

**MINIMUM SCHOOL PROGRAM AND PUBLIC EDUCATION
BUDGET AMENDMENTS**

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Merlynn T. Newbold

Senate Sponsor: _____

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, 2011 and ending June 30, 2012 and modifies related budgetary provisions.

Highlighted Provisions:

This bill:

- ▶ provides budget increases and decreases for the use and support of certain state education agencies;
- ▶ provides budget increases and decreases for programs that support school districts and charter schools;
- ▶ provides intent language;
- ▶ eliminates weighted pupil units based on the experience and educational level of professional staff;
- ▶ requires the State Board of Education to adopt rules regarding the distribution of funds for youth in custody;
- ▶ requires the State Board of Education to distribute state transportation funds to school districts with a necessarily existent small school in an amount equal to, or greater than, the amount the school district received during the prior year;
- ▶ provides that the State Board of Education may use a portion of an appropriation for



28 the K-3 Reading Improvement Program for computer-assisted instructional learning and
29 assessment programs;

30 ▶ establishes the value of the weighted pupil unit at \$3,035 for fiscal year 2011-12;

31 and

32 ▶ makes technical changes.

33 **Money Appropriated in this Bill:**

34 This bill appropriates for fiscal year 2012:

35 ▶ \$538,200 from the General Fund;

36 ▶ \$10,000,000 from the Uniform School Fund;

37 ▶ \$294,333,009 from the Education Fund; and

38 ▶ \$13,605,700 from various sources as detailed in this bill.

39 **Other Special Clauses:**

40 This bill takes effect on July 1, 2011.

41 This bill coordinates with S.B. 1, Public Education Base Budget, by providing
42 superseding substantive amendments.

43 **Utah Code Sections Affected:**

44 AMENDS:

45 **53A-1-403**, as last amended by Laws of Utah 2003, Chapter 171

46 **53A-1-708**, as enacted by Laws of Utah 2004, Chapter 265

47 **53A-17a-112**, as last amended by Laws of Utah 2010, Chapter 3

48 **53A-17a-150**, as enacted by Laws of Utah 2004, Chapter 305

49 ENACTS:

50 **53A-17a-164**, Utah Code Annotated 1953

51 REPEALS:

52 **53A-17a-107**, as last amended by Laws of Utah 2008, Chapter 382

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

54 **53A-17a-108**, as last amended by Laws of Utah 2010, Chapters 3 and 399

55 **53A-17a-164**, Utah Code Annotated 1953



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

58 Section 1. Section **53A-1-403** is amended to read:

59 **53A-1-403. Education of persons under 21 in custody of state agency --**
60 **Establishment of coordinating council -- Advisory councils.**

61 (1) For purposes of this section, "board" means the State Board of Education.

62 ~~[(1)]~~ (2) (a) The ~~[State Board of Education]~~ board is directly responsible for the
63 education of all persons under the age of 21 who are:

64 ~~[(a)]~~ (i) in the custody of the Department of Human Services;

65 ~~[(b)]~~ (ii) in the custody of an equivalent agency of a Native American tribe recognized
66 by the United States Bureau of Indian Affairs and whose custodial parent or legal guardian
67 resides within the state; or

68 ~~[(c)]~~ (iii) being held in a juvenile detention facility.

69 (b) The board shall adopt rules, in accordance with Title 63G, Chapter 3, Utah
70 Administrative Rulemaking Act, to provide for the distribution of funds for the education of
71 persons described in Subsection (2)(a).

72 ~~[(2)]~~ (3) Subsection ~~[(1)]~~ (2)(b) does not apply to persons taken into custody for the
73 primary purpose of obtaining access to education programs provided for youth in custody.

74 ~~[(3)]~~ (4) The board shall, where feasible, contract with school districts or other
75 appropriate agencies to provide educational, administrative, and supportive services, but the
76 board shall retain responsibility for the programs.

