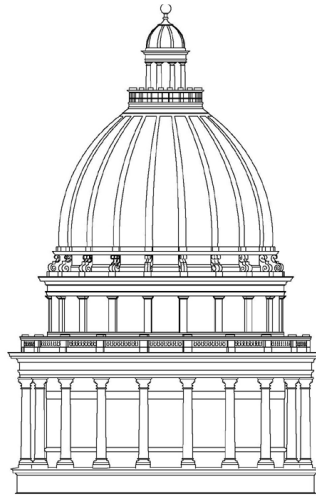


REPORT TO THE  
**UTAH LEGISLATURE**

Number 2017-12



**A Performance Audit of the History of  
Selected Public Education Programs**

November 14, 2017

Office of the  
LEGISLATIVE AUDITOR GENERAL  
State of Utah





STATE OF UTAH

# Office of the Legislative Auditor General

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JOHN M. SCHAFF, CIA  
AUDITOR GENERAL

November 14, 2017

TO: THE UTAH STATE LEGISLATURE

Transmitted herewith is our report, **A Performance Audit of the History of Selected Public Education Programs** (Report #2017-12). A digest is found on the blue pages located at the front of the report. The objectives and scope of the audit are explained in the Introduction.

We will be happy to meet with appropriate legislative committees, individual legislators, and other state officials to discuss any item contained in the report in order to facilitate the implementation of the recommendations.

Sincerely,

A handwritten signature in black ink that reads "John M. Schaff". The signature is stylized and includes a flourish at the end.

John M. Schaff, CIA  
Auditor General

JMS/lm



# Digest of A Performance Audit of the History of Selected Public Education Programs

The Utah State Board of Education (USBE) is a constitutionally established, elected, non-partisan body that exercises general control and supervision over Utah's public education system. The state board appoints the state superintendent of public instruction to administer all programs assigned to USBE.

Chapter II summarizes how USBE's strategic plan can be enhanced based on the findings of the performance history review. Chapters III – VII, contain our review and evidence to support our conclusions, as well as the performance history for the five education programs and the school grading accountability system.

## Chapter II State-Level Oversight and Accountability Can Enhance USBE's Strategic Plan

We conducted a performance history review of five education programs and the school grading accountability system. Based on this review, we believe that USBE's strategic plan does not address guiding administrative oversight and accountability principles at the state-level to efficiently and cost-effectively implement and operate education programs. The plan focuses on oversight strategies and accountability for accomplishing goals at the local education agency (LEA) level. We believe guiding oversight and accountability principles at the state level, in addition to the LEA level, can enhance USBE's strategic plan and help improve the policy-making process.

**Administrative Oversight Principles Can Enhance USBE's Strategic Plan.** After conducting our own performance history audit of a selection of programs, we believe that USBE's current strategic plan can be enhanced by including administrative oversight principles to cost-effectively implement and operate education programs. USBE should consider incorporating the following principles in its strategic plan: definition of roles and decision-making authority, program compliance with statutory requirements, thoughtful planning, communication, stakeholder collaboration, and independent leadership.

**State-Level Accountability Is Necessary for Program Success.** The addition of state-level accountability principles can also enhance USBE's strategic plan framework. The current plan includes a strong accountability section for LEAs. However, the inclusion of accountability principles at the state level will help ensure the state board and superintendent are responsible for the outcomes of education programs. In addition,

regular reporting on program performance to the Legislature can improve efficiency and avoid undesired outcomes.

**USBE Has Improved Internal Functions to Improve Continuity.** USBE has recently taken steps to improve agency operations and program implementation. Operational structure changes and the addition of financial tools have reduced procedural steps and improved program monitoring and department communications. Nonetheless, the agency also experiences high turnover that disrupts continuity.

### **Chapter III**

## **K-3 Reading Improvement Program's Objectives Overlap with Other Programs**

**Program Overlap Makes It Difficult to Assess Outcomes.** The K-3 Reading Improvement Program consists of funding intended to supplement other school resources used to achieve the state's goal of having third graders read at or above grade level. Overlap exists among public education programs and projects with similar goals and objectives. USBE needs to apply the existing strategy of promoting evidence-based and cost-effective practices and interventions to help ensure that available resources are used efficiently and that program operations align with the strategic plan.

**Improved State-Level Oversight Can Ensure Program Outcomes Align with Strategic Plan.** Schools are not required to spend K-3 Reading Improvement Program funding on evidence-based practices, which may lead to a lack of statewide improvements in efficiency and effectiveness. USBE needs to evaluate early literacy interventions provided through existing programs to determine the most effective practices.

### **Chapter IV**

## **Two Foreign Language Programs Lacked Adequate Oversight and Accountability**

**Funding for Two Programs Was Used for One Program.** The Legislature has provided funding for the Critical Languages Pilot Program, and the Dual Language Immersion Pilot Program since their creation in 2007 and 2008. However, during the 2009 General Session, the Legislature changed how the programs received money through the Minimum School Program (MSP). Following this change, and absent appropriate oversight at the USBE, funding intended for both programs was used to expand Dual Immersion while allowing Critical Languages to exist only in statute after it depleted initial distributions in 2014.

**Improved Oversight Can Strengthen Procedures for Modifying Programs.** The Critical Languages and the Dual Language Immersion programs have been modified outside statutory requirements. Better oversight of the programs and the former program manager's decisions could have helped guide the administration and procedures for modifying these programs. Considering this case, USBE's strategic plan should include state-level administrative oversight strategies that promote defined roles, responsibilities, and decision-making authority. Additionally, USBE's strategies should require compliance with statutory requirements and adherence to appropriate protocols for requesting amendments.

**Accountability Measures for Foreign Language Programs Need to Be Strengthened.** Accountability measures for Critical Languages never existed and existing accountability measures for Dual Immersion are limited. Program accountability is lacking because current outcome measures are not available and meaningful analysis of program results has not occurred or been reported. Decision-making for these programs has been negatively affected by a lack of internal measures. These programs illustrate the need for state-level accountability principles in USBE's strategic plan.

## **Chapter V**

### **Student Leadership Skills Grant Program Lacked Accountability**

**Intermediate Results Should Have Been Reported to the Legislature.** The Legislature created the Student Leadership Skills Grant Program in the 2013 Legislative General Session. Changes to the program were made in each subsequent year it was funded. Changes included postponing an evaluation of the program and making the pilot program an ongoing program. However, program data showed that schools did not have a strong interest in the program. USBE should have been more accountable to the Legislature and reported intermediate results. Based on that information, the Legislature may have made different program policy decisions.

**Survey Results of Participating Schools Differ from Actual Participation.** According to a survey given to participating schools, teachers, principals, and other staff indicated positive results. Faculty and staff agreed that the student leadership program helped students improve in the seven program goal areas. However, a discrepancy exists between the survey results and school participation data. Decreasing participation by the schools in the program contradicts the survey's overall positive perceptions. In the absence of outcome metrics, we believe that the most reliable indicator of the Student Leadership Skills Program's value is the fact that such a high percentage of the schools abandoned the program after one or two years' experience. The program could have been better monitored for effectiveness and impact by formally developing and tracking metrics.

## **Chapter VI Board’s Expedited Timeline for Digital Teaching and Learning Presented Challenges**

**Adopted Board Rule Required Unplanned Acceleration that Complicated the Process.** Utah’s education technology master plan approved by USBE and presented to two legislative committees included a timeline to implement the technology grant program. The master plan timeline was to award grants to LEAs in fall 2017. However, the board voted in April 2016, approving R277-922, which expedited the process to award the grants by December 2016. (However, the LEAs award letters were not processed until February 2017.) The purpose of shortening the timeline was to get funding to LEAs earlier to begin technology enhancements. However, it appears that the new schedule may not have given LEAs adequate time to thoroughly prepare to qualify for the grant program.

**Oversight Principles Could Have Helped Guide Implementation Decisions.** We question whether the decision to shorten the timeline by about eight months reduced the success of the grant program rollout. We believe that, if the USBE’s strategic plan had oversight principles to better guide USBE in implementing education programs such as the Digital Teaching and Learning Grant Program, then educational programs and LEAs would have the foundational support and flexibility to help them be more effective.

## **Chapter VII Lack of Timely Oversight Delayed Unified Accountability System**

**Education Stakeholders Eventually Created a Comprehensive System.** USBE reported individual school performance to separate state and federal accountability systems. Three accountability systems existed between 2011 and 2016, with one for reporting to the federal government and the others for state-level reporting. This resulted in duplication of effort by requiring USBE to provide reports to systems that consisted of different criteria. The lack of timely oversight delayed a unified accountability system. With three reporting systems not fully aligning, as well as annual modifications, education stakeholders recognized the need for a unified accountability system. USBE used collaboration, planning, and communication to work with other stakeholders to develop a unified system in 2017.



# REPORT TO THE UTAH LEGISLATURE

Report No. 2017-12

## **A Performance Audit of the History of Selected Public Education Programs**

November 14, 2017

Audit Performed By:

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# Chapter I

## Introduction

The Utah State Board of Education (USBE) is a constitutionally established, elected, non-partisan body that exercises general control and supervision over Utah's public education system. The state board appoints the state superintendent of public instruction to administer all programs assigned to USBE. Our office was asked to complete a performance history for some of the educational programs and associated policies in recent years.

### USBE Administers the Public Education System

The Utah Constitution gives USBE authority to govern the state's public education system and *Utah Code* provides the roles and responsibilities for USBE. With federal law changes in 2015, the states have been granted more flexibility in administering education programs. More responsibility has been placed on USBE to be proactive in overseeing public education programs to ensure that they operate cost effectively and provide program-level and policy-level outcomes.

### USBE Directs the Public Education System and Administers Public Education Programs

Article X, Section 3 of the *Utah Constitution* places responsibility for the direction of Utah's public education system on USBE. *Utah Code* further details this responsibility to include administration of public education programs, specifically, to produce rules and administer the various statutorily defined programs.

*Utah Code* 53A provides USBE's roles and responsibilities in governing the public education system. Duties in this section of statute establish regulations and procedures for the board, as well as accountability requirements. Additionally, statutes for individual education programs often include accountability requirements for USBE, such as reporting to the Legislature on the performance of those programs.

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**The Utah Constitution gives USBE authority to govern the state's public education system.**

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**Utah Code 53A provides USBE's roles and responsibilities in governing the public education system.**

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## Statute Mandated USBE to Produce a Strategic Plan and Performance History

Legislation enacted in the 2015 General Session required USBE to produce both a 10-year strategic plan and a performance history report of education programs. In response to the legislation, USBE created a strategic plan for public education. The current strategic plan has imperatives for the LEA level but lacks some elements to efficiently implement and monitor education programs at the state level.

USBE also contracted with the University of Utah's Education Policy Center to produce a report to meet the performance history statutory requirement. The subsequent report provided a historical summary of education bills passed over the last 18 years but was not a review of the programs' performance. However, we recognize that barriers exist to developing a performance history of education programs, including a lack of continuity and incomplete data availability at USBE.

### USBE Created a Strategic Plan Framework

The passage of House Bill (H.B.) 360 in the 2015 General Session amended *Utah Code 53A-1-102*. The legislation charged USBE with preparing a formal 10-year strategic plan for Utah's public education system. Section (1)(a)(ii) of the statute charges USBE to:

- (1) (a)(ii) prepare a formal 10-year plan for the state's public education system...
- (b) submit the report and plan described in Subsection (1)(a) to the Education Interim Committee for review and recommendations.

In response to H.B. 360, USBE created a strategic plan that focused on successful school and student outcomes. The plan was presented to the Education Interim Committee in November 2016. The strategic plan is a 5-year plan, titled "Excellence for Each Student: Education Elevated." However, the current plan fell short of the 10-year plan called for in statute.

The strategic plan includes three major requirements or imperatives: (1) educational equity, (2) quality learning, and (3)

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Legislation enacted in the 2015 General Session required USBE to produce both a 10-year strategic plan and a performance history of education programs.

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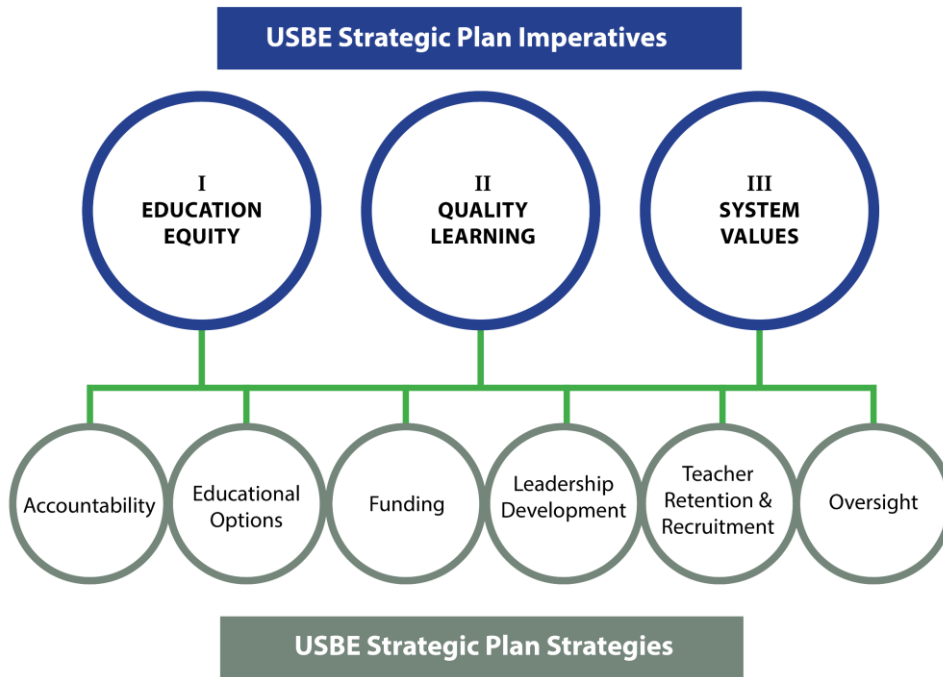
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USBE created a strategic plan that focused on successful school and student outcomes.

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system values. Each imperative is followed by strategies to address the focus of each imperative. Figure 1.1 shows an overview of USBE’s strategic plan’s imperatives and strategies. The full strategic plan is in Appendix A.

**Figure 1.1 Overview of USBE’s Strategic Plan.** The plan, adopted in February 2016, consists of three imperatives and six strategies to meet those imperatives.



**USBE’s strategic plan contains oversight and accountability principles for local education entities (LEAs).**

The imperatives focus on school and student outcomes by creating measurements to encourage improved performance and LEA accountability. USBE’s strategic plan has oversight principles for the administration of LEAs by encouraging transparency, realigning state-level resources to support oversight and fiduciary responsibilities, improving training on federal grants, and providing for a robust internal audit function. USBE’s strategic plan also has an accountability strategy with principles for a transparent assessment system, a standards-based approach in all measuring systems, and a robust data-driven school accountability system.

## **History of Education Bills Has Been Compiled, but Not a Performance History**

In addition to the strategic plan, H.B. 360 required USBE to conduct a performance history of the state's public education system for the previous 15 years. The second section of the bill reads:

- (2) Before November 30, 2016, the State Board of Education shall:
  - (a)(i) prepare a report that summarizes, for the last 15 years or more, the policies and programs established by, and the performance history of, the state's public education system...

USBE contracted with the University of Utah's Education Policy Center to meet this requirement. The report was presented to the Education Interim Committee in November 2016. The report identified education bills passed from 1997 to 2015 and categorized them according to subject matter. The report details the various programs passed by the Legislature and included observations for each category. While the report provided a detailed history of education programs passed during this time, it did not include a performance history (impact of programs and policies) of these same programs.

## **Recent Federal Education Law Changes Provide the State More Flexibility**

Furthermore, recent changes to federal education law provides the state more flexibility and responsibility to oversee education policies and programs. In 2015, the passage of the Every Student Succeeds Act (ESSA) replaced the No Child Left Behind (NCLB) law. Under NCLB, states reported compliance with federal education standards and the use of federal funds.

ESSA provides for more flexibility to state education agencies to create their own standards. The new law places the responsibility of public education accountability on the state. State education agencies are now asked to create a vision for educational outcomes and report on their standards. USBE must be proactive by providing oversight and accountability to stakeholders to administer programs cost effectively and providing meaningful outcomes for education programs.

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**The University of Utah's Education Policy Center produced a categorized summary of education bills from 1997-2015. However, it did not show the impact of education programs.**

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**Recently enacted federal education law gives the state more flexibility to oversee education programs.**

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## Program Selection Process Was Necessary to Manage Audit Size

To make the performance history audit manageable, we needed to select certain education programs to conduct a performance history. We compiled a list of 70 major public education programs administered by USBE during the last 10 years, using information gathered from the following sources:

- *Utah Education Policy History* (1997-2015) report
- Enrolled public education bills
- Performance notes on education programs
- USBE’s superintendent and section directors
- Office of the Legislative Fiscal Analyst

After compiling a list of programs, we considered input from USBE’s directors and the fiscal analyst for public education. Preliminary risk analysis narrowed the sample size to 16 education programs. We reviewed background information and histories for these programs—including bills, statute, and board rules—and interviewed USBE program managers and other staff to learn about each program.

During the survey of these 16 programs, we identified several issues related to administrative oversight and accountability. Following the survey, we assessed the risk of each program and selected five education programs (K-3 Reading Improvement, Critical Languages, Dual Immersion, Student Leadership Skills, and Digital Teaching and Learning) and one accountability system (School Grading) to review in depth for this performance history audit.

