

Representative Francis D. Gibson proposes the following substitute bill:

PUBLIC SCHOOL DROPOUT RECOVERY

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: Francis D. Gibson

6	Cosponsors:	Peter C. Knudson	Stephen H. Urquhart
7	Curtis S. Bramble	Howard A. Stephenson	Todd Weiler
8	Lyle W. Hillyard	Jerry W. Stevenson	
9	Alvin B. Jackson	Daniel W. Thatcher	

LONG TITLE

General Description:

This bill provides for public school dropout recovery services.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a local education agency to provide dropout recovery services;
- ▶ under certain circumstances, requires a local education agency to contract with a provider to provide dropout recovery services;
- ▶ requires a local education agency and the State Board of Education to report on the provisions of this bill; and
- ▶ directs the State Board of Education to make rules.

Money Appropriated in this Bill:

None



25 **Other Special Clauses:**

26 None

27 **Utah Code Sections Affected:**

28 ENACTS:

29 [53A-17a-172](#), Utah Code Annotated 1953



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

32 Section 1. Section [53A-17a-172](#) is enacted to read:

33 **53A-17a-172. Use of minimum school program funds for dropout recovery**
34 **services.**

35 (1) As used in this section:

36 (a) "Adequate monthly progress" means:

37 (i) an amount of progress that is measurable on a monthly basis and that, if continued
38 for a full school year, would result in the same amount of academic credit being awarded to an
39 eligible student as would be awarded to a regularly enrolled full-time student during a school
40 year; or

41 (ii) completion of one-quarter credit of college and career readiness course work.

42 (b) "Attainment goal" means:

43 (i) for an eligible student up to 18 years of age:

44 (A) earning a high school diploma;

45 (B) earning a Utah High School Completion Diploma, as defined in State Board of
46 Education rule; or

47 (C) earning an industry-based certificate that is likely to result in job placement; or

48 (ii) for an eligible student over 18 years of age, earning a high school diploma as
49 required under Section [53A-12-101](#).

50 (c) "Average daily membership" means the same as that term is defined in Section
51 [53A-17a-103](#).

52 (d) "Cohort" means a group of students, defined by the year the group enters ninth
53 grade.

54 (e) "College and career readiness course work" means course work that prepares a
55 student to succeed in a:

- 56 (i) post-secondary environment, such as course work designed to teach time
57 management skills and study skills; and
- 58 (ii) work environment, such as:
59 (A) career and technical education courses;
60 (B) career exploration and planning courses;
61 (C) course work designed to teach the soft skills that are necessary to succeed in a
62 work environment; and
- 63 (D) course work designed to prepare a student to pass an industry based certification
64 exam.
- 65 (f) "Eligible student" means a student:
66 (i) who has withdrawn from a secondary school prior to earning a diploma with no
67 legitimate reason for departure or absence from school;
68 (ii) who has been dropped from average daily membership for having a certain number
69 of unexcused absences as described in rules established by the State Board of Education; and
70 (iii) (A) whose cohort has not yet graduated; or
71 (B) whose cohort graduated in the previous school year.
- 72 (g) (i) "Local education agency" or "LEA" means a school district or charter school.
73 (ii) "Local education agency" or "LEA" does not include:
74 (A) an alternative high school as defined in Section [53A-1-1102](#); or
75 (B) a statewide virtual school.
- 76 (2) (a) An LEA shall create a dropout recovery program that includes the following
77 dropout recovery services:
78 (i) recruiting eligible students;
79 (ii) working with an eligible student to identify and mitigate social barriers to regular
80 school attendance;
81 (iii) developing a learning plan, in consultation with the eligible student to:
82 (A) identify an attainment goal; and
83 (B) specify adequate monthly progress toward the attainment goal;
84 (iv) monitoring an eligible student's progress against the eligible student's learning
85 plan;
86 (v) providing tiered interventions for an eligible student who is not making adequate

87 monthly progress; and

88 (vi) providing dropout recovery services throughout the calendar year.

89 (b) An LEA shall allow an eligible student to enroll in a dropout recovery program
90 created under Subsection (2)(a) at any point during the calendar year.

91 (3) An LEA that does not meet the criteria described in Subsections (4)(a) and (b) may
92 contract with a provider to provide one or more of the dropout recovery services described in
93 Subsection (2)(a).

94 (4) An LEA shall contract with a provider to provide the dropout recovery services
95 described in Subsection (2)(a) if:

96 (a) the LEA has a graduation rate that is lower than the statewide graduation rate, as
97 annually calculated by the State Board of Education; and

98 (b) (i) on average over the previous calendar year, at least 10% of the eligible students
99 in the LEA have not made adequate monthly progress toward an attainment goal; or

100 (ii) the LEA's graduation rate, as calculated annually by the State Board of Education,
101 has not increased by at least 1% as compared to the previous school year.

102 (5) An LEA described in Subsection (4) shall ensure that:

103 (a) a provider that is contracted with under Subsection (4) has a demonstrated record of
104 effectiveness engaging with and recovering eligible students; and

105 (b) a contract with a provider requires the provider to:

106 (i) provide the services described in Subsection (2)(a); and

107 (ii) regularly report an eligible student's progress to the LEA.

108 (6) (a) Subject to Subsection (6)(b), an LEA may count a student who was classified as
109 an eligible student during a previous school year in average daily membership for the current
110 school year if the eligible student is enrolled in a dropout recovery services program created
111 under Subsection (2)(a) during the current school year.

112 (b) An LEA may count a student in average daily membership under Subsection (6)(a):

113 (i) for a month during which the student makes adequate monthly progress, calculated
114 in accordance with rules established by the State Board of Education under Subsection (7)(a);

115 and

116 (ii) if a student re-enrolls in an LEA or statewide course or program, in accordance
117 with the pupil accounting provisions under Section [53A-17a-106](#) and State Board of Education

118 rule.

119 (7) The State Board of Education shall:

120 (a) make rules specifying procedures for calculating average daily membership under
121 Subsection (6)(b)(i); and

122 (b) ensure that the amount accounted for under Subsection (6):

123 (i) does not exceed one pupil in average daily membership per student;

124 (ii) includes only the value of the kindergarten through grade 12 weighted pupil unit;

125 and

126 (iii) excludes add-on weighted pupil units.

127 (8) An LEA shall annually submit a report to the State Board of Education on dropout
128 recovery services provided under this section, including:

129 (a) the number of eligible students:

130 (i) in the LEA;

131 (ii) enrolled in a dropout recovery program under Subsection (2)(a);

132 (iii) making adequate monthly progress toward an attainment goal; and

133 (iv) counted in average daily membership under Subsections (6)(b)(i) and (ii); and

134 (b) funding allocated to provide for a dropout recovery program as described in
135 Subsection (2).

136 (9) The State Board of Education shall:

137 (a) review reports submitted under Subsection (8);

138 (b) ensure that an LEA described in Subsection (4) contracts with a provider to provide
139 dropout recovery services in accordance with Subsections (4) and (5); and

140 (c) annually report to the Education Interim Committee on the provisions of this
141 section.