

1 **R277. Education, Administration.**

2 **R277-490. Beverley Taylor Sorenson Elementary Arts Learning Program**
3 **~~[(BTSALP)](BTS Arts).~~**

4 **R277-490-1. Authority and Purpose.**

5 (1) This rule is authorized by:

6 (a) Utah Constitution [Article X, Section 3](#), which vests general control and
7 supervision over public education in the Board;

8 (b) Subsection [53E-3-401](#)(4), which allows the Board to make rules to execute the
9 Board's duties and responsibilities under the Utah Constitution and state law; and

10 (c) Section [53F-2-506](#), which directs the Board to establish a ~~[grant]~~[funding](#)
11 program for LEAs to hire qualified arts professionals to encourage student participation
12 in the arts in Utah public schools and embrace student learning in Core subject areas.

13 (2) The purpose of this rule is:

14 (a) to implement the ~~[BTSALP]~~[BTS Arts](#) model in public schools through LEAs
15 and consortia that submit ~~[grant]~~[funding](#) applications to hire arts educators who are paid
16 on an LEA's licensed teacher salary schedule;

17 (b) to distribute funds to LEAs to purchase supplies and equipment as provided
18 for in Subsections [53F-2-506](#)(4) and (6);

19 (c) to fund activities at endowed universities to provide pre-service training,
20 professional development, research, and leadership for arts educators and arts education
21 in Utah public schools; and

22 (d) to appropriately monitor, evaluate, and report programs and program results.

23 (3) This Rule R277-490 is categorized as Category 3 as described in Rule [R277-](#)
24 [111](#).

25

26 **R277-490-2. Definitions.**

27 (1) "Arts educator" or "qualified school arts program educator" means an educator
28 who:

29 (a) holds a current:

30 (i) Associate, Professional, or LEA Specific educator license as described in Rule
31 R277-301; and

32 (ii)(A) K-12 art form specific endorsement;

33 (B) elementary ~~[specialist]~~arts educator's art form specific endorsement; or

34 (C) qualifications for a state approved endorsement plan to complete the
35 endorsement requirements; and

36 (b) is employed by an LEA or consortium participating in the program.

37 ~~[(4)](2)~~ "Arts equipment and supplies" includes musical instruments, recording and
38 play-back devices, cameras, projectors, computers to be used in the program, CDs,
39 DVDs, teacher reference books, and art-making supplies.

40 ~~[(2)](3)~~ "Arts Program coordinator" or "coordinator" means an individual, employed
41 full-time, who is responsible to:

42 (a) coordinate arts programs for an LEA or consortium;

43 (b) inform arts teachers;

44 (c) organize arts professional development including organizing arts local learning
45 communities;

46 (d) oversee, guide, and organize the gathering of assessment data;

47 (e) represent the LEA or consortium arts program; and

48 (f) provide general leadership for arts education throughout the LEA or consortium.

49 ~~[(3)](4)~~ "Beverly Taylor Sorenson Elementary Arts Learning Program model,"
50 ~~["BTSALP"]~~BTS Arts model," or "Program" means a program in grades K-6 including the
51 following components:

52 (a) a qualified arts educator to work collaboratively with the regular classroom
53 teacher to deliver quality, sequential, and developmental arts instruction in alignment with
54 the state fine arts core standards;

55 (b) regular collaboration between the classroom teacher and arts educator in
56 planning arts integrated instruction; and

57 (c) other activities that may be proposed by an LEA on a ~~[grant]~~ funding application
58 and approved by the Board.

59 ~~[(4)]~~(5) "Endowed university" has the same meaning as defined in Subsection
60 53F-2-506(1)(b).

