

Effective 1/24/2018

**Chapter 10
Other Programs**

**Part 1
General Provisions**

53E-10-101 Title.

This chapter is known as "Other Programs."

Enacted by Chapter 1, 2018 General Session

**Part 2
Adult Education**

53E-10-201 Definitions.

Reserved

Enacted by Chapter 1, 2018 General Session

53E-10-202 State board to supervise.

- (1) The general control and supervision, but not the direct management, of adult education is vested in the state board.
- (2) The state board has the following powers:
 - (a) makes and enforces rules to organize, conduct, and supervise adult education;
 - (b) appoints state staff for the adult education program, establishes their duties, and fixes their compensation;
 - (c) determines the qualifications of, and issues teaching certificates to, persons employed to give adult education instruction; and
 - (d) determines the basis of apportionment and distributes funds made available for adult education.
- (3)
 - (a) The state board shall make rules providing for the establishment of fees which shall be imposed by local school boards for participation in adult education programs.
 - (b) A fee structure for adult education shall take into account the ability of a Utah resident who participates in adult education to pay the fees.
 - (c) Sections 53G-7-504 and 53G-7-505 pertaining to fees and fee waivers in secondary schools do not apply to adult education.

Amended by Chapter 186, 2019 General Session

53E-10-203 Director of adult education.

- (1) Upon recommendation of the state superintendent, the state board may appoint a full-time director for adult education to work under the supervision of the state board.
- (2) The director may coordinate the adult education program authorized under Sections 53E-10-202 through 53E-10-206 with other adult education programs.

Amended by Chapter 186, 2019 General Session

53E-10-204 Local school boards' authority to direct adult education programs.

A local school board may do the following:

- (1) establish and maintain classes for adult education, with classes being held at times and places convenient and accessible to the members of the class;
- (2) raise and appropriate funds for an adult education program;
- (3) subject to Section 53E-10-202 determine fees for participation in an adult education program; and
- (4) hire persons to instruct adult education classes.

Amended by Chapter 223, 2019 General Session

53E-10-205 Eligibility.

- (1) Adult education classes are open to an individual 16 years of age or over and to an individual who has completed high school.
- (2) Eligible nonresidents of the state shall be charged tuition at least equal to that charged nonresident students for similar classes at a local or nearby state college or university, unless waived in whole or in part by the local school board in an open meeting.
- (3) The district superintendent may, upon the recommendation of an authorized representative of the Division of Child and Family Services, exempt an adult domiciled in Utah from the payment of adult education fees.

Amended by Chapter 57, 2019 General Session

53E-10-206 Salaries -- Costs.

- (1) Salaries and other necessary expenses of the state adult education staff shall be paid from funds appropriated for adult education.
- (2) The state board shall determine the terms and conditions of payment.
- (3) A local school board shall pay all costs incident to the local administration and operation of its adult education program.
- (4) The local school board shall submit reports required by the state board for the administration of adult education.

Amended by Chapter 186, 2019 General Session

**Part 3
Concurrent Enrollment**

53E-10-301 Definitions.

As used in this part:

- (1) "Career and technical education course" means a concurrent enrollment course in career and technical education, as determined by the policy established by the Utah Board of Higher Education under Section 53E-10-302.

- (2) "Concurrent enrollment" means enrollment in a course offered through the concurrent enrollment program described in Section 53E-10-302.
- (3) "Educator" means the same as that term is defined in Section 53E-6-102.
- (4) "Eligible instructor" means an instructor who meets the requirements described in Subsection 53E-10-302(6).
- (5) "Eligible student" means a student who:
 - (a)
 - (i) is enrolled in, and counted in average daily membership in, a public school within the state;
or
 - (ii) is in the custody of the Division of Juvenile Justice Services and subject to the jurisdiction of the Youth Parole Authority;
 - (b) has on file a plan for college and career readiness as described in Section 53E-2-304; and
 - (c) is in grade 9, 10, 11, or 12.
- (6) "Institution of higher education" means an institution described in Subsection 53B-1-102(1)(a).
- (7) "License" means the same as that term is defined in Section 53E-6-102.
- (8) "Local education agency" or "LEA" means a school district or charter school.
- (9) "Qualifying experience" means an LEA employee's experience in an academic field that:
 - (a) qualifies the LEA employee to teach a concurrent enrollment course in the academic field;
and
 - (b) may include the LEA employee's:
 - (i) number of years teaching in the academic field;
 - (ii) holding a higher level secondary teaching credential issued by the state board;
 - (iii) research, publications, or other scholarly work in the academic field;
 - (iv) continuing professional education in the academic field;
 - (v) portfolio of work related to the academic field; or
 - (vi) professional work experience or certifications in the academic field.
- (10) "Value of the weighted pupil unit" means the amount established each year in the enacted public education budget that is multiplied by the number of weighted pupil units to yield the funding level for the basic state-supported school program.