We also became aware that USBE experiences continuity challenges. USBE has experienced significant turnover in recent years. The turnover disrupts continuity and institutional knowledge of education programs as well as accessibility to historical financial data. For one program, Critical Languages, we could not obtain funding information prior to fiscal year 2012. USBE changed its financial operating system as of July 2017 to improve the accounting system. USBE has been taking steps to improve continuity; those actions are presented in Chapter II.

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**With gathered information and input from USBE directors, we narrowed our focus to 16 programs.**

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**From the survey of the 16 programs, we identified five programs and one accountability system to conduct a performance history.**

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## **Audit Scope and Objectives**

Because the *Utah Education Policy History* (1997-2015) did not include a performance history of education programs, we were asked to conduct a performance history of some education programs and their associated policies that have operated during the past 10 years. The audit objective was to determine if USBE's strategic plan can be enhanced based on the review of the programs' history.

To present the audit findings in a clear manner, we first present our recommendations for enhancing USBE's strategic plan based on our findings from the programs' and systems' reviews. Then we present each individual program and the accountability system. Each chapter of this report also has a corresponding appendix that provides additional background information about each program and the accountability system reviewed.

## Chapter II

# State-Level Oversight and Accountability Can Enhance USBE's Strategic Plan

The Utah State Board of Education (USBE) was mandated to develop a strategic plan. The plan has included goals and strategies that set a forward-looking outline for the state's public education system. The plan focuses on oversight strategies and accountability for accomplishing goals at the local education agency (LEA) level.

We conducted a performance history of five education programs and the school grading accountability system. From our review, we believe the strategic plan does not address guiding administrative oversight and accountability principles at the state-level to efficiently and cost-effectively implement and operate education programs. We believe guiding oversight and accountability principles at the state level, in addition to the LEA level, can enhance USBE's strategic plan and help improve the policy-making process.

This chapter summarizes how USBE's strategic plan can be enhanced based on the findings of the performance history review. Chapters III - VII contain our review and evidence to support our conclusions, as well as the performance history for the five education programs and the school grading accountability system. Figure 2.1 outlines the remaining chapters of this report.

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**This chapter summarizes how USBE's strategic plan can be enhanced based on our findings in Chapters III - VII.**

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**We conducted a performance history of five education programs and an accountability system, which gives evidence to our claim that the USBE strategic plan can be enhanced.**

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**Figure 2.1 Performance History Review.** The performance history of the five programs and the school grading accountability system shows a lack of administrative oversight and accountability.

Chapter	Program/System	Areas to Improve
III	K-3 Reading Improvement	Oversight and Accountability
IV	Critical Languages; Dual Language Immersion	Oversight and Accountability
V	Student Leadership Skills	Accountability
VI	Digital Teaching and Learning	Oversight
VII	School Grading	Oversight (was delayed)

We observed several examples where oversight and/or accountability were lacking in programs administered by USBE. These examples demonstrate inconsistent implementation or a lack of adequate oversight.

Even so, USBE has taken positive steps to improve education program performance. Recent actions taken by the agency will improve monitoring and oversight of education programs in the long-term. However, USBE experiences challenges as an organization that could hinder the administration of education programs.

### **Administrative Oversight Principles Can Enhance USBE’s Strategic Plan**

After conducting our own performance history audit of a selection of programs, we believe that USBE’s current strategic plan can be enhanced by including administrative oversight principles to effectively implement and operate education programs. We recognize that many education programs are created through the state legislative political process, and USBE must work within a political environment to implement programs and meet statutory requirements. We acknowledge USBE’s challenges (discussed in the last section of this chapter) in implementing programs. However, without adequate oversight at the State Board of Education level, educational program execution may lack adequate direction and efficient and effective implementation.

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**We believe that USBE’s current strategic plan can be enhanced by including administrative oversight principles to effectively implement and operate education programs.**

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Other states' educational agencies include state-level oversight principles to assist with efficient implementation of education programs. In addition, professional organizations and research groups believe that oversight is essential at the state level for successful public education system outcomes.

### **State-Level Oversight Can Enhance Strategic Plan**

USBE can improve its strategic plan by adding guiding principles of oversight designed to maximize the sustainable success of public education programs. Effective oversight ensures cost-effective implementation and adequate evaluations through a framework of rules, systems, and processes that align program goals and outcomes with the board's strategic plan and defined objectives. Administrative oversight also creates value through efficient program implementation.

Based on our review of education programs in the following chapters, we believe that USBE should consider incorporating the following principles in its strategic plan:

- Define roles, responsibilities, and decision-making authority
- Ensure that programs comply with statutory requirements and follow appropriate protocols to request amendments
- Implement thoughtful planning and preparation to address changing circumstances and processes to maximize success
- Hold regular and timely communication that fosters stakeholder collaboration and engagement
- Provide independent leadership that can operate without undue influence from stakeholders

**Some Education Programs Lack Adequate Oversight.** The K-3 Reading Improvement Program (discussed in Chapter III) could operate more cost-effectively with oversight principles of thoughtful planning and preparation. This principle would help reduce the overlap that exists among the literacy skills programs.

The Critical Languages Program and the Dual Language Immersion Program (discussed in Chapter IV) both needed better oversight to operate cost-effectively. Our review showed that both programs (1) needed better defined roles, responsibilities, and decision-making authority, and (2) should have complied with

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**Effective oversight ensures that program goals and outcomes align with the board's strategic plan.**

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**Oversight can improve in some education programs at USBE.**

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statutory requirements and followed protocols to request amendments.

Administrative oversight principles, including (1) thoughtful planning and preparation to address changing circumstances and processes, and (2) independent leadership that can operate without undue influence from stakeholders could have helped USBE guide the Digital Teaching and Learning Grant Program's (discussed in Chapter VI) implementation process to maximize success.

Finally, timely collaboration and communication with education stakeholders could have assisted USBE during policy deliberations and implementation of a school accountability system (discussed in Chapter VII). Ultimately, USBE applied the principle of communication to foster stakeholder collaboration and engagement to create a unified accountability system.

**Better Oversight of the Pilot Status of Education Programs Is Needed.** In a related area of oversight, we observed inconsistent pilot education program status. For example, the Dual Immersion pilot program has been in pilot status since 2008, while the Student Leadership Grant Program began as a pilot program and was made an ongoing program after two years. However, after only one year as an ongoing program, it was no longer funded.

The history of education bills summarized by the University of Utah's Education Policy Center identified 19 pilot programs created since 1997. Of those 19 programs, 8 are no longer operating, 5 have been established as full programs, and 6 still exist as pilots. One program has been operating as a pilot since 2007, and two have done so since 2008.

Pilot programs generally have specific, limited durations to determine whether they are viable and should be continued and expanded. As part of USBE's oversight of education programs, USBE should develop a formalized system to review education pilot programs and collaborate with the Legislature to determine whether programs should keep their pilot status or become ongoing programs.

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**USBE should develop a formalized system to review education pilot programs.**

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## State-Level Oversight Principles Are Elements in Other States' Plans

Other state educational agencies include state-level administrative oversight principles in their strategic planning. Examples found in other states include stakeholder collaboration, independent leadership, and defined roles and responsibilities. Figure 2.2 displays examples of state-level oversight in four other states' strategic plans.

**Figure 2.2 Examples of State-Level Oversight Principles.** Examples of administrative oversight principles from the state educational agencies of Idaho, Colorado, Georgia, and Ohio.



In addition, the National Association of State Boards of Education (NASBE) asserts that a state board of education is responsible for administrative oversight by setting the vision and direction of education within the state. Some of the principles advocated for by NASBE include: Ongoing communication and collaboration with stakeholders, aligning strategies and goals with a board agenda, and tying the board's legislative priorities to the strategic plan.

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**Other state educational agencies include state-level administrative oversight principles in their strategic planning.**

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**The National Association of State Boards of Education (NASBE) asserts a board must set the vision and direction of public education.**

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## State-Level Accountability Principles Can Enhance USBE's Strategic Plan

The addition of state-level accountability principles can also enhance USBE's strategic plan framework. The current plan includes a strong accountability section for LEAs. However, the inclusion of accountability principles for USBE can help to hold the state board and superintendent responsible for the outcomes of education programs. Providing adequate accountability for programs is necessary for consistent implementation. In addition, regular reporting on program performance to the Legislature can improve efficiency and avoid undesired outcomes.

### State-Level Accountability Is Necessary for Program Success

USBE's strategic plan includes elements to hold LEAs accountable at the local level to students, parents, and educators. However, the plan needs program-level and policy-level outcome measures for state-level accountability to enhance decision-making. Programs must be monitored and evaluated within USBE to be successful. Performance results should also guide program and policy decision making.

**Examples Show Education Program Accountability Can Improve.** We found four programs for which accountability to the state could be strengthened to promote program success, guide decision making, and improve oversight.

- **K-3 Reading Improvement.** Outcomes are not available because of overlapping strategies with other literacy programs. (Chapter III)
- **Critical Languages and Dual Immersion.** The programs lack policy-level outcome measures. (Chapter IV)
- **Student Leadership Skills.** The program operated for three years without reporting outcome measures to the board or Legislature. After the program was no longer funded, an evaluation was completed, but it lacked outcome measures. (Chapter V)

During our initial risk assessment of public education programs, we found additional instances of a lack of accountability. For example,

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The addition of state-level accountability principles can also enhance USBE's strategic plan.

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USBE's needs program- and policy-level outcome measures for state-level accountability to enhance decision making.

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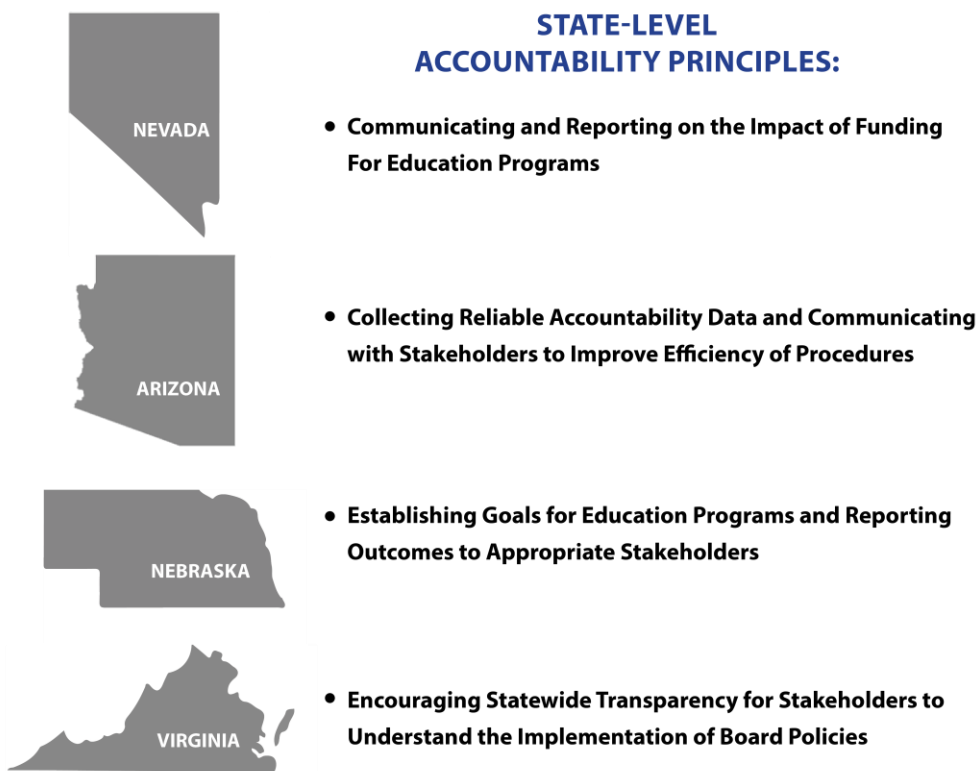


the Legislature created the Basic Skills Education program in 2006 with a \$7.5 million appropriation. The program operated with limited participation until 2008, when the Legislature repurposed the remaining funding during the economic downturn. USBE did not evaluate this program and has no records of how distributed funds were spent.

### State-Level Accountability Principles Are Elements in Other States' Plans

Other states include accountability principles at the state educational agency level. Figure 2.3 displays some examples of these principles.

**Figure 2.3 Examples of State-Level Accountability Principles.** Examples of accountability principles found in plans from the state educational agencies of Nevada, Arizona, Nebraska, and Virginia.



These accountability principles from other states are examples of principles that USBE should consider incorporating into its strategic plan. We believe accountability will also complement state-level oversight principles in the strategic plan by supporting program

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**Other states include accountability principles at the state educational agency level.**

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**State-level accountability will complement oversight principles in the strategic plan.**

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planning and goal setting and encouraging cost-effective implementation of programs.

## **USBE Has Improved Internal Functions To Improve Continuity**

USBE has recently taken steps to improve agency operations and program implementation. Operational structure changes and the addition of financial tools have reduced procedural steps and improved program monitoring and department communications. Nonetheless, the agency experiences unique challenges that can affect successful implementation of programs in the short- and long-term.

### **USBE Has Taken Positive Steps for Program Success**

In Chapter I, we mention that USBE has been dealing with continuity challenges. USBE has recently taken actions to improve operations and continuity. For example, the agency recently underwent a major change to its organizational structure. In the past, individual departments at USBE each had finance staff. Individual department staff with similar functions were consolidated to improve communications and reporting. USBE combined all finance staff from the various departments into one finance department to improve communication and performance.

In addition, operational systems have recently been put into effect, or are in initial phases for the near future, to reduce procedural steps and improve the administration of programs and funding. For example, the FINET system became USBE's ledger system for fiscal year 2018. FINET is designed to condense multiple accounting systems and procedures into one system. Further, a grants management system will soon be operational, which will further increase the transparent monitoring of programs.

### **USBE Experiences Challenges That Affect Program Administration**

We believe the steps above can improve the performance and reporting of programs by USBE. However, the agency also experiences challenges that affect continuity. One of the biggest disruptions to continuity at USBE is turnover. USBE has experienced

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**Recent organizational and operational steps taken by USBE are intended to improve program success, but does face challenges.**

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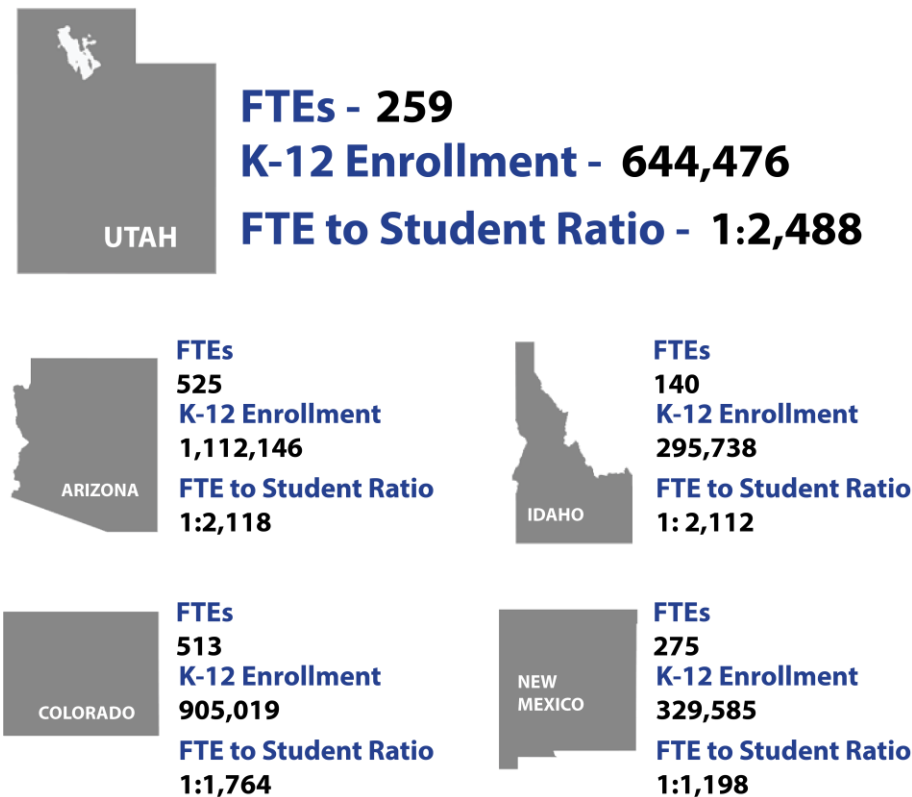
**The FINET system became USBE's ledger system beginning fiscal year 2018.**

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significant turnover in recent years, averaging 19 percent. From July 2013 to July 2017, the agency had an average yearly turnover of 58 of about 304 individuals (full- and part-time) that staff the organization. By contrast, the turnover rate for the state for fiscal year 2017 was 8.3 percent.

In addition to turnover, we observed that USBE staff have a high workload. As an indicator of staff workload, we compared the number of state-level education staff to the number of students in public education in Utah with four neighboring states. Figure 2.4 displays the ratio of full-time equivalent employees (FTEs) per student population for Utah and neighboring states.

**Figure 2.4 Ratio Comparison of State-Level Education FTEs to Student Enrollment.** This ratio shows the states' educational agency FTEs to the number of students in the public education system.



