

**ENHANCEMENTS TO THE STATE SYSTEMS
OF PUBLIC AND HIGHER EDUCATION**

2001 GENERAL SESSION

STATE OF UTAH

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This act modifies provisions related to the state systems of public and higher education by establishing an Engineering and Computer Science Initiative within the state system of higher education and the Public Education Job Enhancement Program for secondary teachers in mathematics, physics, chemistry, physical science, and information technology within the public education system. The act identifies components of the higher education initiative to include increasing program capacity, providing supplemental monies for equipment purchases, and providing incentives. The act provides for a \$4,000,000 appropriation to fund the Engineering and Computer Science Initiative and a \$9,900,000 appropriation to fund the Public Education Job Enhancement Program. The act has a split effective date of May 1, 2001, and July 1, 2001.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

63-55-253, as last amended by Chapter 59, Laws of Utah 2000

ENACTS:

53A-1a-601, Utah Code Annotated 1953

53A-1a-602, Utah Code Annotated 1953

53B-6-105, Utah Code Annotated 1953

53B-6-105.5, Utah Code Annotated 1953

53B-6-105.7, Utah Code Annotated 1953

53B-6-105.9, Utah Code Annotated 1953

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

Section 1. Section **53A-1a-601** is enacted to read:

Part 6. Public Education Job Enhancement Program

53A-1a-601. Job enhancements for technology training.

(1) In conjunction with the Engineering and Computer Science Initiative provided for in Section 53B-6-105, there is established a Public Education Job Enhancement Program to attract, train, and retain highly qualified secondary teachers in mathematics, physics, chemistry, physical science, learning technology, and information technology.

(2) The program shall provide for the following:

(a) application by a school district superintendent or the principal of a secondary school on behalf of a qualified teacher;

(b) an award of up to \$20,000 or a scholarship to cover the tuition costs for a master's degree, an endorsement, or graduate education in the areas identified in Subsection (1) to be given to selected public school teachers on a competitive basis:

(i) whose applications are approved under Subsection 53A-1a-602(4); and

(ii) who teach at the secondary level in the state's public education system for four years in the areas identified in Subsection (1);

(c) (i) as to the cash awards under Subsection (2)(b), payment of the award in two installments, with an initial payment of up to \$10,000 at the beginning of the term and up to \$10,000 at the conclusion of the term;

(ii) repayment of a portion of the initial payment by the teacher if the teacher fails to complete two years of the four-year teaching term in the areas identified in Subsection (1) as provided by rule of the State Board of Education in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, unless waived for good cause by the Job Enhancement Committee created in Section 53A-1a-602; and

(iii) nonpayment of the second installment if the teacher fails to complete the four-year teaching term; and

(d) (i) as to the scholarships awarded under Subsection (2)(b), provision for the providing institution to certify adequate performance in obtaining the master's degree, endorsement, or graduate education in order for the teacher to maintain the scholarship; and

(ii) repayment by the teacher of a prorated portion of the scholarship, if the teacher fails to teach in the state system of public education in the areas identified in Subsection (1) for four years after obtaining the master's degree, the endorsement, or graduate education.

(3) An individual teaching in the public schools under a letter of authorization may participate in the cash award program if:

(a) the individual has taught under the letter of authorization for at least one year in the areas referred to in Subsection (1); and

(b) the application made under Subsection (2)(a) is based in large part upon the individual receiving a superior evaluation as a classroom teacher.

(4) (a) The program may provide for the expenditure of up to \$1,000,000 of available monies, if at least an equal amount of matching monies become available, to provide professional development training to superintendents and principals in the effective use of technology in public schools.

(b) An award granted under this Subsection (4) shall be made in accordance with criteria developed and adopted by the Job Enhancement Committee created in Section 53A-1-602.

Section 2. Section **53A-1a-602** is enacted to read:

53A-1a-602. Job Enhancement Committee -- Composition -- Duties -- Appropriation.

(1) There is created a Job Enhancement Committee to implement and administer the Public Education Job Enhancement Program established in Section 53A-1a-601.

(2) (a) The committee shall consist of:

(i) two members of the State Board of Education selected by the board;

(ii) two members of the State Board of Regents selected by the board;

(iii) six members of the general public who have business experience in mathematics,

physics, chemistry, physical science, learning technology, or information technology selected by the governor; and

(iv) a master high school teacher, who has teaching experience in mathematics, physics, chemistry, physical science, learning technology, or information technology, selected by the superintendent of public instruction.

(b) Committee members shall receive no compensation or benefits for their service on the committee, but may receive per diem and expenses incurred in the performance of their duties at rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(3) (a) The committee shall receive and review applications submitted for participation in the Public Education Job Enhancement Program established under Section 53A-1a-601.

