

Senator Lyle W. Hillyard proposes to substitute the following bill:

**ENHANCEMENTS TO THE STATE SYSTEMS  
OF PUBLIC AND HIGHER EDUCATION**

2001 GENERAL SESSION

STATE OF UTAH

**Sponsor: Lyle W. Hillyard**

**This act modifies provisions related to the state systems of public and higher education by establishing an Engineering and Computer Science Initiative within the state system of higher education and the Public Education Job Enhancement Program for secondary teachers in mathematics, physics, chemistry, physical science, and information technology within the public education system. The act identifies components of the higher education initiative to include increasing program capacity, providing supplemental monies for equipment purchases, and providing incentives. The act provides for a \$10,550,000 appropriation to fund the Engineering and Computer Science Initiative and a \$19,000,000 appropriation to fund the Public Education Job Enhancement Program. The act has a split effective date of May 1, 2001, and July 1, 2001.**

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

**63-55-253**, as last amended by Chapter 59, Laws of Utah 2000

ENACTS:

**53A-1a-601**, Utah Code Annotated 1953

**53A-1a-602**, Utah Code Annotated 1953

**53B-6-105**, Utah Code Annotated 1953

**53B-6-105.5**, Utah Code Annotated 1953

**53B-6-105.7**, Utah Code Annotated 1953

**53B-6-105.9**, Utah Code Annotated 1953



26 *Be it enacted by the Legislature of the state of Utah:*

27 Section 1. Section **53A-1a-601** is enacted to read:

28 **Part 6. Public Education Job Enhancement Program**

29 **53A-1a-601. Job enhancements for secondary teachers.**

30 (1) In conjunction with the Engineering and Computer Science Initiative provided for in  
31 Section 53B-6-105, there is established a Public Education Job Enhancement Program to attract,  
32 train, and retain highly qualified secondary teachers in mathematics, physics, chemistry, physical  
33 science, and information technology.

34 (2) The program shall provide for the following:

35 (a) application by a school district superintendent or the principal of a secondary school  
36 on behalf of a qualified teacher;

37 (b) an award of up to \$20,000 or a scholarship to cover the tuition costs for an  
38 endorsement in the areas identified in Subsection (1) to be given to selected secondary school  
39 teachers on a competitive basis;

40 (i) whose applications are approved under Subsection 53A-1a-602(4); and

41 (ii) who teach in the state's public education system for four years in the areas identified  
42 in Subsection (1);

43 (c) (i) as to the cash awards under Subsection (2)(b), payment of the award in two  
44 installments, with an initial payment of up to \$10,000 at the beginning of the term and up to  
45 \$10,000 at the conclusion of the term;

46 (ii) repayment of a portion of the initial payment by the teacher if the teacher fails to  
47 complete two years of the four-year teaching term in the areas identified in Subsection (1) as  
48 provided by rule of the State Board of Education in accordance with Title 63, Chapter 46a, Utah  
49 Administrative Rulemaking Act, unless waived for good cause by the Job Enhancement  
50 Committee created in Section 53A-1a-602; and

51 (iii) nonpayment of the second installment if the teacher fails to complete the four-year  
52 teaching term; and

53 (d) (i) as to the scholarships awarded under Subsection (b), provision for earning a "B"  
54 grade or better in the courses taken by the teacher in order to maintain the scholarship; and

55 (ii) repayment by the teacher of a pro-rated portion of the scholarship, if the teacher fails  
56 to teach in the state system of public education in the areas identified in Subsection (1) for four

57 years after obtaining the endorsement.

58 (3) An individual teaching in the public schools under a letter of authorization may  
59 participate in the cash award program if:

60 (a) the individual has taught under the letter of authorization for at least one year in the  
61 areas referred to in Subsection (1); and

62 (b) the application made under Subsection (2)(a) is based in large part upon the individual  
63 receiving a superior evaluation as a classroom teacher.

64 Section 2. Section **53A-1a-602** is enacted to read:

65 **53A-1a-602. Job Enhancement Committee -- Composition -- Duties -- Appropriation.**

66 (1) There is created a Job Enhancement Committee to implement and administer the  
67 Public Education Job Enhancement Program established in Section 53A-1a-601.

68 (2) (a) The committee shall consist of:

69 (i) two members of the State Board of Education, selected by the board;

70 (ii) two members of the State Board of Regents selected by the board; § [~~and~~] §

71 (iii) § [~~five~~] **SIX** § members of the general public who have business experience in  
71a mathematics,

72 physics, chemistry, physical science, or information technology selected by the governor § [~~]~~ ; **AND**

72a (iv) **A MASTER HIGH SCHOOL TEACHER, WHO HAS TEACHING EXPERIENCE IN**

72b **MATHEMATICS, PHYSICS, CHEMISTRY, PHYSICAL SCIENCE, OR INFORMATION TECHNOLOGY**

72c **SELECTED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION. §**

73 (b) Committee members shall receive no compensation or benefits for their service on the  
74 committee, but may receive per diem and expenses incurred in the performance of their duties at  
75 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

76 (3) (a) The committee shall receive and review applications submitted for participation in  
77 the Public Education Job Enhancement Program established under Section 53A-1a-601.

78 (b) In reviewing applications, the committee shall focus on:

79 (i) the prioritized critical areas of need identified under Subsection (4)(a); and

80 (ii) the awards being made on a competitive basis.

81 (c) If the committee approves an application received under Subsection (3)(a) it shall  
82 contract directly with the teacher applicant to receive the award or the scholarship for an  
83 endorsement, subject to Subsection 53A-1a-601(2).

84 (d) The State Board of Education, through the superintendent of public instruction, shall  
85 provide staff support for the committee and adequate and reliable data on the state's supply of and  
86 demand for qualified secondary teachers in the subjects listed in Subsection 53A-1a-601(1).

87 (4) The committee shall make a rule in accordance with Title 63, Chapter 46a, Utah

88 Administrative Rulemaking Act, establishing policies and procedures for:

89 (a) making the awards and offering the scholarships in accordance with prioritized critical  
90 areas of need as determined by the committee;

91 (b) timelines for the submission and approval of applications under Subsection (3); and

92 (c) the distribution of the awards and scholarships to successful applicants based on  
93 available monies provided by legislative appropriation.

94 (5) The Legislature shall make an annual appropriation to the State Board of Education  
95 to fund the Public Education Job Enhancement Program established under Section 53a-1a-601.

96 (6) The committee shall make an annual report to the Legislature through the Education  
97 Interim committee, the governor, the State Board of Education, and the State Board of Regents on  
98 the status of the program, together with any recommendations for modification, expansion, or  
99 termination of the program.

100 Section 3. Section **53B-6-105** is enacted to read:

101 **53B-6-105. Engineering and Computer Technology Initiative.**

102 (1) The Legislature recognizes that a significant increase in the number of engineering,  
103 computer science, and related technology graduates from the state system of higher education is  
104 required over the next several years to advance the intellectual, cultural, social, and economic  
105 well-being of the state and its citizens.

106 (2) (a) (i) The State Board of Regents shall therefore develop, establish, and maintain an  
107 Engineering and Computer Science Initiative within the state system of higher education to double  
108 the number of graduates in engineering, computer science, and related technology by 2006 and  
109 triple the number of graduates by 2009.

110 (ii) The board shall make a rule in accordance with Title 63, Chapter 46a, Utah  
111 Administrative Rulemaking Act, providing the criteria for those fields of study that qualify as  
112 "related technology" under this section and Sections 53B-6-105.7 and 53B-6-105.9.

113 (b) The initiative shall include components that:

114 (i) for the 2002 fall semester, increase program capacity by doubling the number of  
115 incoming freshman and the number of students in engineering, computer science, and related  
116 technology going from lower to upper division course work;

117 (ii) improve the quality of instructional programs in engineering, computer science, and  
118 related technology by providing supplemental monies for equipment purchases; and

119 (iii) provide incentives to:

120 (A) students through a loan and loan forgiveness program under Section 53B-6-105.7; and

121 (B) institutions to hire and retain faculty under Section 53B-6-105.9.

