

Sup. Summary
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Utah STATE OFFICE OF Education

PUBLIC EDUCATION SUMMARY

2012 General Session of the Utah Legislature



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Foreword

This publication represents the combined effort of staff members at the Utah State Office of Education. It is intended to be a single-source review of education-related legislation from the 2012 Legislative Session. This publication is written for State School Board members, local school board members, charter school board members, superintendents, charter school administrators, and school business administrators. It may also be useful to other public education-related organizations and to State Legislators.

The main body of the publication reviews each education-related bill that was passed and identifies action that might be taken by the State School Board and district or charter boards to implement the requirements of the legislation. The publication also contains summary information on funding, bills not passed, and items from the Master Study List that may be addressed by the Legislature during the Interim Session or the 2013 Legislative Session.

This publication is a service of the Utah State Office of Education, but is not intended to convey any specific direction or assignments for action by the local education entities. Such requirements, if needed, will come directly from the Office of the State Superintendent. This publication is also not intended as a formal legal opinion or interpretation of legislative action.

Comments concerning this publication or suggestions for improvement should be directed to Martell Menlove at martell.menlove@schools.utah.gov or 801-538-7762.

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2012 Legislative General Session Fiscal Highlights

- Overall funding in Minimum School Program of \$3.026 billion, or a 1.3% increase over FY12
- State funding for Minimum School Program increased by 3.1%, or \$71.6 million
- Fully Funded enrollment growth increase of \$40.997 million in state and local revenues, for an estimated increase of 12,479 students next year
- Value of WPU increased by .92%, or \$26 per regular WPU

	FY2012	FY2013	Increase
Regular WPU Value	2,816	2,842	26
Add-on WPU Value	2,577	2,607	30

- State Board Priorities Funded \$104.8 million:
 - ✓ CAT Technologies \$14.3 million
 - ✓ Enrollment Growth \$40.9 million
 - ✓ WPU Increase \$20.5 million
 - ✓ Early Intervention \$10.0 million
 - ✓ Utah Core \$1.0 million
 - ✓ Charter School Start-up \$2.5 million
 - ✓ UCAT Attendance \$3.9 million
 - ✓ USDB Programs \$.3 million
 - ✓ Beverly Taylor Sorenson Arts Learning Program \$2.0 million
 - ✓ NESS \$3.0 million
 - ✓ Teacher Supplies \$5.0 million
 - ✓ To and From Pupil Transportation \$6.3 million
- Increases to MSP Programs \$5.9 million:
 - ✓ Voted and Board Leeway State Guarantee \$2.0 million
 - ✓ Library Books \$.05 million
 - ✓ Flexible WPU Allocation \$.4 million
 - ✓ Educator Salary Adjustments \$2.8 million
 - ✓ Dual Immersion \$.8 million
- New Funding for Education Programs \$3.5 million:
 - ✓ Paraeducators for Title I schools \$.3 million
 - ✓ Charter School Financing \$3.0 million
 - ✓ IT Academy \$.25 million
- Legislative Initiatives for Education \$2.4 million:
 - ✓ ProStart \$.04 million
 - ✓ Grants for Math Teacher Training \$.5 million
 - ✓ Math Materials Access Improvement \$.6 million
 - ✓ Software for Special Needs Children \$.3 million
 - ✓ Arts and Science Outreach \$.2 million
 - ✓ UtahFutures \$.5 million
 - ✓ Peer Assistance \$.3 million
- RFP Expectations:
 - ✓ Online Education Survey \$40,000
 - ✓ Early Intervention technology provider \$2,500,000
 - ✓ Software for special needs children \$300,000
 - ✓ New mathematics textbooks and online materials aligned with Utah Core \$600,000
 - ✓ Technology support for UtahFutures \$500,000
 - ✓ Adaptive Testing \$6,700,000

**Minimum School Program & School Building Program Appropriated Budgets
2012 General Session**

A	B	C	D	E	F	G	H
	Fiscal Year 2012 Revised		Fiscal Year 2013 HB1, SB2, HB206, SB81, HB513, HB3		Funding Changes FY12 Revised to FY13		
Basic School Program - WPU Programs (Above-the-Line)							
WPU Value:		\$2,816		\$2,842		26	0.92%
WPU Value for Add-on Programs:		\$2,577		\$2,607		30	1.16%
Basic Rate:		0.001591		0.001665		0.000074	4.7%
Programs of Expenditure	WPU	Funding	WPU	Funding	WPU	Amount	Percent
A. Regular Basic School Program							
1. Kindergarten	27,018	\$76,082,700	26,737	\$75,986,600	(281)	(\$96,100)	-0.1%
2. Grades 1-12	523,304	1,473,624,100	526,402	1,496,034,500	3,098	22,410,400	1.5%
3. Necessarily Existent Small Schools	7,649	21,539,600	8,702	24,731,100	1,053	3,191,500	14.8%
4. Professional Staff	48,886	137,663,000	48,245	137,112,300	(641)	(\$50,700)	-0.4%
5. Administrative Costs	1,535	4,322,500	1,560	4,433,500	25	111,000	2.6%
Subtotal Regular Program:	608,392	\$1,713,231,900	611,646	\$1,738,298,000	3,254	\$25,066,100	1.5%
B. Restricted Basic School Program							
1. Special Education - Add-on WPUs	65,190	\$167,994,600	68,508	\$178,600,400	3,318	10,605,800	6.3%
2. Special Education - Pre-school	9,188	25,873,400	9,381	26,660,800	193	787,400	3.0%
3. Special Education - Self-Contained Regular WPUs	14,146	39,835,100	14,410	40,953,200	264	1,118,100	2.8%
4. Special Education - Extended Year Program	403	1,134,800	417	1,185,100	14	50,300	4.4%
5. Special Education - State Programs	2,731	7,690,500	2,769	7,869,500	38	179,000	2.3%
Subtotal Special Education:	91,658	\$242,528,400	95,485	\$255,269,000	3,827	\$12,740,600	5.3%
6. Career & Technology Education - District Add-on	27,907	\$71,916,300	28,433	\$74,124,800	526	2,208,500	3.1%
7. Class Size Reduction	36,768	\$103,538,700	37,540	\$106,688,700	772	3,150,000	3.0%
Subtotal Restricted Program:	156,333	\$417,983,400	161,458	\$436,082,500	5,125	\$18,099,100	4.3%
Total Expenditures Basic School Program:	764,725	\$2,131,215,300	773,104	\$2,174,380,500	8,379	\$43,165,200	2.0%
Related to Basic School Program - Non-WPU Programs (Below-the-Line)							
Programs of Expenditure		Funding		Funding			
A. Related to Basic Programs							
1. To and From School - Pupil Transportation		59,346,900		65,646,900		6,300,000	10.6%
2. Guarantee Transportation Levy		500,000		500,000		0	0.0%
3. Flexible Allocation - WPU Distribution		22,698,900		23,106,600		407,700	1.8%
4. Federal Education Jobs Fund - WPU Distribution		21,371,000		0		(21,371,000)	-100.0%
Subtotal Related to Basic Programs:		\$103,916,800		\$89,253,500		(\$14,663,300)	-14.1%
B. Special Populations							
1. Enhancement for At-Risk Students		22,432,300		22,432,300		0	0.0%
2. Youth-in-Custody		18,321,100		18,321,100		0	0.0%
3. Adult Education		9,000,000		9,000,000		0	0.0%
4. Enhancement for Accelerated Students		3,979,900		3,979,900		0	0.0%
5. Concurrent Enrollment		8,531,200		8,531,200		0	0.0%
6. Title I in Improvement Paraeducator Funding		0		300,000		300,000	n/a
Subtotal Special Populations:		\$62,264,500		\$62,564,500		\$300,000	0.5%
C. Other Programs							
1. School LAND Trust Program		22,600,000		22,600,000		0	0.0%
2. Charter Schools							n/a
a. Local Replacement Funding		67,258,900		77,868,900		10,610,000	15.8%
b. Administrative Costs		4,627,800		5,142,100		514,300	11.1%
3. K-3 Reading Improvement Program		15,000,000		15,000,000		0	0.0%
4. Educator Salary Adjustments		154,786,700		154,786,700		0	0.0%
5. Teacher Salary Supplement Restricted Account		5,000,000		5,000,000		0	0.0%
6. Library Books & Electronic Resources		500,000		550,000		50,000	10.0%
7. Matching Fund for School Nurses		882,000		882,000		0	0.0%
8. Critical Languages & Dual Immersion		975,400		975,400		0	0.0%
9. Year-Round Math & Science (USTAR Centers)		6,200,000		6,200,000		0	0.0%
Subtotal Other Programs:		\$277,830,800		\$289,005,100		\$11,174,300	4.0%
D. One-time Funding Items							
1. Pupil Transportation		6,300,000		0		(6,300,000)	-100.0%
2. Teacher Supplies & Materials		5,000,000		5,000,000		0	0.0%
3. Beverley Taylor Sorenson Arts Learning Program		4,000,000		2,000,000		(2,000,000)	-50.0%
4. Early Intervention		7,500,000		7,500,000		0	0.0%
5. Pilot Assessment (Large School District)		1,000,000		0		(1,000,000)	-100.0%
6. Dual Immersion		0		800,000		800,000	n/a
Subtotal One-time Programs:		\$23,800,000		\$15,300,000		(\$8,500,000)	-35.7%
Total Expenditures Related to Basic School Program:		\$467,812,100		\$456,123,100		(\$11,689,000)	-2.5%
Voted & Board Leeways							
State Guarantee Rate:		\$27.17		\$27.36		\$0.19	0.7%
Programs of Expenditure		Funding		Funding			
A. Voted and Board Leeway Programs							
1. Voted Leeway		\$297,260,800		\$298,200,100		\$939,300	0.3%
2. Board Leeway		75,144,500		82,319,600		7,175,100	9.5%
3. Board Leeway - Reading Improvement Program		15,000,000		15,000,000		0	0.0%
Total Expenditures Voted & Board Leeway Programs:		\$387,405,300		\$395,519,700		\$8,114,400	2.1%
Minimum School Program Total:		\$2,986,432,700		\$3,026,023,300		\$39,590,600	1.3%

