

SB0145S01 compared with SB0145

~~{deleted text}~~ shows text that was in SB0145 but was deleted in SB0145S01.

inserted text shows text that was not in SB0145 but was inserted into SB0145S01.

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Senator Howard A. Stephenson proposes the following substitute bill:

PHYSICS EDUCATION ~~{PILOT PROGRAM}~~PROPOSAL

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: _____

LONG TITLE

General Description:

This bill ~~{creates a pilot grant program for}~~requires the Science, Technology, Engineering, and Mathematics (STEM) Action Center Board to make recommendations to the Legislature related to physics education ~~{in secondary schools}~~.

Highlighted Provisions:

This bill:

▶ ~~{defines terms}~~;

▶ ~~creates the Physics Education Pilot Program;~~

▶ ~~requires the STEM}~~requires the Science, Technology, Engineering, and Mathematics (STEM) Action Center Board to ~~{prequalify one or more}~~develop a proposal to promote physics education ~~{consultants to provide high quality professional development, physics curriculum materials, and support for physics~~

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teachers};{~~_____~~}

- ▶ specifies ~~{criteria}~~ goals for ~~{the STEM Action Center Board to consider in prequalifying}~~ a physics education ~~{consultants and selecting local education agencies to participate in the pilot program;~~

~~_____~~ → provides a grant for local education agencies to implement the Physics Education Pilot Program} proposal; and

- ▶ requires the STEM Action Center Board to ~~{contract with an independent evaluator and report to the State Board of Education, the Governor's Office of Economic Development, and}~~ report to the Education Interim Committee.

Money Appropriated in this Bill:

~~{This bill appropriates:~~

~~_____~~ → to the Governor's Office of Economic Development - STEM Action Center, as a one-time appropriation:

~~_____~~ • ~~from the General Fund, one-time, \$5,000,000.}~~ None

Other Special Clauses:

~~{_____ This bill provides a special effective date.}~~ None

Utah Code Sections Affected:

AMENDS:

~~{_____ **63I-1-263**, as last amended by Laws of Utah 2014, Chapters 113, 189, 195, 211, 419, 429, and 435~~

~~† ~~{**63M-1-3201**}~~ **63I-2-263**, as last amended by Laws of Utah 2014, {Chapter 318~~

ENACTS:

~~_____ **63M-1-3212**, Utah Code Annotated 1953} Chapters 172, 423, and 427~~

~~**63M-1-3207**, as last amended by Laws of Utah 2014, Chapters 318 and 371~~

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

Section 1. Section ~~{**63I-1-263**}~~ **63I-2-263** is amended to read:

~~{_____ **63I-1-263. Repeal dates, Titles 63A to 63M.**~~

~~_____ (1) Section 63A-4-204, authorizing the Risk Management Fund to provide coverage to any public school district which chooses to participate, is repealed July 1, 2016.~~

