

**Effective 1/24/2018**

## **Chapter 5 Accountability**

### **Part 1 General Provisions**

#### **53E-5-101 Title.**

This chapter is known as "Accountability."

Enacted by Chapter 1, 2018 General Session

### **Part 2 School Accountability System**

#### **53E-5-201 Definitions.**

As used in this part:

- (1) "Lowest performing 25% of students" means the proportion of a school's students who scored in the lowest 25% of students in the school on a statewide assessment based on the prior school year's scores.
- (2) "Statewide assessment" means one or more of the following, as applicable:
  - (a) a standards assessment described in Section 53E-4-303;
  - (b) a high school assessment described in Section 53E-4-304;
  - (c) a college readiness assessment described in Section 53E-4-305; or
  - (d) an alternate assessment administered to a student with a disability.

Amended by Chapter 186, 2019 General Session

#### **53E-5-202 Statewide school accountability system -- State board rulemaking.**

- (1) There is established a statewide school accountability system.
- (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to implement the school accountability system in accordance with this part.

Amended by Chapter 408, 2020 General Session

#### **53E-5-203 Schools included in school accountability system -- Other indicators and point distribution for a school that serves a special student population.**

- (1) Except as provided in Subsection (2), the state board shall include all public schools in the state in the school accountability system established under this part.
- (2) The state board shall exempt from the school accountability system:
  - (a) a school in which the number of students tested on a statewide assessment for accountability is lower than the minimum sample size necessary, based on acceptable professional practice for statistical reliability, or when release of the information would violate 20 U.S.C. Sec. 1232h, the prevention of the unlawful release of personally identifiable student data;

- (b) if the United States Department of Education approves the state's application for a waiver of federal accountability requirements, a school with an opt out rate on statewide assessments for accountability that exceeds 50%;
  - (c) a school in the school's first year of operations if the school's local school board or charter school governing board requests the exemption; or
  - (d) a high school in the school's second year of operations if the school's local school board or charter school governing board requests the exemption.
- (3) Notwithstanding the provisions of this part, the state board may use to appropriately assess the educational impact of a school that serves a special student population:
- (a) other indicators in addition to the indicators described in Section 53E-5-205 or 53E-5-206; or
  - (b) different point distribution than the point distribution described in Section 53E-5-207.

Amended by Chapter 527, 2023 General Session

**53E-5-204 Measuring schools.**

- (1) In accordance with this part, the state board shall annually measure and report on each school, in accordance with the Every Student Succeeds Act, Public Law No. 114-95, based on the school's performance level on the indicators described in Subsection (2).
- (2) The state board shall base a school's reported performance described in Subsection (1) on the school's performance on the indicators described in:
  - (a) Section 53E-5-205, for an elementary school or a middle school; or
  - (b) Section 53E-5-206, for a high school.

Amended by Chapter 164, 2023 General Session

**53E-5-205 Indicators for elementary and middle schools.**

For an elementary school or a middle school, the state board shall assign the school's overall rating, in accordance with Section 53E-5-207, based on the school's performance on the following indicators:

- (1) academic achievement as measured by performance on a statewide assessment of English language arts, mathematics, and science;
- (2) academic growth as measured by progress from year to year on a statewide assessment of English language arts, mathematics, and science; and
- (3) equitable educational opportunity as measured by:
  - (a) academic growth of the lowest performing 25% of students as measured by progress of the lowest performing 25% of students on a statewide assessment of English language arts, mathematics, and science; and
  - (b) except as provided in Section 53E-5-209, English learner progress as measured by performance on an English learner assessment established by the state board.

Amended by Chapter 186, 2019 General Session

**53E-5-206 Indicators for high schools.**

For a high school, in accordance with Section 53E-5-207, the state board shall assign the school's overall rating based on the school's performance on the following indicators:

- (1) academic achievement as measured by performance on a statewide assessment of English language arts, mathematics, and science;

- (2) academic growth as measured by progress from year to year on a statewide assessment of English language arts, mathematics, and science;
- (3) equitable educational opportunity as measured by:
  - (a) academic growth of the lowest performing 25% of students as measured by progress of the lowest performing 25% of students on a statewide assessment of English language arts, mathematics, and science; and
  - (b) except as provided in Section 53E-5-209, English learner progress as measured by performance on an English learner assessment established by the state board; and
- (4) postsecondary readiness as measured by:
  - (a) the school's graduation rate, as described in Section 53E-5-207;
  - (b) student performance, as described in Section 53E-5-207, on a college readiness assessment described in Section 53E-4-305; and
  - (c) student achievement in advanced course work, as described in Section 53E-5-207.