**H.B. 53 (S1) Utah Education Network Amendments
(Menlove/Hillyard)**

This bill clarifies the governance of the Utah Education Network (UEN) by creating the Utah Education Network Board (which is the new governing board for UEN specifying the membership of the Utah Education Network Board), and by specifying the power and duties of the Utah Education Network Board.

USOE/State Board Action: Appoint four members representing public education to the Utah Education Network Board.

District/Charter School Action: NONE

Funding: NONE

Effective Date: February 23, 2012

USOE Contact: Brenda Hales, 801-538-7515, brenda.hales@schools.utah.gov

**H.B. 62 Provisions Regarding School Supplies
(Powell/Osmond)**

This bill allows elementary schools and teachers to provide parents with a list of suggested school supplies. It requires that specific explanatory language be included on supply lists and requires schools to provide equivalent supplies to all students free of charge.

USOE/State Board Action: This bill will require amendments to R277-407—School Fees.

District/Charter School Action: Districts and charters may need to make changes to local policies on the provisions of school supplies, and assure that statutory “notice” is included on any supply lists made available to parents. “NOTICE: THE ITEMS ON THIS LIST WILL BE USED DURING THE REGULAR SCHOOL DAY. THEY MAY BE BROUGHT FROM HOME ON A VOLUNTARY BASIS, OTHERWISE, THEY WILL BE FURNISHED BY THE SCHOOL.”

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Carol Lear, 801-538-7835, carol.lear@schools.utah.gov

**H.B. 115 Peer Assistance and Review Pilot Program
(Moss/Osmond)**

HB 115 appropriates money for a pilot program to assist school districts with mentoring and evaluation of new and underperforming veteran teachers. The Peer Assistance and Review (PAR) pilot will be created to use “consulting” teachers in conducting regular evaluations, providing assistance, and making recommendations for continued employment. A PAR Joint Panel made up of equal parts teachers and

administrators acts as the governing panel of a district's PAR Program grant money, which can be used to hire consultants and fund additional stipends, equipment, and travel for consulting teachers, as well as to fund operational costs of the PAR Joint Panel and teachers enrolled in the program.

USOE/State Board Action:

1. Make rules specifying:
 - Procedures for applying for and awarding grants.
 - Criteria for awarding grants.
 - Reporting requirements for grantees.
2. Solicit proposals to participate in pilot from districts.
3. Determine awardees of grant based on Board criteria.
4. Report findings from pilot to Education Interim Committee.

District/Charter School Action:

1. Apply for pilot inclusion if interested.
2. If accepted, adhere to components of HB 115 and subsequent rule.
3. Provide data to the USOE for reporting to Board and Education Interim Committee.

Funding: One-time funding of \$300,000 non-lapsing

Effective Date: May 8, 2012

USOE Contact: Sydnee Dickson, 801-538-7788, sydnee.dickson@schools.utah.gov

**H.B. 128 School Community Council Revisions
(Wright/Dayton)**

This bill exempts school community councils from the requirements of the Open and Public Meetings Act and establishes requirements for the notice, agenda, and minutes of a school community council meeting. The bill also requires that school community council elections be conducted within the first 30 days of the school year and end no later than the 35th day of the school year.

USOE/State Board Action: Board Rule revisions to R277-491. Continue to train districts and councils on the requirements of the law.

District/Charter School Action: Ensure that schools provide notice of open school community council positions and conduct elections in a timely manner in the fall as schools open. Ensure that school community council meetings are conducted openly. This bill prohibits school community councils from having closed meetings.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Paula Plant, 801-538-7555, paula.plant@schools.utah.gov

H.B. 148 **Transfer of Public Lands Act and Related Study**
(Ivory/Niederhauser)

This bill enacts the Transfer of Public Lands Act and provides that the state shall retain 5% of the net proceeds it receives and deposit those proceeds into the permanent State School Fund.

USOE/State Board Action: NONE

District/Charter School Action: NONE

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Martell Menlove, 801-538-7762, martell.menlove@schools.utah.gov

H.B. 149 **Online Education Survey**
(Eliason/Osmond)

This bill provides for the establishment of a pilot online school survey system in which students, parents, and teachers evaluate schools.

USOE/State Board Action: This bill requires the State Board of Education to establish a pilot online school survey system, including surveys to enable (1) students to evaluate teachers and school administrators; (2) parents to evaluate teachers, schools, and themselves; and (3) teachers to evaluate schools and school administrators. The State Board of Education must contract with a provider, through a request for proposals process, or develop a system to provide technology for the survey system; make rules establishing procedures for administering surveys or making available online access to surveys; analyze and aggregate survey data; publish aggregated survey data on its website; and make results available to school districts and school administrators.

Intent Language: The Legislature intends that at least \$30,000 of the appropriation (\$40,000) for Contracts and Grants be used for technology related to the pilot online school survey system created in Section 53A-1-410.

District/Charter School Action: Administer online student surveys of teachers; make available to parents online access to surveys which they may complete for their children's teachers and schools.

Funding: \$40,000

Effective Date: May 8, 2012; appropriation takes effect July 1, 2012.

