (Effective 07/01/20)**, as last amended by Laws of Utah 2020, Chapter 330

65 **53F-2-309**, as last amended by Laws of Utah 2020, Chapter 408

66 **53F-2-501 (Superseded 07/01/20)**, as last amended by Laws of Utah 2019, Chapter

67 186

68 **53F-2-501 (Effective 07/01/20)**, as last amended by Laws of Utah 2020, Chapter 365

69 **53F-2-505**, as last amended by Laws of Utah 2020, Chapter 359 and last amended by

70 Coordination Clause, Laws of Utah 2020, Chapter 359

71 **53F-2-521**, as enacted by Laws of Utah 2019, Chapter 283

72 **53F-5-216**, as enacted by Laws of Utah 2020, Chapter 224

73 **Uncodified Material Affected:**

74 REPEALS UNCODIFIED MATERIAL:

75 **Uncodified Section 11, Fiscal Year 2020 Appropriations, Laws of Utah 2020, Chapter**
76 **330**

77 **Uncodified Section 11 (a), Operating and Capital Budgets, Laws of Utah 2020, Chapter**
78 **330**

79 **Uncodified Section 12, Fiscal Year 2021 Appropriations, Laws of Utah 2020, Chapter**
80 **330**

81 **Uncodified Section 12 (a), Operating and Capital Budgets, Laws of Utah 2020, Chapter**
82 **330**

83 **Uncodified Section 12 (b), Restricted Fund and Account Transfers, Laws of Utah 2020,**
84 **Chapter 330**

85 ENACTS UNCODIFIED MATERIAL

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

Section 1. Section **53E-4-307** is amended to read:

53E-4-307. Benchmark assessments in reading -- Report to parent.

(1) As used in this section, "competency" means a demonstrable acquisition of a specified knowledge, skill, or ability that has been organized into a hierarchical arrangement leading to higher levels of knowledge, skill, or ability.

(2) The state board shall approve a benchmark assessment for use statewide by school districts and charter schools to assess the reading competency of students in grades 1 through 6 as provided by this section.

(3) A school district or charter school shall:

(a) administer benchmark assessments to students in grades 1, 2, and 3 at the beginning, middle, and end of the school year using the benchmark assessment approved by the state board; and

(b) after administering a benchmark assessment, report the results to a student's parent.

(4) If a benchmark assessment or supplemental reading assessment indicates a student lacks competency in a reading skill, or is lagging behind other students in the student's grade in acquiring a reading skill, the school district or charter school shall:

(a) provide focused individualized intervention to develop the reading skill;

(b) administer formative assessments to measure the success of the focused intervention;

(c) inform the student's parent of activities that the parent may engage in with the student to assist the student in improving reading proficiency; and

(d) provide information to the parent regarding appropriate interventions available to the student outside of the regular school day that may include tutoring, before and after school programs, or summer school.

(5) (a) In accordance with Section [53F-4-201](#) and except as provided in Subsection (5)(b), the state board shall contract with one or more educational technology providers for a

benchmark assessment system for reading for students in kindergarten through grade 6.

(b) If revenue is insufficient for the benchmark assessment system for the grades described in Subsection (5)(a), the state board shall first prioritize funding a benchmark assessment for students in kindergarten through grade 3.

Section 2. Section **53E-4-307.5** is amended to read:

53E-4-307.5. Mathematics benchmark assessment.

(1) As used in this section, "early mathematics benchmark assessment" or "benchmark assessment" means a standardized assessment to measure the acquisition of mathematics skills in kindergarten and grades 1 through 3 that includes predictive indicators of academic achievement based on measures of early mathematics, computation, and problem solving.

(2) The state board ~~[shall]~~ may approve a benchmark assessment for use statewide by LEAs to assess the mathematics competency of students in kindergarten and grades 1 through 3.

(3) ~~[And]~~ If the state board approves a benchmark assessment for statewide use under Subsection (2), an LEA shall:

(a) administer benchmark assessments to students at the beginning, middle, and end of the school year using the mathematics benchmark assessment in:

(i) kindergarten, as an optional assessment; and

(ii) grades 1 through 3, as a required assessment; and

(b) after administering a benchmark assessment described in Subsection (3)(a) to a student, report the results to the student's parent.

(4) In making the approval described in Subsection (2), the state board shall:

(a) prioritize the assessment's reliability, validity, speed, and efficiency; and

(b) ensure the mathematics benchmark assessment's ability to:

(i) identify students who may be at risk for mathematics difficulties; and

(ii) measure students' progress through data.

Section 3. Section **53F-2-203** is amended to read:

53F-2-203. Reduction of LEA governing board allocation based on insufficient

revenues.

(1) As used in this section, "Minimum School Program funds" means the total of state and local funds appropriated for the Minimum School Program, excluding:

(a) an appropriation for a state guaranteed local levy increment as described in Section 53F-2-601; and

(b) the appropriation to charter schools to replace local property tax revenues pursuant to Section 53F-2-704.

(2) If the Legislature reduces appropriations made to support public schools under this chapter because an Education Fund budget deficit, as defined in Section 63J-1-312, exists, the state board, after consultation with each LEA governing board, shall allocate the reduction among school districts and charter schools in proportion to each school district's or charter school's percentage share of Minimum School Program funds.

(3) Except as provided in Subsection (5) and subject to the requirements of Subsection (7), an LEA governing board shall determine which programs are affected by a reduction pursuant to Subsection (2) and the amount each program is reduced.

(4) Except as provided in Subsections (5) and (6), the requirement to spend a specified amount in any particular program is waived if reductions are made pursuant to Subsection (2).

(5) An LEA governing board may not reduce or reallocate spending of funds distributed to the school district or charter school for the following programs:

(a) educator salary adjustments provided in Section 53F-2-405;

(b) the Teacher Salary Supplement Program provided in Section 53F-2-504;

(c) the extended year for special educators provided in Section 53F-2-310;

~~[(d) the Math and Science Opportunities for Students and Teachers Program provided in Section 53F-2-505;]~~

~~[(e)]~~ (d) the School LAND Trust Program described in Sections 53F-2-404 and 53G-7-1206; or

~~[(f)]~~ (e) a special education program within the basic school program.

(6) An LEA governing board may not reallocate spending of funds distributed to the

170 school district or charter school to a reserve account.

171 (7) An LEA governing board that reduces or reallocates funds in accordance with this
172 section shall report all transfers into, or out of, Minimum School Program programs to the state
173 board as part of the school district or charter school's Annual Financial and Program report.