Amended by Chapter 379, 2021 General Session

53E-10-302 Concurrent enrollment program.

- (1) The state board and the Utah Board of Higher Education shall establish and maintain a concurrent enrollment program that:
 - (a) provides an eligible student the opportunity to enroll in a course that allows the eligible student to earn credit concurrently:
 - (i) toward high school graduation; and
 - (ii) at an institution of higher education;
 - (b) includes only a course that:
 - (i) leads to a degree or certificate offered by an institution of higher education; and
 - (ii) is one of the following:
 - (A) a general education course;
 - (B) a career and technical education course;
 - (C) a pre-major college level course;
 - (D) a foreign language concurrent enrollment course described in Section 53E-10-307; or
 - (E) an upper divisions course that the Utah Board of Higher Education approves under Subsection (3);

- (c) requires that the instructor of a concurrent enrollment course is an eligible instructor; and
 - (d) is designed and implemented to take full advantage of the most current available education technology.
- (2) The state board and the Utah Board of Higher Education shall coordinate to:
- (a) establish a concurrent enrollment course approval process that ensures:
 - (i) credit awarded for concurrent enrollment is consistent and transferable to all institutions of higher education; and
 - (ii) learning outcomes for a concurrent enrollment course align with:
 - (A) core standards for Utah public schools adopted by the state board; and
 - (B) except for a foreign language concurrent enrollment course described in Section 53E-10-307 or an upper division course that the Utah Board of Higher Education approves under Subsection (3), an institution of higher education lower division course numbered at or above the 1000 level; and
 - (b) provide advising to an eligible student, including information on:
 - (i) general education requirements at institutions of higher education; and
 - (ii) how to choose concurrent enrollment courses to avoid duplication or excess credit hours.
- (3) The Utah Board of Higher Education, after consulting with the state board, shall annually approve a prioritized list of upper division courses for which an institution of higher education may use concurrent enrollment money.
- (4) After consultation with institution of higher education concurrent enrollment directors, the Utah Board of Higher Education shall:
- (a) provide guidelines to an institution of higher education for establishing qualifying academic criteria for an eligible student to enroll in a concurrent enrollment course; and
 - (b) establish a policy that:
 - (i) determines which concurrent enrollment courses are career and technical education courses; and
 - (ii) creates a process for:
 - (A) an LEA to appeal an institution of higher education's decision under Subsection (7) if the institution of higher education does not approve an LEA employee as an eligible instructor; and
 - (B) an LEA or institution of higher education to determine whether an eligible instructor who previously taught a concurrent enrollment course is no longer qualified to teach the concurrent enrollment course.
- (5) To qualify for funds under Section 53F-2-409, an LEA and an institution of higher education shall:
- (a) enter into a contract, in accordance with Section 53E-10-303, to provide one or more concurrent enrollment courses that are approved under the course approval process described in Subsection (2);
 - (b) ensure that an instructor who teaches a concurrent enrollment course is an eligible instructor;
 - (c) establish qualifying academic criteria for an eligible student to enroll in a concurrent enrollment course, in accordance with the guidelines described in Subsection (4)(a);
 - (d) ensure that a student who enrolls in a concurrent enrollment course is an eligible student; and
 - (e) coordinate advising to eligible students.
- (6)
- (a) An institution of higher education faculty member is an eligible instructor.
 - (b) An LEA employee is an eligible instructor if the LEA employee:
 - (i) is licensed under Chapter 6, Education Professional Licensure;
 - (ii) is supervised by an institution of higher education; and

- (iii)
 - (A) as described in Subsection (7), is approved as an eligible instructor by the institution of higher education that provides the concurrent enrollment course taught by the LEA employee;
 - (B) has an upper level mathematics credential issued by the state board;
 - (C) is approved as adjunct faculty by the institution of higher education that provides the concurrent enrollment course taught by the LEA employee; or
 - (D) teaches a concurrent enrollment course that the LEA employee taught during the 2018 -2019 or 2019 -2020 school year.
- (7) An institution of higher education shall approve an LEA employee as an eligible instructor:
 - (a) for a career and technical education concurrent enrollment course, if the LEA employee has:
 - (i) a degree, certificate, or industry certification in the concurrent enrollment course's academic field; or
 - (ii) qualifying experience, as determined by the institution of higher education; or
 - (b) for a concurrent enrollment course other than a career and technical education course, if the LEA employee has:
 - (i) a master's degree or higher in the concurrent enrollment course's academic field;
 - (ii)
 - (A) a master's degree or higher in any academic field; and
 - (B) at least 18 completed credit hours of graduate course work in an academic field that is relevant to the concurrent enrollment course; or
 - (iii) qualifying experience as defined in Section 53E-10-301, including:
 - (A) the number of years of teaching experience;
 - (B) student performance on qualifying test scores or AP exams on courses that the LEA employee teaches;
 - (C) continuing education in a master's degree or higher in any academic field; or
 - (D) other criteria established by the institution of higher education.
- (8) An institution of higher education shall accept credits earned by a student who completes a concurrent enrollment course on the same basis as credits earned by a full-time or part-time student enrolled at the institution of higher education.

Amended by Chapter 172, 2023 General Session

53E-10-303 Designated institution of higher education -- Concurrent enrollment course right of first refusal.

- (1) As used in this section, "designated institution of higher education" means an institution of higher education that is designated by the Utah Board of Higher Education to provide a course or program of study within a specific geographic region.
- (2) To offer a concurrent enrollment course, an LEA shall contact the LEA's designated institution of higher education to request that the designated institution of higher education contract with the LEA to provide the concurrent enrollment course.
- (3) Except as provided in Subsection (4), if the LEA's designated institution of higher education chooses to offer the concurrent enrollment course, the LEA shall contract with the LEA's designated institution of higher education to provide the concurrent enrollment course.
- (4) An LEA may contract with an institution of higher education that is not the LEA's designated institution of higher education to provide a concurrent enrollment course if the LEA's designated institution of higher education:
 - (a) chooses not to offer the concurrent enrollment course proposed by the LEA;

- (b) fails to respond to the LEA's request under Subsection (2) within 30 days after the day on which the LEA contacts the designated institution of higher education;
- (c) uses instructional materials in a course that are sensitive materials, as defined in Section 53G-10-103, or that are materials otherwise prohibited by state law or state board rule for use in kindergarten through grade 12; or
- (d)
 - (i) reaches the institution of higher education's enrolled student capacity for the concurrent enrollment course; and
 - (ii) prohibits an LEA with an eligible instructor, as described in Section 53E-10-302, from expanding the concurrent enrollment course to eligible students.

Amended by Chapter 172, 2023 General Session

53E-10-304 Concurrent enrollment participation form -- Parental permission.

- (1) The Utah Board of Higher Education shall create a higher education concurrent enrollment participation form that includes a parental permission form.
- (2) Before allowing an eligible student to participate in concurrent enrollment, an LEA and an institution of higher education shall ensure that the eligible student has, for the current school year:
 - (a) submitted the participation form described in Subsection (1);
 - (b) signed an acknowledgment of program participation requirements; and
 - (c) obtained parental permission as indicated by the signature of a student's parent on the parental permission form.

Amended by Chapter 365, 2020 General Session

53E-10-305 Tuition and fees.

- (1) Except as provided in this section, the Utah Board of Higher Education or an institution of higher education may not charge tuition or fees for a concurrent enrollment course.
- (2)
 - (a) The Utah Board of Higher Education may charge a one-time fee for a student to participate in the concurrent enrollment program.
 - (b) A student who pays a fee described in Subsection (2)(a) does not satisfy a general admission application fee requirement for a full-time or part-time student at an institution of higher education.
- (3)
 - (a) An institution of higher education may charge a one-time admission application fee for concurrent enrollment course credit offered by the institution of higher education.
 - (b) Payment of the fee described in Subsection (3)(a) satisfies the general admission application fee requirement for a full-time or part-time student at an institution of higher education.
- (4)
 - (a) Except as provided in Subsection (4)(b), an institution of higher education may charge partial tuition of no more than \$30 per credit hour for a concurrent enrollment course for which a student earns college credit.
 - (b) An institution of higher education may not charge more than:
 - (i) \$5 per credit hour for an eligible student who qualifies for free or reduced price school lunch;
 - (ii) \$10 per credit hour for a concurrent enrollment course that is taught at an LEA by an eligible instructor described in Subsection 53E-10-302(6)(b); or

