

R277. Education, Administration.

R277-490. Beverley Taylor Sorenson Elementary Arts Learning Program (BTS Arts).

R277-490-1. Authority, Purpose, and Oversight Category.

(1) This rule is authorized by:

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

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

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

(2) The purpose of this rule is:

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

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

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

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

(3) This Rule R277-490 is categorized as Category 3 as described in Rule R277-111.

R277-490-2. Definitions.

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

(i) holds a current:

(A) Associate, Professional, or LEA-specific educator license as described in Rule R277-301; and

(B)(I) K-12 art form specific endorsement;
(II) elementary arts educator's art form specific endorsement; or
(III) qualifications for a state approved endorsement plan to complete the endorsement requirements; and

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

(b) "Arts educator" or "qualified school arts program educator" does not include a paraprofessional or other individual without a current Associate, Professional, or LEA-specific educator license described in Rule R277-301.

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

(3) "Arts Program coordinator" or "coordinator" means an individual, employed full-time, who is responsible to:

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

(b) inform arts teachers;

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

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

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

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

(4) "Beverly Taylor Sorenson Elementary Arts Learning Program model," "BTS Arts model," or "Program" means a program in grades K-6 including the following components:

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

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

(c) other activities that may be proposed by an LEA on a funding application and approved by the Board.

(5) "Endowed university" has the same meaning as defined in Subsection 53F-2-506(1)(b).

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

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

R277-490-3. Arts Educator Program - LEA Consortium.

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

(2) An LEA or a consortium of LEAs may submit a funding request consistent with timelines provided in this rule.

(3) An LEA or a consortium shall develop the LEA or consortium's proposal consistent with the BTS Arts model outlined under Subsection R277-490-2(3).

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

(5) A consortium funding request shall explain a schedule for each arts educator to serve the group of schools within several of the LEAs similarly to an arts educator in a single school.

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

(7) An LEA's funding application may include the collaborative development of the application with the LEA's partner endowed university and school community councils.

R277-490-4. Arts Educator Program Timelines.

(1) A new LEA or consortium shall submit a completed program funding application to the Superintendent by January 31.

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

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

(3) The Superintendent shall provide funding priority to renewal applications.

(4) The Superintendent shall designate an LEA or a consortium for funding no later than June 1 annually.

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

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

(b) The uniform amount described in Subsection (1)(a) shall be the average statewide arts educator salary plus benefits, which is equal to the quotient of:

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

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

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

(d) After setting aside the amount described in Subsection (1)(c), if the funding available for distribution is less than the amount needed to distribute the full uniform amount described in Subsection (1)(b) for each participating arts educator, the Superintendent shall reduce the uniform amount based on the available funds for distribution for the upcoming school year.

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

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

- (a) the uniform amount described in this Subsection (1); or
- (b) the actual salary plus benefits for the applicable arts educator.

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

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

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

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

(1) The Superintendent shall distribute funds for arts educator supplies and equipment to an LEA or consortium as available.

(2) A funding recipient shall distribute funds to participating schools as provided in the approved LEA or consortium funding and consistent with LEA procurement policies.

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

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

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

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

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

(2) An applicant shall explain:

(a) how an arts coordinator will be used, consistent with the BTS Arts model;

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

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

(3) The Superintendent shall notify an LEA that receives a funding award no later than June 1 annually.

R277-490-8. Endowed University Participation in the BTS Arts.

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

(2) An endowed university may apply for funds to fulfill the purposes of this program, which include:

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

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

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

(d) other program related activities as may be included in a funding application and approved by the Superintendent.

(3) An endowed university funding application shall include documentation of collaborative development of a plan for delivery of high quality professional development to participating LEAs.

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

(5) The Superintendent may award no more than 10% of the total legislative appropriation for funds to endowed universities.

(6) Notwithstanding Rule R277-424, a higher education funding recipient may not charge indirect costs to the BTS Arts.

(7) The Superintendent shall monitor the activities of the funding recipients to ensure compliance with funding rules, fulfillment of funding application commitments, and appropriate fiscal procedures.

(8) An endowed university shall cooperate with the Superintendent in the monitoring of the endowed university's funding.

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

R277-490-9. LEAs Cooperation with the Superintendent for BTS Arts.

(1) A BTS Arts staff member may visit a school receiving funding to observe implementation of the funding.

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

(3) An LEA shall accurately report the number of students impacted by the program funding and report on the delivery systems to those students as requested by the Superintendent.

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

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

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

KEY: arts programs, endowed universities, funding, public schools

Date of Last Change: July 9, 2024

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Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53F-2-506