174 Section 4. Section **53F-2-208 (Contingently Effective 01/01/21)** is amended to read:

175 **53F-2-208 (Contingently Effective 01/01/21). Cost of adjustments for growth and**
176 **inflation.**

177 (1) In accordance with Subsection (2), the Legislature shall annually determine:

178 (a) the estimated state cost of adjusting for inflation in the next fiscal year, based on a
179 rolling five-year average ending in the current fiscal year, ongoing state tax fund appropriations
180 to the following programs:

181 (i) education for youth in custody, described in Section [53E-3-503](#);

182 (ii) the Basic Program, described in Title 53F, Chapter 2, Part 3, Basic Program
183 (Weighted Pupil Units)~~], except for charter school administration described in Section~~
184 [53F-2-306](#)];

185 (iii) the Adult Education Program, described in Section [53F-2-401](#);

186 (iv) state support of pupil transportation, described in Section [53F-4-402](#);

187 (v) the Enhancement for Accelerated Students Program, described in Section
188 [53F-2-408](#);

189 (vi) the Concurrent Enrollment Program, described in Section [53F-2-409](#); and

190 (vii) the Enhancement for At-Risk Students Program, described in Section [53F-2-410](#);

191 and

192 ~~[(viii) Centennial Scholarships, described in Section [53F-2-501](#); and]~~

193 (b) the estimated state cost of adjusting for enrollment growth, in the next fiscal year,
194 the current fiscal year's ongoing state tax fund appropriations to the following programs:

195 (i) a program described in Subsection (1)(a)~~], including charter school administration~~
196 ~~described in Section [53F-2-306](#)];~~

197 (ii) educator salary adjustments, described in Section [53F-2-405](#);

- 198 (iii) the Teacher Salary Supplement Program, described in Section 53F-2-504;
199 (iv) the Voted and Board Local Levy Guarantee programs, described in Section
200 53F-2-601; and
201 (v) charter school local replacement funding, described in Section 53F-2-702.
- 202 (2) (a) In or before December each year, the Executive Appropriations Committee shall
203 determine:
- 204 (i) the cost of the inflation adjustment described in Subsection (1)(a); and
205 (ii) the cost of the enrollment growth adjustment described in Subsection (1)(b).
- 206 (b) The Executive Appropriations Committee shall make the determinations described
207 in Subsection (2)(a) based on recommendations developed by the Office of the Legislative
208 Fiscal Analyst, in consultation with the state board and the Governor's Office of Management
209 and Budget.
- 210 Section 5. Section 53F-2-301.5 (Effective 07/01/20) is amended to read:
211 **53F-2-301.5 (Effective 07/01/20). Minimum basic tax rate for a fiscal year that**
212 **begins on July 1, 2018, 2019, 2020, 2021, or 2022.**
- 213 (1) The provisions of this section are in effect for a fiscal year that begins before July 1,
214 2023.
- 215 (2) As used in this section:
- 216 (a) "Basic levy increment rate" means a tax rate that will generate an amount of
217 revenue equal to \$75,000,000.
- 218 (b) "Combined basic rate" means a rate that is the sum of:
- 219 (i) the rate floor; and
220 (ii) the WPU value rate.
- 221 (c) "Commission" means the State Tax Commission.
- 222 (d) "Equity pupil tax rate" means the tax rate that is:
- 223 (i) calculated by subtracting the minimum basic tax rate from the rate floor; or
224 (ii) zero, if the rate calculated in accordance with Subsection (2)(d)(i) is zero or less.
- 225 (e) "Minimum basic local amount" means an amount that is:

- 226 (i) equal to the sum of:
- 227 (A) the school districts' contribution to the basic school program the previous fiscal
- 228 year;
- 229 (B) the amount generated by the basic levy increment rate; and
- 230 (C) the eligible new growth, as defined in Section 59-2-924 and rules of the State Tax
- 231 Commission multiplied by the minimum basic tax rate; and
- 232 (ii) set annually by the Legislature in Subsection (3)(a).
- 233 (f) "Minimum basic tax rate" means a tax rate certified by the commission that will
- 234 generate an amount of revenue equal to the minimum basic local amount described in
- 235 Subsection (3)(a).
- 236 (g) "Rate floor" means a rate that is the greater of:
- 237 (i) a .0016 tax rate; or
- 238 (ii) the minimum basic tax rate.
- 239 (h) "Weighted pupil unit value" or "WPU value" means the amount established each
- 240 year in the enacted public education budget that is multiplied by the number of weighted pupil
- 241 units to yield the funding level for the basic school program.
- 242 (i) "WPU value amount" means an amount that is:
- 243 (i) equal to the product of:
- 244 (A) the WPU value increase limit; and
- 245 (B) the percentage share of local revenue to the cost of the basic school program in the
- 246 prior fiscal year; and
- 247 (ii) set annually by the Legislature in Subsection (4)(a).
- 248 (j) "WPU value increase limit" means the lesser of:
- 249 (i) the total cost to the basic school program to increase the WPU value over the WPU
- 250 value in the prior fiscal year; or
- 251 (ii) the total cost to the basic school program to increase the WPU value by 4% over
- 252 the WPU value in the prior fiscal year.
- 253 (k) "WPU value rate" means a tax rate certified by the commission that will generate

an amount of revenue equal to the WPU value amount described in Subsection (4)(a).

(3) (a) The minimum basic local amount for the fiscal year that begins on July 1, 2020, is \$547,951,600 in revenue statewide.

(b) The preliminary estimate for the minimum basic tax rate for the fiscal year that begins on July 1, 2020, is .001576.

(4) (a) The WPU value amount for the fiscal year that begins on July 1, 2020, is [~~\$20,600,000~~] \$9,300,000 in revenue statewide.

(b) The preliminary estimate for the WPU value rate for the fiscal year that begins on July 1, 2020, is [~~.000060~~] .000027.

(5) (a) On or before June 22, the commission shall certify for the year:

(i) the minimum basic tax rate; and

(ii) the WPU value rate.

(b) The estimate of the minimum basic tax rate provided in Subsection (3)(b) and the estimate of the WPU value rate provided in Subsection (4)(b) is based on a forecast for property values for the next calendar year.

(c) The certified minimum basic tax rate described in Subsection (5)(a)(i) and the certified WPU value rate described in Subsection (5)(a)(ii) are based on property values as of January 1 of the current calendar year, except personal property, which is based on values from the previous calendar year.

(6) (a) To qualify for receipt of the state contribution toward the basic school program and as a school district's contribution toward the cost of the basic school program for the school district, a local school board shall impose the combined basic rate.

(b) (i) The state is not subject to the notice requirements of Section 59-2-926 before imposing the tax rates described in this Subsection (6).

(ii) The state is subject to the notice requirements of Section 59-2-926 if the state authorizes a tax rate that exceeds the tax rates described in this Subsection (6).

(7) (a) The state shall contribute to each school district toward the cost of the basic school program in the school district an amount of money that is the difference between the

cost of the school district's basic school program and the sum of the revenue generated by the school district by the following:

- (i) the minimum basic tax rate;
- (ii) the basic levy increment rate;
- (iii) the equity pupil tax rate; and
- (iv) the WPU value rate.