Utah has the lowest number of state-level education staff per the number of students in public education when compared to neighboring states. USBE had approximately 259 FTE positions and

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**USBE experiences an average of 19 percent turnover each year. The state average is 8.3 percent.**

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**USBE has a high workload compared to neighboring states when comparing staff to the number of students in the public education system.**

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**We believe state-level oversight and accountability principles in USBE's strategic plan should help improve efficiency and continuity.**

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state student enrollment was 644,476 at the end of fiscal year 2017. USBE has a ratio of one FTE for every 2,488 students in the public education system. This comparison indicates that USBE's staff workload is higher than that of education staff in neighboring states.

Even with the improvements that USBE is making, high turnover and high workload are obstacles to continuity. However, we believe the addition of state-level oversight and accountability principles in USBE's strategic plan should help improve efficiency and continuity.

Chapters III through VI demonstrate the lack of administrative oversight and accountability principles in the programs that we reviewed in detail. Chapter VII describes how USBE ultimately applied oversight principles to facilitate the current school accountability system. The recommendations to incorporate state-level oversight and accountability principles are listed below. Additional program-specific recommendations are given in Chapters III and IV.

## **Recommendations**

1. We recommend that USBE incorporate administrative oversight principles into its strategic plan to cost-effectively implement and operate state education programs.
2. We recommend that USBE incorporate accountability principles, specifically program-level and policy-level outcome measure requirements, into its strategic plan to enhance the decision-making process.
3. We recommend that USBE review education pilot programs and determine if they should remain in pilot status, be converted to ongoing programs, or be discontinued. USBE should report its findings to the Legislature.

# Chapter III

## K-3 Reading Improvement Program's Objectives Overlap with Other Programs

The K-3 Reading Improvement Program promotes early childhood literacy through strategies that overlap with the strategies of two other public education programs. Both the K-3 Reading Improvement Program and Early Intervention provide funding for additional staff and hours of instruction. Likewise, both the K-3 Reading Improvement Program and K-3 Early Intervention Software provide funding for literacy instruction software. Because of the overlap, USBE is unable to determine which programs or strategies create the most impactful outcomes.

Additionally, incorporating greater administrative oversight and accountability principles would also contribute to program sustainability by ensuring consistent measures and analysis of outcomes. Schools are not required to spend K-3 Reading Improvement Program funding on evidence-based practices, which contributes to USBE's inability to demonstrate the program's cost-effectiveness. USBE should adhere to an existing strategy in its strategic plan that advocates using evidence-based and cost-effective practices and interventions. Additional information on these programs is in Appendix B.

### Program Overlap Makes It Difficult to Assess Outcomes

The K-3 Reading Improvement Program consists of funding intended to supplement other school resources used to achieve the state's goal of having third graders read at or above grade level. Overlap exists among public education programs and projects with similar goals and objectives. Applying USBE's existing strategy of promoting evidence-based and cost-effective practices and interventions will help ensure that available resources are used efficiently and that program operations align with the strategic plan.

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**Three overlapping public education programs support statewide efforts to improve early literacy skills.**

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**Overlapping strategies employed by the programs hinder USBE's ability to assess the programs' direct impacts on fluency outcomes.**

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**Three public education programs target similar populations for early intervention.**

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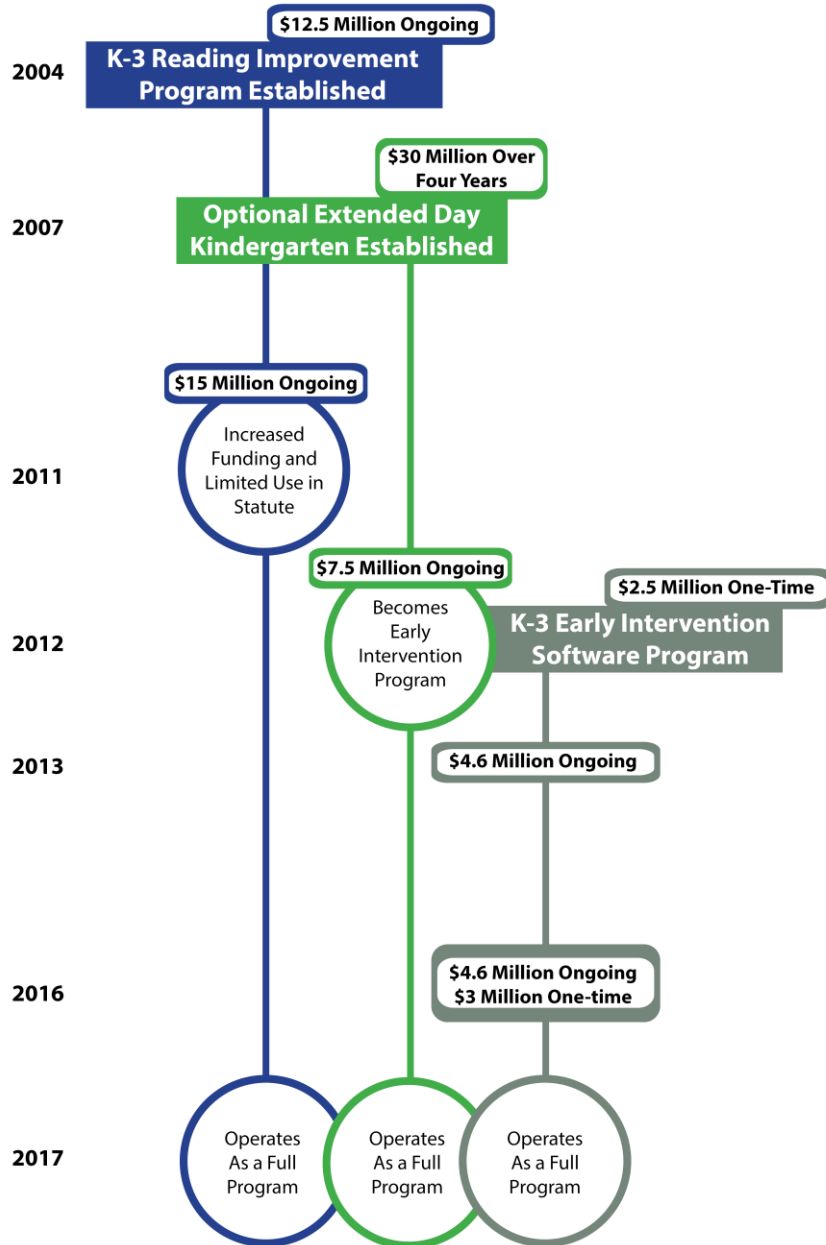
### **Three Programs Use Overlapping Methods to Promote Literacy**

Three public education programs promote early development of literacy skills by targeting similar populations and using overlapping strategies to achieve program goals:

- **K-3 Reading Improvement Program** – promotes literacy skills through supplemental grants to local education agencies (LEAs)
- **K-3 Early Intervention Software** – promotes literacy through use of interactive computer software
- **Early Intervention** – promotes literacy to kindergarteners through additional hours of instruction

Program overlap makes it difficult to determine which programs are creating the most effective outcomes and raises the question of whether state funding is being used efficiently. Figure 3.1 on the following page shows timelines of three programs with overlapping objectives.

**Figure 3.1 Timeline of Overlapping Programs.** The blue timeline shows a general history of the K-3 Reading Improvement Program, while the green and gray timelines show later programs with similar objectives.



The Legislature appropriated a combined total of \$30.1 million to the programs for fiscal year 2017.

The K-3 Reading Improvement Program was created in 2004, with a \$12.5 million ongoing appropriation that increased to \$15 million annually in 2011. The Legislature created a four-year pilot program for optional extended-day kindergarten in 2007, with a \$30 million one-time appropriation. Following the pilot period, the

program became Early Intervention in 2012, with a \$7.5 million ongoing appropriation. The Legislature also created the K-3 Early Intervention Software program in 2012, with a \$2.5 million one-time appropriation that increased to \$4.6 million in 2013. The Legislature has provided additional funding for this vendor-driven program since 2016, and appropriated \$7.6 million to the literacy software program for fiscal year 2017.

**Greater Oversight Can Enhance Efficiency By Mitigating Duplication of Effort**

Figure 3.2 shows a comparison of the three programs, and how their target populations, objectives, and strategies overlap. This figure illustrates the need for better administrative oversight by USBE to ensure that programs produce results aligning with the strategic plan while best using available resources and avoiding duplication of effort.

**Better administrative oversight for these programs can help align efforts with USBE’s strategic plan.**

**Figure 3.2 Comparison of Overlapping Programs.** Three programs use some of the same strategies to achieve the same objectives. Overlapping objectives and strategies are bolded.

Program	Target Population	Objectives	Strategies
<b>K-3 Reading Improvement</b>	Kindergarten through third grade	Reading proficiency improvement ( <b>literacy</b> )	<ul style="list-style-type: none"> <li>• <b>Interactive computer software programs for literacy instruction and assessments</b></li> <li>• <b>Additional staff</b></li> <li>• <b>Additional hours of instruction</b></li> <li>• Portable technology devices</li> </ul>
<b>K-3 Early Intervention Software</b>	Kindergarten through third grade	<b>Literacy</b> instruction and assessments	<ul style="list-style-type: none"> <li>• <b>Interactive reading software for literacy instruction and assessments</b></li> </ul>
<b>Early Intervention</b> (Optional Extended Kindergarten)	Kindergarten	Building age-appropriate <b>literacy</b> and numeracy skills	<ul style="list-style-type: none"> <li>• Enhanced kindergarten delivered through <b>additional staff</b> and <b>hours of instruction</b></li> <li>• Academic programs focused on <b>literacy</b></li> </ul>

*Source: Auditor summary of program statutes*

Figure 3.2 shows that two programs target early education, primarily kindergarten through third grade; however, one program, Early Intervention, targets only kindergarteners. All three programs seek to improve literacy skills, using the same or similar strategies to achieve this objective. Both K-3 Reading Improvement Program and Early



Intervention funding may be used for additional staff and additional hours of instruction. Both K-3 Reading Improvement Program and K-3 Early Intervention Software funding may be used for interactive software "...for literacy instruction and assessment of students." USBE should evaluate these programs for efficiency to determine the most cost-effective strategies for achieving desired outcomes with the targeted population.

## **Improved State-Level Oversight Can Ensure Program Outcomes Align with Strategic Plan**

Schools are not required to spend K-3 Reading Improvement Program funding on evidence-based practices, which may lead to a lack of statewide improvements in efficiency and effectiveness. The program has broad spending guidelines and most K-3 Reading Improvement Program funds are used to hire additional staff. USBE needs to evaluate early literacy interventions provided through existing programs to determine the most effective practices.

K-3 Reading Improvement Program measures have changed and accountability has improved; however, the limited metrics in use show that the program does not appear to be accomplishing its objectives. USBE needs to use systematic evidence-based approaches to analyze outcomes and determine the best use of funding for literacy programs.

## **Broad Spending Guidelines Allow Program Funding to Be Used Toward Practices That May Not Be Proven Effective**

Statute for the K-3 Reading Improvement Program states that funding shall be used toward interventions "...that have proven to significantly increase the percentage of students reading at grade level." USBE reports that although it advocates using research-based practices, it is unable to enforce the use of proven interventions because the program has broad spending guidelines and is not highly regulated. While USBE staff believe this flexibility contributes to the longevity of the program by garnering local support, they report that program outcomes are unexceptional.

LEAs must show annual improvements in reading competency. However, Figure 3.3 below shows that the percentage of third graders reading at grade level by year end during the last four fiscal years has not significantly increased. Rather, the percentage of third-grade

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**USBE should evaluate these K-3 reading and early intervention programs to determine the most effective strategies for increasing early literacy.**

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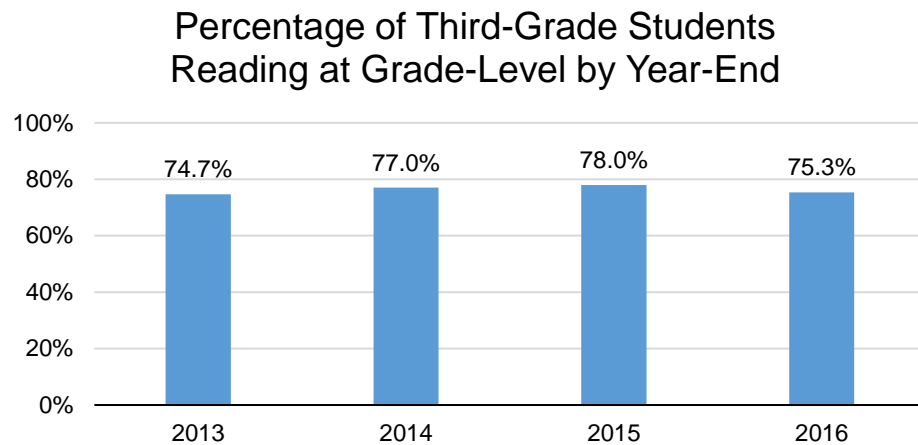
**Broad spending guidelines allow program funds to be used for unproven practices.**

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Statewide literacy outcomes have not significantly improved.

students reading at grade-level by year-end has remained somewhat level and actually decreased during the last fiscal year.

**Figure 3.3 Reading Outcomes for Third Graders Have Remained Stagnant.** Over 20 percent of third graders are not reading at grade-level competency standards by the end of the school year.



Source: USBE

Figure 3.3 shows statewide percentages for the past four fiscal years of students who met reading proficiency standards at the end of third grade. The statewide percentages have remained consistent and do not show significant improvements in literacy. Due to the overlap of programs promoting early literacy, USBE cannot attribute percentage changes to any one program or strategy. As a result, USBE cannot demonstrate the cost-effectiveness of these programs that receive \$27.1 million in annual ongoing funding (plus additional one-time funding).

The comparatively consistent outcomes shown in Figure 3.3 may be a result of LEAs using program funds with broad guidelines rather than evidence-based practices. They may also be a result of different cohorts of students being measured each year, rather than student cohorts being measured annually from kindergarten through third grade and then compared to other cohorts. Ultimately, USBE cannot show that K-3 Reading Improvement Program funds have been used toward interventions with a significant impact on literacy and reading improvement. As long as LEAs provide a plan for the use of funds, provide matching funds (except charter schools), and do not see a decline in reading proficiency during three annual assessments, they

Overlap between programs prevents USBE from determining what interventions have the greatest impact.

will continue to receive funding of about \$79 per student from the K-3 Reading Improvement Program.

The flexibility in this program does not require LEAs to use funds toward proven practices. USBE has not evaluated outcomes to determine the most effective programs, practices, and strategies. LEAs have defaulted to primarily using K-3 Reading Improvement funding for additional staff. LEAs using program funds with broad spending guidelines does not align with USBE’s strategic plan to “...promote evidence-based and cost-effective practices and interventions.”

### **Measures Have Changed and Accountability Has Improved**

USBE reports that accountability for the K-3 Reading Improvement Program used to be weak due to variability in measures used by LEAs. Prior to fiscal year 2012, individual LEAs decided which assessment to use to monitor K-3 reading improvement and used the assessments to measure proficiency at grade level. While several reliable and valid assessments were used to provide information to LEAs, assessment results were not comparable statewide. Furthermore, outcomes were tracked in local spreadsheets that are no longer available or did not contain useful information. Recognizing these weaknesses, the board determined to standardize assessments for reading improvement.

Beginning in fiscal year 2012, accountability improved when the board required all LEAs to use Dynamic Indicators of Basic Early Literacy Skills (DIBELS) as the tool to measure reading proficiency in kindergarten through third grade. With fiscal year 2013 as the baseline, students are assessed at least three times per school year (beginning, middle, and end) to determine whether intervention is needed to raise reading proficiency to grade level. DIBELS assessments are also used to measure reading proficiency for the Early Intervention and K-3 Early Intervention Software programs.

USBE should determine how to systematically measure the effectiveness of the K-3 Reading Improvement program as well as other literacy programs. DIBELS was not designed to evaluate the effectiveness of literacy programs. Nevertheless, USBE should build on DIBELS and develop meaningful program-level outcome measures to determine the most cost-effective methods for improving K-3 reading competency. USBE can promote evidence-based and cost-

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**LEAs use of program funds may not align with USBE’s strategic plan to promote evidence-based practices.**

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**USBE requires LEAs to use a common assessment to measure early literacy skills.**

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**DIBELS measures fluency and not the specific effectiveness of each program that promotes literacy.**

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effective practices that align with its strategic plan by evaluating overlapping literacy program efforts and reporting results and recommendations to the Legislature. This will provide valuable information to the Legislature on policy-making decisions and resource allocation for literacy programs.

### **Recommendation**

1. We recommend that USBE evaluate the overall effectiveness of each of the three existing programs promoting early childhood literacy and report findings and proposals to the Legislature.

## **Chapter IV**

# **Two Foreign Language Programs Lacked Adequate Oversight and Accountability**

The Legislature established two pilot programs to provide foreign language instruction to students. The first program, the Critical Languages Program (Critical Languages), was intended for secondary students. The second, the Dual Language Immersion Program (Dual Immersion), was intended for elementary students. After implementing the programs, legislative appropriations intended to fund both programs were used to expand only Dual Immersion while allowing Critical Languages to exist only in statute, without funding.

Inadequate oversight of the programs led to issues with funding, implementation, and accountability. Furthermore, Dual Immersion was not implemented as outlined in statute, and lacks appropriate performance measures and accountability. Additional information on the operations of these programs is in Appendix C.

### **Funding for Two Programs Was Used for One Program**

The Legislature has provided funding for both pilot programs since their creation in 2007 and 2008. However, during the 2009 General Session, the Legislature changed how the programs received money through the Minimum School Program (MSP). Following this change, and absent appropriate oversight at the Utah State Board of Education (USBE), funding intended for both programs was used to expand Dual Immersion while allowing Critical Languages to exist only in statute after it depleted initial distributions in 2014. Figure 4.1<sup>1</sup> shows the history of the two programs.

