

R277-459 received final approval by the Utah State Board of Education on February 6, 2020. R277-459 is published in the March 1, 2020 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of April 7, 2020.

R277. Education, Administration.

R277-459. Teacher Supplies and Materials Appropriation.

R277-459-[1]2. Definitions.

~~[A. "Board" means the Utah State Board of Education.~~

~~— B.](1) "Classroom teacher" [definition criteria:]means a teacher who:~~

~~[(1) Eligible teachers shall be](a) is assigned by an LEA in a permanent teacher position filled by one teacher or two or more job-sharing teachers employed by an LEA;[a school district, the Utah Schools for the Deaf and the Blind, or charter schools.~~

~~— (2) Eligible teachers are]~~

~~(b) is licensed [personnel], and paid on an LEA's[a school district's] salary schedule [or a charter school's salary schedule.];~~

~~[(3) Teachers shall be](c) is employed for an entire contract period[:]; and~~

~~[(4) The teacher's](d) is [primary responsibility shall be] primarily responsible to provide instruction[~~at~~] or a combination of instructional and counseling services to students in public schools.~~

~~[C.](2)(a) "Comprehensive Administration of Credentials for Teachers in Utah Schools file or "[]CACTUS file]" means the electronic file maintained by the Superintendent on all licensed Utah educators.~~

~~(b) A CACTUS file [The file-]includes[-such as]:~~

~~[(1)](i) personal directory information;~~

~~[(2)](ii) educational background;~~

~~[(3)](iii) endorsements;~~

~~[(4)](iv) employment history;~~

~~[(5)](v) professional development information; and~~

~~[(6)](vi) a record of disciplinary action taken against the educator.~~

~~(c) All information contained in an individual's CACTUS file is available to the individual, but is classified private or protected under Section [63G-2-302](#) or 305 and is accessible only to specific designated individuals.~~

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[D:](3) "Field trip" means a district, or school authorized excursion for educational purposes.

[E:](4) "LEA" [~~means a local education agency, including local school boards/public school districts, charter schools, and,~~]for purposes of this rule, includes the Utah Schools for the Deaf and the Blind.

[F:](5) "Teaching supplies and materials" means both consumable and nonconsumable items that are used for educational purposes by teachers in classroom activities~~[and may include such items]~~ as approved by the LEA:

- ~~— (1) paper, pencils, workbooks, notebooks, supplementary books and resources;~~
- ~~— (2) laboratory supplies, e.g. photography materials, chemicals, paints, bulbs (both light and flower), thread, needles, bobbins, wood, glue, sandpaper, nails and automobile parts;~~
- ~~— (3) laminating supplies, chart paper, art supplies, and mounting or framing materials;~~
- ~~— (4) The definition of teaching supplies and materials should be broadly construed in so far as the materials are used by the teacher for instructional purposes or to protect the health of teachers in instructional or lab settings, or in conjunction with field trips.~~
- ~~— G. "USOE" means the Utah State Office of Education.]~~

R277-459-[2](1). Authority and Purpose.

[A:](1) This rule is authorized [~~under~~]by:

(a) [Utah Constitution Article X, Section 3](#), which gives general control and supervision of the public school system to the Board[;]; [~~by-~~]

(b) Subsection [53E-3-501\(1\)\(b\)](#), which directs the Board to establish rules and minimum standards for school programs[;]; and by [~~state legislation-~~]

(c) intent language included in 2017 H.B. 2, Public Education Budget Amendments, which [~~provides a designated~~]required the Board to establish a rule governing allowable expenditures of teacher classroom supplies and materials money appropriation[~~for teacher~~

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~~material and supplies].~~

~~[B.](2) The purpose of this rule is to establish guidelines regarding the [distribute money through LEAs to classroom teachers for school]materials, supplies[;] and money.[field trips, and purposes or equipment that protect the health of teachers in instructional or lab settings or in conjunction with field trips.]~~

R277-459-3. Distribution of Funds.

~~[A.](1) The [Board may]Superintendent shall distribute funds to LEAs based on data submitted to the CACTUS database.~~

~~[B. LEAs shall distribute funds for classroom supplies consistent with the amounts for salary schedule steps and teaching assignments as appropriated.~~

~~———C.](2) Individual teachers shall designate the uses for their allocations consistent with the criteria of this rule. LEAs and other eligible schools may develop policies, procedures and timelines to facilitate the intent of the appropriation.~~

~~[D.](3)(a) [Each]An LEA shall ensure that each [eligible individual]returning classroom teacher[has the opportunity to] receives the teacher's proportionate share of the appropriation by August 15 annually.~~

~~(b) An LEA shall ensure that each newly hired classroom teacher receives the teacher's proportionate share of the appropriation by the later of:~~

~~(i) August 15 annually; or~~

~~(ii) within two weeks of hire.~~

~~[——— If the appropriation is not sufficient to provide each teacher the full amount allowed by law, teachers on salary steps one through three shall receive the full amount allowed with the remaining money apportioned to all other teachers.]~~

~~[E.](4) If a teacher has not spent or committed to spend the individual allocation by April 1, the school or LEA may make the excess funds available to other teachers or may reserve the money for use by eligible teachers the following year.~~

~~[F.](5) These funds shall supplement, not supplant, existing funds for identified~~

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purposes.

~~[G.](6)~~ These funds shall be accounted for by the LEA or eligible school using state and school district procurement and accounting policies.

~~[H.](7)(a)~~ The funds and supplies purchased with the funds are the property of the LEA.

~~[(4)](b)~~ Employees do not personally own materials purchased with designated public funds.

~~[(2)](c)~~ An LEA may by policy allow individual teachers to use supply funds to protect teacher health with consumable materials that may not be able to be reused by the school.

(8) An LEA may distribute funds to eligible teachers through a Board-approved competitively-bid software solution procured using Board funds.

R277-459-4. Other Provisions.

~~[A.](1) [LEAs shall allow, but not require, teachers to jointly use their allocations.]~~A classroom teacher may combine the classroom teacher's allocation with another classroom teacher to buy supplies or materials.

~~[B.](2) An LEA[s]~~ may carry over these funds, if necessary.

KEY: teachers, supplies

Date of Enactment or Last Substantive Amendment: June 8, 2015

Notice of Continuation: May 1, 2015

Authorizing, and Implemented, or Interpreted Law: [Art X Sec 3](#); [53E-3-501\(1\)\(b\)](#)