

## **Part 1 Goals and Methods**

### **53A-1a-101 Short title.**

This chapter is known as the "Utah Strategic Planning Act for Educational Excellence."

Enacted by Chapter 47, 1992 General Session

### **53A-1a-103 Public education's vision and mission.**

- (1) The Legislature envisions an educated citizenry that encompasses the following foundational principles:
  - (a) citizen participation in civic and political affairs;
  - (b) economic prosperity for the state by graduating students who are college and career ready;
  - (c) strong moral and social values; and
  - (d) loyalty and commitment to constitutional government.
- (2) The Legislature recognizes that public education's mission is to assure Utah the best educated citizenry in the world and each individual the training to succeed in a global society by providing students with:
  - (a) learning and occupational skills;
  - (b) character development;
  - (c) literacy and numeracy;
  - (d) high quality instruction;
  - (e) curriculum based on high standards and relevance; and
  - (f) effective assessment to inform high quality instruction and accountability.
- (3) The Legislature:
  - (a) recognizes that parents or guardians are a child's first teachers and are responsible for the education of their children;
  - (b) encourages family engagement and adequate preparation so that students enter the public education system ready to learn; and
  - (c) intends that the mission detailed in Subsection (2) be carried out through a responsive educational system that guarantees local school communities autonomy, flexibility, and client choice, while holding them accountable for results.
- (4) This section will be applied consistent with Section 53A-13-109.

Amended by Chapter 415, 2015 General Session

### **53A-1a-104 Characteristics of public education system.**

The Legislature shall assist in maintaining a public education system that has the following characteristics:

- (1) assumes that all students have the ability to learn and that each student departing the system will be prepared to achieve success in productive employment, further education, or both;
- (2) provides a personalized education plan or personalized education occupation plan for each student, which involves the student, the student's parent or guardian, and school personnel in establishing the plan;
- (3) provides students with the knowledge and skills to take responsibility for their decisions and to make appropriate choices;

- (4) provides opportunities for students to exhibit the capacity to learn, think, reason, and work effectively, individually and in groups;
- (5) offers world-class core standards that enable students to successfully compete in a global society, and to succeed as citizens of a constitutional republic;
- (6) incorporates an information retrieval system that provides students, parents, and educators with reliable, useful, and timely data on the progress of each student;
- (7) attracts, prepares, inducts, and retains excellent teachers for every classroom in large part through collaborative efforts among the State Board of Education, the State Board of Regents, and school districts, provides effective ongoing professional development opportunities for teachers to improve their teaching skills, and provides recognition, rewards, and compensation for their excellence;
- (8) empowers each school district and public school to create its own vision and plan to achieve results consistent with the objectives outlined in this chapter;
- (9) uses technology to improve teaching and learning processes and for the delivery of educational services;
- (10) promotes ongoing research and development projects at the district and the school level that are directed at improving or enhancing public education;
- (11) offers a public school choice program, which gives students and their parents options to best meet the student's personalized education needs;
- (12) emphasizes the involvement of educators, parents, business partnerships, and the community at large in the educational process by allowing them to be involved in establishing and implementing educational goals and participating in decision-making at the school site; and
- (13) emphasizes competency-based standards and progress-based assessments, including tracking and measurement systems.

Amended by Chapter 415, 2015 General Session

**53A-1a-105 Parental participation in educational process -- Employer support.**

- (1) The Legislature recognizes the importance of parental participation in the educational process in order for students to achieve and maintain high levels of performance.
- (2) It is, therefore, the policy of the state to:
  - (a) encourage parents to provide a home environment that values education and send their children to school prepared to learn;
  - (b) rely upon school districts and schools to provide opportunities for parents of students to be involved in establishing and implementing educational goals for their respective schools and students; and
  - (c) expect employers to recognize the need for parents and members of the community to participate in the public education system in order to help students achieve and maintain excellence.
- (3)
  - (a) Each local school board shall adopt a policy on parental involvement in the schools of the district.
  - (b) The board shall design its policy to build consistent and effective communication among parents, teachers, and administrators.
  - (c) The policy shall provide parents with the opportunity to be actively involved in their children's education and to be informed of:
    - (i) the importance of the involvement of parents in directly affecting the success of their children's educational efforts; and

- (ii) groups and organizations that may provide instruction and training to parents to help improve their children's academic success and support their academic efforts.