(b) (i) If the difference described in Subsection (7)(a) equals or exceeds the cost of the basic school program in a school district, no state contribution shall be made to the basic school program for the school district.

(ii) The proceeds of the difference described in Subsection (7)(a) that exceed the cost of the basic school program shall be paid into the Uniform School Fund as provided by law and by the close of the fiscal year in which the proceeds were calculated.

(8) Upon appropriation by the Legislature, the Division of Finance shall deposit an amount equal to the proceeds generated statewide:

(a) by the basic levy increment rate into the Minimum Basic Growth Account created in Section 53F-9-302;

(b) by the equity pupil tax rate into the Local Levy Growth Account created in Section 53F-9-305; and

(c) by the WPU value rate into the Teacher and Student Success Account created in Section 53F-9-306.

Section 6. Section 53F-2-303 is amended to read:

53F-2-303. Foreign exchange student weighted pupil units.

(1) A school district or charter school may include foreign exchange students in the district's or school's membership and attendance count for the purpose of apportionment of state money, except as provided in Subsections (2) through ~~(4)~~ (5).

(2) (a) Notwithstanding Section 53F-2-302, foreign exchange students may not be included in average daily membership for the purpose of determining the number of weighted pupil units in the grades 1-12 basic program.

(b) Subject to the limitation in Subsection (3), and except as provided in Subsection (5), the number of weighted pupil units in the grades 1-12 basic program attributed to foreign exchange students shall be equal to the number of foreign exchange students who were:

(i) enrolled in a school district or charter school on October 1 of the previous fiscal year; and

(ii) sponsored by an agency approved by the district's local school board or charter school's governing board.

(3) (a) ~~[The]~~ Except as provided in Subsection (5), the total number of foreign exchange students in the state that may be counted for the purpose of apportioning state money under Subsection (2) shall be the lesser of:

(i) the number of foreign exchange students enrolled in public schools in the state on October 1 of the previous fiscal year; or

(ii) 328 foreign exchange students.

(b) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the cap on the number of foreign exchange students that may be counted for the purpose of apportioning state money under Subsection (2).

(4) Notwithstanding Section 53F-2-601, weighted pupil units in the grades 1-12 basic program for foreign exchange students, as determined by Subsections (2) and (3), may not be included for the purposes of determining a school district's state guarantee money under Section 53F-2-601.

(5) This section does not apply to the 2020-2021 academic year.

Section 7. Section 53F-2-304 (Effective 07/01/20) is amended to read:

53F-2-304 (Effective 07/01/20). Necessarily existent small schools -- Computing additional weighted pupil units -- Consolidation of small schools.

(1) As used in this section, "necessarily existent small schools funding balance" means the difference between:

(a) the amount appropriated for the necessarily existent small schools program in a fiscal year; and

(b) the amount distributed to school districts for the necessarily existent small schools program in the same fiscal year.

(2) (a) Upon application by a local school board, the state board shall, in consultation with the local school board, classify schools in the school district as necessarily existent small schools, in accordance with this section and state board rules adopted under Subsection (3).

(b) An application must be submitted to the state board before April 2, and the state board must report a decision to a local school board before June 2.

(3) The state board shall adopt standards and make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:

(a) govern the approval of necessarily existent small schools consistent with principles of efficiency and economy that serve the purpose of eliminating schools where consolidation is feasible by participation in special school units; and

(b) ensure that school districts are not building secondary schools in close proximity to one another where economy and efficiency would be better served by one school meeting the needs of secondary students in a designated geographical area.

(4) The state board shall prepare and publish objective standards and guidelines for determining which small schools are necessarily existent after consultation with local school boards.

(5) (a) Additional weighted pupil units for schools classified as necessarily existent small schools shall be computed using distribution formulas adopted by the state board.

(b) The distribution formulas establish the following maximum sizes for funding under the necessarily existent small school program:

(i) an elementary school	160
(ii) a one or two-year secondary school	300
(iii) a three-year secondary school	450
(iv) a four-year secondary school	500
(v) a six-year secondary school	600

(c) An elementary school with fewer than 10 students shall receive the same add-on

weighted pupil units as an elementary school with 10 students.

(d) A secondary school with fewer than 15 students shall receive the same add-on weighted pupil units as a secondary school with 15 students.

(e) If a necessarily existent small school generates ADM in both elementary and secondary grades, the state board may divide the school's ADM between an elementary and secondary distribution formula.

(f) The state board shall prepare and distribute an allocation table based on the distribution formula to each school district.

(6) (a) To avoid penalizing a school district financially for consolidating the school district's small schools, additional weighted pupil units may be allowed a school district each year, not to exceed two years.

(b) The additional weighted pupil units may not exceed the difference between what the school district receives for a consolidated school and what the school district would have received for the small schools had the small schools not been consolidated.

(7) (a) The state board may allocate up to ~~[200]~~ 208 weighted pupil units to support schools that:

(i) have isolating conditions, as defined by the state board, including geographic isolation; and

(ii) do not qualify for necessarily existent small schools funding due to formula limitations.

(b) The state board shall review funding allocations under this Subsection ~~[(8)]~~ (7) at least once every five calendar years.

(8) If the state board classifies a school as a necessarily existent small school in accordance with this section, the state board shall, subject to legislative appropriation, distribute small district base funding to the relevant school district in the following amounts:

(a) for a district with 250 students or less, 83 additional weighted pupil units;

(b) for a district with 251 to 500 students, 56 additional weighted pupil units;

(c) for a district with 501 to 1,000 students, 28 additional weighted pupil units; and

(d) for a district with 1,001 to 2,000 students, 14 additional weighted pupil units.

~~[(8)]~~ (9) Subject to legislative appropriation, the state board shall give first priority from an appropriation made under this section to funding an expense approved by the state board as described in Subsection [53G-6-305](#)(3)(a).

~~[(9)]~~ (10) (a) Subject to Subsection ~~[(9)]~~ (10)(b) and after a distribution made under Subsection ~~[(8)]~~ (9), the state board may distribute a portion of necessarily existent small schools funding:

(i) in accordance with a formula adopted by the state board that considers the tax effort of a local school board; or

(ii) to isolated small schools, as identified by the state board.

(b) The amount distributed in accordance with Subsection ~~[(9)]~~ (10)(a) may not exceed the necessarily existent small schools fund in balance of the prior fiscal year.

~~[(10)]~~ (11) A local school board may use the money allocated under this section for maintenance and operation of school programs or for other school purposes as approved by the state board.

