

**PUBLIC EDUCATION BUDGET AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lyle W. Hillyard**

House Sponsor: Daniel McCay

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**LONG TITLE**

**General Description:**

This bill supplements or reduces appropriations previously provided for the support and operation of public education for the fiscal year beginning July 1, 2017, and ending June 30, 2018, and for the fiscal year beginning July 1, 2018, and ending June 30, 2019.

**Highlighted Provisions:**

This bill:

- ▶ provides appropriations for the use and support of school districts, charter schools, and state education agencies;
- ▶ sets the value of the weighted pupil unit (WPU) at \$3,395 for fiscal year 2019;
- ▶ adjusts the number of weighted pupil units to reflect anticipated student enrollment in fall 2018;
- ▶ amends provisions related to certain appropriations for public education, including appropriations for:
  - adult education;
  - school nurses; and
  - the Enhancement for At-Risk Students Program;
- ▶ repeals provisions related to grants for unsafe routes;
- ▶ provides appropriations for other purposes as described;
- ▶ provides intent language; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

This bill appropriates \$17,101,400 in operating and capital budgets for fiscal year 2018,

30 including:

- 31 ▶ \$150,000 from the General Fund;
- 32 ▶ \$3,099,100 from the Education Fund; and
- 33 ▶ \$13,852,300 from various sources as detailed in this bill.

34 This bill appropriates \$193,669,100 in operating and capital budgets for fiscal year  
35 2019, including:

- 36 ▶ \$600,000 from the General Fund;
- 37 ▶ \$10,000,000 from the Uniform School Fund;
- 38 ▶ \$161,392,400 from the Education Fund; and
- 39 ▶ \$21,676,700 from various sources as detailed in this bill.

40 **Other Special Clauses:**

41 This bill provides a special effective date.

42 This bill provides a coordination clause.

43 **Utah Code Sections Affected:**

44 AMENDS:

45 **53F-2-401**, as renumbered and amended by Laws of Utah 2018, Chapter 2

46 **53F-2-402**, as renumbered and amended by Laws of Utah 2018, Chapter 2

47 **53F-2-406**, as renumbered and amended by Laws of Utah 2018, Chapter 2

48 **53F-2-410**, as renumbered and amended by Laws of Utah 2018, Chapter 2

49 REPEALS:

50 **53F-2-412**, as renumbered and amended by Laws of Utah 2018, Chapter 2

51 **Uncodified Material Affected:**

52 ENACTS UNCODIFIED MATERIAL

53 **Utah Code Sections Affected by Coordination Clause:**

54 **53F-2-414**, Utah Code Annotated 1953



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

57 Section 1. Section **53F-2-401** is amended to read:

58 **53F-2-401. Appropriation for adult education programs.**

59 (1) Money appropriated to the State Board of Education for adult education shall be  
60 allocated to school districts for adult high school completion and adult basic skills programs.

61 (2) (a) The State Board of Education and the Department of Corrections, subject to  
62 legislative appropriation, are responsible for providing the programs described in Subsection  
63 (1) to individuals in the custody of the Department of Corrections.

64 (b) To fulfill the responsibility described in Subsection (2)(a), the State Board of  
65 Education and the Department of Corrections shall, where feasible, contract with appropriate  
66 private or public agencies to provide educational and related administrative services.

67 (c) The State Board of Education shall allocate at least 15% of the money appropriated  
68 to the State Board of Education for adult education to support the programs for which the State  
69 Board of Education and the Department of Corrections are responsible under this Subsection  
70 (2).

71 [~~(2) Each~~] (3) (a) For money that is not allocated under Subsection (2)(c), each school  
72 district shall receive a pro rata share of the appropriation for adult high school completion  
73 programs based on the number of people in the school district listed in the latest official census  
74 who are over 18 years of age and who do not have a high school diploma and prior year  
75 participation or as approved by State Board of Education rule.

76 [~~(3)~~] (b) On February 1 of each school year, the State Board of Education shall  
77 recapture money not used for an adult high school completion program described in Subsection  
78 (3)(a) for reallocation to school districts that have implemented programs based on need and  
79 effort as determined by the State Board of Education.

80 (4) To the extent of money available, school districts shall provide program services to  
81 adults who do not have a diploma and who intend to graduate from high school, with particular  
82 emphasis on homeless individuals who are seeking literacy and life skills.

83 (5) Overruns in adult education in any school district may not reduce the value of the  
84 weighted pupil unit for this program in another school district.

85 (6) School districts shall spend money on adult basic skills programs according to

86 standards established by the State Board of Education.

