

Agency: UTAH STATE BOARD OF EDUCATION

Request Title: *Stipends for Special Educators additional days
Policy Request 2026*

Purpose Statement:

To provide discretion to the Utah State Board of Education (USB E) in distributing the funds appropriated under 53F-2-310: Stipends for special educators for additional days of work.

What is the nature of your request?

Select one:

POLICY REQUEST – You are seeking changes to Utah State Code to improve your program/services.

Projected Results: *(Provide 1-2 bullets on how the policy/funding request would lead to a measurable outcome in the K-12 education system (ex. performance measure).)*

- **Allows USB E to manage the stipend program more effectively by prorating distributions if qualified applications exceed available funding, ensuring program solvency.**
- **Enables USB E to adapt to changing workforce needs by providing flexibility to establish criteria or priorities for distribution, targeting funds to the highest-need areas.**

Rationale:

The current statutory language is overly prescriptive and limits USBE's ability to manage the appropriation effectively.

Granting USBE discretion (e.g., through rulemaking authority) is a standard practice that allows for efficient program administration and provides the agility to respond to workforce shortages and funding fluctuations.

POLICY REQUEST

This section only needs to be completed if you are making a policy request (creating or changing existing Utah Code language).

1. Section(s) of State Code to be addressed (if none, insert "N/A"):

53F-2-310. Stipends for special educators for additional days of work.

2. Summarize the request, the specific problem it will solve, and how it will solve the problem. (Describe the issues or concerns the legislation will address:)

Problem: The current language in 53F-2-310 mandates a specific distribution method for special educator stipends. This rigid mandate removes USBE's ability to administer the program flexibly. For example, if total qualified stipend requests exceed the legislative appropriation, USBE has no clear authority to prorate payments or prioritize distribution, creating a potential funding shortfall.

Request: This request seeks to amend 53F-2-310 to provide the USBE with greater discretion in administering the stipend program.

Solution: This change would grant USBE the authority (e.g., through board rule) to establish criteria, procedures, and prioritization for the distribution of stipend funds. This ensures USBE can manage the program within its appropriation, respond to high-need areas, and ensure equitable distribution if demand exceeds available funds.

3. What are the suggested legislative solutions? Include code references and suggested language where possible:

Suggested Language (conceptual):

Amend **53F-2-310(3)** (or relevant subsection):

"Subject to legislative appropriations, the state board **shall, in accordance with rules made by the board,** distribute funds to an LEA... for each special educator..."

Alternative suggestion:

Add a new subsection: "(#) The state board may establish criteria by rule to prioritize or prorate the distribution of stipends described in this section if the total amount of qualified stipend requests exceeds the legislative appropriation."