77 ~~[(4)]~~ (5) The Legislature shall establish and maintain separate education budget
78 categories for youth in custody who are under the jurisdiction of the following state agencies:

79 (a) detention centers and the Divisions of Juvenile Justice Services and Child and
80 Family Services;

81 (b) the Division of Substance Abuse and Mental Health; and

82 (c) the Division of Services for People with Disabilities.

83 ~~[(5)]~~ (6) (a) The Department of Human Services and the State Board of Education shall
84 appoint a coordinating council to plan, coordinate, and recommend budget, policy, and
85 program guidelines for the education and treatment of persons in the custody of the Division of
86 Juvenile Justice Services and the Division of Child and Family Services.

87 (b) The department and board may appoint similar councils for those in the custody of
88 the Division of Substance Abuse and Mental Health or the Division of Services for People with
89 Disabilities.

90 ~~[(6)]~~ (7) A school district contracting to provide services under Subsection ~~[(3)]~~ (4)
91 shall establish an advisory council to plan, coordinate, and review education and treatment
92 programs for persons held in custody in the district.

93 Section 2. Section **53A-1-708** is amended to read:

94 **53A-1-708. Grants for online delivery of U-PASS tests.**

95 (1) As used in this section:

96 (a) "Summative tests" means tests administered near the end of a course to assess
97 overall achievement of course goals[;].

98 (b) "Uniform online summative test system" means a single system for the online
99 delivery of summative tests required under U-PASS that:

- 100 (i) is coordinated by the Utah State Office of Education;
- 101 (ii) ensures the reliability and security of U-PASS tests; and
- 102 (iii) is selected through collaboration between Utah State Office of Education and
103 school district representatives with expertise in technology, assessment, and administration[;
104 ~~and~~].

105 (c) "U-PASS" means the Utah Performance Assessment System for Students.

106 (2) The State Board of Education may award grants to school districts and charter
107 schools to implement a uniform online summative test system to enable parents of students and
108 school staff to review U-PASS test scores by the end of the school year.

109 (3) (a) Grant ~~[monies]~~ money may be used to pay for any of the following, provided it
110 is directly related to implementing a uniform online summative test system:

- 111 (i) computer equipment and peripherals, including electronic data capture devices
112 designed for electronic test administration and scoring;
- 113 (ii) software;
- 114 (iii) networking equipment;
- 115 (iv) upgrades of existing equipment or software;
- 116 (v) upgrades of existing physical plant facilities;
- 117 (vi) personnel to provide technical support or coordination and management; and
- 118 (vii) teacher professional development.

119 (b) Equipment purchased in compliance with Subsection (3)(a), when not in use for the
120 online delivery of summative tests required under U-PASS may be used for other purposes.

121 (4) The State Board of Education may award grants only to school districts and charter
122 schools that intend to implement a uniform online summative test system.

123 (5) ~~(a)~~ The State Board of Education shall make rules ~~[specifying]~~:

124 ~~(i)~~ (a) establishing procedures for applying for and awarding grants;

125 ~~(ii)~~ (b) specifying how grant ~~[monies]~~ money shall be allocated among school
126 districts and charter schools that qualify to receive grants under Subsection (4); and

127 ~~(iii)~~ (c) requiring reporting of grant money expenditures and evidence showing that
128 the grant ~~[monies]~~ money have been used to implement a uniform online summative test
129 system.

130 ~~[(b) To ensure that small school districts and charter schools receive adequate funds to~~
131 ~~implement a uniform online summative test system, grant monies shall be allocated on a 25%~~
132 ~~base, with the remaining 75% distributed on a per pupil basis.]~~

133 (6) If a school district or charter school uses grant ~~[monies]~~ money for purposes other
134 than those stated in Subsection (3), the school district or charter school is liable for reimbursing
135 the State Board of Education in the amount of the grant ~~[monies]~~ money improperly used.