- (iii) \$15 per credit hour for a concurrent enrollment course that is taught through video conferencing.
- (5) In accordance with Section 53G-7-603, an LEA may charge a fee for a textbook, as defined in Section 53G-7-601, that is required for a concurrent enrollment course.

Amended by Chapter 220, 2020 General Session
Amended by Chapter 365, 2020 General Session

53E-10-306 Funding.

Unless otherwise specified, the provisions of this part and Section 53F-2-409 govern concurrent enrollment funding.

Enacted by Chapter 1, 2018 General Session

53E-10-307 Concurrent enrollment courses for accelerated foreign language students.

- (1) As used in this section:
 - (a) "Accelerated foreign language student" means an eligible student who has passed a world language Advanced Placement exam.
 - (b) "Blended learning delivery model" means an education delivery model in which a student learns, at least in part:
 - (i) through online learning with an element of student control over time, place, path, and pace; and
 - (ii) in the physical presence of an instructor.
 - (c) "State university" means an institution of higher education that offers courses leading to a bachelor's degree.
- (2) The University of Utah shall partner with all state universities to develop, as part of the concurrent enrollment program described in this part, concurrent enrollment courses that:
 - (a) are age-appropriate foreign language courses for accelerated foreign language students;
 - (b) count toward a foreign language degree offered by an institution of higher education; and
 - (c) are delivered:
 - (i) using a blended learning delivery model; and
 - (ii) by an eligible instructor described in Subsection 53E-10-302(6)(a).
- (3) Subject to budget constraints, in addition to the base increases described in Section 53F-2-208, the Legislature shall annually increase the money appropriated for concurrent enrollment courses for accelerated foreign language students in proportion to the percentage increase over the previous school year in the value of the weighted pupil unit.

Amended by Chapter 129, 2023 General Session

53E-10-308 Reporting.

The state board and the Utah Board of Higher Education shall submit an annual written report to the Higher Education Appropriations Subcommittee and in accordance with Section 53E-1-203 on student participation in the concurrent enrollment program, including:

- (1) data on the higher education tuition not charged due to the hours of higher education credit granted through concurrent enrollment;
- (2) tuition or fees charged under Section 53E-10-305;
- (3) an accounting of the money appropriated for concurrent enrollment; and
- (4) a justification of the distribution method described in Subsections 53F-2-409(3)(d) and (e).

Amended by Chapter 365, 2020 General Session

53E-10-309 LAUNCH certificate -- TRANSFORM certificate -- Utah PRIME Program.

- (1) As used in this section:
 - (a) "Eligible institution" means:
 - (i) a degree-granting institution of higher education or a technical college within the state system of higher education, as identified in Section 53B-2-101(1); or
 - (ii) a private, nonprofit college or university in the state that is accredited by the Northwest Commission on Colleges and Universities.
 - (b) "Industry certification" means a career and technical education certification awarded through validation of skills in cooperation with a business, trade association, or other industry group, in accordance with rules adopted by the state board under Section 53F-2-311.
 - (c) "Institutional certificate" means a career and technical education program completion certificate awarded by the state board, an institution of higher education, or a technical college.
 - (d) "LAUNCH certificate" means a certificate of completion awarded by the state board to an eligible student who meets the criteria described in this section.
 - (e) "Participating LEA" means an LEA that participates in the program.
 - (f) "Program" means the Utah PRIME program described in Subsection (5).
 - (g) "Plan for college and career readiness" means the same as that term is defined in Section 53E-2-304.
 - (h) "Qualifying student" means an eligible student who meets the criteria for a LAUNCH certificate or a TRANSFORM certificate as described in this section.
 - (i) "Technical college" means the same as that term is defined in 53B-1-101.5.
 - (j) "TRANSFORM certificate" means a certificate of completion established by the Utah Board of Higher Education in accordance with Section 53B-16-105.
- (2) The state board shall award a LAUNCH certificate to an eligible student who:
 - (a) completes six concurrent enrollment credits;
 - (b) is awarded an industry certification or institutional certificate; and
 - (c) has on file a plan for college and career readiness.
- (3) The state board shall award a TRANSFORM certificate to an eligible student who:
 - (a) completes:
 - (i) the requirements established by the Utah Board of Higher Education in accordance with Section 53B-16-105 and in coordination with the state board; and
 - (ii) completes five general education courses, each from a different general education category, as designated for concurrent enrollment by the Utah Board of Higher Education; or
 - (b) completes a career and technical education program that is at least 300 hours or 6 courses.
 - (c)
 - (i) Subject to appropriations by the Legislature, the Utah Board of Higher Education shall award to each student who earns a TRANSFORM certificate a \$500 scholarship to be used at an eligible institution.
 - (ii) A student may earn the scholarship described in Subsection (3)(c)(i) regardless of whether the student receives an Opportunity Scholarship award described in Section 53B-8-201.
- (4) The Utah Board of Higher Education shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to ensure that credits described in Subsections (2) and (3) earned by a qualifying student are transferable to institutions of higher education.