~~_____ (2) Subsection 63A-5-104(4)(h) is repealed on July 1, 2024.~~

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- ~~—— (3) Section 63A-5-603, State Facility Energy Efficiency Fund, is repealed July 1, 2016.~~
- ~~—— (4) Title 63C, Chapter 4a, Constitutional and Federalism Defense Act, is repealed July 1, 2018.~~
- ~~—— (5) Title 63C, Chapter 14, Federal Funds Commission, is repealed July 1, 2018.~~
- ~~—— (6) Title 63C, Chapter 15, Prison Relocation Commission, is repealed July 1, 2017.~~
- ~~—— (7) Subsection 63G-6a-1402(7) authorizing certain transportation agencies to award a contract for a design-build transportation project in certain circumstances, is repealed July 1, 2015.~~
- ~~—— (8) Title 63H, Chapter 4, Heber Valley Historic Railroad Authority, is repealed July 1, 2020.~~
- ~~—— (9) The Resource Development Coordinating Committee, created in Section 63J-4-501, is repealed July 1, 2015.~~
- ~~—— (10) Title 63M, Chapter 1, Part 4, Enterprise Zone Act, is repealed July 1, 2018.~~
- ~~—— (11) (a) Title 63M, Chapter 1, Part 11, Recycling Market Development Zone Act, is repealed January 1, 2021.~~
 - ~~—— (b) Subject to Subsection (11)(c), Sections 59-7-610 and 59-10-1007 regarding tax credits for certain persons in recycling market development zones, are repealed for taxable years beginning on or after January 1, 2021.~~
 - ~~—— (c) A person may not claim a tax credit under Section 59-7-610 or 59-10-1007:~~
 - ~~—— (i) for the purchase price of machinery or equipment described in Section 59-7-610 or 59-10-1007, if the machinery or equipment is purchased on or after January 1, 2021; or~~
 - ~~—— (ii) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), if the expenditure is made on or after January 1, 2021.~~
 - ~~—— (d) Notwithstanding Subsections (11)(b) and (c), a person may carry forward a tax credit in accordance with Section 59-7-610 or 59-10-1007 if:~~
 - ~~—— (i) the person is entitled to a tax credit under Section 59-7-610 or 59-10-1007; and~~
 - ~~—— (ii) (A) for the purchase price of machinery or equipment described in Section 59-7-610 or 59-10-1007, the machinery or equipment is purchased on or before December 31, 2020; or~~
 - ~~—— (B) for an expenditure described in Subsection 59-7-610(1)(b) or 59-10-1007(1)(b), the expenditure is made on or before December 31, 2020.~~

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- ~~—— [(12) Section 63M-1-3412 is repealed on July 1, 2021.]~~
- ~~—— [(13)] (12) (a) Section 63M-1-2507, Health Care Compact, is repealed on July 1, 2014.~~
- ~~—— (b) (i) The Legislature shall, before reauthorizing the Health Care Compact:~~
 - ~~—— (A) direct the Health System Reform Task Force to evaluate the issues listed in Subsection [(13)] (12)(b)(ii), and by January 1, 2013, develop and recommend criteria for the Legislature to use to negotiate the terms of the Health Care Compact; and~~
 - ~~—— (B) prior to July 1, 2014, seek amendments to the Health Care Compact among the member states that the Legislature determines are appropriate after considering the recommendations of the Health System Reform Task Force.~~
- ~~—— (ii) The Health System Reform Task Force shall evaluate and develop criteria for the Legislature regarding:~~
 - ~~—— (A) the impact of the Supreme Court ruling on the Affordable Care Act;~~
 - ~~—— (B) whether Utah is likely to be required to implement any part of the Affordable Care Act prior to negotiating the compact with the federal government, such as Medicaid expansion in 2014;~~
 - ~~—— (C) whether the compact's current funding formula, based on adjusted 2010 state expenditures, is the best formula for Utah and other state compact members to use for establishing the block grants from the federal government;~~
 - ~~—— (D) whether the compact's calculation of current year inflation adjustment factor, without consideration of the regional medical inflation rate in the current year, is adequate to protect the state from increased costs associated with administering a state-based Medicaid and a state-based Medicare program;~~
 - ~~—— (E) whether the state has the flexibility it needs under the compact to implement and fund state based initiatives, or whether the compact requires uniformity across member states that does not benefit Utah;~~
 - ~~—— (F) whether the state has the option under the compact to refuse to take over the federal Medicare program;~~
 - ~~—— (G) whether a state based Medicare program would provide better benefits to the elderly and disabled citizens of the state than a federally run Medicare program;~~
 - ~~—— (H) whether the state has the infrastructure necessary to implement and administer a better state based Medicare program;~~

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~~— (I) whether the compact appropriately delegates policy decisions between the legislative and executive branches of government regarding the development and implementation of the compact with other states and the federal government; and~~

~~— (J) the impact on public health activities, including communicable disease surveillance and epidemiology.~~

~~— (13) Section 63M-1-3212 is repealed on July 1, 2020.~~

~~— (14) Section 63M-1-3412 is repealed on July 1, 2021.~~

~~— [(14)] (15) (a) Title 63M, Chapter 1, Part 35, Utah Small Business Jobs Act, is repealed January 1, 2021.~~