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<sup>1</sup> Evidence for this timeline comes from statute, board rule, fiscal reports, and staff interviews. However, we were unable to validate funding distribution for the programs prior to 2011 because the data was unavailable.

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**Insufficient oversight for two language programs resulted in accountability issues related to funding and implementation.**

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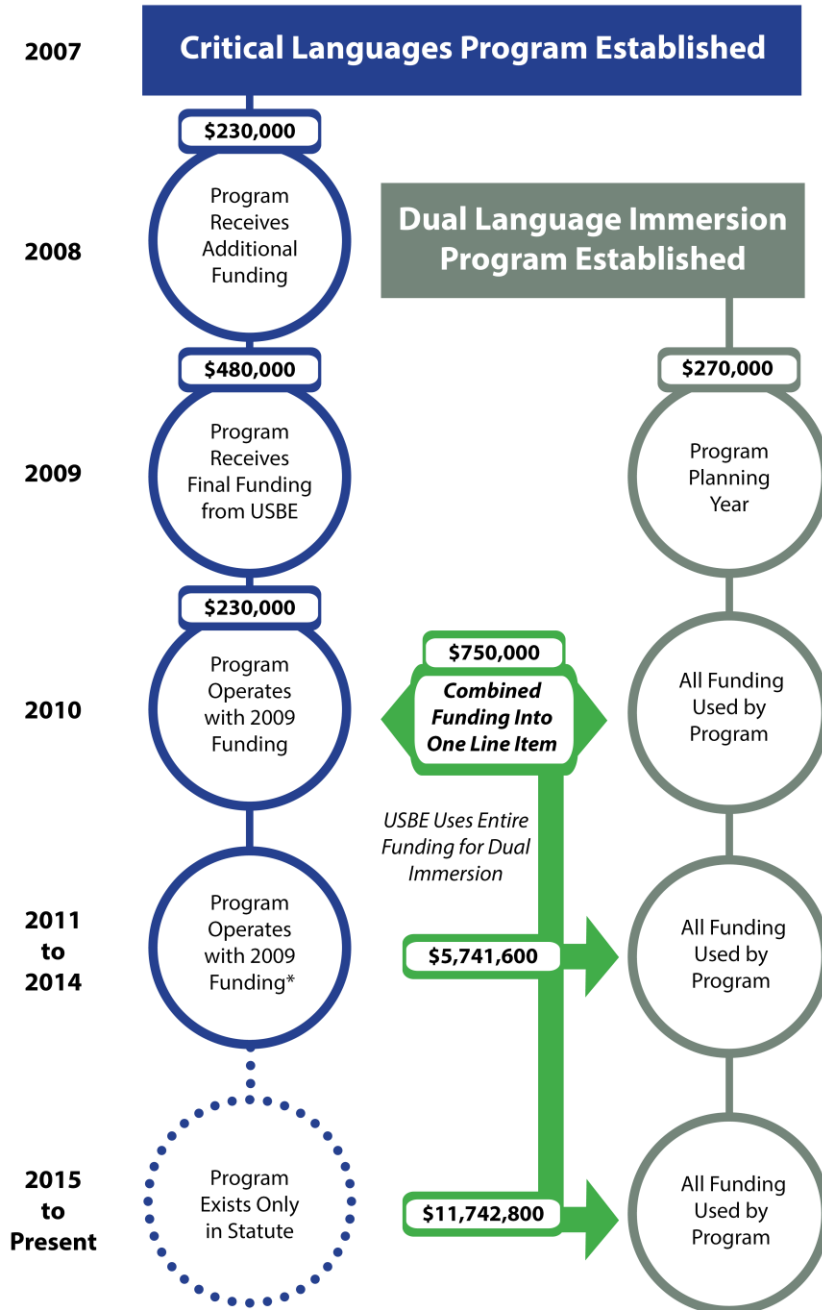
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**USBE used legislative appropriations intended to fund both programs to expand one while allowing the other to cease operations.**

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**Figure 4.1 Timeline for the Critical Languages Program and the Dual Language Immersion Program.** Critical Languages was created in 2007 and operated through 2014. Dual Immersion was created in 2008 and continues to operate as a pilot program.

The Legislature has appropriated \$19.4 million to the two programs during the last ten years.



Critical Languages has existed in statute only since 2015.

\* A 2012 report to the Legislature indicates that \$165,000 of FY2012 funding was used for Critical Languages.

Figure 4.1 shows that the Legislature created the Critical Languages Pilot Program in 2007 and received direct funding for fiscal years 2008, 2009, and 2010. The program was created for secondary students and received \$230,000 for fiscal year 2008, which helped fund 20 courses in 4 high schools. The program received \$480,000 for fiscal year 2009 and added 40 new courses. The Legislature appropriated \$230,000 for the program for fiscal year 2010; however, based on our interviews with staff, it appears this funding was used for Dual Immersion instead.

Figure 4.1 also shows that the Legislature created the Dual Language Immersion Pilot Program in 2008. The program was created for elementary students and received \$270,000 for fiscal year 2009, which was used for planning rather than the elementary programs directed in statute. For fiscal year 2010, the Legislature did not appropriate funding directly to Dual Immersion. Instead, to simplify the budget, the Legislature appropriated \$750,000 to a combined Critical Languages and Dual Immersion MSP line. This line was intended for both programs, but did not specify distribution. Based on our discussions with staff, we believe that USBE prioritized the Dual Immersion over Critical Languages and all \$750,000 went to Dual Immersion.

The Critical Languages Program ceased operations in 2014 after depleting program funding received in 2008 and 2009, as shown in Figure 4.1. Since combining the budget lines for both programs, the Legislature has appropriated \$18.2 million to the combined line for fiscal years 2010 through 2018. Figure 4.2 summarizes direct and combined legislative appropriations for the programs since they were created.

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**The Legislature initially appropriated funding specifically for Critical Languages, which was intended for secondary students.**

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**USBE used initial Dual Immersion funds for planning rather than implementing elementary programs.**

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**After USBE used combined appropriations entirely for Dual Immersion, Critical Languages depleted remaining funding and ceased operations in 2014.**

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From 2010 onward, USBE used all language appropriations from the Legislature for Dual Immersion.

**Figure 4.2 Legislative Appropriations for Foreign Language Programs.** The Legislature appropriated \$19.4 million through the Minimum School Program (MSP) to the two programs since their creation.

Fiscal Year	Critical Languages	Critical Languages & Dual Immersion	Dual Language Immersion
2007	Program Created		
2008	\$ 230,000		Program Created
2009	480,000		\$ 270,000
2010	230,000 *	\$ 750,000	
2011		975,400	
2012		975,400	
2013		1,775,400	
2014		2,015,400	
2015		2,315,400	
2016		2,915,400	
2017		2,956,000	
2018		3,556,000	
Total	\$ 940,000	\$ 18,234,400	\$ 270,000
<b>Grand Total</b>			<b>\$19,444,400</b>

Source: Auditor Summary of Legislative Appropriations

\* Based on our discussions with USBE staff, our understanding is that this appropriation was used for expanding Dual Immersion rather than for Critical Languages

Figure 4.2 shows that the Legislature began combining appropriations for both programs in fiscal year 2010. Although the combined MSP line is intended to fund both programs, the former program manager reported that USBE stopped issuing grants for Critical Languages in fiscal year 2009 and allowed the program to cease operating when participating secondary schools depleted those initial grant funds by 2014. USBE staff reported that USBE used all the combined line funding since fiscal year 2010 to expand Dual Immersion. However, two reports to the Legislature indicate that \$165,000 of the combined appropriation for fiscal year 2012 was used for Critical Languages. We were not able to document that funding distribution.

USBE issued final grants to secondary schools for Critical Languages in 2009.



## **Improved Oversight Can Strengthen Procedures for Modifying Programs**

The Critical Languages and the Dual Language Immersion programs have been modified outside statutory requirements. Better oversight of the programs and the former program manager's decisions could have helped guide the administration and procedures for modifying public education programs. Considering this case, USBE's strategic plan should include state-level administrative oversight strategies that promote defined roles, responsibilities, and decision-making authority. Additionally, USBE's strategies should require compliance with statutory requirements and adherence to appropriate protocols for requesting amendments.

### **USBE Should Propose Statutory Changes for the Language Programs**

As described previously, legislative appropriations intended to fund both programs were used to expand Dual Immersion while allowing Critical Languages to cease operating and exist only in statute without additional funding. Also, USBE allowed the former program manager to expand both pilot programs beyond the authority specified in statute and the board's own rule. USBE should have approached the Legislature with recommendations to eliminate Critical Languages and to expand Dual Immersion before proceeding.

The former program manager stated that the statute for these programs should be revised and that Critical Languages should be repealed. While some efforts to modify the board rule are in process, USBE staff did not give serious consideration to updating the rule until after we approached USBE with our concerns during the audit. We did not find any evidence of efforts to propose statutory changes to the Legislature.

### **Statute and Board Rule Differ from How Language Programs Operate**

Statute and board rule for these two foreign language programs have not changed since their inception, but the programs have changed. Both the Critical Languages Program and the Dual Immersion Program have exceeded statutory authority. Also, both programs have not complied with board rule.

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**USBE should add administrative oversight strategies to its strategic plan.**

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**During the audit, USBE began processing changes to board rule for the language programs.**

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**Both language programs failed to comply with statute and board rule.**

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**Dual Immersion has grown significantly but still maintains pilot program status.**

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**The Dual Language Immersion Pilot Program Exceeded Statutory Authority.** The Legislature appropriated \$270,000 to Dual Immersion for fiscal year 2009. Per statute, this appropriation was intended to provide 15 qualifying schools with \$18,000 each for dual immersion pilots in one of 4 languages. Statute mandated six Chinese pilots, six Spanish pilots, two French pilots, and one Navajo pilot. The former program manager reported that Navajo was never implemented due to resistance from the Navajo Nation.

Statute directed that these schools should receive up to \$18,000 per year for up to six years for dual immersion in kindergarten through fifth grade, or first through sixth grade. Instead of starting dual immersion pilots in 15 schools as directed by statute, USBE used the fiscal year 2009 appropriation for planning and started pilots in 25 schools during fiscal year 2010, well exceeding the 15 schools prescribed in statute.

Statute for Dual Immersion has not changed since enactment, and the program is still a pilot program. Nevertheless, Dual Immersion has grown significantly to 196 schools with dual immersion in Chinese, French, Spanish, Portuguese, German, and Russian taught to first through ninth graders. The former program manager stated that Arabic will be added within the next couple of years.

**The Critical Languages Program Also Exceeded Statutory Authority.** Like the Dual Language Immersion Program, the Critical Languages Program exceeded the number of schools (60) allowed in statute. Critical Languages grew to 80 high schools during its six years of operation. USBE should update the Legislature regarding the internal funding allocation and ask the Legislature if it wants to continue with Critical Languages or eliminate it.

**Language Programs Have Not Operated According to Board Rule.** Board rule requires a committee to evaluate applications for each language program and to select schools for funding; however, the former program manager disbanded the committee after a brief time in order to accept all applications. Additionally, board rule requires selected schools to submit annual evaluation reports to USBE, but schools do not submit these reports. Program operations, statute, and board rule need to be reviewed and necessary changes should be made to align program operations with laws and policies. Furthermore, despite their creation 10 years ago, both programs still exist as pilot

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**The former program manager disbanded a committee required by board rule.**

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programs. Better oversight of these programs could have helped guide the administration and procedures for modifying the language programs.

## **Accountability Measures for Foreign Language Programs Need to Be Strengthened**

Accountability measures for Critical Languages never existed and existing accountability measures for Dual Immersion are limited. Program accountability is lacking because current outcome measures are not available and meaningful analysis of program results has not occurred or been reported. Decision-making for these programs has been negatively affected by a lack of internal measures. These programs illustrate the need for state-level accountability principles in USBE's strategic plan.

### **Program Accountability Is Lacking**

When asked about program accountability, the former program manager indicated regularly reporting to the Legislature. USBE provided us four legislative reports, produced in 2011, 2012, 2013, and 2016. Only the 2013 report contained any outcome measures. The 2011 and 2012 reports were dated less than three months apart and were virtually identical. They both included a program overview and description of program outputs.

**2013 Report Had Two Outcome Measures, but the Measures Lacked Supporting Documentation.** The 2013 report was similar to the 2011 and 2012 reports, focusing on program operations, but was more detailed and included a program history. The performance measures section of the 2013 report contained two program outcome measures, which lacked supporting documentation.

The first chart showed percentages of third graders from 12 schools who were proficient in Chinese, French, and Spanish. However, no definition of proficiency was given or explanation of why Portuguese was not included, and no time range for the study was provided.

A second chart in the 2013 report showed that fiscal year 2012 Dual Immersion students scored significantly higher on English Language Arts and Math Criterion-Referenced Tests (CRTs) than

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**Improved oversight can guide USBE procedures for modifying programs.**

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**USBE has not conducted meaningful analysis of Dual Immersion outcomes.**

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**Limited outcome measures reported in 2013 lacked supporting documentation.**

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their non-immersion peers. That section also listed several additional claims for Dual Immersion students, including lower chronic absence, greater cognitive skills, and better cultural competency; however, the claims were not supported by actual data.

**The 2016 Report Was Condensed and Lacked Outcome Measures.** The 2016 report contained only a portion of the information listed for the 2013 report, most of which was identical to the 2013 report information. The performance measures section of the 2016 report did not contain the outcome measures described in the 2013 report. This program has been operating for seven years, with only two outcomes measures listed in the 2013 report. Without outcome measures, USBE cannot determine how effectively the program is operating.

**USBE Has Not Analyzed or Reported Program Outcomes**

USBE does not have internal measures or program outcomes for Dual Immersion. The program’s reliance on external measures is concerning. While the program once contracted with a third-party evaluator, the former program manager reported the evaluator did not complete a useful evaluation and USBE stopped using the evaluator. Instead of internal measures and data, the program now relies on positive press, media, national researchers, and anecdotal evidence to validate the program.

**USBE Relies on External Evidence to Justify Program.** To support claims that Dual Immersion students outperform their non-immersion peers, the former program manager provided us with several newspaper and magazine articles, a chapter from a textbook, a list of YouTube videos, and a 2015 report prepared for the U.S. Department of Education. These materials did not provide us with adequate evidence of program outcomes for Utah’s program.

The U.S. Department of Education report summarized a study of state policies and practices related to dual language education programs, and among its conclusions stated the following: “The growing number of dual language programs has created a need for more high-quality, research-based information to guide states, districts, schools, and families.”

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**USBE cannot determine the effectiveness of Dual Immersion without outcome measures.**

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**Dual Immersion should evaluate internal measures and data to validate the program.**

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**USBE did not provide auditors with adequate evidence of program effectiveness.**

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This statement emphasizes the need for research-based information to guide policy decisions for dual language programs. We believe evidence-based outcomes can and should also guide decision-making for these programs.

**USBE Has Not Used Available Data to Assess Program Outcomes.** USBE reported that five school districts have internal data showing that Dual Immersion students have higher SAGE scores than their non-immersion peers; however, USBE has not validated or reported this information.

USBE's literacy coordinator explained that while some data may be available for analysis, there is no statutory requirement to report outcomes. USBE has used available resources to expand the program rather than measure outcomes or evaluate the program. We believe that accountability efforts should be carried out for all programs, regardless of whether statutory accountability requirements exist. USBE's strategic plan should include state-level accountability principles for all public education programs.

USBE's literacy coordinator also commented that, while some evidence may exist that students in Dual Immersion outperform their peers, there is no proof that this performance is caused by learning a foreign language. The coordinator stated that structural factors, including higher quality instruction, may have a greater influence on student performance than participation in the program.

**Language Proficiency Assessment Data Has Not Been Analyzed.** We spoke with USBE's data analyst whose responsibilities include the language programs. The analyst reported that school year 2016 to 2017 was the first year USBE tested Dual Immersion students for language proficiency using the Assessment of Performance toward Proficiency in Languages (AAPPL). Due to funding limitations, only fourth through eighth grade students were tested rather than students in third through ninth grades (USBE does not intend to test first and second grade students).

We were told that USBE intends to use this limited data to see how those Dual Immersion students performed on SAGE tests compared to their non-immersion peers. While public education students are tested in SAGE assessments, only five local education agencies or LEAs have coded Dual Immersion students to distinguish them from their non-immersion peers. Consequently, most LEAs are

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**USBE should measure outcomes and evaluate programs even in the absence of statutory requirements.**

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**USBE conducted a limited assessment of student language proficiency for the first time last year.**

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**A review of available Dual Immersion data yielded little insight on program impacts.**

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unable to compare performance between the groups. We believe that the assessment data should be analyzed and, going forward, a sound methodology should be utilized to gather assessment data to help guide the program in the future.

**The University of Utah Conducted a Limited Review of Dual Immersion Data.** The data analyst added that University of Utah analyzed some data related to Dual Immersion, but the analysis was limited because they only worked with half a dataset. A review of the University of Utah analysis showed it was primarily descriptive, summarizing the number of tests taken for each language by each grade, but offering no insight on how the students compared to their past scores or to peers who were not enrolled in Dual Immersion.

The findings discussed in this chapter and Chapter VI illustrate the need for better oversight of the programs and guiding principles of state-level accountability in USBE's strategic plan. State-level accountability for public education programs is fundamental to measure program success and inform decision-making for public education programs.