USOE Contact: Todd Hauber, 801-538-7514, todd.hauber@schools.utah.gov
Larry Newton, 801-538-7668, larry.newton@schools.utah.gov
Cory Kanth, 801-538-7660, cory.kanth@schools.utah.gov

H.B. 156

**Public Education Program Amendments
(Newbold-Bramble)**

This bill amends, adjusts, or eliminates several public education programs. Specifically, the bill:

1. Requires the State Board of Education to provide a general financial literacy test-out option.
2. Amends funding for foreign exchange students to include them in student growth counts for the purpose of adjusting certain appropriations.
3. Eliminates an NESS program to help teachers obtain endorsements and licenses.
4. Eliminates a requirement that the State Board make rules on the distribution and care of textbooks.
5. Eliminates outdated language and provisions on career ladders.
6. Eliminates a requirement pertaining to the allocation of WPU funds between licensed and classified school district employees.
7. Eliminates funding language for three programs that no longer exist: the Families, Agencies, and Communities Together for Children and Youth (FACT) program; the Local Discretionary Block Grant; and a 2001 school district hold harmless program.
8. Eliminates the requirement to provide higher compensation to classified employees in comparison to other employee groups.

USOE/State Board Action: Change the foreign exchange website, change the pupil accounting handbook, and inform LEAs of the availability of the General Financial Literacy competency-based test.

District/Charter School Action: Change rules or procedures associated with foreign exchange students, provide information to students regarding the test-out option for general financial literacy, and review implications of changes regarding WPU funds and employee groups.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Brenda Hales, 801-538-7515, brenda.hales@schools.utah.gov

H.B. 197

**Grants for Math Teacher Training
(Edwards/Stephenson)**

This bill appropriates money for math teacher training programs.

USOE/State Board Action: The Board of Education must make rules establishing criteria for awarding grants for math teacher training programs.

District/Charter School Action: NONE

Funding: \$500,000

Effective Date: July 1, 2012

USOE Contact: Sydnee Dickson, 801-538-7788, sydnee.dickson@schools.utah.gov

**H.B. 206 (S2) Curriculum Options for Secondary School Students (UCAT)
(Ipson/Valentine)**

This bill contains two fairly unrelated provisions:

First—the bill gives greater control to the secondary school student, or the parent or guardian of a minor student, in determining if the career and technical education goals of the student are better achieved by attending a UCAT facility.

Second—the bill allows for secondary students served under this section of the Code on a campus of the UCAT to be counted in the average daily membership (ADM) of the sending school district or charter. This is funded by reducing the value of the WPU from \$2,848 to \$2,842.

USOE/State Board Action: Whereas the bill specifically notes that 1,373 WPUs are allocated for this purpose, the State Board intends to amend R277-419—Pupil Accounting—to define qualifying students statewide with the intention that the number of qualifying students will be approximately 1,373 WPUs. The rule may apply to all students leaving high school campuses to attend class at another state-funded institution.

District/Charter School Action: Districts and charters will continue to count qualifying students in their ADM. If districts and charters choose to send non-qualifying students to a UCAT facility, they will be required to prorate the ADM for those students based on the time they are actually in school in the district or charter facility.

Funding: No new funding was allocated for this bill. To account for the additional 1,373 WPUs now allowed to be counted in ADM, the value of the WPU was reduced from \$2,848 to \$2,842. This reduced value applies to all WPUs except those WPUs already valued at \$2,607 (SPED and CTE Add-on).

Effective Date: Districts and charters will be allowed to count all students attending a UCAT facility in their 2011-2012 ADM. For 2012-2013 and moving forward, only qualifying students will be allowed to be counted in the ADM.

USOE Contact: Martell Menlove, 801-538-7762, martell.menlove@schools.utah.gov

**H.B. 213 (S1) School Community Council Member Qualifications
(Perry/Osmond)**

This bill requires that the parent or guardian members of a school community council total at least two more than the school employee members of the council. The bill also requires that the number of parent or guardian members of a council who are not educators employed by the district exceed the number of parent or guardian members of the council who are educators employed by the district. The bill allows for a school employee to serve on a community council at a school where the employee is not employed.

USOE/State Board Action: Potential Board rule revisions. Continue to train districts and councils on the requirements of the law.

District/Charter School Action: Ensure that the membership of school community councils conforms to the law.

Funding: No funding needed.

Effective Date: May 8, 2012

USOE Contact: Paula Plant, 801-538-7555, paula.plant@schools.utah.gov

H.B. 218 **Local School Board Business Administrator
(McCay/Stephenson)**

Similar to SB 172 from 2011, which limited appointments of superintendents, this bill prohibits a local school board from appointing a business administrator between the time a general election is held in November and the time new school board members take office in January. It also prohibits a local school board from entering into a contract that has an automatic renewal provision with a business administrator.

USOE/State Board Action: NONE

District/Charter School Action: May need to revisit business administrator appointment policy.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Martell Menlove, 801-538-7762, martell.menlove@schools.utah.gov

H.B. 230 **Utah Schools for the Deaf and the Blind Amendments
(Seelig/Bramble)**

This bill (1) gives greater flexibility to the State Board regarding qualifications, terms of employment, and duties of the USDB Superintendent; (2) gives greater responsibility to the State Board and its relationship with the USDB Advisory Council; and (3) specifies reporting requirements for USDB.

USOE/State Board Action: Will require changes to R277-800—Utah Schools for the Deaf and the Blind.

District/Charter School Action: NONE

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Martell Menlove, 801-538-7762, martell.menlove@schools.utah.gov

H.B. 261 **Dividing of School Districts Amendments
(Sumsion/Osmond)**

This bill provides that, upon a future district split, the new district and the remaining district will continue to impose certain property tax levies for five (5) years.

USOE/State Board Action: NONE

District/Charter School Action: NONE, unless there is a district split.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Larry Newton, 801-538-7668, larry.newton@schools.utah.gov

**H.B. 311 Electronic Meetings for Charter School
(Daw/Urquhart)**

This bill allows, under specific conditions, for a charter school to conduct and convene electronic meetings, in writing, on a school website. The charter school must keep all the content of the electronic meeting as a record of the meeting.

USOE/State Board Action: NONE

District/Charter School Action: If a charter school chooses to use this form of a meeting for its governing body, it must assure that all provisions of Utah Code 52-4-302 are adhered to.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Marlies Burns, 801-538-7817, marlies.burns@schools.utah.gov

**H.B. 363 (Veto) Health Education Amendments
(Wright/Dayton)**

This bill requires human sexuality instruction or instructional programs to teach and stress:

1. The importance of abstinence from all sexual activity before marriage and fidelity after marriage as the only sure methods for preventing certain communicable diseases.
2. Personal skills that encourage individual choice of abstinence before marriage and fidelity.

Allows local school boards to adopt abstinence-only instructional materials or opt out of providing human sexuality instruction.

USOE/State Board Action:

1. Develop and/or recommend an abstinence-only curriculum (in consultation with parents) for courses that include instruction on human sexuality.
2. Instructional materials must include a parent component to assist parents in providing human sexuality instruction to their children.
3. Provide abstinence-only professional development for all human sexuality teachers.

District/Charter School Action:

1. Local Educational Agencies may choose not to provide sex education to their students.
2. Advance parent permission is required for abstinence-only human sexuality instruction.
3. Teachers may not discuss homosexuality or contraceptive methods or devices.
4. Teachers are prohibited from answering spontaneous questions regarding homosexuality or contraceptive methods or devices.
5. LEA Human Sexuality Instructional Materials Committees may choose to adopt materials not on the USOE list as long as they support abstinence-only instruction.
6. LEAs must provide abstinence-only professional development for all human sexuality teachers.

Funding: No funding attached.

Effective Date: July 1, 2012

USOE Contact: Sydnee Dickson, 801-538-7788, sydnee.dickson@schools.utah.gov

**H.B. 367 (S2) Trust Lands Amendments
(Noel-Dayton)**

This bill establishes in Code the School Children’s Trust Section within the USOE, and provides for funding for the section and the selection of a Director. The Director is charged with duties pertaining to trust lands, the permanent School Fund, and the School LAND Trust Program. The bill also establishes timelines for the Nominating Committee and requires that the SITLA Director keep the School Children’s Trust Director informed on matters important to beneficiary rights and interests.