Amended by Chapter 186, 2019 General Session

**53E-5-207 Calculation of points.**

- (1)
  - (a) The state board shall award to a school points for academic achievement described in Subsection 53E-5-205(1) or 53E-5-206(1) as follows:
    - (i) the state board shall award a school points proportional to the percentage of the school's students who, out of all the school's students who take a statewide assessment of English language arts, score at or above the proficient level on the assessment;
    - (ii) the state board shall award a school points proportional to the percentage of the school's students who, out of all the school's students who take a statewide assessment of mathematics, score at or above the proficient level on the assessment; and
    - (iii) the state board shall award a school points proportional to the percentage of the school's students who, out of all the school's students who take a statewide assessment of science, score at or above the proficient level on the assessment.
  - (b)
    - (i) The maximum number of total points possible for academic achievement described in Subsection (1)(a) is 56 points.
    - (ii) The maximum number of points possible for a component listed in Subsection (1)(a)(i), (ii), or (iii) is one-third of the number of points described in Subsection (1)(b)(i).
- (2)
  - (a) Subject to Subsection (2)(b), the state board shall award to a school points for academic growth described in Subsection 53E-5-205(2) or 53E-5-206(2) as follows:
    - (i) the state board shall award a school points for growth of the school's students on a statewide assessment of English language arts;
    - (ii) the state board shall award a school points for growth of the school's students on a statewide assessment of mathematics; and
    - (iii) the state board shall award a school points for growth of the school's students on a statewide assessment of science.
  - (b) The state board shall determine points for growth awarded under Subsection (2)(a) by indexing the points based on:
    - (i) whether a student's performance on a statewide assessment is equal to or exceeds the student's academic growth target; and

- (ii) the amount of a student's growth on a statewide assessment compared to other students with similar prior assessment scores.
- (c)
  - (i) The maximum number of total points possible for academic growth described in Subsection (2)(a) is 56 points.
  - (ii) The maximum number of points possible for a component listed in Subsection (2)(a)(i), (ii), or (iii) is one-third of the number of points described in Subsection (2)(c)(i).
- (3)
  - (a) Subject to Subsection (3)(b), the state board shall award to a school points for equitable educational opportunity described in Subsection 53E-5-205(3) or 53E-5-206(3) as follows:
    - (i) the state board shall award a school points for growth of the school's lowest performing 25% of students on a statewide assessment of English language arts;
    - (ii) the state board shall award a school points for growth of the school's lowest performing 25% of students on a statewide assessment of mathematics;
    - (iii) the state board shall award a school points for growth of the school's lowest performing 25% of students on a statewide assessment of science; and
    - (iv) except as provided in Section 53E-5-209, the state board shall award to a school points proportional to the percentage of English learners who achieve adequate progress as determined by the state board on an English learner assessment established by the state board.
  - (b) The state board shall determine points for academic growth awarded under Subsection (3)(a) (i), (ii), or (iii) by indexing the points based on the amount of a student's growth on a statewide assessment compared to other students with similar prior assessment scores.
  - (c)
    - (i) The maximum number of total points possible for equitable educational opportunity described in Subsection (3)(a) is 38 points.
    - (ii) The maximum number of points possible for the components listed in Subsection (3)(a)(i), (ii), and (iii), combined, is 25 points.
    - (iii) The maximum number of points possible for a component listed in Subsection (3)(a)(i), (ii), or (iii) is one-third of the number of the combined points described in Subsection (3)(c)(ii).
    - (iv) The maximum number of points possible for the component listed in Subsection (3)(a)(iv) is 13 points.
- (4)
  - (a) The state board shall award to a high school points for postsecondary readiness described in Subsection 53E-5-206(4) as follows:
    - (i) the state board shall award to a high school points proportional to the percentage of the school's students who, out of all the school's students who take a college readiness assessment described in Section 53E-4-305, receive a composite score of at least 18 on the assessment;
    - (ii) the state board shall award to a high school points proportional to the percentage of the school's students who achieve at least one of the following:
      - (A) a C grade or better in an Advanced Placement course;
      - (B) a C grade or better in a concurrent enrollment course;
      - (C) a C grade or better in an International Baccalaureate course; or
      - (D) completion of a career and technical education pathway, as defined by the state board;and
    - (iii) in accordance with Subsection (4)(c), the state board shall award to a high school points proportional to the percentage of the school's students who graduate from the school.