61 ~~[(5) "Highly qualified school arts program educator" or "arts educator" means an~~
62 ~~educator who;~~

63 ~~_____ (a) holds a current:~~

64 ~~_____ (i) Associate, Professional, or LEA Specific educator license as described in Rule~~
65 ~~R277-301; and~~

66 ~~_____ [(b)(i)](ii)(A) k-12 art form specific endorsement;~~

67 ~~_____ [(ii)(B) elementary [specialist]arts educator's art form specific endorsement; or~~

68 ~~_____ [(ii)(C) qualifications for a state approved endorsement plan to complete the~~
69 ~~endorsement requirements[.]and~~

70 ~~_____ (b) is employed by an LEA or consortium participating in the program.]~~

71 ~~[(6) "Matching funds" means funds that equal at least 20% of the total costs for~~
72 ~~salary plus benefits incurred by an LEA or consortium to fund the LEA or consortium's~~
73 ~~arts educator.]~~

74 (6)(a) "Total arts educator salary amount plus benefits for arts educators
75 statewide" means the sum of the total arts educator salary amount, plus benefits, for arts
76 educators statewide during the most recent school year, not including funding an arts
77 educator receives under the educator salary adjustment described in Section 53F-2-405.

78 (b) When calculating the total arts educator salary amount plus benefits for arts
79 educators statewide, the Superintendent shall take into account the full-time or part-time
80 status of each arts educator to determine the total arts educator salary amount.

81

82 **R277-490-3. Arts Educator [Grant] Program - LEA Consortium.**

83 (1) LEAs may form a consortium to employ arts educators appropriate for the
84 number of students served.

85 (2) An LEA or a consortium of LEAs may submit a ~~[grant]~~funding request
86 consistent with ~~[time lines]~~timelines provided in this rule.

87 (3) An LEA or a consortium shall develop ~~[its]~~the LEA or consortium's proposal
88 consistent with the ~~[BTSALP]~~BTS Arts model outlined under Subsection R277-490-2(3).

89 (4) A consortium ~~[grant]~~funding request shall explain the necessity or greater
90 efficiency and benefit of an arts educator serving several elementary schools within a
91 consortium of LEAs.

92 (5) A consortium ~~[grant]~~funding request shall explain a schedule for each
93 ~~[specialist]~~arts educator to serve the group of schools within several of the LEAs similarly
94 to an arts educator in a single school.

95 (6) A consortium ~~[grant]~~funding request shall provide information for a consortium
96 arts educator's schedule that minimizes the arts educator's travel and allows the arts
97 educator to be well integrated into several schools.

98 (7) An LEA's ~~[grant]~~funding application ~~[shall]~~may include the collaborative
99 development of the application with the LEA's partner endowed university and school
100 community councils ~~[if matching funds come from School LAND Trust Funds].~~

101

102 **R277-490-4. Arts Educator [Grant] Program Timelines.**

103 (1) ~~[An]~~A new LEA or ~~[a]~~ consortium shall ~~[complete a]~~submit a completed
104 program ~~[grant]~~funding application ~~[annually]~~to the Superintendent by January 31.

105 (2)(a) An LEA or consortium requesting a renewal of the LEA or consortium's
106 program shall submit a renewal application to the Superintendent once every three years
107 by the January 31 prior to end of the LEA or consortium's funding sunset.

108 (b) In a year where an LEA or consortium is not required to submit an application
109 to the Superintendent, the LEA or consortium shall submit a notice of intent to continue
110 in the program to the Superintendent.

111 ~~[(2)]~~(3) The ~~[Board]~~Superintendent shall ~~[grant]~~provide funding priority to renewal
112 applications.

113 ~~[(3) An LEA or consortium shall submit a completed application requesting funding~~
114 ~~to the Superintendent by May 1 annually.]~~

115 (4) The ~~[Board]~~Superintendent shall designate an LEA or a consortium for funding
116 no later than June 1 annually.