136 Section 3. Section **53A-17a-112** is amended to read:

137 **53A-17a-112. Preschool special education appropriation -- Extended year**
138 **program appropriation -- Appropriation for special education programs in state**
139 **institutions -- Appropriations for stipends for special educators.**

140 (1) (a) Money appropriated to the State Board of Education for the preschool special
141 education program shall be allocated to school districts to provide a free, appropriate public
142 education to preschool students with a disability, ages three through five.

143 (b) The money shall be distributed on the basis of a school district's previous year
144 December 1 disabled preschool child count as mandated by federal law.

145 (2) Money appropriated for the extended school year program for the severely disabled
146 shall be limited to students with severe disabilities with education program goals identifying
147 significant regression and recoument disability as approved by the State Board of Education.

148 (3) (a) Money appropriated for self-contained regular special education programs may
149 not be used to supplement other school programs.

150 (b) Money in any of the other restricted line item appropriations may not be reduced
151 more than 2% to be used for purposes other than those specified by the appropriation, unless

152 otherwise provided by law.

153 (4) (a) The State Board of Education shall compute preschool funding by a factor of
154 1.47 times the current December 1 child count of eligible preschool aged three, four, and
155 five-year-olds times the WPU value, limited to 8% growth over the prior year December 1
156 count.

157 (b) The board shall develop guidelines to implement the funding formula for preschool
158 special education, and establish prevalence limits for distribution of the money.

159 (5) Of the money appropriated for Special Education - State Programming, the State
160 Board of Education shall distribute the revenue generated from 843 WPUs to school districts,
161 charter schools, and the Utah Schools for the Deaf and the Blind for stipends to special
162 educators for additional days of work pursuant to the requirements of Section 53A-17a-158.

163 Section 4. Section **53A-17a-150** is amended to read:

164 **53A-17a-150. K-3 Reading Improvement Program.**

165 (1) As used in this section:

166 (a) "Program" means the K-3 Reading Improvement Program[~~;~~and].

167 (b) "Program [~~monies~~] money" means:

168 (i) school district revenue from the levy authorized under Section 53A-17a-151;

169 (ii) school district revenue allocated to the program from other [~~monies~~] money
170 available to the school district, except [~~monies~~] money provided by the state, for the purpose of
171 receiving state funds under this section; and

172 (iii) [~~monies~~] money appropriated by the Legislature to the program.

173 (2) The K-3 Reading Improvement Program consists of program [~~monies~~] money and
174 is created to achieve the state's goal of having third graders reading at or above grade level.

175 (3) Subject to future budget constraints, the Legislature may annually appropriate
176 money to the K-3 Reading Improvement Program.

177 (4) (a) Prior to using program [~~monies~~] money, a school district or charter school shall
178 submit a plan to the State Board of Education for reading proficiency improvement that
179 incorporates the following components:

180 (i) assessment;

181 (ii) intervention strategies;

182 (iii) professional development;

183 (iv) reading performance standards; and
184 (v) specific measurable goals that are based upon gain scores.
185 (b) The State Board of Education shall provide model plans which a school district or
186 charter school may use, or the district or school may develop its own plan.
187 (c) Plans developed by a school district or charter school shall be approved by the State
188 Board of Education.
189 (5) (a) There is created within the K-3 Reading Achievement Program three funding
190 programs:
191 [~~(a)~~] (i) the Base Level Program;
192 [~~(b)~~] (ii) the Guarantee Program; and
193 [~~(c)~~] (iii) the Low Income Students Program.
194 (b) The State Board of Education may use no more than \$7,500,000 from an
195 appropriation described in Subsection (3) for computer-assisted instructional learning and
196 assessment programs.
197 (6) [~~Monies~~] Money appropriated to the State Board of Education for the K-3 Reading
198 Improvement Program and not used by the State Board of Education for computer-assisted
199 instructional learning and assessments as described in Subsection (5)(b), shall be allocated to
200 the three funding programs as follows:
201 (a) 8% to the Base Level Program;
202 (b) 46% to the Guarantee Program; and
203 (c) 46% to the Low Income Students Program.
204 (7) (a) To participate in the Base Level Program, a school district or charter school
205 shall submit a reading proficiency improvement plan to the State Board of Education as
206 provided in Subsection (4) and must receive approval of the plan from the board.
207 (b) (i) Each school district qualifying for Base Level Program funds and the qualifying
208 elementary charter schools combined shall receive a base amount.
209 (ii) The base amount for the qualifying elementary charter schools combined shall be
210 allocated among each school in an amount proportionate to:
211 (A) each existing charter school's prior year fall enrollment in grades kindergarten
212 through grade 3; and
213 (B) each new charter school's estimated fall enrollment in grades kindergarten through

214 grade 3.