- (b)
  - (i) The maximum number of total points possible for postsecondary readiness described in Subsection (4)(a) is 75 points.
  - (ii) The maximum number of points possible for a component listed in Subsection (4)(a)(i), (ii), or (iii) is one-third of the number of points described in Subsection (4)(b)(i).
- (c)
  - (i) In calculating the percentage of students who graduate described in Subsection (4)(a)(iii), except as provided in Subsection (4)(c)(ii), the state board shall award to a high school points proportional to the percentage of the school's students who graduate from the school within four years.
  - (ii) The state board may award up to 10% of the points allocated for high school graduation described in Subsection (4)(b)(ii) to a school for students who graduate from the school within five years.

Amended by Chapter 186, 2019 General Session

**53E-5-208 Calculation of total points awarded -- Maximum number of total points possible.**

- (1) Except as provided in Section 53E-5-209, the state board shall calculate the number of total points awarded to a school by totaling the number of points the state board awards to the school in accordance with Section 53E-5-207.
- (2) The maximum number of total points possible under Subsection (1) is:
  - (a) for an elementary school or a middle school, 150 points; or
  - (b) for a high school, 225 points.

Amended by Chapter 186, 2019 General Session

**53E-5-209 Exclusion of English learner progress -- Calculation of total points awarded for a school with fewer than 10 English learners.**

- (1) For a school that has fewer than 10 English learners, the state board shall:
  - (a) exclude the use of English learner progress in determining the school's overall rating by:
    - (i) awarding no points to the school for English learner progress described in Subsection 53E-5-207(3)(a)(iv); and
    - (ii) excluding the points described in Subsection 53E-5-207(3)(c)(iv) from the school's maximum points possible; and
  - (b) calculate the number of total points awarded to the school by totaling the number of points the state board awards to the school in accordance with Section 53E-5-207 subject to the exclusion described in Subsection (1)(a).
- (2) The maximum number of total points possible under Subsection (1) is:
  - (a) for an elementary school or a middle school, 137 points; or
  - (b) for a high school, 212 points.

Amended by Chapter 186, 2019 General Session

**53E-5-210 State board duties -- Proficient level -- Student growth -- English learner adequate progress.**

- (1)
  - (a) For the purpose of determining whether a student scores at or above the proficient level on a statewide assessment, the state board shall determine, through a process that evaluates

student performance based on specific criteria, the minimum level that demonstrates proficiency for each statewide assessment.

- (b) If the state board adjusts the minimum level that demonstrates proficiency described in Subsection (1)(a), the state board shall report the adjustment and the reason for the adjustment to the Education Interim Committee no later than 30 days after the day on which the state board makes the adjustment.
- (2)
- (a) For the purpose of determining whether a student's performance on a statewide assessment is equal to or exceeds the student's academic growth target, the state board shall calculate, for each individual student, the amount of growth necessary to achieve or maintain proficiency by a future school year determined by the state board.
  - (b) For the purpose of determining the amount of a student's growth on a statewide assessment compared to other students with similar prior assessment scores, the state board shall calculate growth as a percentile for a student using appropriate statistical methods.
- (3) For the purpose of determining whether an English learner achieves adequate progress on an English learner assessment established by the state board, the state board shall determine the minimum progress that demonstrates adequate progress.

Amended by Chapter 186, 2019 General Session

### **53E-5-211 Reporting.**

- (1) Except as provided in Subsection (2), the state board shall annually publish on the state board's website a report card that includes for each school:
- (a) the school's overall rating described in Subsection 53E-5-204(1);
  - (b) the school's performance on each indicator described in:
    - (i) Section 53E-5-205, for an elementary school or a middle school; or
    - (ii) Section 53E-5-206, for a high school;
  - (c) information comparing the school's performance on each indicator described in Subsection (1) (b) with:
    - (i) the average school performance; and
    - (ii) the school's performance in all previous years for which data is available;
  - (d) the percentage of students who participated in statewide assessments;
  - (e) for an elementary school, the percentage of students who read on grade level in grades 1 through 3; and
  - (f) for a high school, performance on Advanced Placement exams.
- (2) The state board shall collect, but is not required to publish the information described in Subsection (1) related to the 2020-2021 school year.
- (3) A school may include in the school's report card described in Subsection (1) up to two self-reported school quality indicators that:
- (a) are approved by the state board for inclusion; and
  - (b) may include process or input indicators.
- (4)
- (a) The state board shall develop an individualized student achievement report that includes:
    - (i) information on the student's level of proficiency as measured by a statewide assessment; and
    - (ii) a comparison of the student's academic growth target and actual academic growth as measured by a statewide assessment.