117

118 **R277-490-5. Distribution of Funds for Arts Educator – Uniform Amount.**

119 ~~[(1) A program LEA or consortium shall submit a projection of salaries, including~~
120 ~~benefits, of all arts educators the LEA or consortium expects to employ in the coming~~
121 ~~school year by May 1 annually.~~

122 ~~—— (2) A program LEA or consortium shall submit complete information of salaries,~~
123 ~~including benefits, of all arts educators employed by the LEA or consortium no later than~~
124 ~~September 30 annually.~~

125 ~~—— (3)(a) If a program LEA or consortium provides matching funds, the~~
126 ~~Superintendent shall distribute funds to program grant recipients annually up to 80% of~~
127 ~~the salaries plus benefits for approved hires in the program, and not to exceed the amount~~
128 ~~projected in accordance with Subsection (1), consistent with Subsection 53F-2-506(5).~~

129 ~~—— (b) The Superintendent shall determine the exact percentage awarded following~~
130 ~~review of available program funding and exact costs for continuing programs.~~

131 ~~—— (c) The Superintendent may not award funds to an LEA for a new arts educator~~
132 ~~unless program funding provides 80% funding for all continuing grants.~~

133 ~~—— (4) The Superintendent shall annually set the upper limit on a grant amount, which~~
134 ~~may not exceed the increase in the WPU.~~

135 ~~—— (5) A grant recipient shall provide matching funds for each arts educator funded~~
136 ~~through the program.~~

137 ~~—— (6) Notwithstanding Rule R277-424, an LEA grant recipient may not charge~~
138 ~~indirect costs to the BTSALP.]~~

139 (1)(a) The Superintendent shall annually determine a uniform amount as required
140 in Subsection 53F-2-506(4) by April 15 to distribute to participating LEAs to support the
141 program.

142 _____ (b) The uniform amount described in Subsection (1)(a) shall be the average
143 statewide arts educator salary plus benefits ~~[, taking into account the full-time or part-time~~
144 ~~status of the arts educator,], which is~~ equal to the quotient of:

145 _____ (i) the total arts educator salary amount plus benefits for arts educators statewide
146 from the most recent school year; divided by

147 _____ (ii) the number of arts educators participating in the program during the most
148 recent school year.

149 _____ (c) Before distributing the uniform amount described in this Subsection (1) to
150 LEAs, the Superintendent shall set aside an amount to distribute to endowed universities
151 as described in Section R277-490-8.

152 _____ (d) After setting aside the amount described in Subsection (1)(c), if the funding
153 available for distribution is less than the amount needed to distribute the full ~~[amount of~~
154 ~~the]~~ uniform amount described in Subsection (1)(b) for each participating arts educator,
155 the Superintendent shall reduce ~~[the amount of]~~ the uniform amount ~~[to meet]~~ based on
156 the available funds [available] for distribution for the upcoming school year.

157 _____ (e) When determining the amount per arts educator to be distributed to an LEA or
158 consortium, the Superintendent shall take into account the full-time or part-time status of
159 each arts educator to establish the LEA or consortium's allocation of program funds.

160 _____ (2) The Superintendent shall distribute the lesser of the following to an LEA or
161 consortium per arts educator:

162 _____ (a) the uniform amount described in this Subsection (1); or

163 _____ (b) the actual salary plus benefits for the applicable arts educator.

164 _____ (3) As required in Subsection 53F-2-506(5), if the uniform amount described in
165 Subsection (1) provides less funding than the cost of an LEA's arts educator's salary plus
166 benefits, the LEA shall pay the difference in the cost of the arts educator's salary plus
167 benefits and the uniform amount.

168 _____ (4) If there are funds available after the distribution described in this Section R277-
169 490-5, the Superintendent may use the funds to:

170 (a) distribute funds to an LEA or consortium for arts educator supplies and
171 equipment as described in Section R277-490-6; or
172 (b) engage in other activities that improve the quantity and quality of integrated
173 arts education as allowed in Subsection 53F-2-506(4).

174

175 **R277-490-6. Distribution of Funds for Arts Educator Supplies and Equipment.**

176 (1) The ~~[Board]~~Superintendent shall distribute funds for arts educator supplies and
177 equipment to an LEA or consortium as available.

178 (2) A ~~[grant]~~funding recipient shall distribute funds to participating schools as
179 provided in the approved LEA or consortium ~~[grant]~~funding and consistent with LEA
180 procurement policies.

181 (3) A ~~[grant]~~funding recipient shall require arts educators to provide adequate
182 documentation of arts supplies purchased consistent with the ~~[grant]~~funding recipient's
183 plan, this rule, and the law.