Section 8. Section **53F-2-601** is amended to read:

53F-2-601. State guaranteed local levy increments -- Appropriation to increase number of guaranteed local levy increments -- No effect of change of minimum basic tax rate -- Voted and board local levy funding balance -- Use of guaranteed local levy increment funds.

(1) As used in this section:

(a) "Board local levy" means a local levy described in Section [53F-8-302](#).

(b) "Guaranteed local levy increment" means a local levy increment guaranteed by the state:

(i) for the board local levy, described in Subsections (2)(a)(ii)(A) and (2)(b)(ii)(B); or

(ii) for the voted local levy, described in Subsections (2)(a)(ii)(B) and (2)(b)(ii)(A).

(c) "Local levy increment" means .0001 per dollar of taxable value.

(d) (i) "Voted and board local levy funding balance" means the difference between:

(A) the amount appropriated for the guaranteed local levy increments in a fiscal year;
and

(B) the amount necessary to fund in the same fiscal year the guaranteed local levy increments as determined under this section.

(ii) "Voted and board local levy funding balance" does not include appropriations described in Subsection (2)(b)(i).

(e) "Voted local levy" means a local levy described in Section 53F-8-301.

(2) (a) (i) In addition to the revenue collected from the imposition of a voted local levy or a board local levy, the state shall guarantee that a school district receives, subject to Subsections (2)(b)(ii)(C) and (3)(a), for each guaranteed local levy increment, an amount sufficient to guarantee for a fiscal year that begins on July 1, 2018, \$43.10 per weighted pupil unit.

(ii) Except as provided in Subsection (2)(b)(ii), the number of local levy increments that are subject to the guarantee amount described in Subsection (2)(a)(i) are:

(A) for a board local levy, the first four local levy increments a local school board imposes under the board local levy; and

(B) for a voted local levy, the first 16 local levy increments a local school board imposes under the voted local levy.

(b) (i) Subject to future budget constraints and Subsection (2)(c), the Legislature shall annually appropriate money from the Local Levy Growth Account established in Section 53F-9-305 for purposes described in Subsection (2)(b)(ii).

(ii) The state board shall, for a fiscal year beginning on or after July 1, 2018, and subject to Subsection (2)(c), allocate funds appropriated under Subsection (2)(b)(i) in the following order of priority by increasing:

(A) by up to four increments the number of voted local levy guaranteed local levy increments above 16;

(B) by up to 16 increments the number of board local levy guaranteed local levy increments above four; and

(C) the guaranteed amount described in Subsection (2)(a)(i).

(c) The number of guaranteed local levy increments under this Subsection (2) for a school district may not exceed 20 guaranteed local levy increments, regardless of whether the guaranteed local levy increments are from the imposition of a voted local levy, a board local levy, or a combination of the two.

~~[(d) (i) As used in this Subsection (2)(d), "cost for the guarantee" means the total cost for the guarantee described in this section, excluding the cost of the adjustments described in Subsection (2)(b)(ii).]~~

~~[(ii) In addition to an appropriation for the adjustment described in Subsection (2)(b)(ii), if the state cost for the guarantee for the upcoming fiscal year is less than the amount appropriated for the cost for the guarantee for the current fiscal year, the Legislature may appropriate an additional amount to fund all or part of the difference.]~~

~~[(iii) The state board shall allocate an appropriation described in Subsection (2)(d)(ii) to increase the guarantee amount for each guaranteed local levy increment.]~~

(3) (a) The guarantee described in Subsection (2)(a)(i) is indexed each year to the value of the weighted pupil unit by making the value of the guarantee equal to .011962 times the value of the prior year's weighted pupil unit.

(b) The guarantee shall increase by .0005 times the value of the prior year's weighted pupil unit for each year subject to the Legislature appropriating funds for an increase in the guarantee.

(4) (a) The amount of state guarantee money that a school district would otherwise be entitled to receive under this section may not be reduced for the sole reason that the school district's board local levy or voted local levy is reduced as a consequence of changes in the certified tax rate under Section 59-2-924 pursuant to changes in property valuation.

(b) Subsection (4)(a) applies for a period of five years following a change in the certified tax rate as described in Subsection (4)(a).

(5) The guarantee provided under this section does not apply to the portion of a voted local levy rate that exceeds the voted local levy rate that was in effect for the previous fiscal

year, unless an increase in the voted local levy rate was authorized in an election conducted on or after July 1 of the previous fiscal year and before December 2 of the previous fiscal year.

(6) (a) If a voted and board local levy funding balance exists for the prior fiscal year, the state board shall:

(i) use the voted and board local levy funding balance to increase the value of the state guarantee per weighted pupil unit described in Subsection (3)(a) in the current fiscal year; and

(ii) distribute guaranteed local levy increment funds to school districts based on the increased value of the state guarantee per weighted pupil unit described in Subsection (6)(a)(i).

(b) The state board shall report action taken under Subsection (6)(a) to the Office of the Legislative Fiscal Analyst and the Governor's Office of Management and Budget.

(7) A local school board of a school district that receives funds described in this section shall budget and expend the funds for public education purposes.

Section 9. Section **53F-2-706** is enacted to read:

53F-2-706. Small Charter School Base Funding.

(1) Subject to legislative appropriation, the state board shall distribute small charter school base funding in the following amounts to charter schools with 2,000 or less students:

(a) for a charter school with 300 students or less, \$40,000;

(b) for a charter school with 301 to 400 students, \$35,000;

(c) for a charter school with 401 to 500 students, \$30,000;

(d) for a charter school with 501 to 600 students, \$25,000;

(e) for a charter school with 601 to 1,000 students, \$20,000; and

(f) for a charter school with 1,001 to 2,000 students, \$15,000.

(2) A charter school's eligibility for small charter school base funding is determined by the charter school's student enrollment on October 1 of a given year.

Section 10. Section **53F-4-201** is amended to read:

53F-4-201. State board required to contract for a benchmark assessment system for reading.

(1) (a) As described in Section **53E-4-307**, the state board shall approve a benchmark

assessment for use statewide by school districts and charter schools.

(b) The state board shall contract with one or more educational technology providers, selected through a request for proposals process, for a benchmark assessment system for reading [~~for students in kindergarten through grade 6~~] described in Section 53E-4-307 that meets the requirements of this section.

(2) Subject to legislative appropriations, a benchmark assessment system for reading shall be made available to school districts and charter schools that apply to use a benchmark assessment for reading beginning in the 2011-12 school year.

