

Senator Stephen H. Urquhart proposes the following substitute bill:

**SCIENCE, TECHNOLOGY, ENGINEERING, AND  
MATHEMATICS ACTION CENTER**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Val L. Peterson**

Senate Sponsor: Stephen H. Urquhart

7	Cosponsors:	Craig Hall	Jeremy A. Peterson
8	Jacob L. Anderegg	Stephen G. Handy	Marie H. Poulson
9	Jerry B. Anderson	Lynn N. Hemingway	Kraig Powell
10	Stewart Barlow	Don L. Ipson	Paul Ray
11	Roger E. Barrus	Ken Ivory	Edward H. Redd
12	Derek E. Brown	Brian S. King	Angela Romero
13	Kay J. Christofferson	John Knotwell	Douglas V. Sagers
14	Spencer J. Cox	Bradley G. Last	V. Lowry Snow
15	Rich Cunningham	Dana L. Layton	Jon E. Stanard
16	Brad L. Dee	David E. Lifferth	Keven J. Stratton
17	Susan Duckworth	Mike K. McKell	Earl D. Tanner
18	Rebecca P. Edwards	Carol Spackman Moss	R. Curt Webb
19	Janice M. Fisher	Jim Nielson	John R. Westwood
20	Gage Froerer	Michael E. Noel	Mark A. Wheatley
21	Francis D. Gibson	Curtis Oda	Larry B. Wiley
22	Richard A. Greenwood	Lee B. Perry	Brad R. Wilson

23 \_\_\_\_\_  
24 **LONG TITLE**



25 **General Description:**

26 This bill creates educational programs for science, technology, engineering, and  
27 mathematics (STEM).

28 **Highlighted Provisions:**

29 This bill:

30 ▶ creates a Science, Technology, Engineering, and Mathematics (STEM) Action  
31 Center Board;

32 ▶ requires the STEM Action Center Board to:

- 33 • establish a STEM Action Center; and
- 34 • appoint an executive director to oversee administration of the STEM Action

35 Center;

36 ▶ requires the Governor's Office of Economic Development to staff the STEM Action  
37 Center Board and the STEM Action Center;

38 ▶ requires the STEM Action Center Board to select providers, through a request for  
39 proposals process, to provide education related instructional technology;

40 ▶ requires the STEM Action Center Board to work with private industry to obtain  
41 private funding and support for the STEM Action Center;

42 ▶ as funding allows, requires the STEM Action Center Board to perform certain  
43 duties related to the STEM Action Center;

44 ▶ requires the executive director to track student achievement and progress in STEM  
45 areas;

46 ▶ provides that the acquisition of certain education related instructional technology is  
47 exempt from certain provisions of the Utah Procurement Code;

48 ▶ requires the STEM Action Center Board, and all providers selected through a  
49 request for proposals process, to report to the Education Interim Committee, the  
50 Public Education Appropriations Subcommittee, and the State Board of Education  
51 once each year; and

52 ▶ requires the State Board of Education and STEM Action Center Board staff to  
53 award licenses and related professional development to school districts and charter  
54 schools for instructional technology for STEM related education if certain  
55 conditions are met.

56 **Money Appropriated in this Bill:**

57 This bill appropriates in fiscal year 2014:

58 ▶ to Governor's Office of Economic Development - Administration, as an ongoing  
59 appropriation:

60 • from the General Fund, \$1,500,000; and

61 ▶ to Governor's Office of Economic Development - Administration, as a one-time  
62 appropriation:

63 • from the General Fund, \$8,500,000.