## **Recommendations**

1. We recommend that the USBE review applicable statute and board rule for the Dual Language Immersion Program and propose statutory changes to the Legislature.
2. We recommend that the Legislature should consider the intent and status of the Critical Languages Program and determine whether to terminate the program or keep it in statute.
3. We recommend that USBE should develop and regularly report to the Legislature evidence-based performance outcomes for the Dual Language Immersion Program.

## **Chapter V**

# **Student Leadership Skills Grant Program Lacked Accountability**

The Utah State Board of Education (USBE) should have been more accountable to the Legislature by reporting intermediate program results from the Student Leadership Skills Grant Program. Despite positive results from a survey, data showed decreasing participation by schools. For example, the number of schools that initially participated in the program decreased by 72 percent over a two-year period. This information would have helped policy-making decisions regarding this program. Further, the evaluation, which consisted of a survey and a review of Student Achievement Guarantee in Education (SAGE) scores, would have been more complete if it had included program metrics measuring the impact of the program.

USBE's strategic plan can be enhanced with the addition of accountability requirements for state education programs. A review of this grant program showed that program-level and policy-level outcome metrics were needed to aid in the decision-making process and help improve public accountability. Also, since education specialists at USBE are responsible to implement programs, USBE could consider having dedicated staff to conduct performance review of programs to improve accountability.

The Student Leadership Skills Development Grant Program was a pilot program for developing elementary students' leadership skills that enhance a school's learning environment and are vital for success in a career. After two years, the Legislature made the pilot program an ongoing program. However, the program was only funded for one more year by the Legislature. The program was funded for a total of three years, fiscal years 2014 through 2016. A total of 65 schools participated in the program over the three-year period. Appendix D describes how the grant program operated.

### **Intermediate Results Should Have Been Reported to the Legislature**

The Legislature created the Student Leadership Skills Grant Program in the 2013 Legislative General Session. Changes to the

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**The Student Leadership Skills Grant Program was for developing elementary student's leadership skills.**

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**A review of this grant program showed that outcome metrics were needed to aid in the policy decision-making process.**

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**Changes to the program were made by the Legislature in 2014 and 2015 General Sessions.**

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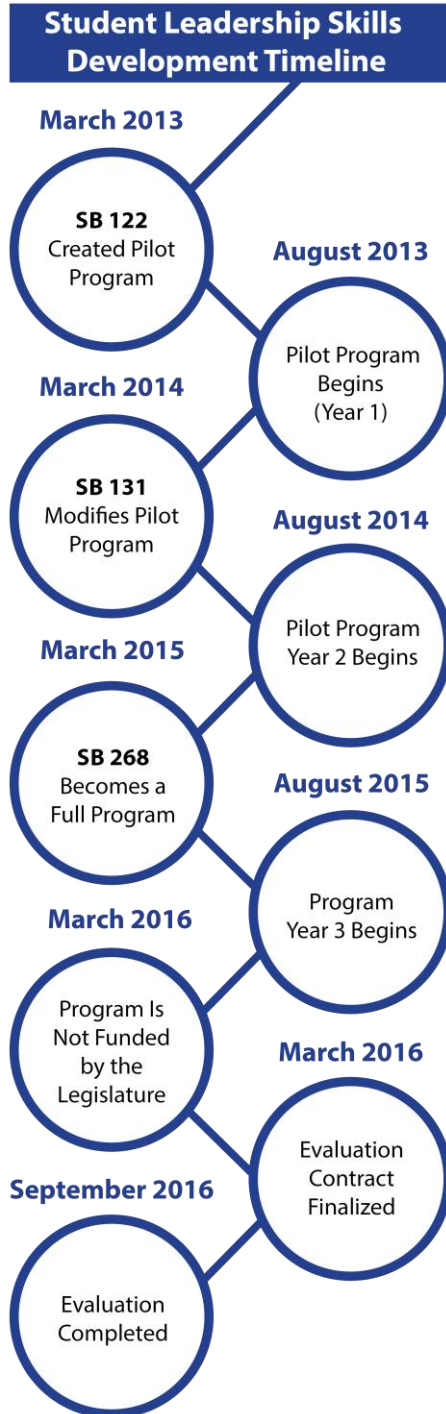
program were made in each subsequent year it was funded. Changes included postponing an evaluation of the program and making the pilot program an ongoing program. However, program data showed that schools did not have a strong interest in the program. USBE should have been more accountable to the Legislature and reported intermediate results. Based on that information, the Legislature may have made different program policy decisions.

**Program Had Several Policy Changes**

The Legislature passed Senate Bill (S.B.) 122 in the 2013 General Session, creating the pilot program. Changes to the program were made by the Legislature the next two consecutive years while the program was funded. Figure 5.1 shows a timeline of the pilot program.



**Figure 5.1 Timeline for the Student Leadership Skills Grant Program.** The program was funded for three years from the 2013-14 school year through the 2015-16 school year.




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The grant program began as a pilot program, but was made an ongoing program in the 2015 General Session.

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**An evaluation was due to the Legislature in October 2015. The date was changed to October 2016. But, by that time the program was no longer funded.**

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**Intermediate data showed that the program was not a high priority to schools.**

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Two significant changes occurred to the program. In the 2014 General Session, passage of S.B. 131 changed the date to report to the Education Interim Committee from October 2015 to October 2016. The pilot program ended and became an ongoing program in 2015 General Session (S.B. 268). The timeline also shows that, after the program was no longer funded by the Legislature, the evaluation was completed and delivered to the Education Interim Committee in November 2016. We believe that USBE should have been more proactive at keeping the Legislature apprised of the program's intermediate results to help in its decision-making.

### **Data Shows that More Accountability Was Needed**

Even though statute did not require formal evaluation of the program until October 2016, USBE had data on how the program was operating and should have been more accountable to the Legislature. Intermediate data showed that the program was not a high priority to schools:

- Schools did not utilize all grant awards
- Almost half the schools did not meet participation requirements
- The initial number of schools participating in the program decreased in the second and third years

Based on intermediate information the Legislature may have made different policy decisions, such as not changing the program from a pilot to a full program. This intermediate data is discussed below.

#### **All Grant Awards Were Not Utilized by Participating Schools.**

Total funding for the grant awards was \$250,000 each year, for a total of \$750,000 for the three years the program was funded. A school applying for a grant could request up to \$10,000 the first year and \$20,000 the second year. Award amounts were based on a review of the application and how funding was going to be used. The program funding was used over the three years. However, not all the grant awards were expended each year the program was funded. Figure 5.2 shows the funding available and the amount expended for each of the three years. Examples of how the grant funding was used includes buying materials such as curriculum, books, and posters; obtaining site licenses; and training teachers to implement the programs.

**Figure 5.2 Total Funding Available and Amounts Expended for the Program.** This figure shows that the schools eventually used the funding.

	Funding Available	Expensed	Balance
Year 1 (2013-14)	\$ 250,000	\$ 134,677	\$ 115,323
Year 2 (2014-15)	250,000	200,902	49,098
Year 3 (2105-16)	250,000	401,525	(151,525)*
<b>Total</b>	<b>\$ 750,000</b>	<b>\$ 737,104</b>	<b>\$ 12,896</b>

Source: USBE

\*Balance from previous years, was carried forward to Year 3.

Over the three-year period, 22 grant awards were not fully spent. This count includes occurrences where none of the award was used or part of the amount was not used.<sup>2</sup> USBE staff reported that schools may not have used funds due to staffing changes, changes in school priorities, or that program goals were met with no need for further funding. The grant awards that were not used were redistributed the following year, and some schools spent Year 2 awards in Year 3. The unused award amounts were used in Year 3. Figure 5.4, on the next page, shows the number of awards given each year. Most of the remaining balance was used for the evaluator’s work that was contracted for \$12,500.

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**Over the three years the program was funded, 22 grant awards were not fully spent.**

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**Almost Half of the Schools Did Not Meet Participation Requirements.** SB122 required that, to receive an award, schools must participate in the program for two years. However, not all schools participated for two years. Figure 5.3 shows the number of schools that did not meet the second-year participation requirement.

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<sup>2</sup> Year 1- eight awards were not utilized, Year 2 – eight awards were not utilized, and Year 3 – six awards were not utilized. This count excludes award amounts not utilized that were less than \$100.

Almost half, 45 percent, of participating schools did not meet the participation requirement.

**Figure 5.3 Schools that Did Not Meet Second-Year Participation Requirement.** This figure shows that 21 of 47 schools did not meet S.B.122’s second-year participation requirement.

	2014-15	2015-16	Grand Total
First-Year Schools Required to Participate a Second Year	25	22	47
Schools that Did Participate a Second Year	14	12	26
Schools that Did Not Participate a Second Year	11	10	21
<b>Percentage of Schools that Did Not Participate</b>	<b>44%</b>	<b>45%</b>	<b>45%</b>

Source: USBE

Figure 5.3 shows that 21 schools (45 percent) did not meet the statutory participation requirement.

**The Initial Number of Schools Participating in the Program Decreased Each Year.** Figure 5.4 shows the number of grant awards for the three years the program was funded.

**Figure 5.4 Number of Awards Given by Year.** This figure shows the number of awards given for the three years the program was funded.

Program Participation	2013-14	2014-15	2015-16
One Year	25	22	10
Two Years		14	12
Three Years			7
<b>Total</b>	<b>25</b>	<b>36</b>	<b>29</b>

Source: USBE

Notes: One charter school award was split between two charter schools. One school district distributed an award among five elementary schools, and one education foundation distributed an award among four elementary schools. In each of these three instances, they count as one award in this figure.

Figure 5.4 shows the initial number of schools (25) that were given an award for the 2013-14 school year. However, the number of the initial schools participating schools decreased each year. By the third year, the 2015-16 school year, only seven schools were participating. A total of 18 schools, 72 percent, had discontinued participating in the Student Leadership Skills Grant Program by Year 3. This is another example of USBE not tracking the impact of new programs and reporting back to the Legislature.

Of the initial number of schools (25) that were given an award, 72 percent discontinued participating in the program by the third year.

## **Survey Results of Participating Schools Differs from Actual Participation**

According to a survey given to participating schools, teachers, principals, and other staff indicated positive results. Faculty and staff agreed that the student leadership program helped students improve in the seven program goal areas. However, a discrepancy exists between the survey results and school participation data. Decreasing participation by the schools in the program contradicts the survey's overall positive perceptions. In the absence of outcome metrics, we believe that the most reliable indicator of the Student Leadership Skills Program's value is the fact that such a high percentage of the schools abandoned the program after one or two years' experience. The program could have been better monitored for effectiveness and impact by formally developing and tracking metrics.

### **Overall, Survey Indicated Positive Results**

USBE was required by statute to evaluate the program. The evaluation consisted of two-parts; (1) a survey was given to the staff of participating schools to get their perceptions of the program and (2) SAGE scores were reviewed for the participating schools. The Utah Education Policy Center administered the evaluation, which was completed in September 2016 and then reported to the Education Interim Committee in November 2016.

The survey was completed by 44 schools and included 399 respondents (298 teachers, 49 principals or vice principals, and 52 other staff). Teachers, principals, and other school staff generally agreed that the student leadership program helped students improve in the seven program goal areas.

Although the survey showed overall positive results, a minority of teachers agreed that the program takes time away from instruction (25 percent) or felt like it was an added burden (17 percent). A small number of teachers indicated reservations about the program, primarily focused on the costs of the programs in terms of money, time, and effort.

In addition to the survey, SAGE scores for participating schools were analyzed. The analysis indicated that the program did not have any observable effects (either positive or negative) on school SAGE

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**The evaluation consisted of a survey to the participating schools, and a review of SAGE scores.**

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**Teachers, principals, and other school staff generally agreed that the program helped students improve in the goal areas.**

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**The evaluation indicated that the program did not have any observable effects on school SAGE scores.**

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results. However, the program was not specifically designed to increase test scores.

### **Outcome Metrics Might Have Helped Resolve Discrepancy Between Survey Results and Declining Participation**

Even though school employees' perceptions of the program were mostly positive, the previous section in this chapter showed that schools were not showing a strong interest in the grant program. For example, Figure 5.4 shows that the initial number of schools in the program decreased 72 percent by the third year.

We do not believe that a survey is an adequate evaluation of the program. We also believe there is a discrepancy between the school employees' survey responses and the decrease in the number of schools that continued the program. The program manager and the evaluator were not able to explain why more schools discontinued the program, given the survey's positive feedback. If the evaluation had included metrics to measure impact, such as the effect on truancy and misconduct, it may have helped better understand this discrepancy.

In summary, USBE should have been more accountable to the Legislature regarding the participation in the program. In addition, policy-level accountability was lacking. The program could have been better monitored for effectiveness by formally tracking outcome metrics that could help measure the impact of the program and provide policy-level information.

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**The evaluation should have included metrics to measure impact, such as the effect on misconduct.**

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## Chapter VI

# Board's Expedited Timeline for Digital Teaching and Learning Presented Challenges

The Digital Teaching and Learning Grant Program was established in the 2016 General Session. The program's legislation was based on Utah's Master Plan: *Essential Elements for Technology Powered Learning*. The master plan articulated a timeline that presented implementation to begin in fall 2017. However, implementation of the program was accelerated and grant awards were distributed to 65 local education agencies (LEAs) in February 2017. The expedited process appears to have complicated the initial rollout of the grant program. Extensive discussions and planning took place for more than two years to create the grant program, but the program's implementation was a rushed process.

The administrative oversight principles of thoughtful planning and flexible implementation could have helped the Utah State Board of Education (USBE) guide the program's implementation process to maximize success. Changes to processes require thorough planning and preparation.

For the past several years, the Legislature, USBE, local school systems, and Utah Education and Telehealth Network (UETN) have been working to move all students to higher levels of learning aided by enhanced technology. These entities recognized that schools need to give students the opportunities and access to devices and adaptive instructional technology applications to succeed in today's global economy, as well as provide professional learning for teachers and technical support for all phases of implementation of technology enhanced educational programs. The Legislature charged USBE to combine these efforts to create a qualifying grant program for Utah's LEAs.

The Digital Teaching and Learning Qualifying Grant Program for LEAs was created by House Bill (H.B.) 277 (2016 General Session) and *Utah Administrative Rule* R277-922. The program has \$10 million ongoing and \$5 million in one-time funding. The grant program's purpose is to improve student outcomes using digital

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**Grant awards were distributed to 65 local education agencies (LEAs) in February 2017.**

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**For the past several years, the Legislature, USBE, and education partners have been working to enhance technology in education.**

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**The grant program was created by H.B. 277 in the 2016 General Session.**

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teaching and learning technology and educator professional development. Appendix E provides a history of the development of the grant program. It also details the assurances created in statute for the program and examples of how LEAs are using the funding.

### **Adopted Board Rule Required Unplanned Acceleration that Complicated the Process**

The master plan approved by USBE and presented to two legislative committees included a timeline to implement the technology grant program. The master plan timeline was to award grants to LEAs in fall 2017. However, the board voted in April 2016, approving R277-922, which initiated the expedited process to award the grants by December 2016. (However, the LEAs award letters were not processed until February 2017.) The purpose of shortening the timeline was to get funding to LEAs earlier to begin technology enhancements. We were also told that there was pressure from vendors who wanted to work with LEAs to help them implement their technology plans. However, it appears that the new schedule may not have given LEAs adequate time to thoroughly prepare to qualify for the grant program. The program implementation was planned by program staff to meet the board rule.

### **Timeline to Implement Program Shortened by About Eight Months**

The approved master plan contained a projected time to implement the digital teaching and learning grant program. The original plan was to have the first cohort of LEAs implement in fall 2017. This timeline was chosen to allow time to select an advisory committee, create the grant application and rubric, hold an LEA leadership boot camp to instruct the LEAs in developing plans, and review the plans and select the LEAs for the first cohort.

In April 2016, the USBE passed rule R277-922, which expedited the process to allocate the funding by December 2016. However, the award letters were not processed until February 2017. The board passed this rule to get grant money to the LEAs earlier, so they could begin implementing the program. Figure 6.1 below shows both the original and shortened timelines.