(3) A benchmark assessment system for reading for students [~~in kindergarten through grade 6~~] described in Subsection (1) shall:

(a) be in a digital format;

(b) include benchmark assessments of reading proficiency to be administered at the beginning, in the middle, and at the end of kindergarten and [~~grades 1 through 6~~] the grades for which the state board approves the benchmark assessment;

(c) include formative assessments to be administered every two to four weeks for students who are at high risk of not attaining proficiency in reading;

(d) align with the language arts core standards for Utah public schools adopted by the state board; and

(e) include a data analysis component hosted by the provider that:

(i) has the capacity to generate electronic information immediately and produce individualized student progress reports, class summaries, and class groupings for instruction;

(ii) may have the capability of identifying lesson plans that may be used to develop reading skills;

(iii) enables teachers, administrators, and designated supervisors to access reports through a secured password system;

(iv) produces electronic printable reports for parents and administrators; and

(v) has the capability for principals to monitor usage by teachers.

Section 11. Section **53G-6-204** is amended to read:

53G-6-204. School-age children exempt from school attendance.

(1) (a) A local school board or charter school governing board may excuse a school-age child from attendance for any of the following reasons:

(i) a school-age child over age 16 may receive a partial release from school to enter employment, or attend a trade school, if the school-age child has completed grade 8; or

(ii) on an annual basis, a school-age child may receive a full release from attending a public, regularly established private, or part-time school or class if:

(A) the school-age child has already completed the work required for graduation from high school~~[-or has demonstrated mastery of required skills and competencies in accordance with Subsection 53F-2-501(1)]~~;

(B) the school-age child is in a physical or mental condition, certified by a competent physician if required by the local school board or charter school governing board, which renders attendance inexpedient and impracticable;

(C) proper influences and adequate opportunities for education are provided in connection with the school-age child's employment; or

(D) the district superintendent or charter school governing board has determined that a school-age child over the age of 16 is unable to profit from attendance at school because of inability or a continuing negative attitude toward school regulations and discipline.

(b) A school-age child receiving a partial release from school under Subsection (1)(a)(i) is required to attend:

(i) school part time as prescribed by the local school board or charter school governing board; or

(ii) a home school part time.

(c) In each case, evidence of reasons for granting an exemption under Subsection (1) must be sufficient to satisfy the local school board or charter school governing board.

(d) A local school board or charter school governing board that excuses a school-age child from attendance as provided by this Subsection (1) shall issue a certificate that the child is excused from attendance during the time specified on the certificate.

(2) (a) A local school board shall excuse a school-age child from attendance, if the school-age child's parent files a signed and notarized affidavit with the school-age child's school district of residence, as defined in Section 53G-6-302, that:

(i) the school-age child will attend a home school; and
(ii) the parent assumes sole responsibility for the education of the school-age child, except to the extent the school-age child is dual enrolled in a public school as provided in Section 53G-6-702.

(b) A signed and notarized affidavit filed in accordance with Subsection (2)(a) shall remain in effect as long as:

(i) the school-age child attends a home school; and
(ii) the school district where the affidavit was filed remains the school-age child's district of residence.

(c) A parent of a school-age child who attends a home school is solely responsible for:

(i) the selection of instructional materials and textbooks;
(ii) the time, place, and method of instruction; and
(iii) the evaluation of the home school instruction.

(d) A local school board may not:

(i) require a parent of a school-age child who attends a home school to maintain records of instruction or attendance;
(ii) require credentials for individuals providing home school instruction;
(iii) inspect home school facilities; or
(iv) require standardized or other testing of home school students.

(e) Upon the request of a parent, a local school board shall identify the knowledge, skills, and competencies a student is recommended to attain by grade level and subject area to assist the parent in achieving college and career readiness through home schooling.

(f) A local school board that excuses a school-age child from attendance as provided by this Subsection (2) shall annually issue a certificate stating that the school-age child is excused from attendance for the specified school year.

(g) A local school board shall issue a certificate excusing a school-age child from attendance:

(i) within 30 days after receipt of a signed and notarized affidavit filed by the school-age child's parent pursuant to this Subsection (2); and

(ii) on or before August 1 each year thereafter unless:

(A) the school-age child enrolls in a school within the school district;

(B) the school-age child's parent notifies the school district that the school-age child no longer attends a home school; or

(C) the school-age child's parent notifies the school district that the school-age child's school district of residence has changed.

(3) A parent who files a signed and notarized affidavit as provided in Subsection (2)(a) is exempt from the application of Subsections 53G-6-202(2), (5), and (6).

(4) Nothing in this section may be construed to prohibit or discourage voluntary cooperation, resource sharing, or testing opportunities between a school or school district and a parent of a child attending a home school.

Section 12. **Repealer.**

This bill repeals:

Section 53F-2-306 (Effective 07/01/20), **Weighted pupil units for small school district administrative costs -- Appropriation for charter school administrative costs.**

Section 53F-2-309, **Appropriation for intensive special education costs.**

Section 53F-2-501 (Superseded 07/01/20), **Early graduation incentives -- Incentive to school district -- Partial tuition scholarship for student -- Payments.**

Section 53F-2-501 (Effective 07/01/20), **Early graduation incentives -- Incentive to school district -- Partial tuition scholarship for student -- Payments.**

Section 53F-2-505, **Math and Science Opportunities for Students and Teachers Program.**

Section 53F-2-521, **Salary supplement for National Board certified teachers.**

Section 53F-5-216, **Rural school extracurricular activities reimbursement.**

Section 13. **Repeal of uncodified sections in S.B. 2, Chapter 330, Laws of Utah 2020, General Session.**

The following uncodified sections of S.B. 2, Chapter 330, Laws of Utah 2020, General Session are repealed:

- (1) Section 11, Fiscal Year 2020 Appropriations;
- (2) Section 11 (a), Operating and Capital Budgets;
- (3) Section 12, Fiscal Year 2021 Appropriations;
- (4) Section 12 (a), Operating and Capital Budgets; and
- (5) Section 12 (b), Restricted Fund and Account Transfers.

Section 14. **Fiscal Year 2020 Appropriations.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2019 and ending June 30, 2020. These are additions to amounts otherwise appropriated for fiscal year 2020. Notwithstanding any restrictive intent language relating to the use of nonlapsing funds that is included in any appropriation for fiscal year 2019, the Legislature intends that an agency is not limited to the restrictive intent language and may also use the nonlapsing funds in fiscal year 2020 for general costs if the nonlapsing funds are increased in this bill.

