

**PUBLIC EDUCATION - ALTERNATIVE
LANGUAGE PROGRAMS**

2002 GENERAL SESSION
STATE OF UTAH

Sponsor: Duane E. Bourdeaux

This act modifies provisions related to the State System of Public Education by requiring the State Board of Education and each school district to create an alternative language services master plan. This act requires school districts to use a portion of state funds appropriated for professional development to increase educators' proficiency in delivering alternative language services. This act requires the State Board of Education to hire an external evaluator to conduct an evaluation of alternative language programs.

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

AMENDS:

53A-3-701, as enacted by Chapter 335, Laws of Utah 2001

ENACTS:

53A-15-1001, Utah Code Annotated 1953

53A-15-1002, Utah Code Annotated 1953

53A-15-1003, Utah Code Annotated 1953

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

Section 1. Section **53A-3-701** is amended to read:

53A-3-701. School and school district professional development plans.

(1) (a) Each public school and school district shall develop and implement a systematic, comprehensive, and long-term plan for staff professional development.

(b) Each school shall use its community council, school directors, or a subcommittee of the community council as described in [~~Subsection~~] Section 53A-16-101.5[~~(4)~~] to help develop and implement the plan.

(2) Each plan shall include the following components:



28 (a) an alignment of professional development activities at the school and school district
29 level with:

30 (i) the School LAND Trust Program authorized under Section 53A-16-101.5;

31 (ii) the Utah Performance Assessment System for Students under Title 53A, Chapter 1,
32 Part 6, Achievement Tests;

33 (iii) the Educational Technology Initiative under Title 53A, Chapter 1, Part 7, Educational
34 Technology Programs;

35 (iv) [~~Sections 53A-6-101 and~~] Section 53A-6-104 of the Educator Licensing and
36 Professional Practices Act;

37 (v) Title 53A, Chapter 9, Teacher Career Ladders; [~~and~~]

38 (vi) Title 53A, Chapter 10, Educator Evaluation; and

39 (vii) Title 53A, Chapter 15, Part 10, Alternative Language Services;

40 (b) provision for the development of internal instructional leadership and support;

41 (c) the periodic presence of all stakeholders at the same time in the professional
42 development process, to include administrators, educators, support staff, parents, and students;

43 (d) provisions for the use of consultants to enhance and evaluators to assess the
44 effectiveness of the plan as implemented; and

45 (e) the time required for and the anticipated costs of implementing and maintaining the
46 plan.

47 (3) (a) Each local school board shall review and either approve or recommend
48 modifications for each school plan within its district so that each school's plan is compatible with
49 the district plan.

50 (b) The board shall:

51 (i) provide positive and meaningful assistance to a school, if requested by its community
52 council or school directors, in drafting and implementing its plan; and

53 (ii) monitor the progress of each school plan and hold each school accountable for meeting
54 the objectives of its plan.

55 (4) (a) The State Board of Education, through the superintendent of public instruction,
56 shall work with school districts to identify the resources required to implement and maintain each
57 school's and school district's professional development plan required under this section.

58 (b) (i) The state board shall make an annual budget recommendation to the Legislature for

59 state funding of professional development plans under this section.

60 (ii) The recommendation shall take into account:

61 (A) monies that could be used for professional development from the programs listed in
62 Subsection (2)(a); and

63 (B) the professional development block grant program authorized under the Minimum
64 School Program Act.

65 (5) (a) For the fiscal year beginning July 1, 2001, school districts shall use \$10,000,000
66 of the school professional development appropriation made in Section 53A-17a-124, for teacher
67 professional development days beyond the regular school year as follows:

68 (i) each school district shall use its allocation for teacher professional development related
69 to implementing and maintaining the Utah Performance Assessment System for Students and may
70 use such training models as Schools for All and Urban Learning Centers in its professional
71 development program; and

72 (ii) monies for these two additional days shall be allocated to a school district without
73 requiring matching monies.

74 (b) For the fiscal year beginning July 1, 2002, the Legislature shall [~~increase the funding~~]
75 appropriate monies for teacher professional development under Section 53A-17a-124 [~~and~~
76 ~~Subsection (5)(a)~~] to provide for [~~a total of three~~] two days of teacher professional development
77 beyond the regular school year. Each school district shall use its allocation for professional
78 development:

79 (i) related to implementing and maintaining the Utah Performance Assessment System for
80 Students[-]; and

81 (ii) to increase educators' proficiency in delivering alternative language services as defined
82 in Section 53A-15-1001.

83 (c) Schools are urged to collaborate with one another in the implementation of the teacher
84 development program under this Subsection (5)[~~(a)~~] to maximize the effectiveness of the
85 appropriation.

86 (d) It is the intent of the Legislature that of the \$10,000,000 allocated to school districts
87 for additional days \$42,305 shall be allocated to the Utah Schools for the Deaf and the Blind per
88 day for each additional day funded.

89 Section 2. Section **53A-15-1001** is enacted to read:

90 **Part 10. Alternative Language Services**

91 **53A-15-1001. Definitions.**

92 As used in this part:

93 (1) "Alternative language services" means services for English language learners.

94 (2) "English language learner" means a national origin minority student who has limited
95 English proficiency.

96 Section 3. Section **53A-15-1002** is enacted to read:

97 **53A-15-1002. Alternative language services master plans.**

98 (1) The State Board of Education shall create an alternative language services master plan
99 for the state, which shall establish guidelines for the provision of alternative language services by
100 school districts. The guidelines shall include recommendations for:

101 (a) teacher and staff qualifications and professional development;

102 (b) identification of English language learners;

103 (c) instructional programs;

104 (d) assessment and monitoring of English language learners' academic performance and
105 progress in acquiring English language literacy; and

106 (e) program evaluation.

107 (2) Each school district shall create an alternative language services master plan for the
108 district, which shall be consistent with the state alternative language services master plan.

109 Section 4. Section **53A-15-1003** is enacted to read:

110 **53A-15-1003. Evaluation of alternative language services.**

111 (1) The State Board of Education shall employ a third-party evaluator to evaluate:

112 (a) the performance of English language learners under the Utah Performance Assessment
113 System for Students (U-PASS);

114 (b) the progress of English language learners in acquiring English language literacy;

115 (c) professional development efforts of school districts designed to enhance educators'
116 proficiency in delivering alternative language services; and

117 (d) the implementation of programs outlined in school districts' alternative language
118 services master plans.

119 (2) The State Board of Education shall require school districts to submit information to
120 the board that the board determines is necessary to conduct the evaluation.

Legislative Review Note
as of 2-1-02 10:04 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel