

**POST-SECONDARY CAREER AND EDUCATIONAL CHOICE
AMENDMENTS**

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: _____

LONG TITLE

General Description:

This bill requires the Utah Education and Telehealth Network Board to select a technology provider to provide technology and support to Utah Futures.

Highlighted Provisions:

This bill:

- ▶ requires the Utah Education and Telehealth Network to select a technology provider to provide technology and support to Utah Futures;
- ▶ eliminates an evaluation panel that assesses whether the Department of Workforce Services, the State Board of Regents, and the State Board of Education should outsource the Utah Futures website to a private provider or build the Utah Futures website in-house;
- ▶ requires an independent evaluation; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2016:

- ▶ to the Utah Education and Telehealth Network - Utah Education and Telehealth Network as an ongoing appropriation:
 - from the Education Fund, \$2,400,000.
- ▶ to the Utah Education and Telehealth Network - Utah Education and Telehealth



28 Network as a one-time appropriation:
29 • from the Education Fund, \$50,000.

30 **Other Special Clauses:**

31 This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **63I-2-253**, as last amended by Laws of Utah 2014, Chapters 102, 189, 372, and 393

35 RENUMBERS AND AMENDS:

36 **53B-17-108**, (Renumbered from 53A-1-410, as last amended by Laws of Utah 2014,
37 Chapter 372)



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

40 Section 1. Section **53B-17-108**, which is renumbered from Section 53A-1-410 is
41 renumbered and amended to read:

42 ~~[53A-1-410].~~ **53B-17-108. Utah Futures.**

43 (1) As used in this section:

44 (a) "Education provider" means:

45 (i) a Utah institution of higher education as defined in Section **53B-2-101**; or

46 (ii) a Utah provider of postsecondary education.

47 (b) "Student user" means:

48 (i) a Utah student in kindergarten through grade 12;

49 (ii) a Utah post secondary education student;

50 (iii) a parent or guardian of a Utah public education student; or

51 (iv) a Utah potential post secondary education student.

52 (c) "Utah Futures" means a career planning program developed and administered by
53 the Department of Workforce Services, the State Board of Regents, and the State Board of
54 Education.

55 (d) "Utah Futures Steering Committee" means a committee of members designated by
56 the governor to administer and manage Utah Futures in collaboration with the Department of
57 Workforce Services, the State Board of Regents, and the State Board of Education.

58 ~~[(2) The Utah Futures Steering Committee shall ensure, as funding allows and is~~

59 ~~feasible, that Utah Futures will:]~~

60 (2) On or before October 1, 2015, the board, after consulting with the Board of
61 Business and Economic Development created in Section 63M-1-301 and the Utah Futures
62 Steering Committee, shall select a technology provider, through a request for proposals
63 process, to provide technology and support for Utah Futures.

64 (3) The board shall ensure that the technology and support provided by the provider
65 selected under Subsection (2) shall allow:

66 (a) ~~allow~~ a student user to:

67 (i) access the student user's full academic record;

68 (ii) electronically allow the student user to give access to the student user's academic
69 record and related information to an education provider as allowed by law;

70 (iii) access information about different career opportunities and understand the related
71 educational requirements to enter that career;

72 (iv) access information about education providers;

73 (v) access up to date information about entrance requirements to education providers;

74 (vi) apply for entrance to multiple schools without having to fully replicate the
75 application process;

76 (vii) apply for loans, scholarships, or grants from multiple education providers in one
77 location without having to fully replicate the application process for multiple education
78 providers; and

79 (viii) research open jobs from different companies within the user's career interest and
80 apply for those jobs without having to leave the website to do so;

81 (b) ~~allow~~ all users to:

82 (i) access information about different career opportunities and understand the related
83 educational requirements to enter that career;

84 (ii) access information about education providers;

85 (iii) access up-to-date information about entrance requirements to education providers;

86 (iv) apply for entrance to multiple schools without having to fully replicate the
87 application process;

88 (v) apply for loans, scholarships, or grants from multiple education providers in one
89 location without having to fully replicate the application process for multiple education

90 providers; and

91 (vi) research open jobs from different companies within the user's career interest and
92 apply for those jobs without having to leave the website to do so;

93 (c) [allow] an education provider to:

94 (i) research and find student users who are interested in various educational outcomes;

95 (ii) promote the education provider's programs and schools to student users; and

96 (iii) connect with student users within the Utah Futures website;

97 (d) [allow] a Utah business to:

98 (i) research and find student users who are pursuing educational outcomes that are
99 consistent with jobs the Utah business is trying to fill now or in the future; and

100 (ii) market jobs and communicate with student users through the Utah Futures website
101 as allowed by law;

102 (e) [allow] the Department of Workforce Services to analyze and report on student user
103 interests, education paths, and behaviors within the education system so as to predictively
104 determine appropriate career and educational outcomes and results; and

105 (f) [allow] all users of the Utah Futures' system to communicate and interact through
106 social networking tools within the Utah Futures website as allowed by law.