87 Section 2. Section **53F-2-402** is amended to read:

88 **53F-2-402. State support of pupil transportation.**

89 (1) Money appropriated to the State Board of Education for state-supported  
90 transportation of public school students shall be apportioned and distributed in accordance with  
91 Section **53F-2-403**, except as otherwise provided in this section [~~or Section **53F-2-412**~~].

92 (2) (a) The Utah Schools for the Deaf and the Blind shall use an allocation of pupil  
93 transportation money to pay for transportation of students based on current valid contractual  
94 arrangements and best transportation options and methods as determined by the schools.

95 (b) All student transportation costs of the schools shall be paid from the allocation of  
96 pupil transportation money specified in statute.

97 (3) (a) A local school board may only claim eligible transportation costs as legally  
98 reported on the prior year's annual financial report submitted under Section **53G-4-404**.

99 (b) The state shall contribute 85% of approved transportation costs, subject to budget  
100 constraints.

101 (c) If in a fiscal year the total transportation allowance for all school districts exceeds  
102 the amount appropriated for that purpose, all allowances shall be reduced pro rata to equal not  
103 more than the amount appropriated.

104 Section 3. Section **53F-2-406** is amended to read:

105 **53F-2-406. Appropriation for school nurses.**

106 (1) The State Board of Education shall distribute money appropriated for school nurses  
107 to award grants to school districts and charter schools that:

108 ~~[(1)]~~ (a) provide an equal amount of matching funds; and

109 ~~[(2)]~~ (b) do not supplant other money used for school nurses.

110 (2) (a) A school district or charter school that is awarded a grant under this section  
111 shall require each school nurse employed by the school district or charter school to complete  
112 two hours of continuing nurse education on the emotional and mental health of students.

113 (b) The continuing nurse education described in Subsection (2)(a) shall include training

114 on:

115 (i) the awareness of, screening for, and triaging to appropriate treatment for mental  
116 health problems;

117 (ii) trauma-informed care;

118 (iii) signs of mental illness;

119 (iv) alcohol and substance abuse;

120 (v) response to acute mental health crises; and

121 (vi) suicide prevention, including information about the 24-hour availability of the  
122 School Safety and Crisis Line established under Section [53E-10-502](#).

123 Section 4. Section **53F-2-410** is amended to read:

124 **53F-2-410. Enhancement for At-Risk Students Program.**

125 (1) (a) Subject to the requirements of Subsection (1)(b), the State Board of Education  
126 shall distribute money appropriated for the Enhancement for At-Risk Students Program to  
127 school districts and charter schools according to a formula adopted by the State Board of  
128 Education, after consultation with local education boards.

129 (b) (i) The State Board of Education shall appropriate [~~\$1,200,000~~] \$1,500,000 from  
130 the appropriation for Enhancement for At-Risk Students for a gang prevention and intervention  
131 program designed to help students at-risk for gang involvement stay in school.

132 (ii) Money for the gang prevention and intervention program shall be distributed to  
133 school districts and charter schools through a request for proposals process.

134 (2) In establishing a distribution formula under Subsection (1)(a), the State Board of  
135 Education shall use the following criteria:

136 (a) low performance on statewide assessments described in Section [53E-4-301](#);

137 (b) poverty;

138 (c) mobility; [~~and~~]

139 (d) limited English proficiency[~~;~~]; and

140 (e) homelessness.

141 (3) A local education board shall use money distributed under this section to improve

142 the academic achievement of students who are at risk of academic failure.

143 (4) The State Board of Education shall develop performance criteria to measure the  
144 effectiveness of the Enhancement for At-Risk Students Program.

145 (5) If a school district or charter school receives an allocation of less than \$10,000  
146 under this section, the school district or charter school may use the allocation as described in  
147 Section 53F-2-206.

148 Section 5. **Repealer.**

149 This bill repeals:

150 Section 53F-2-412, **Grants for unsafe routes.**

151 Section 6. **Fiscal year 2018 appropriations.**

152 The following sums of money are appropriated for the fiscal year beginning July 1,  
153 2017, and ending June 30, 2018. These are additions to amounts previously appropriated for  
154 fiscal year 2018.