~~— (b) Section 59-9-107 regarding tax credits against premium taxes is repealed for calendar years beginning on or after January 1, 2021.~~

~~— (c) Notwithstanding Subsection [(14)] (15)(b), an entity may carry forward a tax credit in accordance with Section 59-9-107 if:~~

~~— (i) the person is entitled to a tax credit under Section 59-9-107 on or before December 31, 2020; and~~

~~— (ii) the qualified equity investment that is the basis of the tax credit is certified under Section 63M-1-3503 on or before December 31, 2023.~~

~~— [(15)] (16) The Crime Victim Reparations and Assistance Board, created in Section 63M-7-504, is repealed July 1, 2017.~~

~~— [(16)] (17) Title 63M, Chapter 11, Utah Commission on Aging, is repealed July 1, 2017.~~

‡ **63I-2-263. Repeal dates, Title 63A to Title 63M.**

- (1) Section 63A-1-115 is repealed on July 1, 2014.
- (2) Section 63C-9-501.1 is repealed on July 1, 2015.
- (3) Subsection 63J-1-218(3) is repealed on December 1, 2013.
- (4) Subsection 63J-1-218(4) is repealed on December 1, 2013.
- (5) Section 63M-1-207 is repealed on December 1, 2014.
- (6) Subsection 63M-1-903(1)(d) is repealed on July 1, 2015.
- (7) Subsection 63M-1-1406(9) is repealed on January 1, 2015.
- (8) Subsection 63M-1-3207(3) is repealed on January 1, 2016.

Section 2. Section ~~{63M-1-3201}~~ 63M-1-3207 is amended to read:

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~~{ 63M-1-3201. Definitions.~~

~~As used in this part:~~

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

~~(2) "Educator" [has the meaning] means the same as that term is defined in Section 53A-6-103.~~

~~(3) "High quality professional development" means professional development that meets:~~

~~(a) high quality standards developed by the State Board of Education[.]; and~~

~~(b) the professional learning standards described in Section 53A-3-701.~~

~~(4) "Office" means the Governor's Office of Economic Development.~~

~~(5) "Provider" means a provider, selected by staff of the board and staff of the Utah State Board of Education, on behalf of the board:~~

~~(a) through a request for proposals process; or~~

~~(b) through a direct award or sole source procurement process for a pilot described in Section 63M-1-3205.~~

~~(6) "STEM" means science, technology, engineering, and mathematics.~~

~~(7) "STEM Action Center" means the center described in Section 63M-1-3204.~~

~~‡ 63M-1-3207. Report to Legislature and the State Board of Education.~~

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

~~(a) the Education Interim Committee;~~

~~(b) the Public Education Appropriations Subcommittee;~~

~~(c) the State Board of Education; and~~

~~(d) the office for inclusion in the office's annual written report described in Section 63M-1-206.~~

~~(2) The report described in Subsection (1) shall include information that demonstrates the effectiveness of the program, including:~~

~~(a) the number of educators receiving high quality professional development;~~

~~(b) the number of students receiving services from the STEM Action Center;~~

~~(c) a list of the providers selected pursuant to this part;~~

~~(d) a report on the STEM Action Center's fulfilment of its duties described in Section~~

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63M-1-3204; and

(e) student performance of students participating in a STEM Action Center program as collected in Subsection 63M-1-3204(4).

~~{ Section 3. Section 63M-1-3212 is enacted to read:~~

~~63M-1-3212. Physics Education Pilot Program.~~

~~{ (1) (a) As used in this section:~~ Subsection (3):

~~{ (a) "Endorsement" means the same as that term is defined in Section 53A-6-103.~~

~~{ (b) "Local education agency" or "LEA" means:~~

~~(i) a school district;~~

~~(ii) a charter school; or~~

~~(iii) the Utah Schools for the Deaf and the Blind.~~

~~(c) "Physics education consultant" means a physics education consultant identified under Subsection (3):~~

~~(d) "Program" means the Physics Education Pilot Program.~~

~~(2) (a) There is created the Physics Education Pilot Program to promote physics education and increase the number of Utah secondary school students who take physics.~~

~~(b) Subject to funding for the program, the board shall develop and implement the program;~~ ii) "Proposal" means the proposal described in Subsection (3)(b).