- (b) The state board shall, subject to the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g, make the individualized student achievement report described in Subsection (4) (a) available for a school district or charter school to access electronically.
- (c) A school district or charter school shall distribute an individualized student achievement report to the parent of the student to whom the report applies.

Amended by Chapter 346, 2021 General Session

### **Part 3**

## **School Improvement and Leadership Development**

#### **53E-5-301 Definitions.**

As used in this part:

- (1) "Charter school authorizer" means the same as that term is defined in Section 53G-5-102.
- (2) "Cohort" means all district schools and charter schools identified as:
  - (a) springboard schools based on school accountability results from the same school year; or
  - (b) elevate schools based on school accountability results from the same school year.
- (3) "Continuous improvement expert" means a person identified by the state board under Section 53E-5-305.
- (4) "Educator" means the same as that term is defined in Section 53E-6-102.
- (5) "Elevate school" means a district school or charter school that:
  - (a) is not a Title I school;
  - (b) is implementing targeted support and improvement activities under 20 U.S.C. Sec. 6311; and
  - (c) has applied and been designated by the state board as an elevate school as described in Section 53E-5-302.1.
- (6) "Final remedial year" means the second or third school year following the initial remedial year, as determined by the state board.
- (7) "Initial remedial year" means the school year a district school or charter school is designated as a springboard school under Section 53E-5-302 or elevate school under Section 53E-5-302.1.
- (8) "LEA governing board" means a local school board or charter school governing board.
- (9) "School accountability system" means the school accountability system established in Part 2, School Accountability System.
- (10) "School improvement committee" means a committee established under:
  - (a) for a district school, Section 53E-5-303; or
  - (b) for a charter school, Section 53E-5-304.
- (11) "School improvement plan" means a plan described in:
  - (a) for a district school, Section 53E-5-303; or
  - (b) for a charter school, Section 53E-5-304.
- (12) "Springboard school" means a district school or charter school that has been designated a springboard school by the state board because the school:
  - (a) is not a Title I school; and
  - (b) when ranked according to the percentage of possible points the state board awards under Title 53E, Chapter 5, Part 2, School Accountability System, averaged over three school years is:
    - (i) one of the five lowest performing elementary, middle, or junior high schools statewide; or
    - (ii) one of the two lowest performing high schools statewide.

Amended by Chapter 164, 2023 General Session

**53E-5-302 State board to designate springboard schools -- Needs assessment.**

- (1) The state board shall:
  - (a) beginning in the 2025-2026 school year, and every four years thereafter, designate a school as a springboard school; and
  - (b) conduct a needs assessment for a springboard school by thoroughly analyzing the root causes of the springboard school's performance qualifying the school for designation as a springboard school.
- (2) The state board may use up to 5% of the appropriation provided under this part to hire or contract with one or more individuals to conduct a needs assessment described in Subsection (1)(b).

Amended by Chapter 473, 2022 General Session

**53E-5-302.1 State board to designate elevate schools -- Needs assessment.**

- (1) Beginning in the 2022-2023 school year, in every year that the state board does not designate a springboard school, the state board shall:
  - (a) accept applications to be designated an elevate school from schools that:
    - (i) are not Title I schools; and
    - (ii) are implementing targeted support and improvement activities under 20 U.S.C. Sec. 6311;
  - (b) identify at least six schools as elevate schools; and
  - (c) conduct a needs assessment for an elevate school by thoroughly analyzing the root causes of the school's previous performance of targeted support and improvement student groups.
- (2) The state board may use up to 5% of the appropriation provided under this part to hire or contract with one or more individuals to conduct a needs assessment described in Subsection (1)(c).