Amended by Chapter 59, 2000 General Session

**53A-1a-105.5 Parental permission required for specified in-home programs -- Exceptions.**

- (1) The State Board of Education, local school boards, school districts, and public schools are prohibited from requiring infant or preschool in-home literacy or other educational or parenting programs without obtaining parental permission in each individual case.
- (2) This section does not prohibit the Division of Child and Family Services, within the Department of Human Services, from providing or arranging for family preservation or other statutorily provided services in accordance with Title 62A, Chapter 4a, Child and Family Services, or any other in-home services that have been court ordered, pursuant to Title 62A, Chapter 4a, Child and Family Services, or Title 78A, Chapter 6, Juvenile Court Act of 1996.

Amended by Chapter 3, 2008 General Session

**53A-1a-106 School district and individual school powers -- Student education/occupation plan (SEOP) definition.**

- (1) In order to acquire and develop the characteristics listed in Section 53A-1a-104, each school district and each public school within its respective district shall implement a comprehensive system of accountability in which students advance through public schools by demonstrating competency in required skills and mastery of required knowledge through the use of diverse assessment instruments such as authentic and criterion referenced tests, projects, and portfolios.
- (2)
  - (a) Each school district and public school shall:
    - (i) develop and implement programs integrating technology into the curriculum, instruction, and student assessment;
    - (ii) provide for teacher and parent involvement in policymaking at the school site;
    - (iii) implement a public school choice program to give parents, students, and teachers greater flexibility in designing and choosing among programs with different focuses through schools within the same district and other districts, subject to space availability, demographics, and legal and performance criteria;
    - (iv) establish strategic planning at both the district and school level and site-based decision making programs at the school level;
    - (v) provide opportunities for each student to acquire and develop academic and occupational knowledge, skills, and abilities;
    - (vi) participate in ongoing research and development projects primarily at the school level aimed at improving the quality of education within the system; and
    - (vii) involve business and industry in the education process through the establishment of partnerships with the business community at the district and school level.
  - (b)
    - (i) As used in this title, "student education/occupation plan" or "SEOP" means a plan developed by a student and the student's parent or guardian, in consultation with school counselors, teachers, and administrators that:
      - (A) is initiated at the beginning of grade 7;
      - (B) identifies a student's skills and objectives;

- (C) maps out a strategy to guide a student's course selection; and
- (D) links a student to post-secondary options, including higher education and careers.
- (ii) Each local school board, in consultation with school personnel, parents, and school community councils or similar entities shall establish policies to provide for the effective implementation of a personalized student education plan (SEP) or student education/occupation plan (SEOP) for each student at the school site.
- (iii) The policies shall include guidelines and expectations for:
  - (A) recognizing the student's accomplishments, strengths, and progress towards meeting student achievement standards as defined in U-PASS;
  - (B) planning, monitoring, and managing education and career development; and
  - (C) involving students, parents, and school personnel in preparing and implementing SEPs and SEOPs.
- (iv) A parent may request conferences with school personnel in addition to SEP or SEOP conferences established by local school board policy.
- (v) Time spent during the school day to implement SEPs and SEOPs is considered part of the school term referred to in Subsection 53A-17a-103(4).
- (3) A school district or public school may submit proposals to modify or waive rules or policies of a supervisory authority within the public education system in order to acquire or develop the characteristics listed in Section 53A-1a-104.
- (4)
  - (a) Each school district and public school shall make an annual report to its patrons on its activities under this section.
  - (b) The reporting process shall involve participation from teachers, parents, and the community at large in determining how well the district or school is performing.

Amended by Chapter 315, 2012 General Session

**53A-1a-107 State Board of Education assistance to districts and schools.**

In order to assist school districts and individual schools in acquiring and maintaining the characteristics set forth in Section 53A-1a-104, the State Board of Education shall:

- (1) provide the framework for an education system, including core competency standards and their assessment, in which school districts and public schools permit students to advance by demonstrating competency in subject matter and mastery of skills;
- (2) conduct a statewide public awareness program on competency-based educational systems;
- (3) compile and publish, for the state as a whole, a set of educational performance indicators describing trends in student performance;
- (4) promote a public education climate of high expectations and academic excellence;
- (5) disseminate successful site-based decision-making models to districts and schools and provide teacher professional development opportunities and evaluation programs for site-based plans consistent with Subsections 53A-1a-104(7) and 53A-6-102(2)(a) and (b);
- (6) provide a mechanism for widespread dissemination of information about strategic planning for public education, including involvement of business and industry in the education process, in order to ensure the understanding and support of all the individuals and groups concerned with the mission of public education as outlined in Section 53A-1a-103;
- (7) provide for a research and development clearing house at the state level to receive and share with school districts and public schools information on effective and innovative practices and programs in education;