- (5) In accordance with this section, and subject to appropriations by the Legislature for this purpose, the state board shall:
- (a) administer the Utah PRIME program to expand access to concurrent enrollment courses and career and technical education certificates by expanding digital delivery models for distance learning programs or funding enrollment in participating LEAs; and
 - (b) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to:
 - (i) establish eligibility requirements for a participating LEA;
 - (ii) create an application process for LEAs to apply for the program; and
 - (iii) create a funding formula for participating LEAs.
 - (c) A participating LEA shall offer concurrent enrollment courses, including career and technical education courses, that meet the requirements for the LAUNCH certificate and TRANSFORM certificate.

Amended by Chapter 167, 2023 General Session

Part 7 ULEAD

53E-10-701 Definitions.

As used in this part:

- (1) "Director" means the director of ULEAD appointed under this part.
- (2) "Director Selection Committee" or "selection committee" means the committee created in Section 53E-10-704 that appoints the director.
- (3) "Local education agency" or "LEA" means a public:
 - (a) school district;
 - (b) school; or
 - (c) charter school.
- (4) "Participating institution" means a public or private research institution that enters into an arrangement with the director to provide research and other services described in this part.
- (5) "Research clearinghouse" means a collection of information maintained and distributed by ULEAD in accordance with Section 53E-10-706.
- (6) "Steering committee" means the committee that:
 - (a) advises the director;
 - (b) sets research priorities as described in this part; and
 - (c) is created in Section 53E-10-707.
- (7) "ULEAD" means Utah Leading through Effective, Actionable, and Dynamic Education through the efforts of the director, participating institutions, and the steering committee as described in this part.

Amended by Chapter 401, 2022 General Session

53E-10-702 ULEAD established -- Duties -- Funding.

There is created the Utah Leading through Effective, Actionable, and Dynamic Education, a collaborative effort in research and innovation between the director, participating institutions, and education leaders to:

- (1) gather and explain current education research in an electronic research clearinghouse for use by practitioners;
- (2) initiate and disseminate research reports on innovative and successful practices by Utah LEAs, and guided by the steering committee, practitioners, and policymakers;
- (3) promote statewide innovation and collaboration by:
 - (a) identifying experts in areas of practice;
 - (b) conducting conferences, webinars, and online forums for practitioners; and
 - (c) facilitating direct collaboration between schools; and
- (4)
 - (a) report to the Education Interim Committee and policymakers on innovative and successful K-12 practices in Utah and other states, prioritizing practices in Utah; and
 - (b) in the report, propose policy changes to remove barriers to implementation of successful practices.

Amended by Chapter 401, 2022 General Session

53E-10-703 ULEAD director -- Qualification and employment -- Duties -- Reporting -- Annual conference.