155 Subsection 6(a). **Operating and Capital Budgets.**

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

159 PUBLIC EDUCATION

160 STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM

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

162 From Education Fund, One-Time 8,000,000

163 Schedule of Programs:

164 Grades 1 - 12 8,000,000

165 ITEM 2 To State Board of Education - Minimum School Program - Related to Basic School

166 Programs

167 From Education Fund, One-Time 2,556,100

168 From Uniform School Fund Restricted - Trust Distribution Account,

169 One-Time 13,852,300

170	<u>Schedule of Programs:</u>	
171	<u>School LAND Trust Program</u>	<u>13,852,300</u>
172	<u>Educator Salary Adjustments</u>	<u>2,556,100</u>
173	<u>ITEM 3 To State Board of Education - Minimum School Program - Voted and Board Local</u>	
174	<u>Levy Programs</u>	
175	<u>From Education Fund, One-Time</u>	<u>(8,000,000)</u>
176	<u>Schedule of Programs:</u>	
177	<u>Voted Local Levy Program</u>	<u>(4,000,000)</u>
178	<u>Board Local Levy Program</u>	<u>(4,000,000)</u>
179	<u>STATE BOARD OF EDUCATION</u>	
180	<u>ITEM 4 To State Board of Education - State Administrative Office</u>	
181	<u>From General Fund, One-Time</u>	<u>150,000</u>
182	<u>From Education Fund, One-Time</u>	<u>543,000</u>
183	<u>Schedule of Programs:</u>	
184	<u>Board and Administration</u>	<u>543,000</u>
185	<u>Student Advocacy Services</u>	<u>150,000</u>
186	<b>Section 7. Fiscal year 2019 appropriations -- Value of the weighted pupil unit.</b>	
187	<u>(1) The following sums of money are appropriated for the fiscal year beginning July 1,</u>	
188	<u>2018, and ending June 30, 2019. These are additions to amounts previously appropriated for</u>	
189	<u>fiscal year 2019.</u>	
190	<u>(2) The value of each weighted pupil unit (WPU) for fiscal year 2019 is increased from</u>	
191	<u>the value of the WPU for fiscal year 2019 established in H.B. 1, Public Education Base Budget</u>	
192	<u>Amendments, and set at \$3,395.</u>	
193	<b>Subsection 7(a). Operating and Capital Budgets.</b>	
194	<u>Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the</u>	
195	<u>Legislature appropriates the following sums of money from the funds or accounts indicated for</u>	
196	<u>the use and support of the government of the state of Utah.</u>	
197	<u>PUBLIC EDUCATION</u>	

198	<u>STATE BOARD OF EDUCATION - MINIMUM SCHOOL PROGRAM</u>	
199	<u>ITEM 5 To State Board of Education - Minimum School Program - Basic School Program</u>	
200	<u>From Education Fund</u>	<u>226,364,400</u>
201	<u>From Education Fund, One-Time</u>	<u>(10,000,000)</u>
202	<u>From Uniform School Fund, One-Time</u>	<u>10,000,000</u>
203	<u>Schedule of Programs:</u>	
204	<u>Kindergarten (-716 WPU)</u>	<u>(154,500)</u>
205	<u>Grades 1 - 12 (5,830 WPU)</u>	<u>60,126,600</u>
206	<u>Foreign Exchange</u>	<u>27,600</u>
207	<u>Necessarily Existent Small Schools (74 WPU)</u>	<u>1,050,300</u>
208	<u>Professional Staff (-263 WPU)</u>	<u>3,795,000</u>
209	<u>Administrative Costs (-60 WPU)</u>	<u>(72,200)</u>
210	<u>Special Education - Add-On (2,092 WPU)</u>	<u>13,843,400</u>
211	<u>Special Education - Preschool (275 WPU)</u>	<u>1,838,900</u>
212	<u>Special Education - Self-Contained (26 WPU)</u>	<u>1,259,600</u>
213	<u>Special Education - Extended School Year</u>	
214	<u>(8 WPU)</u>	<u>64,100</u>
215	<u>Special Education - Impact Aid (27 WPU)</u>	<u>256,800</u>
216	<u>Special Education - Intensive Services (9 WPU)</u>	<u>95,100</u>
217	<u>Special Education - Extended Year for Special</u>	
218	<u>Educators</u>	<u>76,400</u>
219	<u>Career and Technical Education - Add-On</u>	
220	<u>(341 WPU)</u>	<u>3,550,000</u>
221	<u>Class Size Reduction (41,416 WPU)</u>	<u>140,607,300</u>
222	<u>ITEM 6 To State Board of Education - Minimum School Program - Related to Basic School</u>	
223	<u>Programs</u>	
224	<u>From Education Fund</u>	<u>(68,269,700)</u>
225	<u>From Education Fund Restricted - Charter School Levy Account</u>	<u>1,739,600</u>



