

**EDUCATOR SALARY INCENTIVE PROGRAM AMENDMENTS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Val K. Potter**

Senate Sponsor: Lyle W. Hillyard

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**LONG TITLE**

**General Description:**

This bill amends provisions regarding educator salaries and incentives.

**Highlighted Provisions:**

This bill:

▶ defines terms;

▶ provides for the inclusion of social workers licensed by the Division of Occupational and Professional Licensing in certain education funding formulas and programs;

▶ makes discretionary a requirement that the State Board of Education distribute funds under the Teacher Salary Supplement Program on a pro rata basis under certain circumstances; and

▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53F-2-305**, as last amended by Laws of Utah 2019, Chapter 186

**53F-2-405**, as last amended by Laws of Utah 2019, Chapter 186



28 **53F-2-504**, as last amended by Laws of Utah 2019, Chapters 134, 186, and 283



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

31 Section 1. Section **53F-2-305** is amended to read:

32 **53F-2-305. Professional staff weighted pupil units.**

33 (1) Professional staff weighted pupil units are computed and distributed in accordance  
34 with the following schedule:

35 (a) Professional Staff Cost Formula

	Years of Experience	Bachelor's Degree	Bachelor's +30 Qt. Hr.	Master's Degree	Master's Degree +45 Qt. Hr.	Doctorate
37	1	1.00	1.05	1.10	1.15	1.20
38	2	1.05	1.10	1.15	1.20	1.25
39	3	1.10	1.15	1.20	1.25	1.30
40	4	1.15	1.20	1.25	1.30	1.35
41	5	1.20	1.25	1.30	1.35	1.40
42	6	1.25	1.30	1.35	1.40	1.45
43	7	1.30	1.35	1.40	1.45	1.50
44	8	1.35	1.40	1.45	1.50	1.55
45	9			1.50	1.55	1.60
46	10				1.60	1.65
47	11					1.70

48 (b) Multiply the number of full-time or equivalent professional personnel in each  
49 applicable experience category in Subsection (1)(a) by the applicable weighting factor.

50 (c) Divide the total of Subsection (1)(b) by the number of professional personnel  
51 included in Subsection (1)(b) and reduce the quotient by 1.00.

52 (d) Multiply the result of Subsection (1)(c) by 1/4 of the weighted pupil units computed  
53 in accordance with Sections **53F-2-302** and **53F-2-304**.

54 (2) The state board shall enact rules that require a certain percentage of a school  
55 district's or charter school's professional staff to be certified in the area in which the staff

56 teaches in order for the school district or charter school to receive full funding under the  
57 schedule.

58 (3) If an individual's teaching experience is a factor in negotiating a contract of  
59 employment to teach in the state's public schools, then the LEA governing board is encouraged  
60 to accept as credited experience all of the years the individual has taught in the state's public  
61 schools.

62 (4) The professional personnel described in Subsection (1) shall include an individual  
63 employed by a school district, charter school, or the Utah Schools for the Deaf and the Blind  
64 who holds:

65 (a) a license in the field of social work issued by the Division of Occupational and  
66 Professional Licensing; and

67 (b) a position as a social worker.

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

69 **53F-2-405. Educator salary adjustments.**

70 (1) As used in this section, "educator" means a person employed by a school district,  
71 charter school, or the Utah Schools for the Deaf and the Blind who holds:

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

73 ~~[(b)]~~ (ii) a position as a:

74 ~~[(i)]~~ (A) classroom teacher;

75 ~~[(ii)]~~ (B) speech pathologist;

76 ~~[(iii)]~~ (C) librarian or media specialist;

77 ~~[(iv)]~~ (D) preschool teacher;

78 ~~[(v)]~~ (E) mentor teacher;

79 ~~[(vi)]~~ (F) teacher specialist or teacher leader;

80 ~~[(vii)]~~ (G) guidance counselor;

81 ~~[(viii)]~~ (H) audiologist;

82 ~~[(ix)]~~ (I) psychologist; or

83 ~~[(x)]~~ (J) social worker[-]; or

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

85 (ii) a position as a social worker.

86 (2) In recognition of the need to attract and retain highly skilled and dedicated

87 educators, the Legislature shall annually appropriate money for educator salary adjustments,  
88 subject to future budget constraints.

89 (3) Money appropriated to the state board for educator salary adjustments shall be  
90 distributed to school districts, charter schools, and the Utah Schools for the Deaf and the Blind  
91 in proportion to the number of full-time-equivalent educator positions in a school district, a  
92 charter school, or the Utah Schools for the Deaf and the Blind as compared to the total number  
93 of full-time-equivalent educator positions in school districts, charter schools, and the Utah  
94 Schools for the Deaf and the Blind.

95 (4) A school district, a charter school, or the Utah Schools for the Deaf and the Blind  
96 shall award bonuses to educators as follows:

97 (a) the amount of the salary adjustment shall be the same for each full-time-equivalent  
98 educator position in the school district, charter school, or the Utah Schools for the Deaf and the  
99 Blind;

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

102 (c) a salary adjustment may be awarded only to an educator who has received a  
103 satisfactory rating or above on the educator's most recent evaluation.

104 (5) The state board may make rules as necessary to administer this section.

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

107 (i) maintain educator salary adjustments provided in prior years; and  
108 (ii) provide educator salary adjustments to new employees.