- (8) help school districts develop and implement guidelines, strategies, and professional development programs for administrators and teachers consistent with Subsections 53A-1a-104(7) and 53A-6-102(2)(a) and (b) focused on improving interaction with parents and promoting greater parental involvement in the public schools; and
- (9) in concert with the State Board of Regents and the state's colleges of education review and revise teacher licensing requirements to be consistent with teacher preparation for participation in personalized education programs within the public schools.

Amended by Chapter 415, 2015 General Session

**53A-1a-108 School community councils -- Duties -- Composition -- Election procedures and selection of members.**

- (1) As used in this section:
  - (a) "Digital citizenship" means the norms of appropriate, responsible, and healthy behavior related to technology use, including digital literacy, ethics, etiquette, and security.
  - (b) "District school" means a public school under the control of a local school board elected under Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.
  - (c) "Educator" means the same as that term is defined in Section 53A-6-103.
  - (d)
    - (i) "Parent or guardian member" means a member of a school community council who is a parent or guardian of a student who:
      - (A) is attending the school; or
      - (B) will be enrolled at the school during the parent's or guardian's term of office.
    - (ii) "Parent or guardian member" may not include an educator who is employed at the school.
  - (e) "School community council" means a council established at a district school in accordance with this section.
  - (f) "School employee member" means a member of a school community council who is a person employed at the school by the school or school district, including the principal.
  - (g) "School LAND Trust Program money" means money allocated to a school pursuant to Section 53A-16-101.5.
- (2) A district school, in consultation with the district school's local school board, shall establish a school community council at the school building level for the purpose of:
  - (a) involving parents or guardians of students in decision making at the school level;
  - (b) improving the education of students;
  - (c) prudently expending School LAND Trust Program money for the improvement of students' education through collaboration among parents and guardians, school employees, and the local school board; and
  - (d) increasing public awareness of:
    - (i) school trust lands and related land policies;
    - (ii) management of the State School Fund established in Utah Constitution Article X, Section V; and
    - (iii) educational excellence.
- (3)
  - (a) Except as provided in Subsection (3)(b), a school community council shall:
    - (i) create a school improvement plan in accordance with Section 53A-1a-108.5;
    - (ii) create the School LAND Trust Program in accordance with Section 53A-16-101.5;
    - (iii) advise and make recommendations to school and school district administrators and the local school board regarding:

- (A) the school and its programs;
  - (B) school district programs;
  - (C) a child access routing plan in accordance with Section 53A-3-402;
  - (D) safe technology utilization and digital citizenship; and
  - (E) other issues relating to the community environment for students;
- (iv) provide for education and awareness on safe technology utilization and digital citizenship that empowers:
- (A) a student to make smart media and online choices; and
  - (B) a parent or guardian to know how to discuss safe technology use with the parent's or guardian's child; and
- (v) partner with the school's principal and other administrators to ensure that adequate on and off campus Internet filtering is installed and consistently configured to prevent viewing of harmful content by students and school personnel, in accordance with local school board policy and Subsection 53A-1-706(3).
- (b) To fulfill the school community council's duties described in Subsections (3)(a)(iv) and (v), a school community council may:
- (i) partner with one or more non-profit organizations; or
  - (ii) create a subcommittee.
- (c) A school or school district administrator may not prohibit or discourage a school community council from discussing issues, or offering advice or recommendations, regarding the school and its programs, school district programs, the curriculum, or the community environment for students.
- (4)
- (a) Each school community council shall consist of school employee members and parent or guardian members in accordance with this section.
  - (b) Except as provided in Subsection (4)(c) or (d):
    - (i) each school community council for a high school shall have six parent or guardian members and four school employee members, including the principal; and
    - (ii) each school community council for a school other than a high school shall have four parent or guardian members and two school employee members, including the principal.
  - (c) A school community council may determine the size of the school community council by a majority vote of a quorum of the school community council provided that:
    - (i) the membership includes two or more parent or guardian members than the number of school employee members; and
    - (ii) there are at least two school employee members on the school community council.
  - (d)
    - (i) The number of parent or guardian members of a school community council who are not educators employed by the school district shall exceed the number of parent or guardian members who are educators employed by the school district.
    - (ii) If, after an election, the number of parent or guardian members who are not educators employed by the school district does not exceed the number of parent or guardian members who are educators employed by the school district, the parent or guardian members of the school community council shall appoint one or more parent or guardian members to the school community council so that the number of parent or guardian members who are not educators employed by the school district exceeds the number of parent or guardian members who are educators employed by the school district.
- (5)