Enacted by Chapter 473, 2022 General Session

**53E-5-303 Required action for district springboard schools and district elevate schools -- Notification to parents and municipality for springboard schools.**

- (1) In accordance with deadlines established by the state board, a local school board of a springboard school or elevate school shall:
  - (a) establish a school improvement committee composed of the following members:
    - (i) the local school board member who represents the voting district where the springboard school or elevate school is located;
    - (ii) the school principal;
    - (iii) three parents of students enrolled in the springboard school or elevate school appointed by the chair of the school community council;
    - (iv) one teacher at the springboard school or elevate school appointed by the principal;
    - (v) one teacher at the springboard school or elevate school appointed by the school district superintendent; and
    - (vi) one school district administrator;
  - (b) solicit proposals from a continuous improvement expert identified by the state board under Section 53E-5-305;
  - (c) partner with the school improvement committee to select a proposal;



- (d) submit the proposal described in Subsection (1)(b) to the state board for review and approval; and
  - (e) subject to Subsections (3) and (4), contract with a continuous improvement expert.
- (2) A proposal described in Subsection (1)(b) shall include a:
- (a) strategy to address the root causes of the springboard school's or elevate school's low performance identified through the needs assessment described in Section 53E-5-302; and
  - (b) scope of work to facilitate implementation of the strategy that includes at least the activities described in Subsection (4)(b).
- (3) A local school board may not select a continuous improvement expert that is:
- (a) the school district; or
  - (b) an employee of the school district.
- (4) A contract between a local school board and a continuous improvement expert:
- (a) shall be based on an explicit stipulation of desired outcomes and consequences for not meeting goals, including cancellation of the contract;
  - (b) shall include a scope of work that requires the continuous improvement expert to at a minimum:
    - (i) develop and implement, in partnership with the school improvement committee, a school improvement plan that meets the criteria described in Subsection (5);
    - (ii) monitor the effectiveness of a school improvement plan through reliable means of evaluation, including on-site visits, observations, surveys, analysis of student achievement data, and interviews;
    - (iii) provide ongoing implementation support and project management for a school improvement plan;
    - (iv) provide high-quality professional learning personalized for school staff that is designed to build:
      - (A) the leadership capacity of the school principal;
      - (B) the instructional capacity of school staff;
      - (C) educators' capacity with data-driven strategies by providing actionable, embedded data practices; and
    - (v) leverage support from community partners to coordinate an efficient delivery of supports to students inside and outside the classroom;
  - (c) may include a scope of work that requires the continuous improvement expert to:
    - (i) develop sustainable school district and school capacities to effectively respond to the academic and behavioral needs of students in high poverty communities; or
    - (ii) other services that respond to the needs assessment conducted under Section 53E-5-302;
  - (d) shall include travel costs and payment milestones; and
  - (e) may include pay for performance provisions.
- (5) A school improvement committee shall partner with the continuous improvement expert selected under Subsection (1) to develop and implement a school improvement plan that:
- (a) addresses the root causes of the springboard school's or elevate school's low performance identified through the needs assessment described in Section 53E-5-302;
  - (b) includes recommendations regarding changes to the springboard school's or elevate school's personnel, culture, curriculum, assessments, instructional practices, governance, leadership, finances, policies, or other areas that may be necessary to implement the school improvement plan;
  - (c) includes measurable student achievement goals and objectives and benchmarks by which to measure progress;

- (d) includes a professional development plan that identifies a strategy to address problems of instructional practice;
  - (e) includes a detailed budget specifying how the school improvement plan will be funded;
  - (f) includes a plan to assess and monitor progress;
  - (g) includes a plan to communicate and report data on progress to stakeholders; and
  - (h) includes a timeline for implementation.
- (6) A local school board of a springboard school or elevate school shall:
- (a) prioritize school district funding and resources to the springboard school or elevate school;
  - (b) grant the springboard school or elevate school streamlined authority over staff, schedule, policies, budget, and academic programs to implement the school improvement plan;
  - (c) assist the continuous improvement expert and the springboard school or elevate school with:
    - (i) addressing the root cause of the springboard school's or elevate school's low performance; and
    - (ii) the development or implementation of a school improvement plan; and
  - (d) for a springboard school, provide initial and annual notice:
    - (i) that includes the following information regarding the springboard school:
      - (A) the school's improvement status;
      - (B) the goals, benchmarks, and timetable in the school's improvement plan and any progress toward the goals, benchmarks, and timetable; and
      - (C) how the community may provide support to the school and students of the school inside and outside the classroom; and
    - (ii) to:
      - (A) parents of students enrolled in the school, using the same form of communication the local school board regularly uses to communicate with parents; and
      - (B) the governing council and the mayor of the municipality in which the school is located.
- (7)
- (a) On or before June 1 of an initial remedial year, a school improvement committee shall submit the school improvement plan to the local school board for approval.
  - (b) Except as provided in Subsection (7)(c), on or before July 1 of an initial remedial year, a local school board of a springboard school or elevate school shall submit the school improvement plan to the state board for approval.
  - (c) If the local school board does not approve the school improvement plan submitted under Subsection (7)(a), the school improvement committee may appeal the disapproval in accordance with rules made by the state board as described in Subsection 53E-5-305(6).
- (8) A local school board, or a local school board's designee, shall annually report to the state board progress toward the goals, benchmarks, and timetable in a springboard school's or elevate school's improvement plan.