184 (4) Summary information about effective supplies and equipment shall be provided
185 in the school or consortium evaluation of the program.

186

187 **R277-490-7. LEA or Consortium Employment of Arts Coordinators.**

188 (1)(a) An LEA or consortium may apply for funds to employ arts coordinators in
189 the LEA or consortium.

190 (b) These are intended as small stipends for educators who are already employed
191 in rural districts to help support arts education and the implementation of ~~[BTSALP]~~BTS
192 Arts.

193 (2) An applicant shall explain:

194 (a) how an arts coordinator will be used, consistent with the ~~[BTSALP]~~BTS Arts
195 model;

196 (b) what requirements an arts coordinator must meet; and

197 (c) what training will be provided, and by whom.

198 (3) The Superintendent shall notify an LEA that receives a ~~[grant]~~funding award
199 no later than June 1 annually.

200

201 **R277-490-8. Endowed University Participation in the ~~[BTSALP]~~BTS Arts.**

202 (1) The Superintendent may consult with endowed chairs and integrated arts
203 advocates regarding program development and guidelines.

204 (2) An endowed university may apply for ~~[grant]~~ funds to fulfill the purposes of this
205 program, which include:

206 (a) delivery of high quality professional development to participating LEAs;

207 (b) the design and completion of research related to the program;

208 (c) providing the public with elementary arts education resources; and

209 (d) other program related activities as may be included in a ~~[grant]~~funding
210 application and approved by the ~~[Board]~~Superintendent.

211 (3) An endowed university ~~[grant]~~funding application shall include documentation
212 of collaborative development of a plan for delivery of high quality professional
213 development to participating LEAs.

214 (4) The Superintendent shall determine the LEAs assigned to each endowed
215 university.

216 (5) The ~~[Board]~~Superintendent may award no more than 10% of the total
217 legislative appropriation for ~~[grants]~~funds to endowed universities.

218 (6) Notwithstanding Rule [R277-424](#), a higher education ~~[grant]~~funding recipient
219 may not charge indirect costs to the ~~[BTSALP]~~BTS Arts.

220 (7) The Superintendent shall monitor the activities of the ~~[grantees]~~funding
221 recipients to ensure compliance with ~~[grant]~~funding rules, fulfillment of ~~[grant]~~funding
222 application commitments, and appropriate fiscal procedures.

223 (8) An endowed university shall cooperate with the Superintendent in the
224 monitoring of ~~[its grant]~~the endowed university's funding.

225 (9) An endowed university that receives ~~[grant]~~program funds shall consult, as
226 requested by the Superintendent, in the development and presentation of an annual
227 written program report as required in statute.

228

229 **R277-490-9. LEAs Cooperation with the Superintendent for ~~[BTSALP]~~BTS Arts.**

230 (1) A ~~[BTSALP]~~BTS Arts staff member may visit a school receiving a
231 ~~[grant]~~funding to observe implementation of the ~~[grant]~~funding.

232 (2) A ~~[BTSALP]~~BTS Arts school shall cooperate with the Superintendent to allow
233 visits of members of the Board, legislators, and other invested partners to promote
234 elementary arts integration.

235 (3) An LEA shall accurately report the number of students impacted by the
236 program ~~[grant]~~funding and report on the delivery systems to those students as requested
237 by the Superintendent.

238 (4)(a) An LEA found to be out of compliance with the terms of the ~~[grant]~~funding
239 requirements will be notified within 30 days of the discovery of non-compliance.

240 (b) An LEA found to be non-compliant will be given 30 days to correct the issues.

241 (c) If non-compliance is not resolved within that time frame, an LEA is subject to
242 losing the ~~[grant]~~program funds for the school or schools found to be non-compliant.

243

244 **KEY: arts programs, endowed universities, ~~[grant]~~funding, public schools**

245 **Date of Last Change: April 8, 2021**

246 **Notice of Continuation: December 15, 2022**

247 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401\(4\)](#); [53F-](#)
248 [2-506](#)**