215 (8) (a) A school district that applies for program [~~monies~~] money in excess of the Base
216 Level Program funds shall choose to first participate in either the Guarantee Program or the
217 Low Income Students Program.

218 (b) A school district must fully participate in either the Guarantee Program or the Low
219 Income Students Program before it may elect to either fully or partially participate in the other
220 program.

221 (c) To fully participate in the Guarantee Program, a school district shall:

222 (i) levy a tax rate of .000056 under Section 53A-17a-151;

223 (ii) allocate to the program other [~~monies~~] money available to the school district,
224 except [~~monies~~] money provided by the state, equal to the amount of revenue that would be
225 generated by a tax rate of .000056; or

226 (iii) levy a tax under Section 53A-17a-151 and allocate to the program other [~~monies~~]
227 money available to the school district, except [~~monies~~] money provided by the state, so that the
228 total revenue from the combined revenue sources equals the amount of revenue that would be
229 generated by a tax rate of .000056.

230 (d) To fully participate in the Low Income Students Program, a school district shall:

231 (i) levy a tax rate of .000065 under Section 53A-17a-151;

232 (ii) allocate to the program other [~~monies~~] money available to the school district,
233 except [~~monies~~] money provided by the state, equal to the amount of revenue that would be
234 generated by a tax rate of .000065; or

235 (iii) levy a tax under Section 53A-17a-151 and allocate to the program other [~~monies~~]
236 money available to the school district, except [~~monies~~] money provided by the state, so that the
237 total revenue from the combined revenue sources equals the amount of revenue that would be
238 generated by a tax rate of .000065.

239 (9) (a) [~~A~~] Except as provided in Subsection (9)(c), a school district that fully
240 participates in the Guarantee Program shall receive state funds in an amount that is:

241 (i) equal to the difference between \$21 times the district's total WPUs and the revenue
242 the school district is required to generate or allocate under Subsection (8)(c) to fully participate
243 in the Guarantee Program; and

244 (ii) not less than \$0.

245 (b) ~~[An]~~ Except as provided in Subsection (9)(c), an elementary charter school shall
246 receive under the Guarantee Program an amount equal to \$21 times the school's total WPU's.

247 (c) The State Board of Education may adjust the \$21 guarantee amount described in
248 Subsections (9)(a) and (b) to account for actual appropriations and money used by the State
249 Board of Education for computer-assisted instructional learning and assessments.

250 (10) The State Board of Education shall distribute Low Income Students Program
251 funds in an amount proportionate to the number of students in each school district or charter
252 school who qualify for free or reduced price school lunch multiplied by two.

253 (11) A school district that partially participates in the Guarantee Program or Low
254 Income Students Program shall receive program funds based on the amount of district revenue
255 generated for or allocated to the program as a percentage of the amount of revenue that could
256 have been generated or allocated if the district had fully participated in the program.

257 (12) (a) Each school district and charter school shall use program ~~[monies]~~ money for
258 reading proficiency improvement in grades kindergarten through grade three.

259 (b) Program ~~[monies]~~ money may not be used to supplant funds for existing programs,
260 but may be used to augment existing programs.

261 (13) (a) Each school district and charter school shall annually submit a report to the
262 State Board of Education accounting for the expenditure of program ~~[monies]~~ money in
263 accordance with its plan for reading proficiency improvement.

