

Effective 5/10/2016

53A-1-1507 Procurement -- Independent evaluator.

- (1) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board shall contract with an independent evaluator to:
- (a) annually evaluate statewide direct and intermediate outcomes beginning the first year that grants are awarded, including baseline data collection for long-term outcomes;
 - (b) in the fourth year after a grant is awarded, and each year thereafter, evaluate statewide long-term outcomes; and
 - (c) report on the information described in Subsections (1)(a) and (b) to the board.
- (2)
- (a) To implement an LEA plan, a contract, in accordance with Title 63G, Chapter 6a, Utah Procurement Code, or other agreement with one or more providers of technology powered learning solutions and one or more providers of wireless networking solutions may be entered into by:
 - (i) UETN, in cooperation with or on behalf of, as applicable, the board, the board's designee, or an LEA; or
 - (ii) an LEA.
 - (b) A contract or agreement entered into under Subsection (2)(a) may be a contract or agreement which:
 - (i) UETN enters into with a provider and payment for services is directly appropriated by the Legislature, as funds are available, to UETN;
 - (ii) UETN enters into with a provider and pays for the provider's services and is reimbursed for payments by an LEA that benefits from the services;
 - (iii) UETN negotiates the terms of on behalf of an LEA that enters into the contract or agreement directly with the provider and the LEA pays directly for the provider's services; or
 - (iv) an LEA enters into directly, pays a provider, and receives preapproved reimbursement from a UETN fund established for this purpose.
 - (c) If an LEA does not reimburse UETN in a reasonable time for services received under a contract or agreement described in Subsection (2)(b), the board shall pay the balance due to UETN from the LEA's funds received under Chapter 17a, Part 1, Minimum School Program.
 - (d) If UETN negotiates or enters into an agreement as described in Subsection (2)(b)(ii) or (2)(b)(iii), and UETN enters into an additional agreement with an LEA that is associated with the agreement described in Subsection (2)(b)(ii) or (2)(b)(iii), the associated agreement may be treated by UETN and the LEA as a cooperative procurement, as that term is defined in Section 63G-6a-103, regardless of whether the associated agreement satisfies the requirements of Section 63G-6a-2105.

Enacted by Chapter 318, 2016 General Session