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226	<u>From Uniform School Fund Restricted - Trust Distribution Account</u>	<u>23,600,000</u>
227	<u>Schedule of Programs:</u>	
228	<u>To and From School - Pupil Transportation</u>	<u>3,606,000</u>
229	<u>Flexible Allocation - WPU Distribution</u>	<u>(291,641,100)</u>
230	<u>Enhancement for At-Risk Students</u>	<u>10,039,900</u>
231	<u>Youth in Custody</u>	<u>1,995,900</u>
232	<u>Adult Education</u>	<u>2,333,100</u>
233	<u>Enhancement for Accelerated Students</u>	<u>186,700</u>
234	<u>Concurrent Enrollment</u>	<u>400,100</u>
235	<u>School LAND Trust Program</u>	<u>23,600,000</u>
236	<u>Charter School Local Replacement</u>	<u>7,946,800</u>
237	<u>Charter School Administration</u>	<u>155,000</u>
238	<u>K-3 Reading Improvement</u>	<u>15,000,000</u>
239	<u>Educator Salary Adjustments</u>	<u>173,645,500</u>
240	<u>Matching Fund for School Nurses</u>	<u>1,002,000</u>
241	<u>Critical Languages and Dual Immersion</u>	<u>450,000</u>
242	<u>Teacher Supplies and Materials</u>	<u>500,000</u>
243	<u>Beverley Taylor Sorenson Elementary Arts</u>	
244	<u>Learning Program</u>	<u>500,000</u>
245	<u>Early Intervention</u>	<u>7,500,000</u>
246	<u>Civics Education - State Capitol Field Trips</u>	<u>(150,000)</u>
247	<u>ITEM 7 To State Board of Education - Minimum School Program - Voted and Board Local</u>	
248	<u>Levy Programs</u>	
249	<u>From Education Fund</u>	<u>4,950,400</u>
250	<u>Schedule of Programs:</u>	
251	<u>Voted Local Levy Program</u>	<u>6,782,600</u>
252	<u>Board Local Levy Program</u>	<u>(1,832,200)</u>
253	<u>STATE BOARD OF EDUCATION</u>	

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254	<u>ITEM 8 To State Board of Education - Education Contracts</u>	
255	<u>From Education Fund</u>	<u>(3,142,900)</u>
256	<u>From Beginning Nonlapsing Balances</u>	<u>(362,000)</u>
257	<u>From Closing Nonlapsing Balances</u>	<u>362,000</u>
258	<u>Schedule of Programs:</u>	
259	<u>Corrections Institutions</u>	<u>(1,989,700)</u>
260	<u>Youth Center</u>	<u>(1,153,200)</u>
261	<u>ITEM 9 To State Board of Education - Educator Licensing</u>	
262	<u>From Beginning Nonlapsing Balances</u>	<u>500,000</u>
263	<u>From Closing Nonlapsing Balances</u>	<u>(500,000)</u>
264	<u>ITEM 10 To State Board of Education - Fine Arts Outreach</u>	
265	<u>From Education Fund</u>	<u>60,000</u>
266	<u>Schedule of Programs:</u>	
267	<u>Professional Outreach Programs in the Schools</u>	<u>60,000</u>
268	<u>ITEM 11 To State Board of Education - Initiative Programs</u>	
269	<u>From General Fund</u>	<u>350,000</u>
270	<u>From Education Fund</u>	<u>9,600,000</u>
271	<u>From General Fund Restricted - Autism Awareness Account</u>	<u>11,700</u>
272	<u>From Beginning Nonlapsing Balances</u>	<u>14,500,000</u>
273	<u>From Closing Nonlapsing Balances</u>	<u>(14,500,000)</u>
274	<u>Schedule of Programs:</u>	
275	<u>Autism Awareness</u>	<u>11,700</u>
276	<u>Carson Smith Scholarships</u>	<u>350,000</u>
277	<u>Early Intervention Reading Software</u>	<u>7,600,000</u>
278	<u>UPSTART</u>	<u>2,000,000</u>
279	<u>ITEM 12 To State Board of Education - MSP Categorical Program Administration</u>	
280	<u>From Education Fund</u>	<u>70,600</u>
281	<u>From Education Fund, One-Time</u>	<u>50,000</u>