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**The master plan, approved by USBE, included a timeline awarding grants to LEAs in the fall of 2017.**

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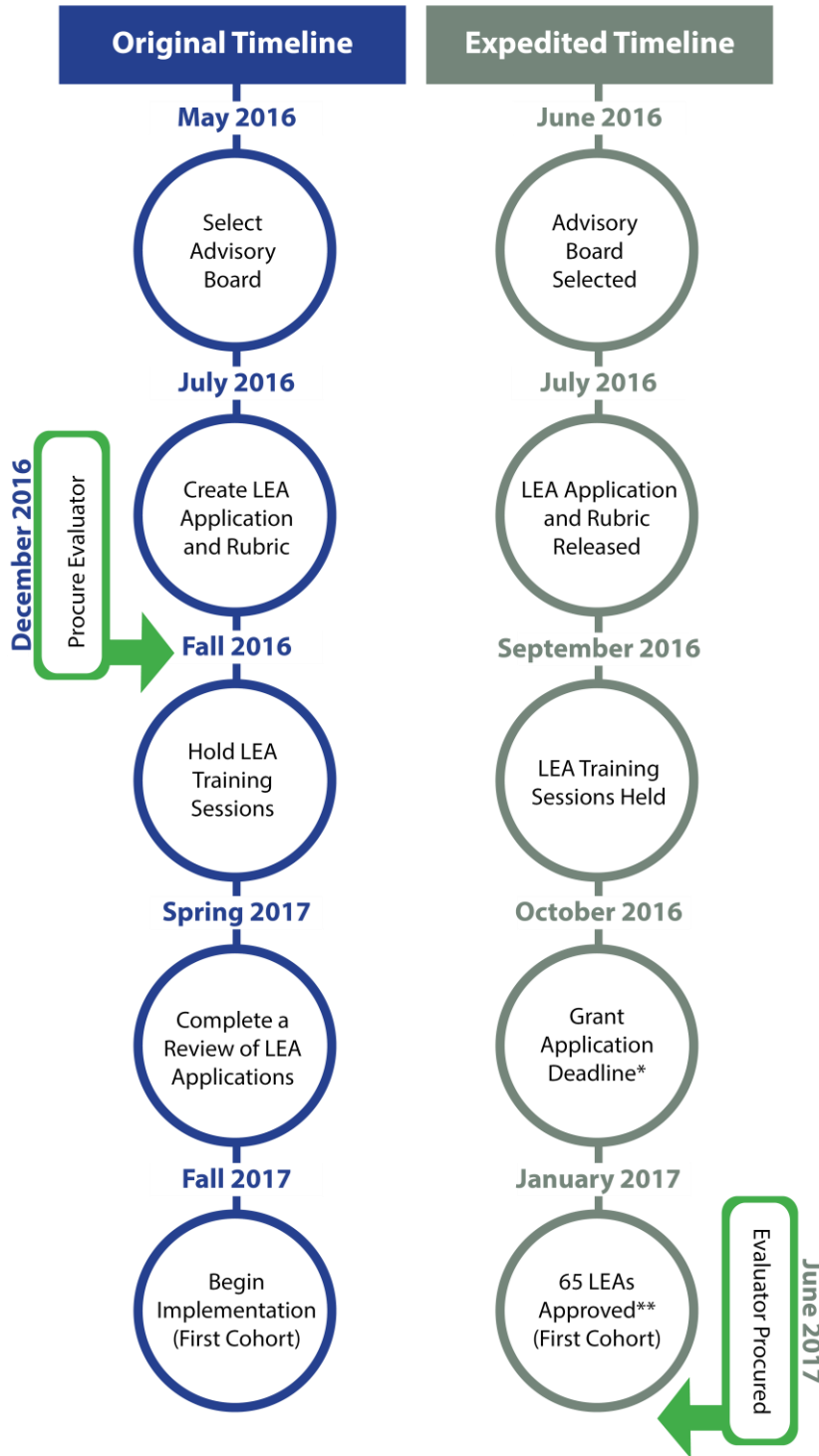
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**The USBE passed rule R277-922 in April 2016, which expedited the process to implement the grant program by December 2016.**

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**Figure 6.1 Program Implementation Timeline Was Expedited by Several Months.** The blue timeline shows the original timeline from the master plan to implement the grant program. The gray timeline is the actual, but expedited process.



**The expedited timeline shortened the implementation process about eight months.**

\* November 2016 - Application Resubmission Deadline  
 \*\* February 2017 - Awards Distributed

Figure 6.1 shows that the original timeline and the expedited timeline were similar until fall 2016. Then the events in the actual timeline were accelerated. This expedited timeline shortened the implementation process about eight months. Under the expedited timeline, it was expected that the first cohort of LEAs would be approved in December 2016, but the LEAs were not approved until January 2017, and award letters were sent to LEAs in February 2017 as shown in Figure 6.1.

### **Expedited Timeline Presented Challenges for LEAs and USBE Staff**

We question whether the expedited timeline for the initial implementation of the Digital Teaching and Learning program impacted opportunities for success. The significant change in the timeline was contrary to the guiding principles in the approved master plan. Those principles recognized the need for thoughtful planning and preparation. The change in the timeline was challenging for USBE staff and the LEAs to implement. The expedited timeline led to the following:

- Most of the LEA grant applications had to be submitted a second time.
- Roll-out of the grant program was not conducive with LEA administrators' schedules.
- It created the need for the board to approve funding for LEAs to prepare applications for the following year.
- LEA plan requirements were not modified when funding decreased.

The shortened timeline may not have given LEAs adequate time to thoroughly prepare to qualify for the grant program.

**Most LEA Applications Had to Be Resubmitted.** After the first submission date in October 2016, only 6 LEAs applications were considered for a grant award without additional edits to their technology plans. However, at the November board meeting, a legislator questioned whether those 6 submissions had adequate technology plans. Because of this questioning, the 6 LEAs were only given provisional status. At the December board meeting, 61 LEAs were presented for approval, but a legislator also questioned if those technology plans were adequate. The board again only gave provisional status to the 61 LEAs. We question whether following the

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**We question whether the expedited timeline impacted opportunities for success for the initial implementation of the program.**

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**The shortened timeline may not have given LEAs adequate time to thoroughly prepare to qualify for the grant program.**

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original timeline in the master plan would have given LEAs more time to thoroughly develop their plans, so that more submissions would have been approved without having to be resubmitted and reviewed a second time.

**Roll-Out Was Not Conducive with LEA Administrators' Schedules.** Under the expedited timeline, the release of the final grant application form was in July 2016, and the first applications were due October 7, 2016. USBE staff made the effort in June to introduce the grant program and its associated requirements. The timing was problematic, as many LEA administrators take annual leave in July before preparing for school to start in the fall. LEA administrators now had to develop their technology plans to meet the October submission date while also starting a new school year.

The shortened timeline created extra work for administrators at the beginning of the school year. LEA administrators that we spoke with agreed that it was a challenging time of the year to require the technology plans. The original timeline had the technology plans being reviewed in the winter and spring rather than the fall.

**The Shortened Timeline Created the Need for the Board to Approve Funding for LEAs to Defer Implementation to the Following Year.** Some LEAs notified USBE that they were unable to meet the October 7, 2016 application submission date, and the board revised R277-922 for the second time in August 2016. The board approved a deferral amount to help LEAs prepare applications for the following year. Twelve LEAs accepted the deferral amount of \$5,000 each, which totaled \$60,000. Eleven of the 12 LEAs that chose to defer were charter schools. If an LEA did not submit an application the second year, it would be required to repay the \$5,000.

**LEA Plan Requirements Were Not Modified When Funding Decreased.** The LEA plan requirements for the LEAs had 53 elements within 12 components. When the plan requirements were developed, funding for the program was projected to be higher than the eventually funded \$15 million. For example, the original S.B. 222 that was not approved by the Legislature called for funding the program at \$75 million. The actual appropriation in H.B. 277 was \$10 million in ongoing and \$5 million in one-time funding, but LEA plan requirements were not revisited. LEAs had to complete all 53 elements even though the award amounts could not address all 53

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**The shortened timeline created extra work for administrators at the beginning of the school year.**

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**The board approved a deferral to help LEAs prepare applications for the following school year, which 12 LEAs accepted.**

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**The shortened timeline did not allow for time to discuss or revisit the LEA plan requirements, which consisted of 53 elements.**

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**The evaluator was selected four months after the grants had been awarded. The original timeline had the evaluator procurement taking place about eight months before the grants were awarded.**

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areas. The shortened timeline did not allow for time to discuss or revisit the plan requirements.

In addition, the original timeline had the evaluator procurement taking place in December 2016, before the LEAs plans were reviewed and approved. That would have allowed the evaluator to start building metrics and a dashboard by the time the grants were awarded. With the expedited timeline, the evaluator was not selected until June 2017, four months after the grants had already been awarded to the LEAs. (This event in the timelines is shown in green in Figure 6.1.)

## **Oversight Principles Could Have Helped Guide Implementation Decisions**

We question whether the decision to shorten the timeline by about eight months reduced the success of the grant program rollout. We believe that, if the USBE's strategic plan had oversight principles to better guide USBE in implementing education programs such as the Digital Teaching and Learning Grant Program, then educational programs and LEAs would have the foundational support and flexibility to help them be more effective.

Utah's master plan, called *Essential Elements for Technology Powered Learning*, had guiding principles to best leverage the power of technology for learning. USBE should consider incorporating a few of these principles in its strategic plan:

- Process change require thoughtful planning and preparation to maximize success
- Successful change management requires recognition of the complexity and significance of the process
- Provide flexible implementation framework for LEAs
- Build on the investments and planning teams LEAs have in their schools

Board rule R277-922 shortened the timeline, which required LEAs to prepare digital teaching and learning plans at the beginning of the school year, while the original timeline had the plans being reviewed in the winter and spring. If the master plan's guiding principles requiring first, thoughtful planning and preparation and second, flexible implementation frameworks for LEAs had been followed, the timeline may not have been shortened. Further, the

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**Utah's master plan had guiding principles to best leverage the power of technology for learning. USBE should consider incorporating some of these principles in its strategic plan.**

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accelerated timeline required USBE staff as well as the LEAs to adjust their workload, so staff workload should have been considered under the master plan's principle of recognizing the complexity and significance of the change management process.

Also, the plan requirements had 53 elements, but the shortened timeline did not allow time to revisit the plan requirements. The number of required elements should have been reassessed under the principle of building on the investments and planning teams' LEAs had in their schools.

Going forward, USBE should incorporate guiding principles such as those listed in the master plan and leverage LEA expertise in implementing and operating programs. USBE will be more effective in making decisions to maximize their success, and fit evolving local needs. Changes to processes require thoughtful planning and preparation.

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## **Chapter VII**

# **Lack of Timely Oversight Delayed Unified Accountability System**

The Utah public education system consisted of three different accountability systems from 2011 through 2016. The systems' differences required USBE to produce three separate reports for each school. The result was a duplication of effort as reports were required by the Legislature, the Governor's Office, and the federal government.

A lack of timely oversight at the state level delayed creation of a unified accountability system. Better state-level oversight during initial school accountability development could have reduced duplicative systems. However, after four years, USBE collaborated with the Legislature and other education stakeholders to reduce the duplication of effort and agree to one accountability system. USBE eventually used collaboration, planning, and communication to work with other stakeholders to develop a unified system. Further detail about the three accountability systems is given in Appendix F.

### **Education Stakeholders Eventually Created a Comprehensive System**

As noted above, USBE reported individual school performance to separate state and federal accountability systems. Three accountability systems existed, with one for reporting to the federal government and the others for state-level reporting. This resulted in duplication of effort by requiring USBE to provide reports to systems that consisted of different criteria.

With three reporting systems not fully aligning, as well as annual modifications, major education stakeholders recognized a need for a unified accountability system. Belated collaboration between USBE, the Legislature, and other education stakeholders produced a single, unified accountability system. We believe that oversight at the state level could have assisted in the initial planning and implementation phases of school accountability.

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**The Utah public education system consisted of three different accountability systems between 2011-2016.**

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**One system existed for reporting to the federal government and the others for state-level reporting.**

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## **USBE Created Duplicative Systems to Report on Federal and State Accountability**

Both state and federal governments have required school-level accountability for many years. More recently, the Legislature introduced a school grading system in the 2011 General Session. The legislation charged USBE with developing a system that assigned letter grades to schools. USBE, however, created an accountability system that did not include letter grades. USBE later used its system to meet federal education reporting requirements (the School Federal Accountability Report (SFAR)).

In 2012, the Governor's Office introduced a separate school accountability report to track student progress. Then in 2013, the Legislature reintroduced school grading because USBE's system lacked letter grades. These systems resulted in the duplication of effort as USBE was tasked with producing three separate accountability reports for each school for the Legislature, the Governor's Office, and federal requirements.

## **USBE Ultimately Provided Oversight to Reduce Duplication**

In December 2015, Congress passed the federal Every Student Succeeds Act (ESSA). This law allowed more state flexibility in meeting federal education reporting requirements and charges states with creating their own accountability system. In addition, USBE passed Board Resolution 2016-5 in December 2016, which supported the adoption of a single, coherent accountability system. In 2016 and early 2017, the Legislature, USBE, school-level staff, and parents collaborated to develop a unified system. Education stakeholders eventually recognized the need to reduce the various systems into one comprehensive system. USBE exerted its oversight authority as well as a collaborative approach in addressing the issue of moving to one accountability system. These approaches included the following steps.

- **Creating Collaborative Partnerships.** USBE collaborated with the Legislature and other education stakeholders during policy deliberations about a unified accountability system.
- **Fostering Communication for Stakeholder Engagement.** USBE opened lines of communication with education stakeholders to gather input and recommendations.

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**Multiple systems resulted in a duplication of effort as USBE was tasked with producing reports for the Legislature, the Governor's Office, and federal requirements.**

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**Education stakeholders eventually recognized the need to reduce the various systems into one comprehensive system.**

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- **Implementing a Long-Term Plan.** USBE purposefully aligned goals contained in its strategic plan to create a single comprehensive, sustainable accountability system.

The collaboration between USBE and the Legislature resulted in Senate Bill (S.B.) 220, Student Assessment and School Accountability Amendments. S.B. 220 passed in the 2017 General Session and established the unified accountability system.

The bill grew out of cooperative input from education stakeholders who sought to create a single accountability system and eliminate duplication of effort. The bill combined elements of the previous accountability systems into one system. The new legislation fulfilled the requirements of federal law, USBE’s measurement and growth for low-performing students, and the letter grade system sponsored by the Legislature.

This statute now allows USBE to report school performance for both federal and state requirements with one overall report instead of the multiple reporting requirements of the past. The passage of S.B. 220 demonstrated the success of applying oversight and encouraging stakeholder collaboration. The inclusion of state-level oversight in USBE’s strategic plan can improve implementation and cooperation with the various education stakeholders.

### **Multiple Accountability Systems Eventually Became One**

As a summary of the issue of multiple accountability systems and the eventual resolution as a unified system, figure 7.1 on the following page shows the timeline of the accountability systems that were required for reporting for several years. It also shows how all systems were recently combined into one comprehensive system.

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**The collaboration between USBE and the Legislature resulted in S.B. 220, Student Assessment and School Accountability Amendments.**

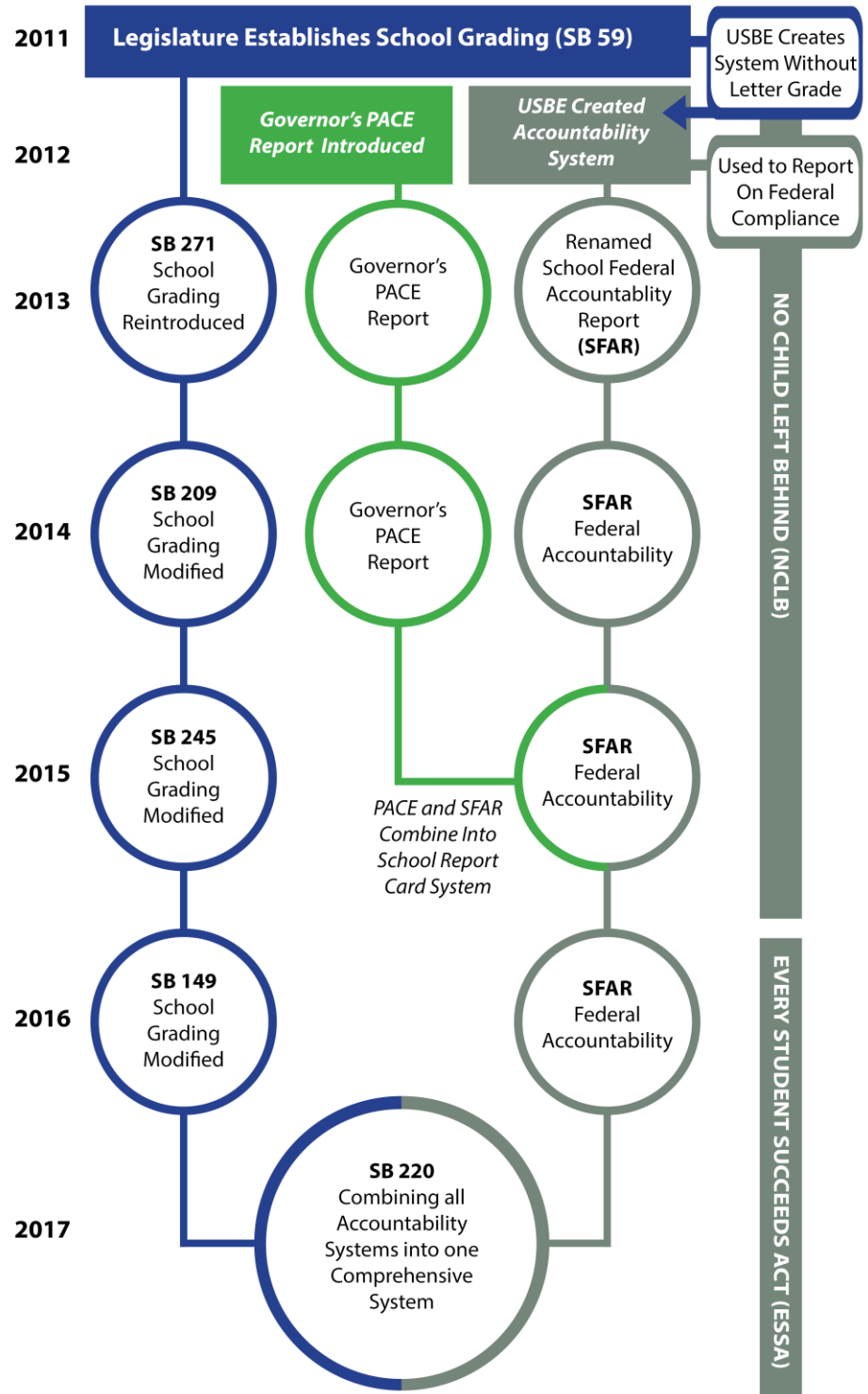
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**The statute now allows USBE to report school performance for both federal and state requirements with one overall report instead of the multiple reporting requirements of the past.**

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**Figure 7.1 School Accountability Timeline Shows Multiple Systems.** USBE reported school performance on the Legislature’s school grading system (blue), Governor’s PACE Report (green), and the USBE-created system for federal accountability (gray) for multiple years.