(b) The board shall coordinate with the State Board of Education to develop a proposal to promote physics education in secondary schools.

~~(c) The program shall operate for five years, beginning on the first day of the 2015-16 school year.~~

~~(3) (a) In consultation with the State Board of Education, the board shall, through a prequalification process under Section 63G-6a-403, prequalify physics education consultants that an LEA, selected by the board under Subsection (6), may work with to implement the program.~~

~~(b) The board may not prequalify a physics education consultant who does not have experience implementing a physics education program in a secondary school.~~

~~(c) In evaluating statements of qualification submitted for the prequalification process;~~ In developing the proposal described in Subsection (3)(a), the board, in coordination with the State Board of Education, shall ensure that the evaluation criteria weighs heavily the

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~~extent to which a physics education consultant who submits a statement of qualification has demonstrated efficacy in:~~

~~—— (i) increasing enrollment in secondary education physics classes;~~

~~—— (ii) providing high quality professional development in }b), the board shall focus on:~~

~~in }coordination with an institute of higher education;~~
(i) strategies and activities that leverage the value and importance of physics education

~~—— (iii) providing professional development to teachers to prepare them to teach mathematically rigorous physics; and~~

~~—— (iv) improving outcomes for students participating in physics classes;~~

~~—— (d) The request for statements of qualification shall require that a proposed }the pathway of science education; and~~

(ii) the importance of highly qualified physics teachers in ensuring that students receive high-quality physics education }consultant disclose all exclusive financial arrangements with education publishers, education technology providers, or other education companies;

~~—— (e) After receiving an LEA grant application described in Subsection (5), the board may prequalify a physics education consultant proposed in an LEA grant application, who was not identified through the prequalification process described in Subsection (3)(a), as a prequalified physics education consultant if:~~

~~—— (i) the physics education consultant proposed in the LEA's grant application meets the qualification criteria described in Subsection (3);~~

~~—— (ii) the LEA had a contract or other relationship with the physics education consultant proposed in the LEA's grant application prior to the LEA submitting the application under Subsection (3)(a); and~~

~~—— (iii) the LEA's contract or other relationship with the physics education consultant proposed in the LEA's grant application was granted in compliance with Title 63G, Chapter 6a, Utah Procurement Code;~~

~~—— (4) }that forms the basis for the scientific pathway.~~

(d) The board shall }require a prequalified physics education consultant to provide:

~~—— (a) high quality professional development in physics education, in consultation with the State Board of Education and in coordination with an institute of higher education, that enables an educator }~~
design the proposal to:

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- (i) increase the number of secondary school students who take physics;
- (ii) encourage a teacher who teaches a subject other than physics to receive an endorsement to teach physics;
- ~~(b) (i) improve outcomes for a student who studies physics;~~
- (iv) use technology to teach physics, which may include replacing physics textbooks with high quality online materials; and
- (v) encourage a school to teach physics to students in grade 9.
- (e) In the proposal, the board shall make recommendations related to:
 - (i) providing high-quality professional learning experiences focused on problem-based learning for:
 - (A) an existing physics teacher;
 - (B) an existing teacher of a subject other than physics who is considering receiving an endorsement to teach physics; and
 - (C) a student in a teacher preparation program;
 - (ii) increasing the number of teachers who have an endorsement to teach physics;
 - (iii) strategically deploying resources to promote and support problem-based physics learning in the classroom;
 - (iv) effectively incorporating classroom technology into physics education~~{ curriculum resources of sufficient depth and breadth to eliminate the need for physics textbooks}; { and}~~
 - ~~{c} support for an educator to further the teaching of physics through:~~
 - ~~(i) classroom and physics laboratory technology that may include an interactive white board; and~~
 - ~~(ii) hands-on activities and experiments.~~
- ~~(5) (a) An LEA may apply to the board, through a competitive process, to receive a grant to participate in the program.~~
- ~~(b) In a grant application, an LEA shall present a plan and describe how the LEA will work with~~
 - (v) determining effective sequencing of secondary science courses;
 - (vi) developing a grant program for schools to receive funding to focus on physics education; and
 - (vii) implementing a comprehensive evaluation plan for a physics education~~{consultant prequalified under Subsection (3) to provide:~~

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~~(i) high quality professional development;~~ program that describes participation, performance, and impact data.

