

R277-490 received final approval by the Utah State Board of Education on February 4, 2021. R277-490 will be published in the March 1, 2021 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of April 7, 2021.

R277. Education, Administration.

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

R277-490-1. Authority and Purpose.

(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 grant 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 BTSALP model in public schools through LEAs and consortia that submit grant 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.

R277-490-2. Definitions.

(1) "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.

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

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- (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.

(3) "Beverley Taylor Sorenson Elementary Arts Learning Program model," "BTSALP 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 grant application and approved by the Board.

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

(5) "Highly qualified school arts program educator" or "arts educator" means an educator who 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 specialist art form specific endorsement; or
- (iii) qualifications for a state approved endorsement plan to complete the endorsement requirements.

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

R277-490-3. Arts Educator Grant 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 grant request consistent with time lines provided in this rule.

(3) An LEA or a consortium shall develop its proposal consistent with the BTSALP model outlined under Subsection R277-490-2(3).

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

(6) A consortium grant 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 grant application shall include the collaborative development of the application with the LEA's partner endowed university and school community councils if matching funds come from School LAND Trust Funds.

R277-490-4. Arts Educator Grant Program Timelines.

(1) An LEA or a consortium shall complete a program grant application annually.

(2) The Board shall grant funding priority to renewal applications.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) A grant recipient shall require arts educators to provide adequate documentation of arts supplies purchased consistent with the grant 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 BTSALP.

(2) An applicant shall explain:

(a) how an arts coordinator will be used, consistent with the BTSALP 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 grant award no later than June 1 annually.

R277-490-8. Endowed University Participation in the BTSALP.

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

(2) An endowed university may apply for grant 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

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

(3) An endowed university grant 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 Board may award no more than 10% of the total legislative appropriation for grants to endowed universities.

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

~~(6)7~~ The Superintendent shall monitor the activities of the grantees to ensure compliance with grant rules, fulfillment of grant application commitments, and appropriate fiscal procedures.

~~(7)8~~ An endowed university shall cooperate with the Superintendent in the monitoring of its grant.

~~(8)9~~ An endowed university that receives grant 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 BTSALP.

(1) A BTSALP staff member may visit a school receiving a grant to observe implementation of the grant.

(2) A BTSALP 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 grant and report on the delivery systems to those students as requested by the Superintendent.

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(4)(a) An LEA found to be out of compliance with the terms of the grant 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 grant funds for the school or schools found to be non-compliant.

KEY: arts program, grants, public schools, endowed universities

Date of Enactment or Last Substantive Amendment: July 9, 2020

Notice of Continuation: 2018

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