- (a) Except as provided in Subsection (5)(f), a school employee member, other than the principal, shall be elected by secret ballot by a majority vote of the school employees and serve a two-year term. The principal shall serve as an ex officio member with full voting privileges.
- (b)
  - (i) Except as provided in Subsection (5)(f), a parent or guardian member shall be elected by secret ballot at an election held at the school by a majority vote of those voting at the election and serve a two-year term.
  - (ii)
    - (A) Except as provided in Subsection (5)(b)(ii)(B), only a parent or guardian of a student attending the school may vote in, or run as a candidate in, the election under Subsection (5)(b)(i).
    - (B) If an election is held in the spring, a parent or guardian of a student who will be attending the school the following school year may vote in, and run as a candidate in, the election under Subsection (5)(b)(i).
  - (iii) Any parent or guardian of a student who meets the qualifications of this section may file or declare the parent's or guardian's candidacy for election to a school community council.
  - (iv)
    - (A) Subject to Subsections (5)(b)(iv)(B) and (5)(b)(iv)(C), a timeline for the election of parent or guardian members of a school community council shall be established by a local school board for the schools within the school district.
    - (B) An election for the parent or guardian members of a school community council shall be held near the beginning of the school year or held in the spring and completed before the last week of school.
    - (C) Each school shall establish a time period for the election of parent or guardian members of a school community council under Subsection (5)(b)(iv)(B) that is consistent for at least a four-year period.
- (c)
  - (i) At least 10 days before the date that voting commences for the elections held under Subsections (5)(a) and (5)(b), the principal of the school, or the principal's designee, shall provide notice to each school employee, parent, or guardian, of the opportunity to vote in, and run as a candidate in, an election under this Subsection (5).
  - (ii) The notice shall include:
    - (A) the dates and times of the elections;
    - (B) a list of council positions that are up for election; and
    - (C) instructions for becoming a candidate for a community council position.
  - (iii) The principal of the school, or the principal's designee, shall oversee the elections held under Subsections (5)(a) and (5)(b).
  - (iv) Ballots cast in an election held under Subsection (5)(b) shall be deposited in a secure ballot box.
- (d) Results of the elections held under Subsections (5)(a) and (5)(b) shall be made available to the public upon request.
- (e)
  - (i) If a parent or guardian position on a school community council remains unfilled after an election is held, the other parent or guardian members of the council shall appoint a parent or guardian who meets the qualifications of this section to fill the position.
  - (ii) If a school employee position on a school community council remains unfilled after an election is held, the other school employee members of the council shall appoint a school employee to fill the position.

- (iii) A member appointed to a school community council under Subsection (5)(e)(i) or (ii) shall serve a two-year term.
- (f)
  - (i) If the number of candidates who file for a parent or guardian position or school employee position on a school community council is less than or equal to the number of open positions, an election is not required.
  - (ii) If an election is not held pursuant to Subsection (5)(f)(i) and a parent or guardian position remains unfilled, the other parent or guardian members of the council shall appoint a parent or guardian who meets the qualifications of this section to fill the position.
  - (iii) If an election is not held pursuant to Subsection (5)(f)(i) and a school employee position remains unfilled, the other school employee members of the council shall appoint a school employee who meets the qualifications of this section to fill the position.
- (g) The principal shall enter the names of the council members on the School LAND Trust website on or before October 20 of each year, pursuant to Section 53A-1a-108.1.
- (h) Terms shall be staggered so that approximately half of the council members stand for election each year.
- (i) A school community council member may serve successive terms provided the member continues to meet the definition of a parent or guardian member or school employee member as specified in Subsection (1).
- (j) Each school community council shall elect:
  - (i) a chair from its parent or guardian members; and
  - (ii) a vice chair from either its parent or guardian members or school employee members, excluding the principal.
- (6)
  - (a) A school community council may create subcommittees or task forces to:
    - (i) advise or make recommendations to the council; or
    - (ii) develop all or part of a plan listed in Subsection (3).
  - (b) Any plan or part of a plan developed by a subcommittee or task force shall be subject to the approval of the school community council.
  - (c) A school community council may appoint individuals who are not council members to serve on a subcommittee or task force, including parents or guardians, school employees, or other community members.
- (7)
  - (a) A majority of the members of a school community council is a quorum for the transaction of business.
  - (b) The action of a majority of the members of a quorum is the action of the school community council.
- (8) A local school board shall provide training for a school community council each year, including training:
  - (a) for the chair and vice chair about their responsibilities;
  - (b) on resources available on the School LAND Trust website; and
  - (c) on the following statutes governing school community councils:
    - (i) Section 53A-1a-108;
    - (ii) Section 53A-1a-108.1;
    - (iii) Section 53A-1a-108.5; and
    - (iv) Section 53A-16-101.5.

