

MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Angie Stallings, Associate Superintendent
Policy and Communication

DATE: February 4-5, 2016

ACTION: R277-478 *Block Grant Funding* (Repeal)

Background:

R277-478 is coming due for its five-year review and continuation consistent with the Utah Administrative Rulemaking Act. The rule is scheduled to expire on June 30, 2016. Staff have reviewed R277-478 and determined that the rule is no longer necessary.

Key Points:

The statute that provided for local discretionary block grant programs has been repealed, and the quality teaching block grant has not been funded since 2010, so the rule is being repealed in its entirety.

Anticipated Action:

It is proposed that the Law and Licensing Committee consider approving R277-478, for repeal, on first reading and, if approved by the Committee, the Board consider approving R277-478, for repeal, on second reading.

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REPEAL IN ITS ENTIRETY

1 ~~[R277. Education, Administration.~~

2 ~~R277-478. Block Grant Funding.~~

3 ~~R277-478-1. Definitions.~~

4 ~~—— A. “Board” means the Utah State Board of Education.~~

5 ~~—— B. “Core Curriculum (Core)” means minimum academic standards provided~~
6 ~~through courses as established by the Board which shall be mastered by all students~~
7 ~~K-12 as a requisite for graduation from Utah's secondary schools.~~

8 ~~—— C. “Fiscal Year (FY)” means the twelve month period from July 1 through~~
9 ~~June 30 during which state funds are distributed.~~

10 ~~—— D. “Limited English proficient (LEP)” means a student who:~~

11 ~~—— (1) is aged 3 through 21;~~

12 ~~—— (2) was not born in the United States or whose native language is a language~~
13 ~~other than English and comes from an environment where a language other than~~
14 ~~English is dominant; or~~

15 ~~—— (3) is a Native American or Alaska Native or who is a native resident of the~~
16 ~~outlying areas and comes from an environment where a language other than English~~
17 ~~has had a significant impact on such individual's level of English language~~
18 ~~proficiency; or~~

19 ~~—— (4) is migratory and whose native language is other than English and comes~~
20 ~~from an environment where a language other than English is dominant; and~~

21 ~~—— (5) has sufficient difficulty speaking, reading, writing, or understanding the~~
22 ~~English language and whose difficulties may deny such individual the opportunity to~~
23 ~~learn successfully in classrooms where the language of instruction is English or to~~
24 ~~participate fully in our society.~~

25 ~~—— E. “USOE” means the Utah State Office of Education.~~

26 ~~R277-478-2. Authority and Purpose.~~

27 ~~—— A. This rule is authorized under Utah Constitution, Article X, Section 3, which~~
28 ~~vests general control and supervision of public education in the Board, and Section~~
29 ~~53A-1-401(3) which permits the Board to adopt rules in accordance with its~~
30 ~~responsibilities.~~

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31 ~~—— B. The purpose of this rule is to establish criteria and procedures for~~
32 ~~distributing block grant funds and to provide for appropriate monitoring, reporting,~~
33 ~~and accountability.~~

34 ~~**R277-478-3. Local Discretionary Block Grant Programs.**~~

35 ~~—— A. Districts and charter schools shall use Local Discretionary Block Grant~~
36 ~~funds for:~~

37 ~~—— (1) maintenance and operation costs;~~

38 ~~—— (2) capital outlay; and~~

39 ~~—— (3) debt service.~~

40 ~~—— B. Local Discretionary Block Grant funds shall be distributed using the~~
41 ~~following formula:~~

42 ~~—— (1) Eight percent of the total local discretionary block grant appropriation shall~~
43 ~~be divided into 41 equal shares.~~

44 ~~—— (2) Each district shall receive one share.~~

45 ~~—— (3) One share shall be divided equally among all charter schools except~~
46 ~~charter schools which were once existing district schools.~~

47 ~~—— (4) The remaining portion of the local discretionary block grant appropriation~~
48 ~~(ninety two percent) shall be divided among the districts and charters based upon~~
49 ~~their total WPU's in K-12, and the necessarily existent small schools portion of the~~
50 ~~Minimum School Basic program.~~

51 ~~—— C. Local discretionary program expenditures shall:~~

52 ~~—— (1) meet criteria and accountability standards consistent with the purposes~~
53 ~~of this rule.~~

54 ~~—— (2) be reported to the Board in annual budget and financial reports.~~

55 ~~**R277-478-4. Quality Teaching Block Grant**~~

56 ~~—— A. Districts and charter schools shall use Quality Teaching Block Grant funds~~
57 ~~to implement school and school district comprehensive, long-term professional~~
58 ~~development plans required under Section 53A-3-701.~~

59 ~~—— B. Each local school board shall, as provided by Section 53A-3-701, review~~

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60 and either approve or recommend modifications for each school's comprehensive;
61 long-term professional development plan within the district so that each school's plan
62 is compatible with the district's comprehensive, long-term professional development
63 plan.

64 ~~—— C. Each local school board and charter school governing board shall approve
65 in an open public meeting a plan to spend Quality Teaching Block Grant funds to
66 implement the school district's or charter school's comprehensive, long-term
67 professional development plan. In developing the plan, districts and charter schools
68 should consider involving educators from every core area.~~

69 ~~—— D. By September 1 of each year, the local school board or charter school
70 governing board shall submit a copy of its plan, a letter of assurance to the Board
71 that the plan was approved in an open and public meeting, and a copy of the local
72 board minutes of the meeting in which the plan was approved.~~

73 ~~—— E. If a local school board or charter school governing board fails to submit the
74 documents specified in R277-478-5D to the Board by September 1, the Board shall
75 withhold the distribution of Quality Teaching Block Grant funds until documentation
76 required under this rule is provided.~~

77 ~~—— F. Career Ladder Programs~~

78 ~~—— (1) Districts and charter schools may choose to implement a career ladder
79 program of their own design with money received under the Quality Teaching Block
80 Grant.~~

81 ~~—— (2) If a career ladder program is funded, districts and charter schools shall
82 ensure that their school and district professional development plans are consistent
83 with Section 53A-3-701(2)(iv).~~

84 ~~—— (3) Districts and charters shall also report to the Board how the career ladder
85 funds were spent consistent with Section 53A-9-106.~~

86 ~~—— G. Quality Teaching Block Grant funds shall be distributed using the following
87 formula: thirty percent of the total Quality Teaching Block Grant funds shall be
88 distributed on the basis of the number of full-time equivalent teachers employed by
89 the district or charter school for the immediately previous school year. The remaining
90 seventy percent of the funds shall be distributed on the basis of the number of~~

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91 ~~WPUs in the basic programs of the Minimum School Program for the immediately~~
92 ~~previous school year.~~

93 ~~**KEY: educational expenditures, block grant funding**~~

94 ~~**Date of Enactment or Last Substantive Amendment: August 8, 2011**~~

95 ~~**Notice of Continuation: June 30, 2011**~~

96 ~~**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401(3)]**~~