122 (3) The increase in program capacity under Subsections (2)(a) and (b)(i) shall include  
123 funding for new and renovated capital facilities and funding for new engineering and computer  
124 science programs.

125 (4) The Legislature shall provide an annual appropriation to fund the initiative as a budget  
126 line item for the State Board of Regents.

127 Section 4. Section **53B-6-105.5** is enacted to read:

128 **53B-6-105.5. Technology Initiative Advisory Board -- Composition -- Duties.**

129 (1) There is created a Technology Initiative Advisory Board to assist and make  
130 recommendations to the State Board of Regents in its administration of the Engineering and  
131 Computer Science Initiative established under Section 53B-6-105.

132 (2) (a) The advisory board shall consist of individuals appointed by the governor from the  
133 business and industry who have expertise in the areas of engineering, computer science, and related  
134 technologies.

135 (b) The advisory board shall select a chair and cochair.

136 (c) The advisory board shall meet at the call of the chair.

137 (d) The State Board of Regents, through the commissioner of higher education, shall  
138 provide staff support for the advisory board.

139 (3) Members of the advisory board shall receive no compensation for their service on the  
140 board, but may receive per diem and expenses incurred in the performance of their duties at rates  
141 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

142 (4) The advisory board has the following duties and responsibilities:

143 (a) to make recommendations to the State Board of Regents on the allocation and  
144 distribution of monies appropriated to fund the faculty incentive program established in Section  
145 53B-6-105.9 and the equipment purchases required to improve the quality of instructional  
146 programs under Subsection 53B-6-105(2)(b)(ii) to include;

147 (i) a strategic plan that details actions required by the board of regents to meet the intent  
148 of the Engineering and Technology Science Initiative; and

149 (ii) a review and assessment of engineering, computer science, and related technology

150 programs currently being offered at higher education institutions and their impact on the economic  
151 prosperity of the state;

152 (b) to provide the State Board of Regents with an assessment and reporting plan that:

153 (i) measures results against expectations under the initiative, including verification of the  
154 matching requirements for institutions of higher education to receive monies under Subsection  
155 53B-6-105.9(1); and

156 (ii) includes an analysis of market demand for technical employment, program articulation  
157 among higher education institutions in engineering, computer science, and related technology,  
158 tracking of student placement, student admission to the initiative program by region, transfer rates,  
159 and retention in and graduation rates from the initiative program; and

160 (c) to make an annual report of its activities to the State Board of Regents, the Legislature  
161 through the Education Interim Committee and the Higher Education Appropriations  
162 Subcommittee, and the governor.

163 Section 5. Section **53B-6-105.7** is enacted to read:

164 **53B-6-105.7. Initiative student loan and loan forgiveness program.**

165 (1) (a) There is established an engineering, computer science, and related technology  
166 student loan program as a component of the initiative created in Section 53B-6-105.

167 (b) The program is established to recruit and train engineering, computer science, and  
168 related technology students to assist in providing for and advancing the intellectual and economic  
169 welfare of the state.

170 (2) (a) The board:

171 (i) may make rules for the overall administration of the program in accordance with Title  
172 63, Chapter 46a, Utah Administrative Rulemaking Act; and

173 (ii) shall administer the program consistent with the general student loan provisions  
174 outlined in Title 53B.

175 (b) The board shall also use the following policies and procedures in administering the  
176 student loan program:

177 (i) students may use their loans at any institution within the state system of higher  
178 education that offers an engineering, computer science, or related technology baccalaureate degree;

179 (ii) loans shall be given to students who declare an intent to complete a prescribed course  
180 of instruction in one of the areas referred to in Subsection (2)(b)(i) and to work in the state for a

181 period of four years after graduation in one of those areas;

182 (iii) a loan may be cancelled at any time by the institution of attendance, if the student fails  
183 to make reasonable progress towards obtaining the baccalaureate degree or there appears to be a  
184 reasonable certainty that the student does not intend to work in the state upon graduation, and the  
185 board shall require repayment together with interest; and

186 (iv) (A) a loan recipient who does not work in the state in one of the areas listed in  
187 Subsection (1)(a) for a term equal to the number of years of the loan within a reasonable period  
188 of time after graduation shall repay a graduated portion of the loan based upon the uncompleted  
189 term together with appropriate interest, unless waived for good cause; and

190 (B) one year of employment as an engineer or in the field of computer science or related  
191 technologies is credit for a one-year loan for tuition and fees.