USOE/State Board Action: Potential Board Rule revisions (R277-477); appointment of the Section Director through the Nominating Committee.

District/Charter School Action: NONE

Funding: Section funding will continue to be appropriated from the Interest and Dividends Account.

Effective Date: May 8, 2012

USOE Contact: Martell Menlove, 801-538-7762, martell.menlove@schools.utah.gov

**H.B. 389 Student Education Occupation Plan Amendments
(Newbold/Stephenson)**

This bill makes minor changes to the Student Education Occupation Plan (SEOP). It defines an SEOP and specifies that the SEOP is to be initiated early in the student’s secondary education to help guide students in course selection and preparation to post-secondary options.

Student Education/Occupation Plan (SEOP) now means a plan developed by a student and the student's parent or guardian, in consultation with school counselors, teachers, and administrators that (1) is initiated at the beginning of grade 7, (2) identifies a student's skills and objectives, (3) maps out a strategy to guide a student's course selection, and (4) links a student to post-secondary options, including higher education and careers.

USOE/State Board Action: Amend R277-462—Comprehensive Counseling and Guidance Program.

District/Charter School Action: LEAs may need to also revisit and/or rewrite local SEOP policy.

Funding: NONE

Effective Date: July 1, 2012

USOE Contact: Lillian Tsosie-Jensen, 801-538-7962, lillian.tsosie-jensen@schools.utah.gov

USOE/State Board Action: NONE

District/Charter School Action: Eligible charter schools may amend their charter agreement with the State Charter School Board consistent with the change in law.

Funding: No funding needed.

Effective Date: July 1, 2012

USOE Contact: Marlies Burns, 801-538-7817, marlies.burns@schools.utah.gov

H.B. 454 **Open Enrollment Amendments**
(Brown/Niederhauser)

This bill allows for an earlier application deadline for open enrollment (November 1 instead of the third Friday in February) if a district is implementing a district-wide grade reconfiguration the next school year.

USOE/State Board Action: The State Board will need to amend R277-437—Student Enrollment Options.

District/Charter School Action: If a district chooses to change grade configurations district-wide, the open enrollment period in the year prior to the change is August 1 through November 1. If this occurs, the district must provide written notice to all parents or legal guardians of each student who resides in the district and other interested parties of the revised early enrollment period.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Cathy Dudley, 801-538-7667, cathy.dudley@schools.utah.gov

H.B. 491 **Midterm Vacancy Amendments**
(Dougall/Valentine)

This bill amends the Utah election code by requiring municipalities and local school boards to interview potential appointees for vacancies filled other than through a regular election in public meetings. It prohibits any discussion of filling midterm vacancies or temporary absences in a closed meeting.

USOE/State Board Action: NONE

District/Charter School Action: If districts previously interviewed applicants for midterm school board vacancies or discussed applicants for school board midterm vacancies in a closed meeting, this bill prohibits such activities. All interviews and discussions for midterm vacancies must be in open meetings.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Martell Menlove, 801-538-7762, martell.menlove@schools.utah.gov

H.B. 500 **Education Reporting Efficiency Amendments**
(Wilcox/Osmond)

This bill requires the State Board of Education to meet with LEA representatives to determine how to modify or eliminate reporting requirements to reduce the time school district and charter school personnel spend in completing reports. The State Board is to consider eliminating Board reports that are redundant or reporting where time and effort exceed the value of what is being reported, and to recommend elimination of reports required in statute that are redundant or of little value.

USOE/State Board Action: Meet with LEAs to discuss reporting requirements. Make changes, if needed, to State Board reports. Recommend changes, if needed, to state statute reporting requirements. Report to the Education Interim Committee by October 2012.

District/Charter School Action: Participate in discussion on reporting requirements.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Brenda Hales, 801-538-7515, brenda.hales@schools.utah.gov

H.B. 501 (S1) **Youth Suicide Prevention**
(Hutchings/Mayne)

This bill requires the State Board of Education to develop or adopt sample materials to be used by an LEA regarding student suicide prevention, and to provide professional development to educators on this subject. Licensed employees are required to complete two hours of professional development on youth suicide prevention within the period of their license renewal cycle.

USOE/State Board Action: Adopt or develop sample materials to be used by LEAs for professional development on youth suicide prevention.

District/Charter School Action: LEAs must provide professional development on youth suicide prevention to all licensed employees. All licensed employees must complete two hours of professional development on youth suicide prevention within license renewal cycle.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Sydnee Dickson, 801-538-7788, sydnee.dickson@schools.utah.gov

H.B. 503 (S2) **Construction Amendments**
(Morley/Niederhauser)

This bill amends the Utah Code relating to construction contract terms, bond and lien claims. Language defines the term "differing site conditions clause" and requires contracts for school building construction to contain this clause. The bill requires that, unless otherwise specified in a lawful contract between the

owner and the person making a bond claim, the interest rate applicable to a lien or bond claim must have the statutory rate of 10% per annum. It defines that a temporary labor service company, a professional employer company or organization, a union trust fund, or any other entity that provides or collects for labor not be exempt from providing preliminary notice of a payment bond claim or a lien.

USOE/State Board Action: USOE may have to change their board rules and the “School Building Construction and Inspection Resource Manual (Resource Manual),” to align with changes to state statute.

District/Charter School Action: If current Board policies do not reflect the need to include: “differing site conditions clauses,” the statutory rate of 10% for liens or bond claims; and/or the ability to include provisions by the contractor of operations, maintenance, or financing in design-build or construction manager/general contractor contracts, they may need to update such policies.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Todd Hauber, 801-538-7514, todd.hauber@schools.utah.gov
Larry Newton, 801-538-7668, larry.newton@schools.utah.gov
Jenefer Youngfield, 801-538-7669, jenefer.youngfield@schools.utah.gov

H.B. 513 Early Intervention Program (Newbold/Stephenson)

This bill creates an early intervention program (Title 53A, State System of Public Education) that is targeted to at-risk students and delivered through a voluntary enhanced kindergarten program. It also requires the State Board of Education to select technology providers through an RFP process to provide interactive computer software for literacy or mathematics instruction and assessment in grades K-1.

USOE/State Board Action: An RFP for interactive technology providers must be created, subsequent respondents evaluated, and one or more vendors selected. Data must be collected on student performance related to computer software use and reported prior to November 1, 2013. Amend R277-481—OEK.

District/Charter School Action: Districts and charter schools that receive funding based on the number of identified at-risk students (based on free and reduced-fee lunch count) must provide a voluntary enhanced kindergarten program that uses research-based practices designed to close performance gaps for at-risk students.

Funding: \$7,500,000 for a voluntary enhanced kindergarten program
\$2,500,000 for an interactive computer software program for literacy or mathematics instruction and assessment in grades K-1

Effective Date: July 1, 2012

USOE Contact: Tiffany Hall, 801-538-7893, tiffany.hall@schools.utah.gov

**H.B. 514 (S1) Public and Higher Education Technology Amendments
(Newbold/Stephenson)**

This bill directs the State Board of Education, Salt Lake Community College, and the Utah College of Applied Technology to provide a high school educational program on the use of information technology, and specifies the components of an educational program on the use of information technology, including a curriculum, online access, classroom instructional software for student use, certification (for students), professional development, etc.

USOE/State Board Action: Provide a high school educational program on the use of information technology to impart instruction on skills and competencies essential for the workplace and requested by employers. The components include a curriculum; online access to the curriculum; instructional software for classroom and student use; certification in skills and competencies most frequently requested by employers; professional development for teachers; and deployment and program support, including integration with existing curriculum standards. It is to be available to high school students, faculty, and staff.

District/Charter School Action: LEAs will need to include this program in their course schedule.