107 ~~[(3) On or before October 1, 2014, the State Board of Education, after consulting with~~
108 ~~the Board of Business and Economic Development created in Section 63M-1-301, may select a~~
109 ~~technology provider, through a request for proposals process, to provide technology and~~
110 ~~support for Utah Futures.]~~

111 (4) In evaluating proposals under Subsection ~~[(3)]~~ (2) in consultation with the Board of
112 Business and Economic Development~~[, the State Board of Education]~~ and the Utah Futures
113 Steering Committee, the board shall ensure that the technology provided by a proposer:

114 (a) allows Utah Futures to license the selected service oriented architecture
115 technologies;

116 (b) allows Utah Futures to protect all user data within the system by leveraging role
117 architecture;

118 (c) allows Utah Futures to update the user interface, APIs, and web services software
119 layers as needed;

120 (d) provides the ability for a student user to have a secure profile and login to access

121 and to store personal information related to the services listed in Subsection (2) via the
122 Internet;

123 (e) protects all user data within Utah Futures;

124 (f) allows the [~~State Board of Education~~] board to license the technology of the
125 selected technology provider; and

126 (g) provides technology able to support application programming interfaces to integrate
127 technology of other third party providers, which may include cloud-based technology.

128 [~~(5)(a) On or before August 1, 2014, the evaluation panel described in Subsection~~
129 ~~(5)(b), using the criteria described in Subsection (5)(c), shall evaluate Utah Futures and~~
130 ~~determine whether any or all components of Utah Futures, as described in this section, should~~
131 ~~be outsourced to a private provider or built in-house by the participating state agencies.]~~

132 [~~(b) The evaluation panel described in Subsection (5)(a) shall consist of the following~~
133 ~~members, appointed by the governor after consulting with the State Board of Education:]~~

134 [~~(i) five members who represent business, including:]~~

135 [~~(A) one member who has extensive knowledge and experience in information~~
136 ~~technology; and]~~

137 [~~(B) one member who has extensive knowledge and experience in human resources;]~~

138 [~~(ii) one member who is a user of the information provided by Utah Futures;]~~

139 [~~(iii) one member who is a parent of a student who uses Utah Futures;]~~

140 [~~(iv) one member who:]~~

141 [~~(A) is an educator as defined in Section 53A-6-103; and]~~

142 [~~(B) teaches students who use Utah Futures; and]~~

143 [~~(v) one member who is a high school counselor licensed under Title 53A, Chapter 6,~~
144 ~~Educator Licensing and Professional Practices Act.]~~

145 [(c) The evaluation panel described in Subsections (5)(a) and (b) shall consider at least
146 the following criteria to make the determination described in Subsection (5)(a):]

147 [(i) the complete functional capabilities of a private technology provider versus an
148 in-house version;]

149 [(ii) the cost of purchasing privately developed technology versus continuing to
150 develop or build an in-house version;]

151 [(iii) the data and security capabilities of a private technology provider versus an

152 ~~in-house version;~~

153 ~~[(iv) the time frames to implementation; and]~~

154 ~~[(v) the best practices and examples of other states who have implemented a tool~~
155 ~~similar to Utah Futures.]~~

156 ~~[(d) On or before September 30, 2014, the evaluation panel shall report the~~
157 ~~determination to:]~~

158 ~~[(i) the State Board of Education;]~~

159 ~~[(ii) the Executive Appropriations Committee; and]~~

160 ~~[(iii) the Education Interim Committee.]~~

161 (5) (a) The board shall contract with an independent evaluator to evaluate Utah Futures

162 on:

163 (i) the extent to which Utah Futures provides the outcomes described in Subsection (3);

164 and

165 (ii) the effectiveness of the technology provider selected under Subsection (2) in
166 helping Utah Futures reach the outcomes described in Subsection (3).

167 (b) The board shall present the results of the evaluation described in Subsection (5)(a)
168 to the Education Interim Committee on or before November 1, 2016.

169 Section 2. Section **63I-2-253** is amended to read:

170 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

171 (1) Section **53A-1-402.7** is repealed July 1, 2014.

172 (2) Section **53A-1-403.5** is repealed July 1, 2017.

173 ~~[(3) Subsection **53A-1-410(5)** is repealed July 1, 2015.]~~

174 ~~[(4) (3) Section **53A-1-411** is repealed July 1, 2016.~~

175 ~~[(5) (4) Section **53A-1a-513.5** is repealed July 1, 2017.~~

176 ~~[(6) (5) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2019.~~

177 ~~[(7) (6) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is~~
178 ~~repealed July 1, 2017.~~

179 ~~[(8) (7) Section **53A-17a-169** is repealed July 1, 2017.~~

180 Section 3. **Appropriation.**

181 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
182 the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money

183 are appropriated from resources not otherwise appropriated, or reduced from amounts
184 previously appropriated, out of the funds or accounts indicated. These sums of money are in
185 addition to any amounts previously appropriated for fiscal year 2016.

186 To Utah Education and Telehealth Network - Utah Education and Telehealth Network

187 From Education Fund \$2,400,000

188 From Education Fund, One-time \$50,000

189 Schedule of Programs:

190 Utah Futures \$2,450,000

191 The Legislature intends that:

192 (1) the Utah Education and Telehealth Network shall:

193 (a) use \$2,400,000 of the appropriation for Utah Futures to contract with a technology
194 provider as described in Subsection 53A-1-410(2); and

195 (b) use \$50,000 of the appropriation for Utah Futures to conduct the independent
196 evaluation described in Subsection 53A-1-410(5); and

197 (2) under Section 63J-1-603, the appropriation provided under this section not lapse at
198 the close of fiscal year 2016, and that the use of any nonlapsing funds is limited to the purposes
199 described in Section 53A-1-410.

200 **Section 4. Effective date.**

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

202 (2) Uncodified Section 3, Appropriation, takes effect on July 1, 2015.

Legislative Review Note
as of 2-27-15 7:07 PM

Office of Legislative Research and General Counsel