64 **Other Special Clauses:**

65 This bill provides an effective date.

66 **Utah Code Sections Affected:**

67 ENACTS:

68 **63M-1-3201**, Utah Code Annotated 1953

69 **63M-1-3202**, Utah Code Annotated 1953

70 **63M-1-3203**, Utah Code Annotated 1953

71 **63M-1-3204**, Utah Code Annotated 1953

72 **63M-1-3205**, Utah Code Annotated 1953

73 **63M-1-3206**, Utah Code Annotated 1953

74 **63M-1-3207**, Utah Code Annotated 1953

75 REPEALS:

76 **63M-1-608**, as renumbered and amended by Laws of Utah 2008, Chapter 382



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

79 Section 1. Section **63M-1-3201** is enacted to read:

80 **Part 32. Science, Technology, Engineering, and Mathematics Action Center**

81 **63M-1-3201. Definitions.**

82 As used in this part:

83 (1) "Board" means the STEM Action Center Board created in Section 63M-1-3202.

84 (2) "Educator" has the meaning defined in Section 53A-6-103.

85 (3) "Office" means the Governor's Office of Economic Development.

86 (4) "Provider" means a provider, selected by the board through a request for

87 information or request for proposals process, to provide instructional technology as part of the  
88 STEM Action Center pursuant to this part.

89 (5) "STEM" means science, technology, engineering, and mathematics.

90 (6) "STEM Action Center" means the center described in Section 63M-1-3204.

91 Section 2. Section **63M-1-3202** is enacted to read:

92 **63M-1-3202. STEM Action Center Board creation -- Membership.**

93 (1) There is created the STEM Action Center Board within the office, composed of the  
94 following members:

95 (a) four private sector members who represent business, appointed by the governor;

96 (b) the state superintendent of public instruction or the state superintendent of public  
97 instruction's designee;

98 (c) the commissioner of higher education or the commissioner of higher education's  
99 designee;

100 (d) a representative of the Department of Workforce Services, appointed by the director  
101 of the Department of Workforce Services;

102 (e) a member of the State Board of Education, chosen by the chair of the State Board of  
103 Education; and

104 (f) the executive director of the Governor's Office of Economic Development or the  
105 executive director of the Governor's Office of Economic Development's designee.

106 (2) Except as required by Subsection (3), members appointed by the governor shall be  
107 appointed to four-year terms.

108 (3) The length of terms of the members shall be staggered so that approximately half of  
109 the committee is appointed every two years.

110 (4) When a vacancy occurs in the membership for any reason, the replacement shall be  
111 appointed for the unexpired term.

112 (5) Attendance of a simple majority of the members constitutes a quorum for the  
113 transaction of official committee business.

114 (6) Formal action by the committee requires a majority vote of a quorum.

115 (7) A member may not receive compensation or benefits for the member's service, but  
116 may receive per diem and travel expenses in accordance with:

117 (a) Section 63A-3-106;

- 118 (b) Section 63A-3-107; and  
119 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
120 63A-3-107.
- 121 (8) The governor shall select the chair of the board to serve a one-year term.  
122 (9) The executive director of the Governor's Office of Economic Development or the  
123 executive director of the Governor's Office of Economic Development's designee shall serve as  
124 the vice chair of the board.
- 125 (10) The state science advisor described in Section 63M-1-606 and the office shall  
126 provide staff support to the board.
- 127 Section 3. Section **63M-1-3203** is enacted to read:  
128 **63M-1-3203. STEM Action Center Board -- Duties.**
- 129 (1) The board shall:  
130 (a) establish a STEM Action Center program to:  
131 (i) coordinate STEM activities in the state among the following stakeholders:  
132 (A) the State Board of Education;  
133 (B) school districts and charter schools;  
134 (C) the State Board of Regents;  
135 (D) institutions of higher education;  
136 (E) parents of home-schooled students; and  
137 (F) other state agencies;  
138 (ii) align public education STEM activities with higher education STEM activities; and  
139 (iii) create and coordinate best practices among public education and higher education;  
140 (b) select a physical location for the STEM Action Center described in Section  
141 63M-1-3204;  
142 (c) strategically engage industry and business entities to cooperate with the board:  
143 (i) to support professional development and provide other assistance for educators and  
144 students; and  
145 (ii) to provide private funding and support for the STEM Action Center;  
146 (d) give direction to the office, the STEM Action Center, and the providers selected  
147 through a request for proposals process pursuant to this part; and  
148 (e) work to meet the following expectations:

- 149 (i) that at least 50 educators are implementing best practice learning tools in
- 150 classrooms per each product specialist or manager working with the STEM Action Center;
- 151 (ii) performance change in student achievement in each classroom working with a
- 152 STEM Action Center product specialist or manager; and
- 153 (iii) that students from at least 50 high schools participate in the STEM competitions,
- 154 fairs, and camps described in Subsection 63M-1-3204(2)(d).

155 (2) The board may:

- 156 (a) enter into contracts for the purposes of this part;
- 157 (b) apply for, receive, and disburse funds, contributions, or grants from any source for
- 158 the purposes set forth in this part;
- 159 (c) employ, compensate, and prescribe the duties and powers of individuals necessary
- 160 to execute the duties and powers of the board; and
- 161 (d) prescribe the duties and powers of the STEM Action Center providers.

162 Section 4. Section **63M-1-3204** is enacted to read:

163 **63M-1-3204. STEM Action Center Program.**

- 164 (1) As funding allows, the board shall:
- 165 (a) establish a STEM Action Center;
- 166 (b) appoint an executive director to oversee the administration of the STEM Action
- 167 Center;
- 168 (c) ensure that the STEM Action Center:
- 169 (i) is accessible by the public; and
- 170 (ii) includes the components described in Subsection (2);
- 171 (d) work cooperatively with the State Board of Education to acquire technology and
- 172 select schools as described in Sections 63M-1-3205 and 63M-1-3206; and
- 173 (e) engage at least 25 private entities to provide financial support or employee time for
- 174 STEM activities in schools in addition to what is currently provided by private entities.
- 175 (2) As funding allows, the executive director of the STEM Action Center shall:
- 176 (a) support professional development for educators regarding education related
- 177 instructional technology that supports STEM education;
- 178 (b) ensure that the STEM Action Center acts as a research and development center for
- 179 education related instructional technology acquired through a request for proposals process

180 described in Section 63M-1-3205;  
181 (c) review and acquire education related technology for:  
182 (i) educator professional development; and  
183 (ii) public school instruction;  
184 (d) facilitate participation in interscholastic STEM related competitions, fairs, and  
185 camp;  
186 (e) engage private industry in the development and maintenance of the STEM Action  
187 Center;  
188 (f) use resources to bring the latest STEM education learning tools into public  
189 education classrooms;  
190 (g) identify at least 10 best practice innovations used in Utah schools that have resulted  
191 in at least 80% of students performing at grade level in STEM areas;  
192 (h) identify at least 25 best practices being used outside the state and implement at least  
193 10 of the best practices through a pilot program;  
194 (i) identify:  
195 (i) three learning tools in each of grades kindergarten through grade 6 identified as best  
196 practices; and  
197 (ii) three learning tools per STEM subject in each of grades 7 through grade 12  
198 identified as best practices;  
199 (j) provide a Utah best practices database, including best practices from public  
200 education, higher education, the Utah Education Network, and other STEM related entities;  
201 (k) keep track of the following items related to the best practices database described in  
202 Subsection (2)(j):  
203 (i) how the best practices database is being used; and  
204 (ii) how many individuals are using the database, including the demographics of the  
205 users, if available;  
206 (l) join and participate in a national STEM network;  
207 (m) identify performance changes linked to use of the best practices database described  
208 in Subsection (2)(j);  
209 (n) work cooperatively with the State Board of Education to designate schools as  
210 STEM schools, where the schools have agreed to adopt a plan of STEM implementation in