Funding: One-time appropriation of \$250,000

Effective Date: May 8, 2012

USOE Contact: Brenda Hales, 801-538-7515, brenda.hales@schools.utah.gov

**H.J.R. 1 (S2) Sustainable Schools Joint Resolution
(Wheatley/Morgan)**

This bill encourages the State Board of Education and school districts to consider ways to establish schools that promote a healthy environment for students as well as being energy efficient in their operations and development.

USOE/State Board Action: Provide a copy of the resolution to all school district school boards. USOE will have to incorporate language in the “School Building Construction and Inspection Resource Manual (Resource Manual)” to support language found in the resolution.

District/Charter School Action: Consider sustainable practices that support the resolution that can be incorporated effectively into school construction and operation.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Jenefer Youngfield, 801-538-7669, jenefer.youngfield@schools.utah.gov

**S.B. 64 (S1) Public Education Employment Reform
(Osmond/Gibson)**

SB 64 amends 53A-1-301 to clarify the role of the State Board in appointing the state superintendent, and outlines duties of the state superintendent with regard to a statewide education strategy for system-wide improvement, accountability, and reporting.

The Public Education Human Resource Management Act is amended to provide general guidelines, requirements, and procedures for the development and implementation of employee evaluations, including:

1. Annual evaluations of each school district employee (exemptions can be made for temporary or part-time employees).
2. Summative ratings that differentiates among four levels of performance.
3. Provisions for independent review of an educator's summative evaluation.
4. Specific steps for remediating deficiencies determined through evaluation process.

Provisions for new employee compensation and termination procedures are also outlined in this bill.

USOE/State Board Action:

1. Make rules (R277-531—Public Educator Evaluation Requirements) in accordance with SB 64, including required components of employee evaluations, timelines for implementation, reporting mechanisms, and privacy and protection of individual data. These provisions include creating specific rules for both teacher and administrator evaluations.
2. Report progress on implementation to Education Interim Committee as requested.
3. Make rules for performance compensation as required in 53A-8a-601.

District/Charter School Action:

1. Local boards, in consultation with its educator evaluation joint committee, will develop an educator evaluation program based on the rules set forth by the Board. Districts can adopt or adapt the USOE model or develop their own aligned with Board requirements established in rule. Full implementation of teacher and administrator evaluation systems must occur no later than the 2014-15 school year.
2. Districts will include orderly termination policies and procedures, as well as standards related to developing and implementing a plan of assistance for career employees whose performance is unsatisfactory. Nonrenewal or termination of a career employee's contract for unsatisfactory performance is more detailed in 53A-8a-503.
3. Transference of employees with unsatisfactory performance is restricted and can only be approved by the local school board.
4. Implement employee compensation system aligned with Board rule and annual evaluation system no later than 2015-2016 school year.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Sydnee Dickson, 801-538-7788, sydnee.dickson@schools.utah.gov

**S.B. 151 (S2) Students at Risk of Academic Failure Study
(Stephenson/Hughes)**

This bill directs the Education Interim Committee to study students at risk of academic failure as it relates to (1) funding the demand for Carson Smith Scholarships, (2) funding to assist students who score below proficiency or are economically disadvantaged, (3) programs in other states to assist at-risk students, and (4) other initiatives to assist at-risk students.

NOTE: The original SB 151—Student Opportunity Scholarships—was a bill to provide qualifying students scholarships to attend private schools through tax credit donations to scholarship-granting organizations. SB 151 2nd Substitute, the bill that passed, is considerably different from the original SB 151.

USOE/State Board Action: NONE

District/Charter School Action: NONE

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Martell Menlove, 801-538-7762, martell.menlove@schools.utah.gov

**S.B. 152 Charter School Financing
(Valentine/Brown)**

This bill establishes the Charter School Credit Enhancement Program and requires that the Utah Charter School Finance Authority establish criteria for charter school qualification to participate in bonding with this Program.

USOE/State Board Action: NONE

District/Charter School Action: Eligible charter schools may submit an application for participation in the Charter School Credit Enhancement Program.

Funding: \$3M allocated.

Effective Date: July 1, 2012

USOE Contact: Marlies Burns, 801-538-7817, marlies.burns@schools.utah.gov

**S.B. 153 (S2) Procurement Amendments
(Niederhauser/Brown)**

This bill recodifies and amends the Utah Procurement Code and becomes effective May 1, 2013. The bill's language describes requirements and procedures relating to procurements by public entities, including applicability and exemptions from certain provisions of the Procurement Code; duties and

powers of the Division of Purchasing and General Services, the State Procurement Policy Board, the procurement advisory councils, the state chief procurement officer, and the Purchasing from the Persons with Disabilities Advisory Board. The bill's language addresses cancellations, rejections, and debarment; reciprocal preferences and purchase from community rehabilitation programs; bid security and bond requirements; contracts and change orders; construction procurement and contracts; architect-engineering services; limiting information selection committee members may have; situations in which an informal cost-benefit analysis is required; allowing the use of multi-year contracts with restrictions; allowing construction manager/general contractor or design-build contracts to include provisions for obtaining a site for the construction project; small purchases; Requests For Information (RFI); multi-stage bidding; reverse auctions; transitional costs when changing providers; retention of records; contractors and subcontractors maintaining books and records related to the construction cost and pricing data of projects; addressing interaction between public procurement units; allowing circumstances in which an appeals board may be established; defining a "local public procurement unit" and the "head of a public procurement unit" (which includes school districts and charter schools, or designees for charter schools); making available to the public a written record of all procurements for an expenditure of \$50 or more; procedures, requirements, and limitations relating to controversies, protests, appeals, and judicial action; establishing ethical practice provisions relating to procurements and requiring compliance with the American Bar Association 2000 Model Procurement Code—Section 12; and amending existing and enacting new criminal provisions and penalties relating to procurements (including unlawful conduct, gratuities, dividing purchases, penalties and voiding contracts). The bill also clarifies that, to the extent that it does not conflict with potentially more restrictive requirements set forth by the State Board of Education, school districts and charter schools are required to follow the Utah Procurement Code.

USOE/State Board Action: If current State Board rules do not reflect changes outlined in this bill, they may need to update such rules.

District/Charter School Action: School districts and charter schools who have adopted state purchasing as their policy for procurement-related matters may need to change their policies to align with changes to state statute. School districts and charter schools who have adopted their own policies for procurement-related matters may have to change their policies to align with changes to state statute, ensuring they are at least as restrictive as the Utah State Procurement Code. In addition, charter schools may need to modify their policy language to include procurement requirements that weren't previously required, which now includes charter school designees.

Funding: NONE

Effective Date: May 1, 2013—NOTE THE DELAYED EFFECTIVE DATE

USOE Contact: Todd Hauber, 801-538-7514, todd.hauber@schools.utah.gov
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Jenefer Youngfield, 801-538-7669, jenefer.youngfield@schools.utah.gov

**S.B. 165 (S1) Redevelopment Agency Amendments
(Weiler/Wilson)**

The major clarifying provisions in this bill include allowing the taxing entity committee (TEC) to designate the base taxable value for an urban renewal or economic development project area budget—this is a new power of the TEC that gives agencies more latitude as they negotiate with the TEC in establishing how much increment will be kept by the agency and how much may be passed through to the

taxing entities (the base tax year may not be a year that is earlier than the year during which the project area plan becomes effective). The notice creating a community development and renewal agency must also state that the agency's boundaries are coterminous with the boundaries of the community that created the agency.

The bill also clarifies that the number of years tax increment can be collected begins the first year the agency receives tax increment under the project area budget and that the number of years sales tax can be collected begins as indicated in the resolution or interlocal agreement of a taxing entity that establishes the agency's right to receive that sales tax. Also, the bill clarifies that inclusion of an estimate of tax increment to be paid to the agency for the calendar year ending December 31 and beginning the next January 1 is to be included in the redevelopment agency's November 1 report.

In addition, the bill requires overlapping urban renewal or economic development project boundaries to be reported to the TEC before its first meeting to consider approving the project area budget and before an agency collects tax increment from this newly created overlapping portion of a project area. The agency must also inform the county auditor of the respective amount of tax increment the agency is authorized to receive from that overlapping portion.