- (1) The ULEAD director shall:
 - (a)
 - (i) hold a doctorate degree in education or an equivalent degree; and
 - (ii) have demonstrated experience in research and dissemination of best practices in education; and
 - (b)
 - (i) be a full-time employee;
 - (ii) report to the state superintendent; and
 - (iii) provide a report to the selection committee, at least twice per year, on the status of the ULEAD program.
- (2) The state superintendent shall:
 - (a) evaluate the director's performance annually;
 - (b) report on the director's performance to the selection committee; and
 - (c) provide space for the director and the director's staff.
- (3) The director may:
 - (a) hire staff, using only money specifically appropriated to ULEAD; and
 - (b) with approval from the superintendent, utilize state board staff.
- (4) The director shall perform the following duties and functions:
 - (a) gather current research on innovative and effective practices in K-12 education for use by policymakers and practitioners;
 - (b) facilitate collaboration between LEAs, higher education researchers, and practitioners by:
 - (i) sharing innovative and effective practices in Utah shown to improve student learning;
 - (ii) identifying experts in Utah in specific areas of practice; and
 - (iii) maintaining a research clearinghouse and directory of researchers; and
 - (c) analyze barriers to replication or adaption of innovative and successful practices studied by ULEAD or contributed to the ULEAD research clearinghouse.
- (5) The director shall:
 - (a) prioritize reports and other research based on recommendations of the steering committee in accordance with Subsection 53E-10-707(5), and after consulting with individuals described in Subsection 53E-10-707(6);

- (b) identify Utah LEAs, or schools outside the public school system, that are:
 - (i) innovative in specific areas of practice; and
 - (ii) more effective or efficient than comparable LEAs in improving student learning, especially for students performing below proficiency;
- (c) establish criteria for innovative practice reports to be performed by participating institutions and included in the research clearinghouse, including report templates;
- (d) arrange with participating institutions to generate innovative practice reports on effective and innovative K-12 education practices; and
- (e)
 - (i) disseminate each innovative practice report to the state board for dissemination to LEAs and school leaders; and
 - (ii) publish innovative practice reports on the ULEAD website.
- (6) In an innovative practice report, a participating institution shall:
 - (a) include or reference a review of research regarding the practice in which the subject LEA has demonstrated success;
 - (b) identify through academically acceptable, evidence-based research methods the causes of the LEA's successful practice;
 - (c) identify opportunities for LEAs to adopt or customize innovative or best practices;
 - (d) address limitations to successful replication or adaptation of the successful practice by other LEAs, which may include barriers arising from federal or state law, state or LEA policy, socioeconomic conditions, or funding limitations;
 - (e) include practical templates for successful replication and adaptation of successful practices, following criteria established by the director;
 - (f) identify experts in the successful practice that is the subject of the innovative practice report, including teachers or administrators at the subject LEA; and
 - (g) include:
 - (i) an executive summary describing the innovative practice report; and
 - (ii) a video component or other elements designed to ensure that an innovative practice report is readily understandable by practitioners.
- (7)
 - (a) The director may, if requested by an LEA leader or policymaker, conduct an evidence-based review of a possible innovation in an area of practice.
 - (b) The director shall:
 - (i) review the performance of an innovation program, as defined in Section 53G-10-601, to determine the extent to which the learning and performance of students in an opportunity class, as defined in Section 53G-10-601, met the criteria established in the innovation program; and
 - (ii) report on the director's findings under Subsection (7)(b)(i):
 - (A) to the LEA governing board that approved the innovation program; and
 - (B) within 120 days after the completion of the school year during which the opportunity class was functioning.
- (8) The director may also accept innovative practice reports from trained practitioners that meet the criteria set by the director.
- (9) The director or a participating institution, to enable successful replication or adaptation of successful practices, may recommend to:
 - (a) the Legislature, amendments to state law; or
 - (b) the state board, revisions to state board rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, or policy.

- (10)
 - (a) The director shall:
 - (i) report on the activities of ULEAD annually to the state board; and
 - (ii) provide reports or other information to the state board upon state board request.
 - (b) The report described in Subsection (10)(a)(i) shall include:
 - (i) examples identified for innovative practice reports; and
 - (ii) the current status of ULEAD's relationship with participating institutions.
- (11) The director shall:
 - (a) prepare an annual report on ULEAD research and other activities;
 - (b) submit the report in accordance with Sections 53E-1-201 and 53E-1-202;
 - (c) publish the annual report on the ULEAD website; and
 - (d) disseminate the report to the state board for dissemination to LEAs and school leaders through electronic channels.
- (12) The director shall facilitate and conduct an annual conference on successful and innovative K-12 education practices in Utah, featuring:
 - (a) Utah education leaders; and
 - (b) practitioners and researchers, chosen by the director, to discuss the subjects of LEA and other ULEAD activities, or other innovative and successful education practices.