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

111 (i) retirement;  
112 (ii) worker's compensation;  
113 (iii) social security; and  
114 (iv) Medicare.

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

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

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

120 (b) The appropriation provided for educator salary adjustments shall include salary  
121 adjustments for school administrators as specified in Subsection (7)(a).

122 (c) In distributing and awarding salary adjustments for school administrators, the state  
123 board, a school district, a charter school, or the Utah Schools for the Deaf and the Blind shall  
124 comply with the requirements for the distribution and award of educator salary adjustments as  
125 provided in Subsections (3) and (4).

126 Section 3. Section **53F-2-504** is amended to read:

127 **53F-2-504. Teacher Salary Supplement Program.**

128 (1) As used in this section:

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

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

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

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

135 (iv) is a new employee or received at least a satisfactory rating on the teacher's most  
136 recent evaluation.

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

138 (i) computer science; or

139 (ii) computer information technology.

140 (c) "Field of science" means:

141 (i) integrated science;

142 (ii) chemistry;

143 (iii) physics;

144 (iv) physical science; or

145 (v) general science.

146 (d) "License" means the same as that term is defined in Section [53E-6-102](#).

147 (e) "Qualifying educational background" means:

148 (i) for a teacher who is assigned a secondary school level mathematics course:

149 (A) a bachelor's degree major, master's degree, or doctoral degree in mathematics; or

150 (B) a bachelor's degree major, master's degree, or doctoral degree that has course  
151 requirements that are substantially equivalent to the course requirements for a bachelor's degree  
152 major, master's degree, or doctoral degree in mathematics;

153 (ii) for a teacher who is assigned a grade 7 or 8 integrated science course, chemistry  
154 course, or physics course:

155 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of science;  
156 or

157 (B) a bachelor's degree major, master's degree, or doctoral degree that has course  
158 requirements that are substantially equivalent to the course requirements of those required for a  
159 bachelor's degree major, master's degree, or doctoral degree in a field of science;

160 (iii) for a teacher who is assigned a computer science course:

161 (A) a bachelor's degree major, master's degree, or doctoral degree in a field of  
162 computer science; or

163 (B) a bachelor's degree major, master's degree, or doctoral degree that has course  
164 requirements that are substantially equivalent to the course requirements of those required for a  
165 bachelor's degree major, master's degree, or doctoral degree in a field of computer science; or

166 (iv) for a teacher who is assigned to teach special education, a bachelor's degree major,  
167 master's degree, or doctoral degree in special education.

168 (f) "Qualifying teaching background" means the teacher has been teaching the same  
169 supplement-approved assignment in Utah public schools for at least 10 years.

170 (g) "Supplement-approved assignment" means an assignment to teach:

171 (i) a secondary school level mathematics course;

172 (ii) integrated science in grade 7 or 8;

173 (iii) chemistry;

174 (iv) physics;

175 (v) computer science; or

176 (vi) special education.

177 (2) (a) Subject to future budget constraints, the Legislature shall:

178 (i) annually appropriate money to the Teacher Salary Supplement Program to maintain  
179 annual salary supplements for eligible teachers provided in previous years; and

180 (ii) provide salary supplements to new recipients.

181 (b) Money appropriated for the Teacher Salary Supplement Program shall include  
182 money for the following employer-paid benefits:

183 (i) retirement;

184 (ii) workers' compensation;

185 (iii) Social Security; and

186 (iv) Medicare.

187 (3) (a) The annual salary supplement for an eligible teacher who is assigned full-time  
188 to a supplement-approved assignment is \$4,100 and funded through an appropriation described  
189 in Subsection (2).

190 (b) An eligible teacher who is assigned part-time to a supplement-approved assignment  
191 shall receive a partial salary supplement based on the number of hours worked in the  
192 supplement-approved assignment.

193 (4) The state board shall:

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

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

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

199 (d) certify a list of eligible teachers.

200 (5) ~~[(a)]~~ An eligible teacher shall apply to the state board ~~[before the conclusion of a~~  
201 ~~school year]~~ to receive the salary supplement authorized in this section in accordance with state  
202 board rule ~~H→~~ **made in accordance with Title 63G, Chapter 3, Utah Administrative**  
202a **Rulemaking Act ←H**.

203 ~~[(b) An eligible teacher may apply to the state board, after verification that the~~  
204 ~~requirements under this section have been satisfied, to receive a salary supplement after the~~  
205 ~~completion of:]~~

206 ~~[(i) the school year as an annual award; or]~~

207 ~~[(ii) a semester or trimester as a partial award based on the portion of the school year~~  
208 ~~that has been completed.]~~

209 (6) (a) The state board shall establish and administer an appeal process for a teacher to  
210 follow if the teacher applies for a salary supplement and does not receive a salary supplement

211 under Subsection (8).

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

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

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

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

226 (7) (a) The state board shall distribute money appropriated to the Teacher Salary  
227 Supplement Program to school districts and charter schools for the Teacher Salary Supplement  
228 Program in accordance with the provisions of this section.

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

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

233 (8) (a) Money received from the Teacher Salary Supplement Program shall be used by  
234 a school district or charter school to provide a salary supplement equal to the amount specified  
235 in Subsection (3) for each eligible teacher.

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

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