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**S.B. 2**

282	<u>From Beginning Nonlapsing Balances</u>		<u>1,756,900</u>
283	<u>From Closing Nonlapsing Balances</u>		<u>(1,756,800)</u>
284	<u>Schedule of Programs:</u>		
285	<u>Adult Education</u>	<u>70,600</u>	
286	<u>CTE Comprehensive Guidance</u>	<u>100</u>	
287	<u>Beverley Taylor Sorenson Elementary Arts</u>		
288	<u>Learning Program</u>	<u>50,000</u>	
289	<u>ITEM 13 To State Board of Education - Science Outreach</u>		
290	<u>From Education Fund</u>		<u>190,000</u>
291	<u>Schedule of Programs:</u>		
292	<u>Informal Science Education Enhancement</u>	<u>190,000</u>	
293	<u>ITEM 14 To State Board of Education - State Administrative Office</u>		
294	<u>From Education Fund</u>		<u>569,600</u>
295	<u>From Education Fund Restricted - Underage Drinking Prevention</u>		
296	<u>Program Restricted Account</u>		<u>1,750,000</u>
297	<u>From Beginning Nonlapsing Balances</u>		<u>8,123,300</u>
298	<u>From Closing Nonlapsing Balances</u>		<u>(11,834,700)</u>
299	<u>Schedule of Programs:</u>		
300	<u>Board and Administration</u>	<u>543,000</u>	
301	<u>Indirect Cost Pool</u>	<u>(3,711,400)</u>	
302	<u>Statewide Online Education Program</u>	<u>26,600</u>	
303	<u>Student Advocacy Services</u>	<u>1,750,000</u>	
304	<u>(1) (a) The Legislature intends that the State Board of Education prioritize the</u>		
305	<u>expenditure of funds appropriated for Board and Administration between requested full-time</u>		
306	<u>equivalent positions and programmatic cost.</u>		
307	<u>(b) The Legislature further intends that the State Board of Education report on or</u>		
308	<u>before July 31, 2018, to the Public Education Appropriations Subcommittee on the intended</u>		
309	<u>expenditure of the funds described in Subsection (1)(a) in fiscal year 2019.</u>		

310           (2) The Legislature intends that the State Board of Education use any nonlapsing  
 311 balances generated from the licensing of Student Assessment of Growth and Excellence  
 312 assessment questions to develop additional assessment questions, to provide professional  
 313 learning for Utah educators, and for risk mitigation purposes.

314 ITEM 15 To State Board of Education - General System Support

315	<u>From General Fund, One-Time</u>	<u>250,000</u>
316	<u>From Education Fund Restricted - Underage Drinking Prevention</u>	
317	<u>Program Restricted Account</u>	<u>(1,750,000)</u>
318	<u>From Beginning Nonlapsing Balances</u>	<u>13,282,600</u>
319	<u>From Closing Nonlapsing Balances</u>	<u>(13,282,600)</u>
320	<u>Schedule of Programs:</u>	
321	<u>Teaching and Learning</u>	<u>(1,750,000)</u>
322	<u>Career and Technical Education</u>	<u>250,000</u>

323 ITEM 16 To State Board of Education - State Charter School Board

324	<u>From Beginning Nonlapsing Balances</u>	<u>1,570,000</u>
325	<u>From Closing Nonlapsing Balances</u>	<u>(1,570,000)</u>

326 ITEM 17 To State Board of Education - Utah Schools for the Deaf and the Blind

327	<u>From Education Fund</u>	<u>450,000</u>
328	<u>From Education Fund, One-Time</u>	<u>500,000</u>
329	<u>Schedule of Programs:</u>	
330	<u>Educational Services</u>	<u>950,000</u>

331 SCHOOL AND INSTITUTIONAL TRUST FUND OFFICE

332 ITEM 18 To School and Institutional Trust Fund Office

333	<u>From School and Institutional Trust Fund Management Account</u>	<u>36,700</u>
334	<u>Schedule of Programs:</u>	
335	<u>School and Institutional Trust Fund Office</u>	<u>36,700</u>

336 Section 8. **Effective date.**

337 (1) Except as provided in Subsection (2), this bill takes effect on July 1, 2018.

338           (2) If approved by two-thirds of all the members elected to each house, Section 6,  
339 Fiscal year 2018 appropriations, takes effect upon approval by the governor, or the day  
340 following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the  
341 governor's signature, or in the case of a veto, the date of veto override.

342           Section 9. **Coordinating S.B. 2 with H.B. 230 -- Substantive amendments.**

343           If this S.B. 2 and H.B. 230, Related to Basic School Programs Review, both pass and  
344 become law, it is the intent of the Legislature that on July 1, 2018, the Office of Legislative  
345 Research and General Counsel, in preparing the Utah Code database for publication, delete  
346 Subsection [53F-2-414\(3\)\(b\)](#).