Amended by Chapter 236, 2022 General Session

Amended by Chapter 401, 2022 General Session

53E-10-704 Director Selection Committee -- Membership -- Powers and duties -- Compensation.

- (1) There is created the Director Selection Committee to appoint the director.
- (2) The selection committee shall consist of the following five members each appointed for two-year terms:
 - (a) one member of the office of the governor, who is the chair of the selection committee and appointed by the governor;
 - (b) one member of the House of Representatives, appointed by the speaker of the House of Representatives;
 - (c) one member of the Senate, appointed by the president of the Senate;
 - (d) one member of the state board, appointed by the chair of the state board; and
 - (e) one member appointed by the state superintendent.
- (3)
 - (a) A member of the selection committee may be appointed for more than one term.
 - (b) If a midterm vacancy occurs on the selection committee, the appointing individual, as described in Subsection (2), for the vacant position shall appoint an individual for the remainder of the term.
- (4) A majority of the members shall constitute a quorum for the transaction of selection committee business.
- (5)
 - (a) The selection committee shall select and appoint a director for a four-year term.
 - (b) The director may be appointed for more than one term.
- (6)
 - (a) In addition to the meetings required under Subsections (6)(b) and (c), the selection committee shall hold at least one meeting each year.
 - (b) In a year in which the director is appointed, the selection committee shall:

- (i) solicit applications for the director position to be submitted no later than June 1;
 - (ii) hold at least two meetings to discuss candidates for the open director position; and
 - (iii) select and appoint by majority vote a candidate to fill the director position to begin employment no later than August 1.
- (c) Notwithstanding Subsection (6)(b), if a midterm vacancy in the director position occurs, the selection committee shall:
- (i) no later than 25 business days after the day on which the position is vacated, solicit applications for the director position;
 - (ii) hold at least two meetings to discuss candidates for the vacant position; and
 - (iii) no later than 60 business days after the day on which the position is vacated, select a candidate to fill the director position for the remainder of the term.
- (7)
- (a) The selection committee:
 - (i) may remove a director before the completion of the director's term only by a majority vote of the selection committee; and
 - (ii) is the only person empowered to remove the director.
 - (b) The chair shall hold a meeting to consider removing the director upon request of two or more selection committee members.
- (8) A member of the selection committee may not receive compensation except a member who is a legislator shall receive compensation for travel and other expense reimbursements in accordance with Section 36-2-2.
- (9) The selection committee shall:
- (a) establish criteria for evaluation of the ULEAD program, including the degree of participation by participating institutions and practitioners;
 - (b) evaluate the effectiveness of ULEAD every four years for purposes of continuing the program; and
 - (c) meet with the superintendent at least annually to discuss the progress of ULEAD projects and processes as described in this part.
- (10) The selection committee shall hold a meeting described in this section in accordance with Title 52, Chapter 4, Open and Public Meetings Act.

Amended by Chapter 401, 2022 General Session

53E-10-705 Participating institutions.

- (1) The director may arrange or collaborate with a participating institution:
 - (a) to conduct an innovative practice report or provide other research services, including research regarding barriers to adoption of practices studied by ULEAD;
 - (b) to assist an LEA to:
 - (i) facilitate communities of practice for replication or adaptation of best practices identified by ULEAD; and
 - (ii) advise teachers and school leaders on conducting their own research to improve education practices;
 - (c) to assist an LEA with an application to the state board for waiver from a state board rule, made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, in accordance with Section 53G-7-202 to allow replication or adaptation of best practices; or
 - (d) for any other purpose that is consistent with and advances the director's duties and functions.
- (2) An agreement entered into by a participating institution with the state board or an LEA to perform ULEAD work shall:

- (a) include provisions allowing and governing external research data sharing; and
 - (b) comply with state and federal law.
- (3) The director shall support federal and private research funding requests by a participating institution for research that is in support of the director's duties and functions.

Amended by Chapter 408, 2020 General Session

53E-10-706 Electronic resources -- Research clearinghouse.