USOE/State Board Action: NONE

District/Charter School Action: NONE

Funding: NONE

Effective Date: May 8, 2012.

USOE Contact: Todd Hauber, 801-538-7514, todd.hauber@schools.utah.gov
Larry Newton, 801-538-7668, larry.newton@schools.utah.gov
Cathy Dudley, 801-538-7667, cathy.dudley@schools.utah.gov

**S.B. 175 School Grading Amendments
(Niederhauser/Hughes)**

This bill delays the timeline for the school grading system required in 53A-1-1101 through 53A-1-1113 to take effect for the 2012-13 school year.

USOE/State Board Action:

1. Study modifications to the school grading system (developed in the 2011-12 school year).
2. Make recommendations for proposed legislation to the Education Interim Committee by the September 2012 meeting.
3. The school grading system takes effect for the 2012-13 school year and replaces the U-PASS accountability system.

District/Charter School Action: NONE

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Judy Park, 801-538-7550, judy.park@schools.utah.gov

**S.B. 178 (S1) Statewide Online Education Program Amendments
(Stephenson/Daw)**

This bill rescinds scheduled entry of the Electronic High School into the Statewide Online Education Program and requires that EHS courses be provided free of charge to students who are Utah residents (53A-2-201). It modifies fees paid for courses delivered through the Statewide Online Education Program based on course content, and program procedures (53A-15-1201 et seq.) to facilitate enrollment and clarify issues including release time (R277-419), IEPs, withdrawal, price negotiation, and FTE and enrollment “caps” in relation to online enrollment. The bill requires the program name, "Statewide Online Education Program," to be used in the dissemination of information on the program; permits a student taking an online course to take more than a full course load if allowed under local school board or charter school governing board policy; modifies requirements for reports on the performance of an online course provider; and provides for a declaration of intent to enroll in an online course.

USOE/State Board Action: The state superintendent must report noncompliance with program statutes to the State Board of Education, which shall take appropriate action to ensure compliance with program statutes. The State Board of Education must amend R277-726 consonant with changes in statute (53A-15-1201 et seq.), and the State Board of Education, including an employee of the State Board of Education, may not give preference to an online course or online course provider.

District/Charter School Action: LEAs must ensure that counseling staff and business officers are aware of revisions in program requirements and of program requirements generally.

Funding: NONE

Effective Date: May 8, 2012; provisions regarding Electronic High School are effective July 01, 2012.

USOE Contact: Todd Hauber, 801-538-7514, todd.hauber@schools.utah.gov
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Cory Kanth, 801-538-7660, cory.kanth@schools.utah.gov

**S.B. 191 (S1) Accountability for School Attendance
(Stevenson/McIff)**

This bill clarifies the section of the Utah Code (53A-11-101.5) addressing compulsory education. Changes include: (1) a law enforcement officer acting as a school resource officer may issue a notice of compulsory education violation, (2) a truancy citation issued to a parent or guardian is no longer only under the jurisdiction of the juvenile courts, and (3) truancy citations may not be issued to a minor exempted from school attendance under Section 53A-11-102 or 53A-11-102.5.

USOE/State Board Action: This bill may require amending R277-607—Truancy Prevention.

District/Charter School Action: If a district or charter school desires to have school resource officers issue truancy citations, and local policy does not allow this, policies may need to be amended. Additionally, if local policies indicate that all truancy citations will be referred to juvenile court, these policies may need to be changed. District and charter schools will want to make their policies consistent with the Utah Code concerning students exempted from school attendance, as provided in 53A-11-102 or 53A-11-102.5.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Martell Menlove, 801-538-7762, martell.menlove@schools.utah.gov
Carol Lear, 801-538-7835, carol.lear@schools.utah.gov

S.B. 196 **Software for Special Needs Children**
(Niederhauser/Hughes)

This bill directs the State Board of Education to contract with a provider selected through an RFP, and provide software and activity manuals to districts and charters that demonstrate a commitment to implement the program as prescribed by the provider.

USOE/State Board Action: The State Board of Education will begin immediately to develop an RFP and identify a provider that meets the qualifications outlined in the bill. Once a provider has been identified, districts and charters will be given an opportunity to participate in implementation of the chosen program.

District/Charter School Action: Be aware of the RFP process, provide input if desired, and when notified, express desire to participate in implementing the program.

Funding: \$300,000

Effective Date: May 8, 2012

USOE Contact: Glenna Gallo, 801-538-7757, glenna.gallo@schools.utah.gov

S.B. 213 **Charter School Enrollment**
(Stephenson/Daw)

This bill provides for an increase in the enrollment capacity of a charter school that has students in grades 9-12 enrolled in an online course through the Statewide Online Education Program, subject to the Legislature appropriating funds for the increase in enrollment capacity.

USOE/State Board Action: Approval of requests to increase enrollment capacity, subject to the availability of sufficient funds, for schools meeting the eligibility criteria.

District/Charter School Action: Eligible charter schools may annually submit a request to the State Board of Education for an increase in enrollment capacity in the amount of 0.25 times the number of students in grades 9-12 enrolled in an online course in the previous school year through the Statewide Online Education Program.

Funding: NONE

Effective Date: July 1, 2012

USOE Contact: Marlies Burns, 801-538-7817, marlies.burns@schools.utah.gov

**S.B. 217 (S1) Math Materials Access Improvement Grant
(Osmond/Dougall)**

This bill provides funding for the development and publication of public school mathematics textbooks for grades 7 and 8.

USOE/State Board Action: The bill requires the State Board of Education to:

1. Develop a new set of mathematics curricula consistent with Utah's Common Core standards for public school students.
2. Select a content developer to develop new mathematics textbooks for students in grades 7 and 8 and an adaptive performance assessment program.
3. Select a publisher, through a request for proposals process, to produce and publish mathematics textbooks, including online materials consistent with the new mathematics curricula.

District/Charter School Action: NONE

Funding: \$600,000

Effective Date: May 8, 2012

USOE Contact: Sydnee Dickson, 801-538-7788, sydnee.dickson@schools.utah.gov

**S.B. 223 Pledge of Allegiance Amendments
(Osmond/Wright)**

This bill modifies the requirements for reciting the pledge of allegiance in public schools.

USOE/State Board Action: Amend R277-475—Patriotic, Civic and Character Education

District/Charter School Action: The pledge of allegiance shall be recited once at the beginning of each day in each public school classroom in the state. It shall be led by a student volunteer in the classroom. Exceptions for participation continue. Annually, students shall be instructed that participation is voluntary, and students should show respect for any student who chooses not to participate.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Carol Lear, 801-538-7835, carol.lear@schools.utah.gov

**S.B. 248 (S2) Smart School Technology Act
(Stevenson/Handy)**

This bill creates a three-year pilot project known as Smart School Technology Program to encourage the deployment of whole-school technology in public schools.

USOE/State Board Action: The chair of the State Board of Education shall select three members of the State Board to serve on an independent evaluation committee. This committee will give input to the

Board of Business and Economic Development to select a private education technology provider through an RFP process. The provider shall submit proposals to the committee that may include the following components:

1. Mobile learning device or digital textbook
2. Desktop or laptop computers for classrooms
3. Peripherals and networking equipment, including a wireless network
4. Internet filtering
5. Operating software for the technology system
6. Professional development for educators and technology specialists
7. Operation and use of the technology equipment
8. Accessing and using online content
9. Ongoing technical support

The State Board of Education (with input from the committee) will:

1. Select schools to participate in the program;
2. Make rules for selecting schools to participate in the program; and
3. Evaluate the program (or contract with an independent evaluator) and report to the Education Interim Committee by October 2013.

District/Charter School Action: A school district or charter school may submit an application to the Board to participate in the program.