264 (b) If a school district or charter school uses program ~~[monies]~~ money in a manner that
265 is inconsistent with Subsection (12), the school district or charter school is liable for
266 reimbursing the State Board of Education for the amount of program ~~[monies]~~ money
267 improperly used, up to the amount of program ~~[monies]~~ money received from the State Board
268 of Education.

269 (14) (a) The State Board of Education shall make rules to implement the program.

270 (b) (i) The rules under Subsection (14)(a) shall require each school district or charter
271 school to annually report progress in meeting goals stated in the district's or charter school's
272 plan for student reading proficiency as measured by gain scores.

273 (ii) If a school district or charter school does not meet or exceed the goals, the school
274 district or charter school shall prepare a new plan which corrects deficiencies. The new plan
275 must be approved by the State Board of Education before the school district or charter school

276 receives an allocation for the next year.

277 (15) If after 36 months of program operation, a school district fails to meet goals stated
278 in the district's plan for student reading proficiency as measured by gain scores, the school
279 district shall terminate any levy imposed under Section 53A-17a-151.

280 Section 5. Section **53A-17a-164** is enacted to read:

281 **53A-17a-164. Enhancement for At-Risk Students Program.**

282 (1) (a) Subject to the requirements of Subsection (1)(b), the State Board of Education
283 shall distribute money appropriated for the Enhancement for At-Risk Students Program to
284 school districts and charter schools according to a formula adopted by the State Board of
285 Education, after consultation with school districts and charter schools.

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

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

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

293 (a) low performance on U-PASS tests;

294 (b) poverty;

295 (c) mobility; and

296 (d) limited English proficiency.

297 (3) A school district or charter school shall use money distributed under this section to
298 improve the academic achievement of students who are at risk of academic failure.

299 (4) The State Board of Education shall develop performance criteria to measure the
300 effectiveness of the Enhancement for At-Risk Students Program and make an annual report to
301 the Public Education Appropriations Subcommittee on the effectiveness of the program.

302 Section 6. **Repealer.**

303 This bill repeals:

304 Section **53A-17a-107, Professional staff weighted pupil units.**

305 Section 7. **Appropriation.**

306 (1) Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act,

307 as applicable, the following sums of money are appropriated from resources not otherwise
 308 appropriated, or reduced from amounts previously appropriated, out of the funds or fund
 309 accounts indicated for distribution to state education agencies, school districts, and charter
 310 schools for the fiscal year beginning July 1, 2011 and ending June 30, 2012. These
 311 appropriations are additions to amounts previously appropriated for fiscal year 2011-12.

312 (2) The value of each weighted pupil unit (WPU) for fiscal year 2011-12 is increased
 313 by \$458 over the value of the WPU for fiscal year 2011-12 established in S.B. 1, Public
 314 Education Base Budget, for a total WPU value of \$3,035.

315 BASIC SCHOOL PROGRAM

316 ITEM 1 To Basic School Program

317	From Uniform School Fund, One-time	\$10,000,000
318	From Education Fund	\$207,972,918
319	From Education Fund, One-time	(\$10,000,000)
320	Schedule of Programs:	
321	Kindergarten	\$12,374,244
322	Grades 1 - 12	\$239,673,232
323	Necessarily Existent Small Schools	\$3,503,242
324	Professional Staff (-48,886 WPUs)	(\$125,979,222)
325	Administrative Costs (1,535 WPUs)	\$4,658,725
326	Special Education - Add-on	\$29,857,020
327	Special Education - Pre-school	\$4,208,104
328	Special Education - Self-contained	\$6,478,868
329	Special Education - Extended Year	\$184,574
330	Special Education - State Programs (843 WPUs)	\$3,392,981
331	Career & Technical Ed District Add-on	\$12,781,406
332	Class Size Reduction	\$16,839,744

333 The Legislature intends that the State Board of Education review reports required of
 334 local education agencies in statute or board rule, and that the State Board of Education submit
 335 any recommended report eliminations to the Education Interim Committee by the October
 336 meeting of the Education Interim Committee in 2011.