- (1) The state board shall publish a ULEAD website containing information provided by the director as described in this part.
- (2) The director shall within two years of appointment:
- (a) develop and maintain a research clearinghouse publicly available through the website described in Subsection (1); and
 - (b) include in the research clearinghouse:
 - (i) research on K-12 education, including peer-reviewed research;
 - (ii) information on K-12 education innovation and best practices;
 - (iii) an index and explanation of academic, state, federal, or other K-12 education research repositories;
 - (iv) K-12 education research and policy briefs generated by Utah public and private institutions of higher education, including participating institutions, categorized and searchable by topic;
 - (v) access points to and explanation of currently available K-12 education data, including data managed by the Utah Data Research Center created in Section 53B-33-201 and data maintained by the state board;
 - (vi) other K-12 education information as determined by the director, including information regarding efforts by institutions or other individuals to promote innovative and effective education practices in Utah; and
 - (vii) each innovative practice report prepared by ULEAD, categorized and searchable by topic, location of the studied LEA, and socioeconomic and demographic profile.
- (3) The director shall publish:
- (a) as identified in ULEAD research and reports, an electronic directory of:
 - (i) K-12 education experts; and
 - (ii) LEAs described in Subsection 53E-10-703(5)(b); and
 - (b) a monthly report to LEAs, via electronic channels provided by the state board, highlighting ULEAD activities and soliciting proposals from education practitioners for ULEAD research and reports.
- (4) The director may provide electronic seminars or forums for professional learning regarding subjects of ULEAD research and reports to K-12 practitioners.

Amended by Chapter 401, 2022 General Session

Amended by Chapter 461, 2022 General Session

53E-10-707 ULEAD Steering Committee.

- (1)
- (a) There is created the ULEAD Steering Committee.
 - (b) The member described in Subsection (2)(b) and the member described in Subsection (2)(e) are the co-chairs of the steering committee.
- (2) The steering committee shall consist of the following members each appointed for a term of two years:

- (a) the director;
 - (b) one member of the state board appointed by the chair of the state board;
 - (c) the state superintendent or the state superintendent's designee;
 - (d) the staff director of the State Charter School Board or the director's designee;
 - (e) one member appointed by the office of the governor;
 - (f) one member, appointed by the director, who is a superintendent of a school district;
 - (g) one member, appointed by the director, of a local school board;
 - (h) two principals or other public school leaders of public schools that are not charter schools, appointed by the director;
 - (i) one principal or other public school leader of charter schools, appointed by the director;
 - (j) two educators who hold a current license under Chapter 6, Education Professional Licensure, nominated by LEA leaders and appointed by the director; and
 - (k) one member representing citizens or business, nominated by the members of the public and appointed by the director.
- (3)
- (a) A member of the steering committee may be appointed for more than one term.
 - (b) If a midterm vacancy occurs on the steering committee, the appointing individual, as described in Subsection (2), for the vacant position shall appoint an individual for the remainder of the term.
- (4)
- (a) The steering committee shall hold a meeting at least quarterly on dates chosen by the co-chairs, in consultation with the director.
 - (b) The state board shall provide physical space for the steering committee to meet, or a means to participate in a meeting remotely.
- (5) The steering committee shall:
- (a) discuss prospective and current ULEAD projects and findings;
 - (b) consult with and make recommendations to the director to prioritize ULEAD reports and areas of focused research;
 - (c) facilitate connections between the director and Utah's political, business, education technology, and academic communities;
 - (d) make recommendations to improve gathering, retaining, and disseminating education data and research and evaluation findings for use by participating institutions and other education policy researchers, including data managed by the Utah Data Research Center created in Section 53B-33-201; and
 - (e) annually vote on and establish steering committee priorities for ULEAD.
- (6) In order to determine research priorities for ULEAD, the director shall consult with:
- (a) members of the Legislature responsible for public education;
 - (b) members of Utah professional education associations, including principals and LEA governing board members; and
 - (c) policy-research centers based in Utah.
- (7) The state board or state superintendent may request that the director arrange with a participating institution to prepare a report on a specific LEA or area of practice meeting the criteria established in this part.
- (8) A member of the steering committee may not receive compensation except a member who is a legislator shall receive compensation for travel and other expense reimbursements in accordance with Section 36-2-2.
- (9) The steering committee shall hold a meeting described in this section in accordance with Title 52, Chapter 4, Open and Public Meetings Act.

Amended by Chapter 401, 2022 General Session
Amended by Chapter 461, 2022 General Session