(b) In reviewing applications, the committee shall focus on:

(i) the prioritized critical areas of need identified under Subsection (4)(a); and

(ii) the awards being made on a competitive basis.

(c) If the committee approves an application received under Subsection (3)(a), it shall contract directly with the teacher applicant to receive the award or the scholarship for a master's degree, an endorsement, or graduate education, subject to Subsection 53A-1a-601(2).

(d) The State Board of Education, through the superintendent of public instruction, shall provide staff support for the committee and adequate and reliable data on the state's supply of and demand for qualified secondary teachers in the subjects listed in Subsection 53A-1a-601(1).

(4) The committee may apply for grants and matching monies to enhance funding available for the program established in Section 53A-1a-601.

(5) The committee shall make a rule in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, establishing policies and procedures for:

(a) making the awards and offering the scholarships in accordance with prioritized critical areas of need as determined by the committee;

(b) timelines for the submission and approval of applications under Subsection (3); and

(c) the distribution of the awards and scholarships to successful applicants based on available monies provided by legislative appropriation.

(6) The Legislature shall make an annual appropriation to the State Board of Education to fund the Public Education Job Enhancement Program established under Section 53A-1a-601.

(7) The committee shall make an annual report to the Legislature through the Education Interim Committee, the governor, the State Board of Education, and the State Board of Regents on the status of the program, together with any recommendations for modification, expansion, or termination of the program.

Section 3. Section **53B-6-105** is enacted to read:

53B-6-105. Engineering and Computer Technology Initiative.

(1) The Legislature recognizes that a significant increase in the number of engineering, computer science, and related technology graduates from the state system of higher education is required over the next several years to advance the intellectual, cultural, social, and economic well-being of the state and its citizens.

(2) (a) (i) The State Board of Regents shall therefore develop, establish, and maintain an Engineering and Computer Science Initiative within the state system of higher education to double the number of graduates in engineering, computer science, and related technology by 2006 and triple the number of graduates by 2009.

(ii) The board shall make a rule in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, providing the criteria for those fields of study that qualify as "related technology" under this section and Sections 53B-6-105.7 and 53B-6-105.9.

(b) The initiative shall include components that:

(i) improve the quality of instructional programs in engineering, computer science, and related technology by providing supplemental monies for equipment purchases; and

(ii) provide incentives to:

(A) students through a loan and loan forgiveness program under Section 53B-6-105.7; and

(B) institutions to hire and retain faculty under Section 53B-6-105.9.

(3) The increase in program capacity under Subsection (2)(a) shall include funding for new and renovated capital facilities and funding for new engineering and computer science programs.

(4) The Legislature shall provide an annual appropriation to fund the initiative as a budget

line item for the State Board of Regents.

Section 4. Section **53B-6-105.5** is enacted to read:

53B-6-105.5. Technology Initiative Advisory Board -- Composition -- Duties.

(1) There is created a Technology Initiative Advisory Board to assist and make recommendations to the State Board of Regents in its administration of the Engineering and Computer Science Initiative established under Section 53B-6-105.

(2) (a) The advisory board shall consist of individuals appointed by the governor from business and industry who have expertise in the areas of engineering, computer science, and related technologies.

(b) The advisory board shall select a chair and cochair.

(c) The advisory board shall meet at the call of the chair.

(d) The State Board of Regents, through the commissioner of higher education, shall provide staff support for the advisory board.

(3) Members of the advisory board shall receive no compensation for their service on the board, but may receive per diem and expenses incurred in the performance of their duties at rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

(4) The advisory board has the following duties and responsibilities:

(a) to make recommendations to the State Board of Regents on the allocation and distribution of monies appropriated to fund the faculty incentive program established in Section 53B-6-105.9 and the equipment purchases required to improve the quality of instructional programs under Subsection 53B-6-105(2)(b)(i) to include:

(i) a strategic plan that details actions required by the board of regents to meet the intent of the Engineering and Technology Science Initiative; and

(ii) a review and assessment of engineering, computer science, and related technology programs currently being offered at higher education institutions and their impact on the economic prosperity of the state;

(b) to provide the State Board of Regents with an assessment and reporting plan that:

(i) measures results against expectations under the initiative, including verification of the

matching requirements for institutions of higher education to receive monies under Subsection 53B-6-105.9(1); and

(ii) includes an analysis of market demand for technical employment, program articulation among higher education institutions in engineering, computer science, and related technology, tracking of student placement, student admission to the initiative program by region, transfer rates, and retention in and graduation rates from the initiative program; and

(c) to make an annual report of its activities to the State Board of Regents, the Legislature through the Education Interim Committee and the Higher Education Appropriations Subcommittee, and the governor.