Section 14(a). **Operating and Capital Budgets.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

PUBLIC EDUCATION

STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM

ITEM 1 To State Board of Education - Minimum School Program - Related to Basic School Programs

<u>From Education Fund, One-Time</u>	<u>\$3,500,200</u>
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Schedule of Programs:

<u>Teacher Salary Supplement</u>	<u>\$3,820,200</u>
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646	<u>Student Health and Counseling Support Program</u>	<u>\$(320,000)</u>
647	<u>STATE BOARD OF EDUCATION</u>	
648	<u>ITEM 2 To State Board of Education - MSP Categorical Program Administration</u>	
649	<u>From Education Fund, One-Time</u>	<u>\$320,000</u>
650	<u>Schedule of Programs:</u>	
651	<u>Student Health and Counseling Support Program</u>	<u>\$320,000</u>
652	Section 15. Fiscal Year 2021 Appropriations.	
653	<u>(1) The following sums of money are appropriated for the fiscal year beginning July 1,</u>	
654	<u>2020, and ending June 30, 2021. These are additions to amounts previously appropriated for</u>	
655	<u>fiscal year 2021.</u>	
656	<u>(2) The value of each weighted pupil unit (WPU) for fiscal year 2021 is increased from</u>	
657	<u>the value of the WPU for fiscal year 2021 established in H.B. 1, Chapter 2, Laws of Utah 2020,</u>	
658	<u>General Session, and set at \$3,596.</u>	
659	Section 15(a). Operating and Capital Budgets.	
660	<u>Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the</u>	
661	<u>Legislature appropriates the following sums of money from the funds or accounts indicated for</u>	
662	<u>the use and support of the government of the state of Utah.</u>	
663	<u>PUBLIC EDUCATION</u>	
664	<u>STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM</u>	
665	<u>ITEM 3 To State Board of Education - Minimum School Program - Basic School Program</u>	
666	<u>From Education Fund</u>	<u>\$42,361,200</u>
667	<u>From Education Fund, One-Time</u>	<u>\$(1,179,500)</u>
668	<u>From Local Revenue</u>	<u>\$9,300,000</u>
669	<u>Schedule of Programs:</u>	
670	<u>Kindergarten</u>	<u>\$1,747,700</u>
671	<u>Grades 1 - 12</u>	<u>\$38,785,000</u>
672	<u>Foreign Exchange (-328 WPUs)</u>	<u>\$(1,158,500)</u>
673	<u>Necessarily Existent Small Schools (847 WPUs)</u>	<u>\$3,668,600</u>

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674	<u>Professional Staff</u>	<u>\$3,620,700</u>
675	<u>Administrative Costs (-1,515 WPU)</u>	<u>\$(5,262,700)</u>
676	<u>Special Education - Add-on</u>	<u>\$5,524,300</u>
677	<u>Special Education - Self-Contained</u>	<u>\$846,700</u>
678	<u>Special Education - Preschool</u>	<u>\$724,000</u>
679	<u>Special Education - Extended School Year</u>	<u>\$29,300</u>
680	<u>Special Education - Impact Aid</u>	<u>\$131,800</u>
681	<u>Special Education - Intensive Services (-795 WPU)</u>	<u>\$(2,807,900)</u>
682	<u>Special Education - Extended Year for Special Educators</u>	<u>\$58,200</u>
683	<u>Career and Technical Education - Add-on</u>	<u>\$1,862,400</u>
684	<u>Class Size Reduction</u>	<u>\$2,712,100</u>
685	<u>ITEM 4 To State Board of Education - Minimum School Program - Related to Basic School</u>	
686	<u>Programs</u>	
687	<u>From Education Fund</u>	<u>\$(17,450,900)</u>
688	<u>From Education Fund, One-Time</u>	<u>\$(35,800,000)</u>
689	<u>From Teacher and Student Success Account</u>	<u>\$(11,300,000)</u>
690	<u>From Uniform School Fund Rest. - Trust Distribution Account</u>	<u>\$6,166,000</u>
691	<u>Schedule of Programs:</u>	
692	<u>Pupil Transportation To and From School</u>	<u>\$1,793,300</u>
693	<u>Flexible Allocation - WPU Distribution</u>	<u>\$(37,788,000)</u>
694	<u>Enhancement for At-Risk Students</u>	<u>\$852,400</u>
695	<u>Youth in Custody</u>	<u>\$25,681,900</u>
696	<u>Adult Education</u>	<u>\$258,200</u>
697	<u>Enhancement for Accelerated Students</u>	<u>\$99,900</u>
698	<u>Centennial Scholarship Program</u>	<u>\$(272,500)</u>
699	<u>Concurrent Enrollment</u>	<u>\$(1,565,300)</u>
700	<u>School Land Trust Program</u>	<u>\$6,166,000</u>
701	<u>Charter School Local Replacement</u>	<u>\$(18,426,100)</u>

H.B. 5012**Enrolled Copy**

702	<u>Charter School Administration</u>	<u>\$(8,014,500)</u>
703	<u>Teacher Salary Supplement</u>	<u>\$3,300,000</u>
704	<u>School Library Books and Electronic Resources</u>	<u>\$(85,000)</u>
705	<u>Math & Science Opportunities for Students and</u>	
706	<u>Teachers (MOST)</u>	<u>\$(7,100,000)</u>
707	<u>Early Intervention</u>	<u>\$(5,000,000)</u>
708	<u>Effective Teachers in High Poverty Schools Incentive</u>	
709	<u>Program</u>	<u>\$(428,200)</u>
710	<u>Early Graduation from Competency-Based Education</u>	<u>\$(55,700)</u>
711	<u>Teacher and Student Success Program</u>	<u>\$(11,300,000)</u>
712	<u>Student Health and Counseling Support Program</u>	<u>\$(520,000)</u>
713	<u>National Board Certified Teacher Program</u>	<u>\$(246,300)</u>
714	<u>Grants for New and Aspiring Principals</u>	<u>\$(4,800,000)</u>
715	<u>Grants for Professional Learning</u>	<u>\$(3,935,000)</u>
716	<u>Rural School Extracurricular Activities Reimbursement</u>	<u>\$(100,000)</u>
717	<u>Charter School Funding Base Program</u>	<u>\$3,100,000</u>
718	<u>ITEM 5 To State Board of Education - Minimum School Program - Voted and Board Local</u>	
719	<u>Levy Programs</u>	
720	<u>From Education Fund</u>	<u>\$(19,000,000)</u>
721	<u>Schedule of Programs:</u>	
722	<u>Voted Local Levy Program</u>	<u>\$(19,000,000)</u>
723	<u>STATE BOARD OF EDUCATION - SCHOOL BUILDING PROGRAMS</u>	
724	<u>ITEM 6 To State Board of Education - School Building Programs - Capital Outlay Programs</u>	
725	<u>Under Item 48 in H.B. 1, Chapter 2, Laws of Utah 2020, General Session, the</u>	
726	<u>Legislature intends that the State Board of Education:</u>	
727	<u>(1) study the distribution formulas for the Capital Outlay Foundation Program created</u>	
728	<u>in Section 53F-3-202 and Capital Outlay Enrollment Growth Program created in Section</u>	
729	<u>53F-3-203, including:</u>	

- (a) the impact on the Capital Outlay Foundation Program formula distribution associated with the equal weighting of local property tax revenues from district Capital and Debt Service levies, including whether adjusting the balance would provide for a broader distribution among districts;
 (b) addressing how to adjust distribution formulas to improve equity and distribution to a wider array of school districts;
 (c) addressing whether using a WPU-based formula like the Voted & Board Local Levy Guarantee could improve distributional equity among districts; and
 (d) making recommendations on potential statutory changes; and
 (2) report to the Public Education Appropriations Subcommittee on the study described in Subsection (1):
 (a) preliminarily before February 1, 2021; and
 (b) finally on recommendations before September 30, 2021.