Amended by Chapter 473, 2022 General Session

**53E-5-304 Required action for a springboard charter school or elevate charter school -- Notification to parents and municipality for a springboard charter school.**

- (1) In accordance with deadlines established by the state board, a charter school authorizer of a springboard school shall initiate a review to determine whether the charter school is in compliance with the school's charter agreement described in Section 53G-5-303, including the school's established minimum standards for student achievement.

- (2) If a springboard school is found to be out of compliance with the school's charter agreement, the charter school authorizer may terminate the school's charter agreement in accordance with Section 53G-5-503.
- (3) A charter school authorizer shall make a determination on the status of a springboard school's charter agreement under Subsection (2) on or before a date specified by the state board in an initial remedial year.
- (4) In accordance with deadlines established by the state board, if a charter school authorizer does not terminate a springboard school's charter agreement under Subsection (2), a charter school governing board of a springboard school or elevate school shall:
  - (a) establish a school improvement committee composed of the following members:
    - (i) a member of the charter school governing board, appointed by the chair of the charter school governing board;
    - (ii) the school principal;
    - (iii) three parents of students enrolled in the springboard school or elevate school, appointed by the chair of the charter school governing board; and
    - (iv) two teachers at the springboard school or elevate school, appointed by the school principal;
  - (b) solicit proposals from a continuous improvement expert identified by the state board under Section 53E-5-305;
  - (c) partner with the school improvement committee to select a proposal;
  - (d) submit the proposal described in Subsection (4)(b) to the state board for review and approval; and
  - (e) subject to Subsections (6) and (7), contract with a continuous improvement expert.
- (5) A proposal described in Subsection (4)(b) shall include a:
  - (a) strategy to address the root causes of the springboard school's or elevate school's low performance identified through the needs assessment described in Section 53E-5-302; and
  - (b) scope of work to facilitate implementation of the strategy that includes at least the activities described in Subsection 53E-5-303(4)(b).
- (6) A charter school governing board may not select a continuous improvement expert that:
  - (a) is a member of the charter school governing board;
  - (b) is an employee of the charter school; or
  - (c) has a contract to operate the charter school.
- (7) A contract entered into between a charter school governing board and a continuous improvement expert shall include and reflect the requirements described in Subsection 53E-5-303(4).
- (8)
  - (a) A school improvement committee shall partner with the continuous improvement expert selected under Subsection (4) to develop and implement a school improvement plan that includes the elements described in Subsection 53E-5-303(5).
  - (b) A charter school governing board shall assist a continuous improvement expert and a springboard school or elevate school with:
    - (i) addressing the root cause of the springboard school's low performance; and
    - (ii) the development or implementation of a school improvement plan.
- (9)
  - (a) On or before June 1 of an initial remedial year, a school improvement committee shall submit the school improvement plan to the charter school governing board for approval.
  - (b) Except as provided in Subsection (9)(c), on or before July 1 of an initial remedial year, a charter school governing board of a springboard school or elevate school shall submit the school improvement plan to the state board for approval.

- (c) If the charter school governing board does not approve the school improvement plan submitted under Subsection (9)(a), the school improvement committee may appeal the disapproval in accordance with rules made by the state board as described in Subsection 53E-5-305(6).
- (10) The provisions of this part do not modify or limit a charter school authorizer's authority at any time to terminate a charter school's charter agreement in accordance with Section 53G-5-503.
- (11)
  - (a) A charter school governing board or a charter school governing board's designee shall annually report to the state board progress toward the goals, benchmarks, and timetable in a springboard school's or elevate school's improvement plan.
  - (b) A charter school governing board of a springboard school shall provide initial and annual notice:
    - (i) that includes the following information regarding the springboard school:
      - (A) the school's improvement status;
      - (B) the goals, benchmarks, and timetable in the school's improvement plan and any progress toward the goals, benchmarks, and timetable; and
      - (C) how the community may provide support to the school and students of the school inside and outside the classroom; and
    - (ii) to:
      - (A) parents of students enrolled in the school, using the same form of communication the charter school governing board regularly uses to communicate with parents; and
      - (B) the governing council and the mayor of the municipality in which the school is located.