Funding: NONE in MSP; up to \$3,000,000 from the Industrial Assistance Account

Effective Date: May 8, 2012

USOE Contact: Judy Park, 801-538-7550, judy.park@schools.utah.gov
Brenda Hales, 801-538-7515, brenda.hales@schools.utah.gov

S.B. 261 **Charter School Revisions**
(Adams/Hughes)

This bill requires the State Board of Education to prioritize charter schools for funding when the Legislature does not appropriate enough funds for all tentatively approved charter schools, and increases the annual fee that a higher education institution may charge to provide oversight of, and technical support to, a charter school established by the higher education institution.

USOE/State Board Action: Prioritization of charter schools if Legislative funding does not meet authorized enrollment. Amend R277-482.

District/Charter School Action: NONE

Funding: NONE

Effective Date: July 1, 2012

USOE Contact: Marlies Burns, 801-538-7817, marlies.burns@schools.utah.gov

S.B. 273 **Surplus Property Amendments**
(McAdams/Brown)

The language of this bill modifies the provision relating to surplus school district property by allowing a broader group to acquire school district surplus property. The added purposes surplus property may be used by an eligible entity are (1) a facility for the promotion, creation, or retention of public or private jobs within the state through planning, design, development, construction, rehabilitation, business relocation within a county, city, or town; (2) as an office, industrial, manufacturing, warehousing, distribution, parking, or other public or private facility or for other improvements that benefit the state or a county, city, or town; or (3) a facility for an approved charter school applicant.

USOE/State Board Action: State Board may need to modify language in their Board rules to reflect changes in the bill to include the added eligible entities (including a facility for a charter school under Chapter 1a, Part 5, The Utah Charter Schools Act (53a-1a – Section 5)) that are able to acquire school district surplus property.

District/Charter School Action: School districts who do not include the three added groups able to acquire surplus property, will need to change their policies to reflect language in the bill. Charter schools may need to change their policies to include the ability to acquire surplus school district property.

Funding: NONE

Effective Date: May 8, 2012

USOE Contact: Todd Hauber, 801-538-7514, todd.hauber@schools.utah.gov
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Jenefer Youngfield, 801-538-7669, jenefer.youngfield@schools.utah.gov

S.B. 284 (S1) **Concurrent Enrollment Amendments**
(Urquhart/Ipson)

SB 284 (S1) makes several changes to the Concurrent Enrollment Program. They are as follows:

1. The bill allows institutions of higher education to charge a student up to \$30 (\$15 for video conferencing courses) per credit hour for concurrent enrollment courses for which the student intends to receive college credit.
2. A secondary student may participate in a concurrent enrollment course and not pay if:
 - The student elects not to receive credit from an institution of higher education;
 - The class is a technology-intensive concurrent enrollment (TICE) course; and
 - The class is a gateway career and technology education course as defined by the State Board of Regents.
3. A state institution of higher education may only charge a concurrent enrollment student who qualifies for free or reduced-price school lunch partial tuition of up to \$5 per credit hour for each concurrent enrollment course for which the student receives college credit.
4. If a concurrent enrollment course is taught by a public school educator in a public school facility, a state institution of higher education may only charge up to \$10 per credit hour for the concurrent enrollment course for which the student receives college credit.
5. Concurrent enrollment courses have been defined as:
 - Introductory-level general education classes;
 - Career and technical education classes; or

S.B. 287 **Core Curriculum Standards Amendments**
(Dayton/Grover)

This bill provides that the state may exit any agreement, contract, MOU, or consortium that cedes control of Utah's Core Curriculum to any other entity for any reason.

USOE/State Board Action: Report annually to the Education Interim Committee on the development and implementation of core curriculum standards.

District/Charter School Action: Provide qualitative and quantitative data to the USOE when asking for reports on Utah Core Standards implementation efforts.

Funding: NONE

Effective Date: July 1, 2012

USOE Contact: Sydnee Dickson, 801-538-7788, sydnee.dickson@schools.utah.gov

S.B. 290 (S1) **Utah Futures Program**
(Stephenson/Hughes)

This bill provides funding for the enhancement of the existing UtahFutures program. The bill directs the State Board of Education to select a technology provider through an RFP to facilitate that enhancement.

USOE/State Board Action: Agency administration and staff will continue to work with the UtahFutures Executive Steering Committee and the UtahFutures Working Group to move this project forward. USOE staff will use the RFP process to select a technology vendor.

District/Charter School Action: NONE

Funding: \$500,000

Effective Date: May 8, 2012, appropriation takes effect on July 1, 2012

USOE Contact: Dawn Stevenson, 801-538-7851, dawn.stevenson@schools.utah.gov

S.C.R. 5 **Concurrent Resolution Encouraging Parental Engagement in the Education**
of Children
(Jones/Spackman Moss)

This concurrent resolution recognizes the importance of parents and family members in the education of children and expresses support for policies of the Utah State Office of Education, districts, and charter schools that provide parents with opportunities to be involved.

USOE/State Board Action: The Utah State Office of Education will receive copies of the resolution to distribute to each district and charter.

2012 General Session Education Bills

Bills NOT Passed—Total 84

House Bills—Passed House—Not Passed by Senate

14 Total

HB 284 1 st S	Dougall	Regents' Scholarship Program	Senate 1 st
HB 336	Sandstrom	Electronic High School Amendments	Senate 1 st
HB 350 3 rd S	Daw	Payroll Deduction Amendments	Senate 1 st
HB 364	Dougall	School District Financial Reporting	Senate 1 st
HB 392	Sandstrom	Charter School Funding Revisions	Senate 1 st
HB 415	Ray	Protection of Athletes with Head Injuries	Senate 2 nd
HB 420	Eliason	Parent Education Initiative	Conference
HB 430	Last	Classified School Employee Amendments	Senate 2 nd
HB 433	McIff	Expanded Use of District Property Tax	Senate 2 nd
HB 456	Wilson	Traffic Violations Around School Buses	Senate 1 st
HB 492	Ray	Training of School Nurses	Senate 2 nd
HB 515	Newbold	Upstart Amendments	Senate 1 st
HJR 2	Poulson	World Class Curriculum	Senate 2 nd
HJR 19	Gibson	Resolution on Intent Language	Senate 1 st

Senate Bills—Passed Senate—Not Passed by House

7 Total

SB 10	Dayton	College and Career Assessment	House 3 rd
SB 31	Morgan	Class Size Amendments	Tabled in HC
SB 82	Madsen	Equal Access for Associations	Failed House
SB 216	Osmond	Digital Safety for Utah Secondary Schools	House 1 st
SB 285	Thatcher	Education Contribution on Tax Returns	House 3 rd
SB 289	Adams	K-3 Reading Program Technology	House 3 rd
SCR 13 1 st S	Osmond	Common Core Standards	House 3 rd

Committee-Approved Bills—Not Passed—13 Total

House—6 Total

HB 59	Bird	Liquor Revenue	House 3 rd
HB 65	Arent	College and Career Counseling	Failed House
HB 123 1 st S	Dougall	Education Savings Accounts	Failed House
HB 147	Last	Online Education Amendments	House 3 rd
HB 258	Powell	Education Funding Amendments	House 3 rd
HB 417	Barlow	Education on Process for Electing Public Officials	Failed House

Senate—7 Total

SB 59 1 st	Romero	Income Tax Contributions for Elem. Sch.	Failed Senate
SB 67 1 st S	Adams	Outcomes Based Compensation	Senate 2 nd
SB 151	Stephenson	Student Opportunity Scholarships	Senate 1 st
SB 226	Osmond	High Quality Preschool	Senate 2 nd
SB 249	Madsen	Firearm Possession Amendments	Senate 2 nd
SJR 22 1 st S	Reid	State Spending Limitations	Senate 3 rd
SJR 26	Osmond	Engagement in Public Education	Failed Senate