STATE BOARD OF EDUCATION

ITEM 7 To State Board of Education - Child Nutrition

<u>From Education Fund</u>	<u>\$(144,200)</u>
<u>From Federal Funds</u>	<u>\$(48,700)</u>
<u>From Federal Funds, One-Time</u>	<u>\$2,800</u>
<u>From Dedicated Credit - Liquor Tax</u>	<u>\$127,200</u>
<u>From Dedicated Credit - Liquor Tax, One-Time</u>	<u>\$(2,800)</u>
<u>Schedule of Programs:</u>	
<u>Child Nutrition</u>	<u>\$(65,700)</u>

ITEM 8 To State Board of Education - Educator Licensing

<u>From Education Fund</u>	<u>\$(3,836,600)</u>
<u>From Education Fund, One-Time</u>	<u>\$(1,200,000)</u>
<u>Schedule of Programs:</u>	
<u>Educator Licensing</u>	<u>\$(36,600)</u>
<u>STEM Endorsement Incentives</u>	<u>\$(5,000,000)</u>

H.B. 5012**Enrolled Copy**

758	<u>ITEM 9 To State Board of Education - Fine Arts Outreach</u>	
759	<u>From Education Fund</u>	<u>\$(200,000)</u>
760	<u>Schedule of Programs:</u>	
761	<u>Professional Outreach Programs in the Schools</u>	<u>\$(200,000)</u>
762	<u>ITEM 10 To State Board of Education - Initiative Programs</u>	
763	<u>From General Fund</u>	<u>\$(2,700)</u>
764	<u>From Education Fund</u>	<u>\$2,686,200</u>
765	<u>From Education Fund, One-Time</u>	<u>\$(7,539,100)</u>
766	<u>Schedule of Programs:</u>	
767	<u>Carson Smith Scholarships</u>	<u>\$(2,400)</u>
768	<u>Contracts and Grants</u>	<u>\$(375,000)</u>
769	<u>Early Warning Pilot Program</u>	<u>\$(125,000)</u>
770	<u>Electronic Elementary Reading Tool</u>	<u>\$(1,500,000)</u>
771	<u>ELL Software Licenses</u>	<u>\$(3,000,000)</u>
772	<u>General Financial Literacy</u>	<u>\$498,200</u>
773	<u>Intergenerational Poverty Interventions</u>	<u>\$1,000,500</u>
774	<u>Kindergarten Supplement Enrichment Program</u>	<u>\$3,000,000</u>
775	<u>Partnerships for Student Success</u>	<u>\$3,005,500</u>
776	<u>ProStart Culinary Arts Program</u>	<u>\$(201,600)</u>
777	<u>School Turnaround and Leadership Development Act</u>	<u>\$(7,018,600)</u>
778	<u>UPSTART</u>	<u>\$(2,400)</u>
779	<u>ULEAD</u>	<u>\$(4,500)</u>
780	<u>Educational Improvement Opportunities Outside of the</u>	
781	<u>Regular School Day Grant Program</u>	<u>\$(300)</u>
782	<u>Competency-Based Education Grants</u>	<u>\$(230,000)</u>
783	<u>Education Technology Management System</u>	<u>\$100,000</u>
784	<u>ITEM 11 To State Board of Education - MSP Categorical Program Administration</u>	
785	<u>From Education Fund</u>	<u>\$(884,300)</u>

786	<u>Schedule of Programs:</u>	
787	<u>Adult Education</u>	<u>\$(3,300)</u>
788	<u>Beverley Taylor Sorenson Elem. Arts Learning Program</u>	<u>\$(3,000)</u>
789	<u>CTE Comprehensive Guidance</u>	<u>\$(3,300)</u>
790	<u>Digital Teaching and Learning</u>	<u>\$(8,400)</u>
791	<u>Dual Immersion</u>	<u>\$(2,700)</u>
792	<u>Enhancement for At-Risk Students</u>	<u>\$(6,300)</u>
793	<u>Special Education State Programs</u>	<u>\$(3,300)</u>
794	<u>Youth-in-Custody</u>	<u>\$(6,600)</u>
795	<u>State Safety and Support Program</u>	<u>\$(2,400)</u>
796	<u>Student Health and Counseling Support Program</u>	<u>\$320,000</u>
797	<u>Early Learning Training and Assessment</u>	<u>\$(1,065,000)</u>
798	<u>Math and Science Opportunities for Students and Teachers</u>	<u>\$(100,000)</u>
799	<u>ITEM 12 To State Board of Education - State Administrative Office</u>	
800	<u>From General Fund</u>	<u>\$(31,600)</u>
801	<u>From Education Fund</u>	<u>\$(70,200)</u>
802	<u>From Education Fund, One-Time</u>	<u>\$(15,000)</u>
803	<u>From Federal Funds</u>	<u>\$(142,200)</u>
804	<u>From Federal Funds, One-Time</u>	<u>\$97,011,500</u>
805	<u>From General Fund Restricted - Mineral Lease</u>	<u>\$(9,600)</u>
806	<u>From General Fund Restricted - School Readiness Account</u>	<u>\$(900)</u>
807	<u>From Revenue Transfers</u>	<u>\$(121,500)</u>
808	<u>From Uniform School Fund Rest. - Trust Distribution Account</u>	<u>\$(8,400)</u>
809	<u>Schedule of Programs:</u>	
810	<u>Board and Administration</u>	<u>\$(52,300)</u>
811	<u>Data and Statistics</u>	<u>\$(18,300)</u>
812	<u>Financial Operations</u>	<u>\$594,000</u>
813	<u>Indirect Cost Pool</u>	<u>\$328,500</u>