Amended by Chapter 473, 2022 General Session

**53E-5-305 State board to identify continuous improvement experts -- Review and approval of school improvement plans -- Appeals process.**

- (1) Beginning with the 2023-2024 school year, and every three years thereafter, the state board shall identify two or more approved continuous improvement experts, through a standard procurement process, that a springboard school or elevate school may contract with to:
  - (a) respond to the needs assessment conducted under Section 53E-5-302; and
  - (b) provide the services described in Section 53E-5-303 or 53E-5-304, as applicable.
- (2) In identifying continuous improvement experts under Subsection (1), the state board shall identify experts that:
  - (a) have a credible track record of improving student academic achievement in public schools with various demographic characteristics, as measured by statewide assessments described in Section 53E-4-301;
  - (b) have experience designing, implementing, and evaluating data-driven instructional systems in public schools;
  - (c) have experience coaching public school administrators and teachers on designing data-driven school improvement plans;
  - (d) have experience working with the various education entities that govern public schools;
  - (e) have experience coordinating the services provided to participating schools by other experts or providers;
  - (f) have experience delivering high-quality professional development in instructional effectiveness to public school administrators and teachers; and
  - (g) are willing to partner with any springboard school or elevate school in the state, regardless of location.

- (3)
  - (a) The state board shall:
    - (i) review a proposal submitted for approval under Section 53E-5-303 or 53E-5-304 no later than 30 days after the day on which the proposal is submitted;
    - (ii) review a school improvement plan submitted for approval under Subsection 53E-5-303(7)(b) or under Subsection 53E-5-304(9)(b) within 30 days of submission; and
    - (iii) approve a school improvement plan that:
      - (A) is timely;
      - (B) is well-developed; and
      - (C) meets the criteria described in Subsection 53E-5-303(5).
  - (b) The state board may not approve a school improvement plan that is not aligned with the needs assessment conducted under Section 53E-5-302.
- (4)
  - (a) Subject to legislative appropriations, when a school improvement plan is approved by the state board, the state board shall distribute funds to each LEA governing board with a springboard school or elevate school to carry out the provisions of Sections 53E-5-303 and 53E-5-304.
  - (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules establishing a distribution method and allowable uses of the funds described in Subsection (4)(a).
- (5) The state board shall:
  - (a) monitor and assess progress toward the goals, benchmarks and timetable in each school improvement plan; and
  - (b) act as a liaison between a local school board, springboard school or elevate school, and continuous improvement expert.
- (6)
  - (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules to establish an appeals process for:
    - (i) a springboard district school or elevate district school that is not granted approval from the district school's local school board under Subsection 53E-5-303(7)(b);
    - (ii) a springboard charter school or elevate charter school that is not granted approval from the charter school's charter school governing board under Subsection 53E-5-304(9)(b); and
    - (iii) a local school board or charter school governing board that is not granted approval from the state board under Subsection (3)(a) or (b).
  - (b) The state board shall ensure that rules made under Subsection (6)(a) require an appeals process described in:
    - (i) Subsections (6)(a)(i) and (ii) to be resolved on or before July 1 of the initial remedial year; and
    - (ii) Subsection (6)(a)(iii) to be resolved on or before August 15 of the initial remedial year.
- (7) Except as provided in Subsection (8), if the amount is approved by the state board in an open meeting, the state board may use a portion of the funds appropriated by the Legislature to carry out the provisions of this part for:
  - (a) administration; or
  - (b) other school improvement supports for all public schools, including for data resources.
- (8) For the 2020-21, 2021-22, and 2022-23 school years, if the state board approves the use in an open meeting, the state board may use funds the Legislature appropriated in prior years to carry out the provisions of this part:
  - (a) for administration;

- (b) up to \$1,000,000 to contract with a provider, through a request for proposals process, to pilot complementary approaches to school improvement that draw on community resources and engagement; and
- (c) to analyze the effectiveness of supports provided:
  - (i) under this part; and
  - (ii) by other school improvement programs.