(f) Based on the proposal described in Subsection (3)(b), the board may present proposed legislation for the Legislature to consider during the 2016 legislative session.

(g) The board may consult with one or more experts in physics education;

~~(ii) physics education curricula; and~~

~~(iii) classroom technologies to further the teaching of physics;~~

~~(c) An LEA grant application may propose a physics education consultant who was not identified as a prequalified physics education consultant under Subsection (3)(a) if the physics education consultant proposed in the LEA grant application meets the criteria described in Subsection (3)(e);~~

~~(6) (a) The board shall select LEAs to receive a grant.~~

~~(b) In selecting an LEA to receive a grant;~~ in designing the proposal.

(h) On or before November 1, 2015, the board shall ~~consider the LEA's willingness and plans to:~~

~~(i) sequence science classes so that students take physics before taking chemistry and biology;~~

~~(ii) increase the number of students taking physics;~~

~~(iii) incorporate classroom education technology, which may include an interactive white board, into physics classes; and~~

~~(iv) devote LEA resources, including instructional technology, to teaching physics;~~

~~(c) In selecting an LEA to receive a grant, the board shall select a diverse set of LEAs representing a range of urban and rural locations, school districts, and charter schools;~~

~~(7) An LEA that receives a grant described in Subsection (6):~~

~~(a) shall use the grant to contract with a physics education consultant prequalified under Subsection (3) to implement the LEA plan in the LEA grant application described in Subsection (5); and~~

~~(b) may contract with a physics education consultant prequalified under Subsection (3) without following the standard procurement process described in Title 63G, Chapter 6a, Utah Procurement Code.~~

~~(8) The board shall contract with an independent evaluator to evaluate the pilot~~

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~~program on:~~

~~—— (a) school level outcomes, including changes in the number of students taking physics and advanced physics;~~

~~—— (b) individual student outcomes;~~

~~—— (c) educator outcomes, including the number of teachers receiving endorsements to teach physics; and~~

~~—— (d) any other outcomes requested by the board.~~

~~—— (9) (a) The board shall report~~present the proposal, including proposed legislation, to the Education Interim Committee ~~{ on the status of the program on or before November 1 of each year of the pilot program, beginning in 2016}.~~

~~{ —— (b) The board shall:~~

~~—— (i) submit a final report on the program to the Education Interim Committee on or before November 1, 2019; and~~

~~—— (ii) ensure that the final report described in Subsection (9)(b)(i) includes the results of the evaluation described in Subsection (8);~~

~~—— Section 4. **Appropriation:**~~

~~—— Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2016:~~

~~—— To Governor's Office of Economic Development - STEM Action Center~~

~~From General Fund, one-time~~

~~\$5,000,000~~

~~—— Schedule of Programs:~~

~~—— STEM Action Center~~

~~\$5,000,000~~

~~—— The Legislature intends that:~~

~~—— (1) the STEM Action Center Board expend appropriations under this section for the physics education program described in Section 63M-1-3212 in fiscal years 2016, 2017, 2018, 2019, and 2020; and~~

~~—— (2) under Section 63J-1-603, the appropriations provided under this section not lapse at the close of fiscal year 2016, 2017, 2018, or 2019.~~

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~~Section 5. **Effective date.**~~

~~(1) Except as provided in Subsection (2), this bill takes effect on May 12, 2015.~~

~~(2) Uncodified Section 4, Appropriation, takes effect on July 1, 2015.~~

Legislative Review Note

~~as of 2-3-15 9:43 AM~~

~~Office of Legislative Research and General Counsel~~