Amended by Chapter 220, 2016 General Session

**53A-1a-108.1 School community councils -- Open and public meeting requirements.**

(1) As used in this section:

- (a)
  - (i) "Charter trust land council" means a council established by a charter school governing board under Section 53A-16-101.5.
  - (ii) "Charter trust land council" does not include a charter school governing board acting as a charter trust land council.
- (b) "School community council" means a council established at a school within a school district under Section 53A-1a-108.
- (c) "Council" means a school community council or a charter trust land council.

(2) A school community council or a charter trust land council:

- (a) shall conduct deliberations and take action openly as provided in this section; and
- (b) is exempt from Title 52, Chapter 4, Open and Public Meetings Act.

(3)

- (a) As required by Section 53A-1a-108, a local school board shall provide training for the members of a school community council on this section.
- (b) A charter school governing board shall provide training for the members of a charter trust land council on this section.

(4)

- (a) A meeting of a council is open to the public.
- (b) A council may not close any portion of a meeting.

(5) A council shall, at least one week prior to a meeting, post the following information on the school's website:

- (a) a notice of the meeting, time, and place;
- (b) an agenda for the meeting; and
- (c) the minutes of the previous meeting.

(6)

- (a) On or before October 20, a principal shall post the following information on the school website and in the school office:
  - (i) the proposed council meeting schedule for the year;
  - (ii) a telephone number or email address, or both, where each council member can be reached directly; and
  - (iii) a summary of the annual report required under Section 53A-16-101.5 on how the school's School LAND Trust Program money was used to enhance or improve academic excellence at the school and implement a component of the school's improvement plan.

(b)

- (i) A council shall identify and use methods of providing the information listed in Subsection (6) (a) to a parent or guardian who does not have Internet access.
- (ii) Money allocated to a school under the School LAND Trust Program created in Section 53A-16-101.5 may not be used to provide information as required by Subsection (6)(b)(i).

(7)

(a) The notice requirement of Subsection (5) may be disregarded if:

- (i) because of unforeseen circumstances it is necessary for a council to hold an emergency meeting to consider matters of an emergency or urgent nature; and
- (ii) the council gives the best notice practicable of:
  - (A) the time and place of the emergency meeting; and
  - (B) the topics to be considered at the emergency meeting.

- (b) An emergency meeting of a council may not be held unless:
  - (i) an attempt has been made to notify all the members of the council; and
  - (ii) a majority of the members of the council approve the meeting.
- (8)
  - (a) An agenda required under Subsection (5)(b) shall provide reasonable specificity to notify the public as to the topics to be considered at the meeting.
  - (b) Each topic described in Subsection (8)(a) shall be listed under an agenda item on the meeting agenda.
  - (c) A council may not take final action on a topic in a meeting unless the topic is:
    - (i) listed under an agenda item as required by Subsection (8)(b); and
    - (ii) included with the advance public notice required by Subsection (5).
- (9)
  - (a) Written minutes shall be kept of a council meeting.
  - (b) Written minutes of a council meeting shall include:
    - (i) the date, time, and place of the meeting;
    - (ii) the names of members present and absent;
    - (iii) a brief statement of the matters proposed, discussed, or decided;
    - (iv) a record, by individual member, of each vote taken;
    - (v) the name of each person who:
      - (A) is not a member of the council; and
      - (B) after being recognized by the chair, provided testimony or comments to the council;
    - (vi) the substance, in brief, of the testimony or comments provided by the public under Subsection (9)(b)(v); and
    - (vii) any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes.
  - (c) The written minutes of a council meeting:
    - (i) are a public record under Title 63G, Chapter 2, Government Records Access and Management Act; and
    - (ii) shall be retained for three years.
- (10)
  - (a) As used in this Subsection (10), "rules of order and procedure" means a set of rules that govern and prescribe in a public meeting:
    - (i) parliamentary order and procedure;
    - (ii) ethical behavior; and
    - (iii) civil discourse.
  - (b) A council shall:
    - (i) adopt rules of order and procedure to govern a public meeting of the council;
    - (ii) conduct a public meeting in accordance with the rules of order and procedure described in Subsection (10)(b)(i); and
    - (iii) make the rules of order and procedure described in Subsection (10)(b)(i) available to the public:
      - (A) at each public meeting of the council; and
      - (B) on the school's website.