211 alignment with criteria set by the State Board of Education and the board;  
212 (o) support best methods of professional development, including methods of  
213 professional development that reduce cost and increase effectiveness, to help educators learn  
214 how to most effectively implement best practice learning tools in classrooms;  
215 (p) recognize a high school's achievement in the STEM competitions, fairs, and camps  
216 described in Subsection (2)(d);  
217 (q) send student results from STEM competitions, fairs, and camps described in  
218 Subsection (2)(d) to media and ask that the media report on them in a similar manner;  
219 (r) develop and distribute STEM toolkits to parents of students being tracked by the  
220 STEM Action Center;  
221 (s) support targeted professional development for improved instruction in STEM in  
222 grades 6, 7, and 8, including:  
223 (i) improved instructional materials that are more dynamic and stimulating for  
224 students;  
225 (ii) targeted instruction for students who traditionally avoid enrolling in STEM  
226 courses;  
227 (iii) introduction of stimulating engineering courses; and  
228 (iv) introduction of other research-based methods that support student achievement in  
229 STEM areas; and  
230 (t) ensure that an online college readiness assessment tool developed by the State  
231 Board of Regents be accessible by:  
232 (i) public education students; and  
233 (ii) higher education students.  
234 (3) The board may prescribe other duties for the STEM Action Center in addition to  
235 the responsibilities described in this section.  
236 (4) (a) The executive director shall track and compare the student performance of  
237 students participating in a STEM Action Center program to all other similarly situated students  
238 in the state, in the following STEM related activities, at the beginning and end of each year:  
239 (i) public education high school graduation rates;  
240 (ii) the number of students taking a remedial mathematics course at an institution of  
241 higher education described in Section 53B-1-102;

242 (iii) the number of students who graduate from a Utah public school and begin a  
243 postsecondary education program; and

244 (iv) the number of students, as compared to all similarly situated students, who are  
245 performing at grade level in STEM classes.

246 (b) The State Board of Education shall provide information to the board to assist the  
247 board in complying with the requirements of Subsection (4)(a) if allowed under federal law.

248 Section 5. Section **63M-1-3205** is enacted to read:

249 **63M-1-3205. Acquisition of STEM education related instructional technology --**  
250 **Research and development of education related instructional technology through a pilot**  
251 **program.**

252 (1) (a) On behalf of the board, the staff of the board and the staff of the State Board of  
253 Education shall collaborate and shall select one or more providers, through a request for  
254 proposals process, to provide STEM education related instructional technology to school  
255 districts and charter schools.

256 (b) On behalf of the board, the staff of the board and the staff of the State Board of  
257 Education shall consider and may accept an offer from a provider in response to the request for  
258 proposals described in Subsection (1)(a) even if the provider did not participate in the STEM  
259 education related instructional technology pilot described in Subsection (3).

260 (2) The STEM education related instructional technology shall:

261 (a) provide mathematics instruction for students in grades 6, 7, or 8; or

262 (b) provide mathematics instruction to secondary students to prepare the secondary  
263 students for college mathematics courses.

264 (3) Before issuing a request for proposals described in Subsection (1), on behalf of the  
265 board, the staff of the board and the staff of the State Board of Education shall collaborate and  
266 shall:

267 (a) select providers, through a request for information process, to conduct a pilot of  
268 STEM education related instructional technology described in Subsection (2); and

269 (b) select schools to participate in the pilot of STEM education related instructional  
270 technology.

271 (4) (a) The board shall publish a request for information described in Subsection (3)(a):

272 (i) for at least 30 days;

273 (ii) on the website used by the Division of Purchasing and General Services for public  
274 notice of procurements; and

275 (iii) on the office's website.

276 (b) On behalf of the board, the staff of the board and the staff of the State Board of  
277 Education shall collaborate to select at least two providers of the providers that respond to the  
278 request for information described in Subsection (3)(a) to participate in the STEM education  
279 related instructional technology pilot.

280 (5) The board, the board's staff, and the staff of the State Board of Education are  
281 exempt from the provisions of Title 63G, Chapter 6a, Utah Procurement Code, when selecting  
282 providers to participate in the STEM education related instructional technology pilot described  
283 in Subsections (3) and (4).