Amended by Chapter 473, 2022 General Session

**53E-5-306 Implications for failing to improve school performance.**

- (1) As used in this section, "high performing charter school" means the same as that term is defined in Section 53G-5-502.
- (2)
  - (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules establishing:
    - (i) the final remedial year for a cohort;
    - (ii) exit criteria for a springboard school or elevate school;
    - (iii) criteria for granting a school an extension as described in Subsection (3); and
    - (iv) implications for a springboard school that does not meet exit criteria after the school's final remedial year or the last school year of the extension period described in Subsection (3).
  - (b) In establishing exit criteria for a springboard school, the state board shall:
    - (i) determine for each springboard school the number of points awarded under the school accountability system that represent a substantive improvement over the number of points awarded under the school accountability system in the school year immediately preceding the initial remedial year; and
    - (ii) establish a method to provide a target for each springboard school.
  - (c) The state board shall through a competitively awarded contract engage a third party with expertise in school accountability and assessments to verify the exit criteria adopted under Subsections (2)(a)(i) and (ii).
- (3)
  - (a) A springboard school may petition the state board for an extension to continue school improvement efforts for up to two years if the springboard school does not meet the exit criteria established by the state board as described in Subsection (2).
  - (b) A school that has been granted an extension under this Subsection (3) is eligible for continued funding under Section 53E-5-305.
- (4) If a springboard school does not meet exit criteria after the school's final remedial year or the last school year of the extension period, the state board may intervene by:
  - (a) restructuring a district school, which may include:
    - (i) contract management; or
    - (ii) conversion to a charter school;
  - (b) restructuring a charter school by:
    - (i) terminating a school's charter agreement;
    - (ii) closing a charter school; or
    - (iii) transferring operation and control of the charter school to:
      - (A) a high performing charter school; or
      - (B) the school district in which the charter school is located; or
  - (c) other appropriate action as determined by the state board.

Amended by Chapter 164, 2023 General Session

**53E-5-309 School Leadership Development Program.**

- (1) As used in this section, "school leader" means a school principal or assistant principal.
- (2) There is created the School Leadership Development Program to increase the supply of highly effective school leaders capable of:
  - (a) initiating, achieving, and sustaining school improvement efforts; and
  - (b) forming and sustaining community partnerships as described in Section 53F-5-402.
- (3) The state board shall identify one or more providers, through a request for proposals process, to develop or provide leadership development training for school leaders that:
  - (a) may provide in-depth training in proven strategies to improve springboard schools and elevate schools;
  - (b) may emphasize hands-on and job-embedded learning;
  - (c) aligns with the state's leadership standards established by state board rule;
  - (d) reflects the needs of a school district or charter school where a school leader serves;
  - (e) may include training on using student achievement data to drive decisions;
  - (f) may develop skills in implementing and evaluating evidence-based instructional practices;
  - (g) may develop skills in leading collaborative school improvement structures, including professional learning communities; and
  - (h) includes instruction on forming and sustaining community partnerships as described in Section 53F-5-402.
- (4) Subject to legislative appropriations, the state board shall provide incentive pay to a school leader who:
  - (a) completes leadership development training under this section; and
  - (b) agrees to work, for at least five years, in a school that ranked in the lowest performing 20% of schools under the school accountability system in the school year previous to the first year the school leader:
    - (i) completes leadership development training; and
    - (ii) begins to work, or continues to work, in a school described in this Subsection (4)(b).
- (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules specifying:
  - (a) eligibility criteria for a school leader to participate in the School Leadership Development Program;
  - (b) application procedures for the School Leadership Development Program;
  - (c) criteria for selecting school leaders from the application pool; and
  - (d) procedures for awarding incentive pay under Subsection (4).

Amended by Chapter 164, 2023 General Session

**53E-5-310 Reporting requirement.**

In accordance with Section 53E-1-203, the state board shall report on the provisions of this part.

Amended by Chapter 186, 2019 General Session

Amended by Chapter 324, 2019 General Session

**53E-5-311 Coordination with the Partnerships for Student Success Grant Program.**

If a springboard school or elevate school is a member of a partnership that receives a grant under Title 53F, Chapter 5, Part 4, Partnerships for Student Success Grant Program, the school improvement committee shall:

- (1) coordinate the school improvement committee's efforts with the efforts of the partnership; and
- (2) ensure that the goals and outcomes of the partnership are aligned with the school improvement plan described in this part.

Amended by Chapter 473, 2022 General Session