Amended by Chapter 276, 2015 General Session

**53A-1a-108.5 School improvement plan.**

(1)

- (a) A school community council established under Section 53A-1a-108 shall annually evaluate, with the school's principal, the school's statewide achievement test results, reading achievement plan, class size reduction needs, and technology needs, and use the evaluations in developing a school improvement plan to improve teaching and learning conditions.
- (b) In evaluating statewide achievement test results and developing a school improvement plan, a school community council may not have access to data that reveal the identity of students.
- (2) A school community council shall develop a school improvement plan that:
  - (a) identifies the school's most critical academic needs;
  - (b) recommends a course of action to meet the identified needs;
  - (c) lists any programs, practices, materials, or equipment that the school will need to implement its action plan to have a direct impact on the instruction of students and result in measurable increased student performance;
  - (d) describes how the school intends to enhance or improve academic achievement, including how financial resources available to the school, such as School LAND Trust Program money received under Section 53A-16-101.5 and state and federal grants, will be used to enhance or improve academic achievement; and
  - (e) if the school community council represents a school that educates students in kindergarten, grade 1, grade 2, or grade 3, includes a reading achievement plan as described in Section 53A-1-606.5.
- (3) Although a school improvement plan focuses on the school's most critical academic needs, the school improvement plan may include other actions to enhance or improve academic achievement and the community environment for students.
- (4) The school principal shall make available to the school community council the school budget and other data needed to develop the school improvement plan.
- (5) The school improvement plan is subject to the approval of the local school board of the school district in which the school is located.
- (6) A school community council may develop a multiyear school improvement plan, but the multiyear school improvement plan must be presented to and approved annually by the local school board.
- (7) Each school shall:
  - (a) implement the school improvement plan as developed by the school community council and approved by the local school board;
  - (b) provide ongoing support for the council's school improvement plan; and
  - (c) meet local school board reporting requirements regarding performance and accountability.
- (8) The school community council of a low performing school, as defined in Section 53A-1-1202, shall develop a school improvement plan that is consistent with the school turnaround plan developed by the school turnaround committee under Chapter 1, Part 12, School Turnaround and Leadership Development Act.

Amended by Chapter 220, 2016 General Session

**53A-1a-110 Computer program for students with autism and other special needs.**

- (1) As used in this section, "board" means the State Board of Education.
- (2) To improve social skills and student achievement for students with autism and other special needs in pre-school through grade 2, the board shall contract with a provider, selected through a request for proposals process, to provide computer software programs and activity manuals.
- (3) In evaluating proposals submitted under Subsection (2), the board shall:

- (a) ensure that the board's evaluation criteria weighs heavily the proposer's ability and experience to provide computer software programs and activity manuals to improve social skills and student achievement for students with autism and other special needs in pre-school through grade 2;
  - (b) consider, in evaluating the proposer's ability and experience, any quantitative and evaluative results from field testing, state tests, and other standardized achievement tests;
  - (c) ensure that the board's evaluation criteria weighs heavily the proposer's ability to:
    - (i) collect data from each computer using the computer software, regardless of where the computer is located;
    - (ii) provide students access to the proposer's program from any computer with internet access;
    - (iii) enable reporting of student progress to administrators, teachers, parents, and other facilitators; and
    - (iv) record a student's progress in the computer software; and
  - (d) consider the extent to which the computer software program uses engaging animation to teach students.
- (4) The board shall provide the computer software programs and activity manuals procured under this section to school districts and charter schools that demonstrate a commitment by the school principal and staff to implement the computer software programs and activity manuals as prescribed by the provider.

Enacted by Chapter 412, 2012 General Session