337 RELATED TO BASIC PROGRAMS

338	ITEM 2 To Related to Basic Programs	
339	From Education Fund	\$94,746,265
340	From Education Fund, One-time	\$13,500,000
341	From Uniform School Fund Restricted - Interest and Dividends Account	\$2,600,000
342	From Nonlapsing Balances - MSP - Basic Program	\$6,300,000
343	From Nonlapsing Balances - MSP - Related to Basic Program	\$4,000,000
344	Schedule of Programs:	
345	To and From School - Pupil Transportation	\$63,062,465
346	Guarantee Transportation Levy	\$500,000
347	Adult Education	\$9,000,000
348	School LAND Trust Program	\$2,600,000
349	Charter School Administration	\$4,627,800
350	K-3 Reading Improvement	\$15,000,000
351	USFR Teacher Salary Supplement Restricted	
352	Account	\$1,374,000
353	Library Books & Electronic Resources	\$400,000
354	Matching Funds for School Nurses	\$882,000
355	USTAR Centers (Year-Round Math & Science)	\$6,200,000
356	Teacher Supplies and Materials	\$5,000,000
357	Beverly Taylor Sorenson Elementary Arts	\$4,000,000
358	Early Intervention	\$7,500,000
359	Pilot Assessment	\$1,000,000

360 The Legislature intends that the State Board of Education issue a request for proposals
361 for computer-assisted instructional learning and assessments for the K-3 Reading Improvement
362 Program and that the State Board of Education may use no more than \$7,500,000 from the
363 appropriation for K-3 Reading Improvement for computer-assisted instructional learning and
364 assessment programs. The Legislature intends that the State Board of Education provide
365 copies of all requests for proposals submitted for a computer-assisted instruction learning and
366 assessment program for the K-3 Reading Improvement Program to the Governor's Office of
367 Planning and Budget.

368 The Legislature intends that the State Board of Education issue a request for proposals

369 for adaptive learning technology and assessments for Early Intervention and that the State
 370 Board of Education may use no more than \$2,500,000 from the appropriation for Early
 371 Intervention for adaptive learning technology and assessments. The Legislature intends that the
 372 State Board of Education provide copies of all requests for proposals submitted for an adaptive
 373 learning technology and assessment program for Early Intervention to the Governor's Office of
 374 Planning and Budget.

375 The Legislature intends that the State Board of Education allocate all of the
 376 appropriation for Pilot Assessment to large school districts for online delivery of U-PASS tests
 377 in accordance with Section 53A-1-708.

378 The Legislature intends that enrollment in charter schools in the 2012-13 school year
 379 may increase up to 7,100 students over the projected enrollment of 46,278 in the 2011-12
 380 school year.

381 VOTED AND BOARD LEEWAY PROGRAMS

382 ITEM 3 To Voted and Board Leeway Programs

383	From Education Fund		(\$18,456,774)
384	Schedule of Programs:		
385	Voted Leeway	(\$14,478,708)	
386	Board Leeway	(\$3,978,066)	

387 STATE BOARD OF EDUCATION

388 ITEM 4 To State Board of Education - State Office of Education

389	From Education Fund		\$2,816,900
390	From Education Fund, One-time		\$2,000,000
391	From Federal Funds		(\$200)
392	Schedule of Programs:		
393	Board of Education - Administration	\$10,200	
394	Student Achievement	\$4,806,500	

395 ITEM 5 To State Board of Education - Utah State Office of Education - Initiative Programs

396	From General Fund		\$538,200
397	From Education Fund		\$299,900
398	From Education Fund, One-time		\$926,400
399	Schedule of Programs:		