H.B. 5012**Enrolled Copy**

814	<u>Information Technology</u>	<u>\$(92,100)</u>
815	<u>Policy and Communication</u>	<u>\$(33,300)</u>
816	<u>School Trust</u>	<u>\$(8,400)</u>
817	<u>Special Education</u>	<u>\$(89,700)</u>
818	<u>Statewide Online Education Program</u>	<u>\$3,211,600</u>
819	<u>Student Support Services</u>	<u>\$96,934,400</u>
820	<u>Teaching and Learning</u>	<u>\$(162,300)</u>
821	<u>Statewide Financial Management System Grants</u>	<u>\$(4,000,000)</u>
822	<u>The Legislature intends that the State Board of Education:</u>	
823	<u>(1) evaluate the participation of home school and private school students in the</u>	
824	<u>Statewide Online Education Program, including:</u>	
825	<u>(a) ongoing funding levels;</u>	
826	<u>(b) the mix between home and private school students;</u>	
827	<u>(c) how to best manage future growth needs within appropriated funding; and</u>	
828	<u>(d) the potential of using mechanisms to control costs, including implementing a fee</u>	
829	<u>structure or requiring private and home school students to enroll in a local education agency;</u>	
830	<u>and</u>	
831	<u>(2) report to the Public Education Appropriations Subcommittee:</u>	
832	<u>(a) preliminarily before February 1, 2021; and</u>	
833	<u>(b) finally on recommendations before August 30, 2021.</u>	
834	<u>ITEM 13 To State Board of Education - General System Support</u>	
835	<u>From General Fund</u>	<u>\$(202,100)</u>
836	<u>From General Fund, One-Time</u>	<u>\$100</u>
837	<u>From Education Fund</u>	<u>\$(1,053,600)</u>
838	<u>From Education Fund, One-Time</u>	<u>\$(11,300)</u>
839	<u>From Federal Funds</u>	<u>\$(19,200)</u>
840	<u>From Federal Funds, One-Time</u>	<u>\$9,700</u>
841	<u>From Dedicated Credits Revenue</u>	<u>\$(1,200)</u>

Enrolled Copy**H.B. 5012**

842	<u>From Expendable Receipts, One-Time</u>	<u>\$1,400</u>
843	<u>From General Fund Restricted - Mineral Lease</u>	<u>\$200</u>
844	<u>From General Fund Restricted - Mineral Lease, One-Time</u>	<u>\$100</u>
845	<u>Schedule of Programs:</u>	
846	<u>Teaching and Learning</u>	<u>\$(1,174,600)</u>
847	<u>Assessment and Accountability</u>	<u>\$(46,800)</u>
848	<u>Career and Technical Education</u>	<u>\$(54,500)</u>
849	<u>The Legislature intends that the State Board of Education use any revenue or</u>	
850	<u>nonlapsing balances generated from the licensing of Readiness Improvement Success</u>	
851	<u>Empowerment (RISE) questions:</u>	
852	<u>(1) to develop additional assessment questions for all state assessments;</u>	
853	<u>(2) to provide professional learning for Utah educators; and</u>	
854	<u>(3) for risk mitigation expenditures.</u>	
855	<u>ITEM 14 To State Board of Education - State Charter School Board</u>	
856	<u>From Education Fund</u>	<u>\$(531,900)</u>
857	<u>Schedule of Programs:</u>	
858	<u>State Charter School Board</u>	<u>\$(531,900)</u>
859	<u>ITEM 15 To State Board of Education - Teaching and Learning</u>	
860	<u>From Education Fund</u>	<u>\$(900)</u>
861	<u>From Revenue Transfers</u>	<u>\$(900)</u>
862	<u>Schedule of Programs:</u>	
863	<u>Student Access to High Quality School Readiness</u>	
864	<u>Programs</u>	<u>\$(1,800)</u>
865	<u>ITEM 16 To State Board of Education - Utah Schools for the Deaf and the Blind</u>	
866	<u>From Education Fund</u>	<u>\$(1,641,500)</u>
867	<u>From Federal Funds</u>	<u>\$(1,500)</u>
868	<u>From Dedicated Credits Revenue</u>	<u>\$(22,200)</u>
869	<u>From Revenue Transfers</u>	<u>\$(227,700)</u>

870	<u>Schedule of Programs:</u>	
871	<u>Administration</u>	<u>\$(1,275,200)</u>
872	<u>Transportation and Support Services</u>	<u>\$(206,100)</u>
873	<u>Utah State Instructional Materials Access Center</u>	<u>\$(29,700)</u>
874	<u>School for the Deaf</u>	<u>\$(199,200)</u>
875	<u>School for the Blind</u>	<u>\$(182,700)</u>
876	<u>SCHOOL AND INSTITUTIONAL TRUST FUND OFFICE</u>	
877	<u>ITEM 17 To School and Institutional Trust Fund Office</u>	
878	<u>From School and Institutional Trust Fund Management Account</u>	<u>\$150,400</u>
879	<u>Schedule of Programs:</u>	
880	<u>School and Institutional Trust Fund Office</u>	<u>\$150,400</u>
881	Section 15(b). Restricted Fund and Account Transfers.	
882	<u>The Legislature authorizes the State Division of Finance to transfer the following</u>	
883	<u>amounts between the following funds or accounts as indicated. Expenditures and outlays from</u>	
884	<u>the funds to which the money is transferred must be authorized by an appropriation.</u>	
885	<u>PUBLIC EDUCATION</u>	
886	<u>ITEM 18 To Uniform School Fund Restricted - Growth in Student Population Account</u>	
887	<u>From Education Fund</u>	<u>\$(52,000,000)</u>
888	<u>From Education Fund, One-Time</u>	<u>\$75,000,000</u>
889	<u>Schedule of Programs:</u>	
890	<u>Growth in Student Population Account</u>	<u>\$23,000,000</u>
891	<u>ITEM 19 To Underage Drinking Prevention Program Restricted Account</u>	
892	<u>From Liquor Control Fund</u>	<u>\$1,750,000</u>
893	<u>Schedule of Programs:</u>	
894	<u>Underage Drinking Prevention Program Restricted</u>	
895	<u>Account</u>	<u>\$1,750,000</u>
896	<u>ITEM 20 To Teacher and Student Success Account</u>	
897	<u>From Education Fund</u>	<u>\$9,300,000</u>

898 Schedule of Programs:

899 Teacher and Student Success Account \$9,300,000

900 Section 15(c). **Transfers to Unrestricted Funds.**

901 The Legislature authorizes the State Division of Finance to transfer the following

902 amounts to the unrestricted General Fund, Education Fund, or Uniform School Fund, as

903 indicated, from the restricted funds or accounts indicated. Expenditures and outlays from the

904 General Fund, Education Fund, or Uniform School Fund must be authorized by an

905 appropriation.

906 PUBLIC EDUCATION

907 ITEM 21 To Education Fund

908 From Nonlapsing Balances - From State Board of Education -

909 Initiatives Programs \$213,000

910 Schedule of Programs:

911 Education Fund, One-time \$213,000

912 Section 16. **Effective date.**

913 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members

914 elected to each house, this bill takes effect on July 1, 2020.

915 (2) If approved by two-thirds of all the members elected to each house, Section 14,

916 Fiscal Year 2020 Appropriations, and Section 14(a), Operating and Capital Budgets, take effect

917 upon approval by the governor, or the day following the constitutional time limit of Utah

918 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,

919 the date of veto override.