284 Section 6. Section **63M-1-3206** is enacted to read:

285 **63M-1-3206. Grants to schools for STEM education instructional technology.**

286 (1) Subject to legislative appropriations, on behalf of the board, the staff of the board  
287 and the staff of the State Board of Education shall collaborate and shall:

288 (a) distribute licenses for the STEM education related instructional technology  
289 described in Section 63M-1-3205 to school districts and charter schools; and

290 (b) provide related professional development to the school districts and charter schools  
291 that receive a license for STEM education related instructional technology as described in  
292 Subsection (1)(a).

293 (2) A school district or charter school may apply to the board, through a competitive  
294 process, to receive a license from the board.

295 (3) A school district or charter school that receives a license and professional  
296 development as described in this section shall provide the school district's or charter school's  
297 own computer hardware.

298 Section 7. Section **63M-1-3207** is enacted to read:

299 **63M-1-3207. Report to Legislature and the State Board of Education.**

300 (1) The board and all providers shall report the progress of the STEM Action Center,  
301 including the information described in Subsection (2), to the following groups once each year:

302 (a) the Education Interim Committee;

303 (b) the Public Education Appropriations Subcommittee; and

- 304 (c) the State Board of Education.
- 305 (2) The report described in Subsection (1) shall include information that demonstrates
- 306 the effectiveness of the program, including:
- 307 (a) the number of educators receiving professional development;
- 308 (b) the number of students receiving services from the STEM Action Center;
- 309 (c) a list of the providers selected pursuant to this part;
- 310 (d) a report on the STEM Action Center's fulfilment of its duties described in
- 311 Subsection 63M-1-3204; and
- 312 (e) student performance of students participating in a STEM Action Center program as
- 313 collected in Subsection 63M-1-3204(5).

Section 8. **Repealer.**

This bill repeals:

Section **63M-1-608, Science education program.**

Section 9. **Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for  
319 the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money  
320 are appropriated from resources not otherwise appropriated, or reduced from amounts  
321 previously appropriated, out of the funds or accounts indicated. These sums of money are in  
322 addition to any amounts previously appropriated for fiscal year 2014.

To Governor's Office of Economic Development - Administration

<u>From General Fund</u>	<u>\$1,500,000</u>
<u>From General Fund, one-time</u>	<u>\$8,500,000</u>

Schedule of Programs:

<u>Administration</u>	<u>\$10,000,000</u>
-----------------------	---------------------

The Legislature intends that:

- 329 (1) up to \$1,500,000 of the appropriation for Administration be used to establish a
- 330 STEM Action Center as described in Section 63M-1-3204;
- 331 (2) at least \$5,000,000 of the appropriation for Administration be used for education
- 332 related instructional technology and related professional development to provide mathematics
- 333 instruction for students in grades 6, 7, or 8 as described in Subsection 63M-1-3205(2)(a) and
- 334 Section 63M-1-3206;

335 (3) at least \$3,500,000 of the appropriation for Administration be used for education  
336 related instructional technology and related professional development to provide mathematics  
337 instruction to secondary students to prepare the secondary students for college mathematics  
338 courses as described in Subsection 63M-1-3205(2)(b) and Section 63M-1-3206;

339 (4) that the appropriation described in Subsection (1):

340 (a) be ongoing; and

341 (b) not lapse at the close of fiscal year 2014; and

342 (5) that the appropriations described in Subsections (2) and (3):

343 (a) be one-time; and

344 (b) not lapse at the close of fiscal year 2014.

345 Section 10. **Effective date.**

346 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members  
347 elected to each house, this bill takes effect upon approval by the governor, or the day following  
348 the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's  
349 signature, or in the case of a veto, the date of veto override.

350 (2) Uncodified Section 9, Appropriation, takes effect on July 1, 2013.