Section 5. Section **53B-6-105.7** is enacted to read:

53B-6-105.7. Initiative student loan and loan forgiveness program.

(1) (a) There is established an engineering, computer science, and related technology student loan program as a component of the initiative created in Section 53B-6-105.

(b) The program is established to recruit and train engineering, computer science, and related technology students to assist in providing for and advancing the intellectual and economic welfare of the state.

(2) (a) The board:

(i) may make rules for the overall administration of the program in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act; and

(ii) shall administer the program consistent with the general student loan provisions outlined in Title 53B.

(b) The board shall also use the following policies and procedures in administering the student loan program:

(i) students may use their loans at any institution within the state system of higher education that offers an engineering, computer science, or related technology baccalaureate degree;

(ii) loans shall be given to students who declare an intent to complete a prescribed course of instruction in one of the areas referred to in Subsection (2)(b)(i) and to work in the state for a period of four years after graduation in one of those areas;

(iii) a loan may be cancelled at any time by the institution of attendance, if the student fails to make reasonable progress towards obtaining the baccalaureate degree or there appears to be a reasonable certainty that the student does not intend to work in the state upon graduation, and the board shall require repayment together with interest; and

(iv) (A) a loan recipient who does not work in the state in one of the areas listed in Subsection (1)(a) for a term equal to the number of years of the loan within a reasonable period of time after graduation shall repay a graduated portion of the loan based upon the uncompleted term together with appropriate interest, unless waived for good cause; and

(B) one year of employment as an engineer or in the field of computer science or related technologies is credit for a one-year loan for tuition and fees.

(3) The Legislature shall make an annual appropriation to the board to fund the student loan program created in this section.

Section 6. Section **53B-6-105.9** is enacted to read:

53B-6-105.9. Incentive program for engineering, computer science, and related technology faculty.

(1) The Legislature shall provide an annual appropriation to help fund the faculty incentive component of the Engineering and Computer Science Initiative established under Subsection 53B-6-105(2)(b)(ii)(B).

(2) The appropriation shall be used to hire, recruit, and retain outstanding faculty in engineering, computer science, and related technology fields under guidelines established by the State Board of Regents.

(3) (a) State institutions of higher education shall match the appropriation on a one-to-one basis in order to qualify for state monies appropriated under Subsection (1).

(b) (i) Qualifying institutions shall annually report their matching dollars to the board.

(ii) The board shall make a summary report of the institutional matches to the Education Interim Committee of the Legislature.

(4) The board shall make a rule in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, establishing policies and procedures to apply for and distribute the

state appropriation to qualifying institutions.

Section 7. Section **63-55-253** is amended to read:

63-55-253. Repeal dates, Title 53A.

The following provisions of Title 53A are repealed on the following dates:

(1) Title 53A, Chapter 1a, Part 2, Strategic Planning for Public and Higher Education Committee is repealed July 1, 2002.

(2) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is repealed July 1, 2005.

~~[(2)]~~ (3) The State Textbook Commission, created in Section 53A-14-101, is repealed July 1, 2001.

~~[(3)]~~ (4) Title 53A, Chapter 20a, Public Education Revenue Bond Act, is repealed July 1, 2007.

Section 8. Appropriation.

(1) For fiscal year 2001-02, there is appropriated from the following sources to the State Board of Regents the following amounts for the following purposes:

(a) \$1,000,000 of income tax revenues for the faculty incentive program established under Section 53B-6-105.9;

(b) a one-time appropriation of \$2,500,000 of income tax revenues for equipment purchases to improve the quality of instructional programs under the engineering and computer science initiative as provided in Subsection 53B-6-105(2)(b)(ii); and

(c) a one-time appropriation of \$500,000 of income tax revenues to capitalize the student loan program established under Section 53B-6-105.7.

(2) (a) For fiscal year 2001-02, there is appropriated from the Uniform School Fund to the State Board of Education \$2,400,000 to help fund the Public Education Job Enhancement Program as required under Subsection 53A-1a-602(5)(a).

(b) For fiscal year 2000-01, there is appropriated from the Uniform School Fund to the State Board of Education \$7,500,000 as a one-time supplemental appropriation to help fund the Public Education Job Enhancement Program as required under Subsection 53A-1a-602(5)(a).

(3) The appropriations under Subsections (1) and (2) are nonlapsing.

Section 9. **Effective date.**

This act takes effect on July 1, 2001 except that Subsection (2)(b) of the Appropriation
Section 8 takes effect May 1, 2001.