Numbered With Content—23 Total

House—20 Total

HB 24 2 nd S	Bird	Health Insurance for Schools	Failed House
HB 77	Sandstrom	Construction Manager/General Contractor	House Rules
HB 84	Hughes	Teacher Licensing	House Rules
HB 106	Grover	Limitations on Collective Bargaining	House Rules
HB 135 1 st S	Nielson	Front Line Teachers	Failed HC
HB 158	Butterfield	Student-Based Funding	House Rules
HB 207	Dougall	New Districts 50,000-30,000	House Rules
HB 212	Bird	Dividing School Districts	Failed HC
HB 271	Wiley	Seismic Safety Committee	Not Con. HC
HB 279	Wiley	Seismic Inventory	Failed HC
HB 324	Herrod	Provisional Teaching Modifications	House Rules
HB 331	Neilson	School Board Election Provisions	House Rules
HB 370	Grover	Education on Free Enterprise System	House Rules
HB 381	Daw	Public Education—Assessment Amendments	House Rules
HB 398	Herrod	Allocation of School Trust Lands Funds	HC Held
HB 418	McCay	Charter School Reporting Requirements	House Rules
HB 445	Sandstrom	Clubs in Public Schools	House Rules
HB 477	Sandstrom	Employment and Verification Requirements	House Rules
HB 483	Sumsion	Land Exchange Distribution Account	House Rules
HB 507	Dougall	Allocations Measured by Property Tax	Held by HC

Senate—3 Total

SB 54 1 st S	McAdams	Amendments Related to Education Funding	SC Tabled
SB 162	Osmond	Division of School Districts	Senate Rules
SJR 05	Reid	Resolution on Education	Senate Rules

Numbered Without Content—27 Total

House—18 Total

HB 146	Sumsion	K-12 Education Amendments
HB 151	Noel	Trust Land Revisions
HB 160	King	Teacher Retention and Termination
HB 166	Doughty	Assistance Program for At-Risk Students
HB 168	Watkins	Curriculum to Address Teen Dating Violence
HB 171	McIff	Necessarily Existent Small Schools Funding
HB 353	Newbold	Charter School Funding Amendments
HB 359	Eliason	Driver Education DUI
HB 371	Grover	Tuition Reimbursement for Private Education
HB 373	Briscoe	Teacher Professional Development Days
HB 374	Grover	School Grade Level Amendments
HB 375	Newbold	Improving Student Academic Learning in Schools
HB 376	Grover	Performance Based Retention of Teachers
HB 377	Dougall	Local School Board Amendments
HB 425	Hutchings	Educational Development Incentives
HB 428	Bird	Education Program Funding Amendments
HB 444	Sandstrom	Online Education Funding Amendments
HB 447	McCay	Charter School Enrollment Increases

Senate—9 Total

SB 2	Stephenson	Public Education Budget Amendments
SB 73	Stephenson	Extended School Calendar Incentives
SB 76	Osmond	Collaborative Performance Bonus
SB 185	Adams	Carson Smith Scholarships
SB 186	Madsen	Eligibility for Interscholastic Activities
SB 215	Osmond	Teacher Induction and Remediation Pilot Program
SB 218	Osmond	Public Education Engagement Reform
SB 224	Hillyard	Early Intervention Program Revisions
SB 269	Stephenson	Funding for Access for Public Schools

Education Related Interim Study Items

S.J.R. 3 – Master Study Resolution

(Second number is the number in S.J.R. 3.)

1. 23. Academic Achievement Gaps—to study high quality preschool impacts on academic achievement gaps for at-risk students.
2. 24. Alternatives to GED—to study whether to issue high school diplomas to adults and those who do not graduate with the class instead of awarding a GED, to study the relative value between a high school diploma and a GED in the employment marketplace, and to study how to eliminate the GED in Utah and give diplomas instead, to give these students a higher value.
3. 25. Charter School Local Replacement Funding—to study whether school districts should contribute an amount equal to per pupil district property tax revenues for each resident student enrolled in a charter school.
4. 26. Charter School Mission and Online Education—to study whether a charter school student should be denied permission to take an online course through the Statewide Online Education Program because the charter school's mission is inconsistent with the online course.
5. 27. Concurrent Enrollment—to study the current program structure, cost, delivery, and coordination of public education and higher education.
6. 28. Credit for Teacher Professional Development in Technology—to study options for giving credit on the pay scale for teacher professional development in technology unrelated to college credit.
7. 29. Education Interim Committee Reports—to study whether one or more reports required to be submitted to the Education Interim Committee should be discontinued.
8. 30. Enhanced School Calendar Incentives—to study how to encourage school districts and charter schools to utilize their buildings year round to extend calendars, and how to offer teachers a 50% pay raise with no additional costs to taxpayers, with added benefits like paid vacations, holidays, and classroom aids.
9. 31. Financial Literacy—to study ways to promote financial literacy.
10. 32. K-3 Class Size Reduction—to study caps on K-3 class sizes and class size reduction line item accountability (S.B. 31).
11. 33. Necessarily Existent Small Schools—to study the current distribution formula, review cost differentials between small and isolated schools and other schools, and determine the best funding mechanism.
12. 34. Pay for Performance Impact on Student Achievement—to study the impact of teacher pay for performance on student achievement and performance gains.
13. 35. Professional Development Classes—to study the impact of enabling professional development classes or tracks under "lanes compensation" schedules.
14. 36. Public Education Funding—to study and carefully review the formulas currently in use and determine if they are meeting the needs of the current education environment.
15. 37. Public School Funding Criteria—to study how money is distributed to public schools based on prior year enrollment, and whether public schools could receive funding based on current year enrollment instead.

16. 38. Quality Teacher Incentive—to study an incentive program to retain quality teachers in the public schools.
17. 39. School District and Charter School Postemployment Benefits—to study how school districts and charter schools are addressing any continuing liability to provide postemployment benefits to employees (H.B. 460).
18. 40. School Funding—to study long term funding options for public education.
19. 41. Sex Education Through Online Video Components—to study in collaboration with the State Board of Education the delivery of online sex education through video components in lieu of in-class instruction, with each component to be approved by the parents before the student has access to the materials.
20. 42. Specialized Student Counseling—to study ways to provide specialized career college counseling, focusing on admissions and scholarships, for high school students (H.B. 65).
21. 43. Student-based Budgeting—to study whether to require a school district to distribute certain revenues to schools in accordance with a weighted student formula and to require a principal to determine how to use revenues available to the school to meet student needs (H.B. 158).
22. 115. Trust Lands Issues—to study and receive a report on school and institutional trust lands issues from the Children's Land Alliance.
23. 116. Utah Land and School Trust Funds—to study the protection of Utah lands and school trust funds (1st Sub. H.B. 209 and amendment #2).
24. 118. Allocations to Schools—to study school allocations measured by property tax (H.B. 507).
25. 136. Risk Management Coverage for Independent Entities—to study how independent entities are covered by insurance and what changes are needed to cover additional risks.
26. 137. School District and Charter School Postemployment Benefits—to study how school districts and charter schools are addressing any continuing liability to provide postemployment benefits to employees.
27. 138. Switching State Retirement Plans—to study whether the state will save money if the state allows employees to switch from the Tier I retirement plan to Tier II on either a one-time basis or with the choice to switch back and forth.
28. 139. Termination of Employment for Retirement Eligibility—to study the requirement that an employee terminate "all" employment with a URS-covered employer to be eligible to retire (S.B. 265).
29. 140. Tier II Retirement System Options for Tier I Employees—to study whether to allow Tier I employees to opt-in to the Tier II retirement system.
30. 164. Comprehensive overview of the WPU in public education.
31. 165. Yield to Buses—to study the need for vehicles to yield to buses that pull over to pick up or drop off passengers so that buses may come back into traffic.
32. 171. School funding—study of the statewide equalization of school funding.
33. 173. Government competition with the private sector (H.B. 94).



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