The Legislature established the school grading system in 2011. The introduction of USBE’s created system, and the PACE report resulted in a duplication of effort for multiple years.

Figure 7.1 shows the multiple accountability systems created for reporting from 2011 through 2016. The Legislature introduced the school grading system in 2011, and charged USBE with modeling the system. The system was to be based on a point system that converted to a percentage for each school. Schools would then be given a letter grade based on the percentage. Instead, in 2012, USBE created the Utah Comprehensive Accountability System (UCAS), which did not include letter grades. USBE later received a flexibility waiver from federal education requirements, using UCAS as the state's accountability system.

In addition, the Governor's Office introduced the PACE report in 2012. PACE is an acronym for **P**repare young learners, **A**ccess for all students, **C**omplete certificates and degrees, and **E**conomic alignment. USBE was asked to report on how well schools were doing to meet the goal of having 66 percent of Utah residents having a post-secondary degree or certificate by 2020. Furthermore, the Legislature reintroduced school grading in 2013 because UCAS lacked the letter grade requirement in the original legislation. The introduction of the PACE report and the reintroduction of school grading resulted in three separate accountability systems.

USBE was required to report school performance via three separate accountability systems for two years. UCAS was renamed the School Federal Accountability Report (SFAR) in 2013 and merged with the PACE report in 2015. Even so, USBE still had to report to school grading and the UCAS/SFAR federal requirements separately.

However, as mentioned, the eventual collaboration between USBE and education stakeholders resulted in a unified system that included elements of the previous three systems. The passage of S.B. 220 in the 2017 General Session is a positive example of USBE utilizing state-level oversight principles needed in the strategic plan, as discussed in Chapter II.

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**The passage of S.B. 220 in the 2017 General Session is a positive example of USBE utilizing state-level oversight principles needed in the strategic plan.**

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## **Appendices**

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**Appendix A**  
**USBE Strategic Plan**

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# UTAH STATE BOARD OF EDUCATION

# EXCELLENCE FOR EACH STUDENT

## PURPOSE: EDUCATIONAL EXCELLENCE

The foundation of the Utah public education system is to provide an opportunity for educational excellence for each Utah student. This requires advocacy, focus, and prioritization of effort.

## IMPERATIVES

### **I. Educational Equity**

*The Utah State Board of Education will set the general statewide conditions in which each student can excel, including equity of educational opportunities and culturally responsive practices to promote each student's academic success and well-being. Resources and Board policies and practices will be aligned to high expectations and successful outcomes for each student.*

### **II. Quality Learning**

*The Utah State Board of Education will place focus on intended learning outcomes as a key to high student achievement with the understanding that high quality instruction is central to that ideal.*

### **III. System Values**

*The Utah State Board of Education will set the conditions and systems for student success by working with, understanding, and listening to stakeholders on every level on practices, strategies, resources, and policies that will lead to continued and even greater efficiencies and improvements in student outcomes.*

## STRATEGIES

*The following are mutually reinforcing strategies that should be viewed as integrated goals and not acted upon in isolation. All strategies are rooted in each of the three listed imperatives.*

**Accountability:** Provide a transparent public educational system using evidence-based data that informs the public on the effectiveness of public education.

- Provide a transparent assessment system that includes diagnostic information to help the parent, child, and teacher understand how to improve performance
- Utilize a standards-based approach in all measuring systems
- Provide a robust data-driven school accountability system

**GOALS and ACTION STEPS:**

1. Determine what to measure, why to measure it, and how to measure it  
*Obtain recommendations from the Board's Accountability Task Force*
2. Conduct comprehensive overhaul of Utah Accountability Plan

**Educational options:** Empower stakeholders with information to decide how, what, and where students are taught.

- Provide data for informed enrollment options
- Investigate and promote alternative ways to fulfill state graduation requirements and show competency of state core standards
- Support adequate counseling options and information dissemination
- Promote evidence-based and cost-effective practices and interventions to meet individual student needs, with focus on early learners

**GOALS and ACTION STEPS:**

1. Promote innovation and educational options in policy and practice  
*Examine Board rules and state code*  
*Determine steps to promote innovation*  
*Establish or re-adjust funding system to incentivize innovation*

**Funding:** Preserve existing funding and efficiency levels while advocating for additional and repurposed dollars for strategic programs and improved student outcomes.

- Use and advocate for additional revenue for strategic improvements at all levels of public education
- Engage in zero-based budgeting processes and encourage similar practices for districts and charters
- Review the statewide funding model
- Review current state programs to ensure alignment with strategic priorities and efficacy

**Leadership Development:** Encourage all educators to engage in leadership opportunities.

- Improve existing teacher and administrator preparation and training programs
- Encourage school leaders to engage in learning communities to improve collaboration and practice
- Promote career pathways that incentivize effective teachers to engage in alternative teacher leadership roles while they remain active in the classroom

**GOALS and ACTION STEPS:**

1. Evaluate administrative licensure policies  
*Consider rule changes*  
*Examine research on issue, including consultation with Regional Educational Laboratory West (REL West) at WestEd*

**Teacher Retention and Recruitment:** Address the teacher shortage in Utah to support recruitment and retention of effective educators in the state.

- Improve teacher compensation and promote examples of alternative compensation policies
- Promote state policy and resource allocation that facilitates teacher retention in areas where students are most at risk
- Review and revise educator licensure, including looking for ways to add efficiency to an educator's ability to show competency of state requirements
- Improve professional learning through evidence-based practices

**GOALS and ACTION STEPS:**

1. Engage in action research to determine root cause of teacher retention and recruitment issues  
*Obtain funding for analysis*
2. Conduct comprehensive review of licensing practices  
*Develop proposal for Legislature to address issue*
3. Convene teacher task force to propose solution

**Oversight:** Monitor, review, and provide general supervision to all public education institutions and other entities for which the State Board has responsibility.

- Realign state-level resources to support oversight and fiduciary responsibilities
- Provide transparent and decision-ready budgetary data
- Improve training on federal grant sub-recipient and state accountability responsibilities of local education governing boards
- Provide a robust internal audit function for state public education funds and programs

**GOALS and ACTION STEPS:**

1. Create/obtain dashboard to track metrics of multiple external and internal indicators
2. Increase LEA transparency  
*Consider new rules that require LEA reporting*  
*Participate in joint discussion with Legislature*  
*Implement state enterprise resource planning system*  
*Implement ratings for accounting accountability*

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## **Appendix B**

# **Three Public Education Programs Promote Early Literacy Skills**

Three overlapping public education programs support statewide efforts to improve reading competency in kindergarten through third grade. Additional background information for these programs is provided below.

### **K-3 Reading Improvement Program Supplements Local Early Literacy Efforts**

The K-3 Reading Improvement Program was created during the 2004 Legislative General Session and is codified in *Utah Code* 53A-17a-150. The program established a statewide goal for students to read at or above grade level by completion of third grade. The program focuses on early development of literacy skills with additional emphasis on early intervention for students at risk of not meeting grade-level competency standards.

The Utah State Board of Education (USBE) passed board rule R277-406 to provide administrative procedures associated with program governance. Furthermore, USBE drafted an instruction and intervention framework to mitigate failure and ensure students advance successfully and appropriately.

The program has received \$15 million per year since 2008. Up to \$7.5 million of the funding may be used by the board for computer-assisted instruction and assessments. Remaining funding is distributed to local education agencies (LEAs) using formulas intended to ensure equitability. School districts must provide matching funding; however, charter schools are exempt from this requirement.

LEAs must "...submit a State Board approved plan for reading proficiency improvement prior to using program funds." Funding may be used for reading proficiency improvement interventions, including assessments, focused remediation (specialists, tutoring, software, and after-school programs), and portable technology devices. Statute clarifies that "program money may not be used to supplant funds for existing programs, but may be used to augment existing programs."

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**The K-3 Reading Improvement Program promotes early development of literacy skills.**

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**The Legislature appropriates \$15 million per year for the K-3 Reading Improvement Program.**

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**LEAs use 93 percent of program funding to hire additional staff**

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**Overlapping programs use DIBELS to assess fluency, making it difficult to assess the impact of individual programs.**

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**Two programs allow funding to be used toward additional hours of instruction.**

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USBE reports that 93 percent of the funding is used for staffing at the local level. USBE reports that LEAs also use funding for reading improvement software (and hardware to run the software) and extended-day kindergarten (Early Intervention).

### **K-3 Early Intervention Software Program Provides Software to Support Reading Improvement**

This vendor-driven program is another early intervention project with the same general objectives as the reading improvement program; however, it falls under a different umbrella within USBE. The program received \$7.6 million for fiscal year 2017. This program currently falls under the Digital Teaching and Learning section while the K-3 Reading Improvement Program falls under the Literacy section. The K-3 Reading Software project was created eight years after the K-3 Reading Program and provides funding for LEAs to obtain reading improvement software. USBE has two programs with funding that can be used for reading software.

The overlap between the K-3 Reading Improvement Program and the K-3 Reading Software project makes it difficult to determine the impact of either program. Both programs use the Dynamic Indicators of Basic Early Literacy Skills (DIBELS) assessment to show that reading interventions are impacting student fluency. However, as a fluency measure, DIBELS cannot be used to determine the effectiveness of either program because both promote early literacy skills.

### **Early Intervention Program Promotes Literacy Through Additional Instructional Hours for Kindergarteners**

USBE's Early Intervention Program is a transition from a four-year pilot program for Optional Extended-Day Kindergarten that ended in fiscal year 2011. The program received an initial one-time appropriation of \$30 million for the four-year pilot. In fiscal year 2012, the program began receiving \$7.5 million in annual ongoing funding and continues operating as a funded program. The program is targeted to provide additional hours of instruction to kindergarten students.

LEAs must use Early Intervention funding for academic programs focused on building age-appropriate literacy and numeracy skills, using evidence-based early instruction models targeted to at-risk students.

These academic programs are to be delivered through additional hours of instruction or other means. Both the K-3 Reading Improvement Program and the Early Intervention Program overlap as they contain elements that target at-risk students to improve literacy, and provide for additional hours of instruction. Additionally, Early Intervention also uses DIBELS to measure fluency. As mentioned previously, DIBELS cannot be used to determine the effectiveness of these programs because they all promote early literacy skills.

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**Two overlapping programs target students at-risk of not reaching fluency benchmarks.**

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## **Appendix C**

# **Legislature Created a Language Program for Secondary Students and One for Elementary Students**

Utah's Legislature currently funds two public education foreign language programs through its annual Minimum School Program (MSP) appropriations. These programs are administered by the Utah State Board of Education (USBE) and managed by its World Language Specialist. The first program, established as the Critical Languages pilot program by 2007 General Session Senate Bill (S.B.) 80, is intended for secondary students. The second program, established as the Dual Language Immersion pilot program by 2008 General Session S.B. 41, is intended for elementary students. The Legislature has continued to annually appropriate funding for both pilot programs through MSP since they were created; however, USBE stopped distributing grants for critical languages in 2009 and the Critical Languages program ceased to exist by 2014.

### **Critical Languages Pilot Program Intended for Secondary Students**

The Critical Languages pilot program was created in *Utah Code* 53A-15-104 to provide stipends for secondary schools to offer critical languages as defined by the United States State Department and the United States Defense Department. Critical languages included Chinese, Arabic, Russian, Farsi, Hindi, and Korean; however, only Chinese and Arabic courses were offered as part of this program. The program was intended to help students acquire foreign language skills to successfully compete in a global society and to provide academic, societal, and economic development benefits.

The statute required USBE to develop and implement courses and to make rules on the courses. The USBE was further required to track and monitor the program, with the option to expand the program subject to student demand and available resources. The statute also prescribed funding distribution for up to 60 schools.

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**USBE stopped distributing legislative funding to Critical Languages in 2009 and the program ceased operations in 2014.**

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**Critical Languages was created for secondary students.**

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Dual Immersion was created for elementary students and uses a fifty-fifty instruction model.

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## Dual Language Immersion Pilot Program Intended for Elementary Students

The Dual Language Immersion program was created in *Utah Code* 53A-15-105 to provide for dual language immersion programs starting in kindergarten or first grade. The statute specified six pilots for Chinese, six pilots for Spanish, two pilots for French, and one pilot for Navajo to be taught in 15 qualifying schools; however, Navajo was never implemented because of opposition by the Navajo Nation.

Statute specified that the 15 qualifying schools should each receive up to \$18,000 per year for up to six years, meaning programs starting in kindergarten would receive funding through fifth grade and programs starting in first grade would receive funding through sixth grade. Qualifying schools were required to establish “fifty-fifty” instructional models, meaning 50 percent of instruction in English and 50 percent instruction in another language.

## Board Rule Prescribes Program Requirements, Outlines Board Responsibilities, and Requires Accountability

USBE enacted Board Rule R277-488 in 2007 to establish criteria and procedures for distributing funds to secondary schools participating in the Critical Languages Program and to elementary schools participating in the Dual Language Immersion Program. The rule outlines requirements for each program, USBE responsibilities and funds, and program evaluations and reports.

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USBE established board rule based on statute to guide the operation of both programs.

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**Critical Languages Program Requirements.** This portion of the rule outlines application requirements for secondary schools desiring to offer critical languages through traditional instruction or visiting guest teacher programs. It further specifies Memorandum of Understanding requirements for visiting guest teachers, and that schools awarded funding must purchase USBE-recommended materials with legislative funding.

**Dual Language Immersion Program Requirements.** This portion of the rule outlines application requirements for elementary schools desiring to participate in the Dual Language Immersion Program. It specifies four languages to be taught (Chinese, French, Portuguese, and Spanish) using a fifty-fifty immersion model, directs prioritization of funding, and prescribes qualifications for foreign language instructors.

**USBE Responsibilities.** The rule states that USBE is responsible to provide applications for each program and to designate a committee to evaluate applications for each program. This committee was charged with selecting secondary and elementary schools for funding for both programs and was to include USBE-designated statewide experts. USBE had the application committee for a brief time after the rule was created, but disbanded it in order to accept all applications for Dual Language Immersion program funding.

**Program Evaluation and Reports.** According to rule, each school selected for funding is required to submit an annual evaluation report to USBE and to provide any additional data at USBE's request. However, as stated in Chapter IV, schools have not submitted annual evaluation reports to USBE.

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**Board rule required a committee to evaluate applications for funding, but it was disbanded so all applications for Dual Immersion funding could be accepted.**

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## **Appendix D**

# **Student Leadership Skills Grant Program Focused on the Leader in Me Program**

The Student Leadership Skills Development Grant Program was a pilot program for developing elementary students' leadership skills that enhance a school's learning environment and are vital for success in a career. A total of 65 schools participated in the program at least one year over the three-year period the program was funded. Schools had to apply to receive a grant award, and they could select or create a student leadership program. Most of the participating schools selected the Leader in Me program by Franklin Covey.

### **Schools Had to Apply to Receive a Grant Award**

Schools had to complete an application to receive a grant. They had to provide a summary of the proposed leadership program they were going to implement and indicate how they were going to develop students' leadership skills. Schools that were awarded grant money were required by statute to:

- Participate in the pilot program for two years
- Provide matching funds or an in-kind contribution in an equal amount to the grant award
- Set school-wide goals and students set personal goals
- Provide evidence that the grant money was used for purposes of the program
- Report on the student behavior and academic results

As discussed in the Chapter V, almost half (45 percent) of the schools did not participate more than one year in the program. The other requirements were self-reported by the participating schools. USBE received a wide range of responses to the requirements.

### **Majority of Participating Schools Chose To Utilize the Leader in Me Program**

S.B. 122 states that the program was created "...to develop student behaviors and skills that enhance a school's learning environment and are vital for success in a career including: communication skills, teamwork skills, interpersonal skills, initiative and self-motivation, goal

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**Sixty-five schools participated in the grant program at least one year over the three-year period the program was funded.**

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**Schools that were awarded grant money were required to participate in the program for two years. However, 45 percent of the schools did not participate more than one year.**

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**A majority of the schools (67 percent) used the Leader in Me program that teaches student leadership and life skills.**

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setting skills, problem solving skills, and creativity.” These seven key leadership skills in the bill are skills taught in the Leader in Me program designed by Franklin Covey. Schools were not required to implement the Leader in Me program; statute allowed participating schools to choose a leadership program developed for elementary students or create a leadership program to implement.

A majority of the participating schools (67 percent) used the Leader in Me student leadership program. Other schools (18 percent) designed their own programs and a few schools (7 percent) used Playworks, a program designed to increase student leadership through interpersonal skills learned at recess. A summary of the programs is described below.

**Leader in Me Student Leadership Program.** The Leader in Me program, designed by Franklin Covey, is for elementary schools. It is a whole-school transformation model that teaches students leadership and life skills. It is based on principles and practices of personal, interpersonal, and organizational effectiveness. The process integrates leadership development into existing coursework and programs. The program focuses on establishing a vision for the school, goal setting, data tracking, and personal accountability systems.