400	Contracts and Grants	\$1,764,500
401	The Legislature intends that the State Board of Education allocate \$300,000 from the	
402	appropriation for Contracts and Grants to provide statewide access to software licenses for	
403	programs to improve English language learner literacy.	
404	The Legislature intends that the State Board of Education allocate \$750,000 from the	
405	appropriation for Contracts and Grants to support a sixth grade math assessment program.	
406	ITEM 6 To State Board of Education - Educator Licensing Professional Practices	
407	From Uniform School Fund Restricted - Professional Practices	\$702,700
408	Schedule of Programs:	
409	Educator Licensing	\$702,700
410	ITEM 7 To State Board of Education - State Office of Education - Child Nutrition	
411	From Federal Funds	\$200
412	Schedule of Programs:	
413	Child Nutrition	\$200
414	ITEM 8 To State Board of Education - Fine Arts Outreach	
415	From Education Fund	\$213,200
416	Schedule of Programs:	
417	Professional Outreach Programs	\$213,200
418	ITEM 9 To State Board of Education - Science Outreach	
419	From Education Fund	\$304,500
420	Schedule of Programs:	
421	Informal Science Education Enhancement	\$304,500
422	The Legislature intends that the State Board of Education distribute any fiscal year 2011	
423	beginning nonlapsing balances in the Science Education Outreach line item to program	
424	participants on a pro-rata basis in fiscal year 2011.	
425	ITEM 10 To State Board of Education - Utah Schools for the Deaf and the Blind	
426	From Education Fund	\$9,700
427	From Dedicated Credits Revenue	\$500
428	From Revenue Transfers	\$2,500
429	Schedule of Programs:	
430	Support Services	\$12,700

431 Section 8. **Effective date.**

432 This bill takes effect on July 1, 2011.

433 Section 9. **Coordinating H.B. 2 with S.B. 1 -- Superseding substantive**
434 **amendments.**

435 If this H.B. 2 and S.B. 1, Public Education Base Budget, both pass, it is the intent of the
436 Legislature that the Office of Legislative Research and General Counsel when preparing the
437 Utah Code database for publication:

438 (1) not give effect to the repeal of Section 53A-17a-108 in S.B. 1; and

439 (2) that the enactment of Section 53A-17a-164 in this bill supersedes the enactment of
440 Section 53A-17a-164 in S.B. 1.

Legislative Review Note
as of 3-7-11 8:09 PM

Office of Legislative Research and General Counsel

FISCAL NOTE

H.B. 2

SHORT TITLE: Minimum School Program and Public Education Budget Amendments

SPONSOR: **Newbold, M.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill appropriates a total of \$318,476,909 in funding, including, \$538,200 in ongoing General Funds, \$287.9 million in ongoing Education Funds, \$6.4 million in one-time Education Funds, \$10 million in one-time Uniform School Funds, \$2.6 million in ongoing Uniform School Fund Restricted - Interest & Dividends, and \$.7 million in Uniform School Fund Restricted - Professional Practices to the Minimum School Program and State Education Agencies as outlined in the bill.

The value of the Weighted Pupil Unit is increased \$458, from \$2,577 to \$3,035. Appropriations in the bill increases or decreases the total number of weighted pupil units in certain programs as outlined in the bill.

STATE BUDGET DETAIL TABLE

	FY 2011	FY 2012	FY 2013
Revenue	\$0	\$0	\$0
Expenditure:			
General Fund	\$0	\$538,200	\$538,200
Uniform School Fund, One-time	\$0	\$10,000,000	\$0
Uniform School Fund Restricted	\$0	\$3,302,700	\$3,302,700
Education Fund	\$0	\$287,906,609	\$287,906,609
Education Fund, One-Time	\$0	\$6,426,400	\$0
Dedicated Credits	\$0	\$500	\$500
Transfers	\$0	\$2,500	\$2,500
Nonlapsing Funds	\$0	\$10,300,000	\$0
Total Expenditure	\$0	\$318,476,909	\$291,750,509
Net Impact, All Funds (Rev.-Exp.)	\$0	(\$318,476,909)	(\$291,750,509)
Net Impact, General/Education Funds	\$0	(\$304,871,209)	(\$288,444,809)

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

School districts, charter schools, and state education agencies may see an increase or decrease in state funding levels depending on their participation in programs contained in this bill.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.