192 (3) The Legislature shall make an annual appropriation to the board to fund the student  
193 loan program created in this section.

194 Section 6. Section **53B-6-105.9** is enacted to read:

195 **53B-6-105.9. Incentive program for engineering, computer science, and related**  
196 **technology faculty.**

197 (1) The Legislature shall provide an annual appropriation to help fund the faculty incentive  
198 component of the Engineering and Computer Science Initiative established under Subsection  
199 53B-6-105(2)(b)(iii)(B).

200 (2) The appropriation shall be used to hire, recruit, and retain outstanding faculty in  
201 engineering, computer science, and related technology fields under guidelines established by the  
202 State Board of Regents.

203 (3) (a) State institutions of higher education shall match the appropriation on a one-to-one  
204 basis in order to qualify for state monies appropriated under Subsection (1).

205 (b) (i) Qualifying institutions shall annually report their matching dollars to the board.

206 (ii) The board shall make a summary report of the institutional matches to the Education  
207 Interim Committee of the Legislature.

208 (4) The board shall make a rule in accordance with Title 63, Chapter 46a, Utah  
209 Administrative Rulemaking Act, establishing policies and procedures to apply for and distribute  
210 the state appropriation to qualifying institutions.

211 Section 7. Section **63-55-253** is amended to read:

212 **63-55-253. Repeal dates, Title 53A.**

213 The following provisions of Title 53A are repealed on the following dates:

214 (1) Title 53A, Chapter 1a, Part 2, Strategic Planning for Public and Higher Education  
215 Committee is repealed July 1, 2002.

216 (2) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is repealed  
217 July 1, 2005.

218 [~~2~~] (3) The State Textbook Commission, created in Section 53A-14-101, is repealed July  
219 1, 2001.

220 [~~3~~] (4) Title 53A, Chapter 20a, Public Education Revenue Bond Act, is repealed July 1,  
221 2007.

222 **Section 8. Appropriation.**

223 (1) For fiscal year 2001-02, there is appropriated from the following sources to the State  
224 Board of Regents the following amounts for the following purposes:

225 (a) \$5,000,000 of income tax revenues for the faculty incentive program established under  
226 Section 53B-6-105.9;

227 (b) \$550,000 of income tax revenues for new engineering and computer science programs  
228 at higher education institutions to increase program capacity under the engineering and computer  
229 science initiative as provided in Subsection 53B-6-105(2)(b)(i);

230 (c) a one-time appropriation of \$4,200,000 of income tax revenues for equipment  
231 purchases to improve the quality of instructional programs under the engineering and computer  
232 science initiative as provided in Subsection 53B-6-105(2)(b)(ii); and

233 (d) a one-time appropriation of \$800,000 of income tax revenues to capitalize the student  
234 loan program established under Section 53B-6-105.7.

235 (2) (a) For fiscal year 2001-02, there is appropriated from the Uniform School Fund to the  
236 State Board of Education \$2,400,000 to help fund the Public Education Job Enhancement Program  
237 as required under Subsection 53A-1a-602(4)(a).

238 (b) For fiscal year 2000-01, there is appropriated from the Uniform School Fund to the  
239 State Board of Education \$16,600,000 as a one-time supplemental appropriation to help fund the  
240 Public Education Job Enhancement Program as required under Subsection 53A-1a-602(4)(a).

241 (3) The appropriations under Subsections (1) and (2) are nonlapsing.

242 **Section 9. Effective date.**



243            This act takes effect on July 1, 2001 except that Subsection (2)(b) of the Appropriation  
244 Section 8 takes effect May 1, 2001.