**Playworks Recess Program.** The Playworks program partners with elementary schools to teach, model, and empower a sustainable recess program. It is supervised play during recess at elementary schools. The purpose is to help children to connect with other children, and to stretch and grow physically, emotionally, and socially. The Playworks program has a recess coach or older students lead organized games by introducing basic rules and setting the tone, so children are better equipped to make play successful. Playworks tries to decrease bullying behavior, increase physical activity, and support learning.

**Examples of Other Student Leadership Programs Implemented by Schools.** Two schools utilized the Ambassador Program. Those schools focus on a builder’s theme that teaches students to be builders in their homes, their schools, and their communities. Each month, an elementary school has a builder’s motto, such as “building with enthusiasm,” that reinforces positive builder traits.

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**The Playworks Recess Program is supervised play during recess to help children connect with other children.**

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One elementary school developed the Ride for the Brand program. It is a school-wide tiered system of support that includes proactive strategies for defining, teaching, and supporting appropriate student behaviors to create a positive school environment.

Another elementary school used a Sixth-Grade Friendship Team approach. The program has the oldest students in the school, sixth graders, teach younger students to create a positive learning environment. Teams of students learn and demonstrate communication, interpersonal, and problem-solving skills.

Participating schools could choose what leadership program to implement as long as the program met the goals to address the seven key leadership skills outlined in statute.

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**Participating schools could choose a leadership program, or develop their own, as long as the program met the seven leadership skills outlined in statute.**

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## **Appendix E**

### **Initial Creation of Grant Program Was a Result of Long-Term Planning**

Education technology has been a priority for many years. Utah's Educational Technology Initiative was launched in 1990 to assist local education entities (LEA) and higher education institutions to implement educational technology. Since that time, the Legislature has appropriated funding to enhance technology in education.

In 2014, legislation was introduced to enhance technology for all levels of public education. While that legislation did not pass, legislation did pass the following year to develop a program proposal with a statewide master plan. The master plan was created, with standards and a foundation for House Bill (H.B.) 277 that passed in the 2016 Legislative General Session. H.B. 277 created the Digital Teaching and Learning Grant Program. The Utah State Board of Education (USBE) distributed awards to LEAs according to *Administrative Rule R277-922*. Since award distribution in February 2017, most recipient LEAs have begun using the funding to implement their technology plans.

#### **Legislature Required Program Proposal with Statewide Master Plan**

In the 2014 Legislative General Session, legislation was introduced for statewide deployment of technology to enhance all levels of teaching and learning for public education. Even though this legislation did not pass, the Legislature formed the Legislative Education Taskforce. Along with the taskforce, USBE, the Utah Technology Coordinators Council (TCC), and the Utah Education and Telehealth Network (UETN) assisted in the development of a digital teaching and learning program in Utah.

In the 2015 General Session, Senate Bill (S.B.) 222 passed, requiring the State Board of Education and UETN to develop a digital teaching and learning program proposal. One of the main components of this bill was developing a master plan for a statewide digital teaching and learning program. In addition, UETN was tasked to

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**Utah's Educational Technology Initiative was launched in 1990 to assist local education entities and higher education institutions to implement educational technology.**

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**In the 2015 General Session S.B. 222 required the development of a master plan for a statewide digital teaching and learning program.**

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conduct an inventory of the public education system's current technology resources and technology infrastructure needs.

S.B. 222 required USBE to establish a Digital Teaching and Learning Taskforce to develop the master plan. The task force consisted of USBE members, school district superintendents, school district technology directors, legislators, an executive director of a charter school, and a representative of the Governor's Office.

The task force completed the master plan and presented it to the USBE for approval in October 2015. The master plan was also presented to the Executive Appropriations Committee and the Education Interim Committee.

### **Utah's Master Plan Provided A Vision and Standards**

The master plan is a technical support plan that guides the implementation and maintenance of the program, including standards and competency requirements for technical support personnel. It articulates the purpose, the vision, and the guiding principles of a digital teaching and learning program.

**The Master Plan Provided a Foundation for H.B. 277.** With the master plan approved, H.B. 277 was passed in the 2016 General Session, creating the Digital Teaching and Learning Grant Program. The program is designed to provide high-quality professional learning for education to improve student outcomes using digital teaching learning technology.

**H.B. 277 Established Accountability for the Program.** The bill included three controls to monitor program operation and provide accountability to stakeholders. The controls include an advisory committee, evaluation and reporting, and metrics.

- **Advisory Committee.** The bill established an advisory committee to make recommendations on the program and LEA plan requirements and report to the USBE. However, the board approves LEA plans and awards grants.
- **Evaluation and Reporting.** Each LEA needs to complete an implementation assessment annually and report findings to the state board of education. The bill requires an independent

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**A task force completed the master plan and presented it to the USBE for approval in October 2015.**

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**H.B. 277 passed in the 2016 General Session created the Digital Teaching and Learning Grant Program.**

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**H.B. 277 included three controls, an advisory committee, an annual evaluation, and metrics, to monitor program operations.**

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evaluator to annually evaluate statewide direct and intermediate outcomes, beginning the first year grants are awarded. Furthermore, the bill requires an evaluation of statewide long-term outcomes beginning four years after the grants are awarded.

- **Metrics.** The bill requires USBE to identify outcome-based metrics to measure student achievement related to the digital teaching and learning program. The bill requires the board to develop minimum benchmark standards for student achievement and school-level outcomes to measure successful implementation of a digital teaching and learning program. An interactive dashboard shall be made available to LEAs to track LEAs' long-term, intermediate, and direct outcomes in real time, and LEAs can create customized reports.

### **Award Distribution Was Outlined in Board Rule**

Administrative Rule R277-922-9 provides the distribution of the grant funding, not statute. The grant funding distribution appears reasonable. For charter schools, the available funding is proportionately distributed, based on the statewide headcount divided by the statewide headcount in public schools. Then, for individual charter schools that receive grant awards, the amount available is proportionately distributed based on the participating charter schools' enrollment as a percentage of the total enrollment for all participating charter schools.

For school districts, 10 percent of the total funding is split equally among all the districts. The remaining 90 percent is distributed on a per-student basis.

H.B. 277 provided \$10 million in ongoing funding and \$5 million in one-time funding for the program. The first grant awards were distributed in February 2017 to 65 LEAs. The awards totaled \$12.6 million of the \$15 million appropriated for the program. The remaining funding was used to hire USBE staff, procure an evaluator, and conduct training seminars for the LEAs.

### **LEAs Have Begun Using Grant Awards**

As of the end of fiscal year 2017, 40 of the 65 LEAs receiving grants have begun using their grant awards. Here are four examples of

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**H.B. 277 specifically requires an interactive dashboard for LEAs to track outcomes in real time.**

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**The grant awards were distributed in February 2017 to 65 LEAs. The awards totaled \$12.6 million.**

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**At the end of FY 2017, 40 of the LEAs have begun using their awards.**

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**LEAs have been using their grant awards for a variety of purposes, but a common purpose is training teachers and other staff on technology tools.**

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how a few LEAs are using their grant funds as outlined in their technology:

- **Washington County School District.** The LEA has a comprehensive plan to train stakeholders on technology tools at multiple levels, including administrators, instructional coaches, and teachers.
- **Scholar Academy.** Seventeen of the LEA's 25 teachers are getting their technology endorsements. The LEA is collaborating with Tooele School District and looking at offering endorsement classes at Scholar Academy for both LEAs.
- **Logan City School District.** The LEA is replacing teacher equipment and offering high school summer classes following the Model for Logan Innovations.

With participating LEAs receiving grants in February 2017, it is too early to assess the program's impact. The program evaluator has only been contracted since June 2017. The program's interactive dashboard will also need to be developed as required by statute.

# **Appendix F**

## **State and Federal Government Require School-Level Accountability**

Public school accountability measures have existed in both federal law and state statute for many years. Federal requirements for school-level accountability have been significantly amended twice in the last 16 years. In addition, state laws have required school-level accountability reporting for close to 30 years.

### **Federal Law Requires School Accountability**

The Elementary and Secondary Education Act (ESEA) of 1965 was the first major federal legislation to focus on public education. The ESEA law focused on closing the academic gap for low-income students by providing federal grant funds for this purpose. The law has been reauthorized twice in the last 16 years. It was reauthorized in 2001 as the No Child Left Behind Act (NCLB). It was reauthorized again in late 2015 as the Every Student Succeeds Act (ESSA), the current federal law governing public education.

The NCLB reauthorization in 2001 established specific accountability standards for schools to meet. The law included a measurement the federal government used to monitor if students were meeting academic standards from the previous year. Student proficiency and improvement were assessed by performance on standardized tests. NCLB also required 100 percent of students in the nation be proficient by the year 2014, as measured by standardized tests.

ESSA replaced NCLB in late 2015. ESSA provides more flexibility by allowing states to adopt their own challenging academic standards and state assessments that test to these standards. ESSA requires each state to create a State Plan, which allows the creation of an accountability system in accordance with state-defined academic standards, not federal standards. ESSA does not include the 100 percent proficiency standard of NCLB.

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**Public school accountability measures have existed in both federal law and state statute for many years.**

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**The federal law governing public education, the Elementary and Secondary Education Act (ESEA), has been reauthorized twice in the last 16 years.**

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**The state has maintained its own accountability requirements for public schools for many years.**

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## **Utah Law Requires School Accountability**

In addition to federal accountability, the state has also maintained its own accountability requirements for public schools for many years. The measuring of school data began with House Bill (H.B.) 170 in the 1990 Utah Legislative General Session. The bill required each local education agency (LEA) to create a school performance report, which detailed test scores, grade-level data, and financial information related to per-pupil spending.

In 2000, the Legislature enacted the Utah Performance Assessment System for Students (U-PASS) system in H.B. 177. This system measured students and schools for proficiency levels by statewide achievement assessments.

More recently, in 2011, the Legislature passed the School Grading Act. This act required that schools be assigned a letter grade based on statewide assessment tests. The system was modeled after a similar system initiated in Florida.

## **Three Accountability Systems Initially Created Duplication of Effort**

From 2011 to 2016, USBE was required to report school performance for both federal and state-level accountability standards. The different public education accountability systems had similarities, but did not coincide entirely. The Legislature, the Governor's Office, and the federal government each required accountability reports, resulting in three separate accountability systems for schools. The three systems resulted in a duplication of effort for USBE as they reported school performance to each system separately. After several years, USBE collaborated with the various education stakeholders to create a single comprehensive system.

## **School Grading System Was Mandated by the Legislature**

The school grading system was introduced by the Legislature in 2011's Senate Bill (S.B.) 59. This system replaced U-PASS, the state accountability system since 2000. The school grading program consisted of a system of points awarded based on achievement indicators. The points were then to be converted into a percentage,

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**Federal and state-level accountability standards had similarities, but did not coincide entirely.**

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**The school grading system was introduced by the Legislature in 2011 with S.B. 59.**

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with a school being assigned a grade of A, B, C, D, or F based on this percentage.

However, some education stakeholders were opposed to assigning letter grades to schools. During the 2011 Legislative General Session, the Board of Education was split on whether to support or oppose S.B. 59, the School Grading Act. At the February 2011 state board meeting, a motion was made to officially oppose S.B. 59. However, the motion failed as some board members disagreed with taking this stance.

S.B. 59 required USBE to develop the system and report back to the Legislature's Education Interim committee meetings in 2011. After the passage of the bill, USBE created a school grading committee to model a system after S.B. 59 and recommend changes to the Legislature.

### **USBE Creates System Without Letter Grades**

The result of the school grading committee was the creation of the Utah Comprehensive Accountability System (UCAS). UCAS was similar to the point system recommended by S.B. 59 but did not match entirely. UCAS was presented to the Education Interim Committee in September and November 2011. However, due to opposition by USBE, the letter grade required by the statute was not included in the system. Staff at USBE recognized that UCAS was not fully compatible with S.B. 59, but hoped that future legislation would modify the statute to match this system and not include the letter grade requirement. However, the Legislature did not agree with the system without letter grades, and UCAS was not codified into state law.

Around the same time in 2012, the federal Department of Education began to offer federal requirement waivers to states, recognizing the challenge of having 100 percent student proficiency by NCLB standards. The waiver required that the state adopt challenging standards, assessments, and a robust accountability system to qualify. Utah applied for a waiver using the UCAS accountability system that resulted from the school grading committee. Utah was approved for the waiver and UCAS became the accountability system reported to the federal Department of Education. In 2013, to signify the system's

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**USBE established a school grading committee to model the school grading system and recommend changes to the Legislature**

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**USBE created the Utah Comprehensive Accountability System (UCAS), which did not include the letter grade required by statute.**

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new role, UCAS was renamed the School Federal Accountability Report (SFAR).

### **Governor's PACE Accountability Report**

In April 2012, the Governor's Office introduced the PACE report to the State Board of Education. PACE is an acronym for **P**repare young learners, **A**ccess for all students, **C**omplete certificates and degrees, and **E**conomic alignment. This report required schools to report on specific measures to track the Governor's goal of having 66 percent of Utah residents with a post-secondary degree or certificate by 2020. USBE was charged with creating a matrix that reported how public education was assisting in meeting this goal. The PACE report was designed to be a list of measurements, and was not initially compatible with either the school grading program or UCAS. However, in 2015, the Governor's PACE report and UCAS (name changed to SFAR in 2013) merged into one system due to having similar measurements that were modified to match one another.

### **School Grading Is Reintroduced**

The UCAS (SFAR) system was not codified into state law because it was not aligned with the original school grading legislation of 2011. In 2013, the Legislature passed S.B. 271, a reintroduction of the school grading program. This legislation required that school letter grades be given based on an amended point system for several indicators for the following year.

The reintroduced school grading program was not compatible with UCAS (SFAR) or the PACE report, and required USBE to assign grades to schools in accordance with the original legislation from 2011. As a result, USBE would be required to report to UCAS (SFAR) for federal accountability, assign letter grades based on state statute, and report on the PACE report for the Governor's Office for multiple years. The school grading system was subsequently modified each legislative session up to 2017.

### **Oversight Principles Encouraged Collaboration**

USBE was required to report school performance to separate accountability systems for several years. Using various systems

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**The Governor's Office introduced the PACE report in 2012, which was a list of measurements for school performance.**

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**In 2013, the Legislature passed S.B. 271, a reintroduction of the school grading system.**

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**USBE was required to report to UCAS, the school grading system, and the Governor's PACE report.**

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required a duplication of effort. USBE created an accountability system that was not aligned with the original school grading law. The Governor's PACE report was established, followed by the reintroduction of the school grading system.

However, after several years of multiple systems, USBE applied state-level administrative oversight to reduce the duplication of the three similar systems, as shown in Chapter VII. Collaboration with the Legislature and other education stakeholders resulted in the passage of S.B. 220 in the 2017 General Session. This bill created a comprehensive accountability system that aligned elements of the previous systems and fulfilled goals set forth in the USBE strategic plan. Schools will report on one system that encompasses both state and federal requirements for the 2017-2018 school year.

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**After several years of multiple systems, USBE applied state-level administrative oversight to create a comprehensive accountability system.**

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## **Agency Response**

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## UTAH STATE BOARD OF EDUCATION

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November 7, 2017

Mr. John M. Schaff, CIA  
Office of the Legislative Auditor General  
W315 Utah State Capitol Complex  
P.O. Box 145315  
Salt Lake City, UT 84114-5315

Dear Mr. Schaff:

On behalf of the Utah State Board of Education (USBE), we express appreciation for this review by your office and the time spent by your staff to gain an understanding of the USBE strategic plan *Excellence for Each Student: Education Elevated*. We also appreciate the opportunity to provide a response to the recommendations noted in "A Performance Audit of the History of Selected Public Education Programs". While some of the findings are linked to items beyond our control, we certainly can learn and grow from the narrative and ideas generated; namely, improved oversight and accountability. The Board and staff have been focused on and engaged in improving oversight and accountability in order to improve services and outcomes for every student.

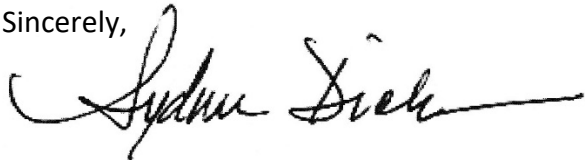
The USBE concurs that the strategic plan can be enhanced. The strategic plan is an iterative process; working towards actionable and measurable strategies that will lead to improved student outcomes. Our dedication to using the strategic plan as the basis for our work is evidenced through 1) monthly discussions on the strategic plan during public Board meeting and 2) recent and subsequent changes to policies, practices, programs, initiatives, and processes.

Public education operates in a dynamic and complex environment that requires accountability and transparency at all levels. The USBE is working with stakeholders at all levels to obtain input, report results, analyze programs and funds, and affect changes to regulations that will benefit the students of the state of Utah. The USBE has recently hired a fiscal policy analyst, a grants compliance officer, and is seeking resources to hire three program evaluators. These positions, along with various other organization and system changes, will facilitate better

Mr. John M. Schaff  
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administrative oversight and accountability, which will enhance the decision-making process as we address the recommendations for the programs reviewed and all programs administered by the USBE in seeking excellence for each student.

Sincerely,

A handwritten signature in black ink, appearing to read "Sydnee Dickson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Sydnee Dickson, Ed.D.  
State Superintendent of Public Instruction

cc: Mark Huntsman, Utah State Board of Education, Chair  
Terryl Warner, Utah State Board of Education, Vice Chair and Audit Committee Chair  
Scott Jones, Deputy Superintendent of Operations  
Patty Norman, Deputy Superintendent of Student Achievement  
Debbie Davis, Director of Internal Audit