

## HB0139S02 compared with HB0139S01

~~{deleted text}~~ shows text that was in HB0139S01 but was deleted in HB0139S02.

inserted text shows text that was not in HB0139S01 but was inserted into HB0139S02.

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~~{Representative Val L.}~~Senator Stephen H. ~~{Peterson}~~Urquhart proposes the following substitute bill:

### SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS ACTION CENTER

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Val L. Peterson**

Senate Sponsor: ~~{~~Stephen H. Urquhart

Cosponsors:

Jacob L. Anderegg

Jerry B. Anderson

Stewart Barlow

Roger E. Barrus

Derek E. Brown

Kay J. Christofferson

Spencer J. Cox

Rich Cunningham

Brad L. Dee

Susan Duckworth

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Mike K. McKell

Carol Spackman Moss

Jim Nielson

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Curtis Oda

Lee B. Perry

Jeremy A. Peterson

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Marie H. Poulson

V. Lowry Snow

John R. Westwood

Kraig Powell

Jon E. Stanard

Mark A. Wheatley

Paul Ray

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Larry B. Wiley

Edward H. Redd

Earl D. Tanner

Brad R. Wilson

Angela Romero

R. Curt Webb

Douglas V. Sagers

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### LONG TITLE

#### General Description:

This bill creates educational programs for science, technology, engineering, and mathematics (STEM).

#### Highlighted Provisions:

This bill:

- ▶ creates a Science, Technology, Engineering, and Mathematics (STEM) Action Center Board;
- ▶ requires the STEM Action Center Board to:
  - establish a STEM Action Center; and
  - appoint an executive director to oversee administration of the STEM Action Center;
- ▶ requires the Governor's Office of Economic Development to staff the STEM Action Center Board and the STEM Action Center;
- ▶ requires the STEM Action Center Board to select providers, through a request for proposals process, to provide education related instructional technology;
- ▶ requires the STEM Action Center Board to work with private industry to obtain private funding and support for the STEM Action Center;
- ▶ as funding allows, requires the STEM Action Center Board to perform certain duties related to the STEM Action Center;
- ▶ requires the executive director to track student achievement and progress in STEM areas;
- ▶ provides that the acquisition of certain education related instructional technology is

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### exempt from certain provisions of the Utah Procurement Code;

- ▶ requires the STEM Action Center Board, and all providers selected through a request for proposals process, to report to the Education Interim Committee, the Public Education Appropriations Subcommittee, and the State Board of Education once each year; and
- ▶ requires the State Board of Education ~~{to award grants}~~ and STEM Action Center Board staff to award licenses and related professional development to school districts and charter schools for instructional technology for STEM related education ~~{courses}~~ if certain conditions are met.

### Money Appropriated in this Bill:

This bill appropriates in fiscal year 2014:

- ▶ to Governor's Office of Economic Development - Administration, as an ongoing appropriation:
  - from the General Fund, ~~{ \$15,000 }~~ \$1,500,000; and
- ▶ to Governor's Office of Economic Development - Administration, as a one-time appropriation:
  - from the General Fund, ~~{ (\$5,000,000) }~~ and

~~→ to State Board of Education - State Office of Education, as a one-time appropriation:~~

~~• from the General Fund, \$5,000,000.~~  
~~{ \$8,500,000. }~~

### Other Special Clauses:

This bill provides an effective date.

### Utah Code Sections Affected:

ENACTS:

~~{ 53A-17a-169, Utah Code Annotated 1953 }~~

~~{ 63M-1-3201, Utah Code Annotated 1953 }~~

**63M-1-3202**, Utah Code Annotated 1953

**63M-1-3203**, Utah Code Annotated 1953

**63M-1-3204**, Utah Code Annotated 1953

**63M-1-3205**, Utah Code Annotated 1953

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63M-1-3206, Utah Code Annotated 1953

63M-1-3207, Utah Code Annotated 1953

REPEALS:

63M-1-608, as renumbered and amended by Laws of Utah 2008, Chapter 382

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

Section 1. Section ~~{53A-17a-169}~~63M-1-3201 is enacted to read:

~~{53A-17a-169. Grants to schools for STEM education grant program.~~

~~(1) For purposes of this section, "SEOP" has the same meaning as defined in Section 53A-1a-106.~~

~~(2) Subject to legislative appropriations, the State Board of Education shall award grants to school districts and charter schools to fund:~~

~~(a) a school district's or charter school's STEM career and technical education courses if the school district or charter school provides matching funds for at least 100% of the grant amount;~~

~~or~~

~~(b) a school district's or charter school's STEM education plan described in Subsection (3);~~

~~(3) (a) A school district or charter school may apply for a grant from the State Board of Education, through a competitive process, to fund the school district's or charter school's STEM education plan.~~

~~(b) A school district's or charter school's STEM education plan shall:~~

~~(i) focus on STEM education in grades 6, 7, and 8; and~~

~~(ii) include a plan to increase the number of students in grade 8 who, through an SEOP process, plan to enroll in STEM courses as part of the students' high school course selection.~~

~~(4) The money awarded to a school district or charter school described in this section may not be used to supplant funds for existing STEM education courses, but shall be used to augment STEM education courses.~~

Section 2. Section ~~63M-1-3201~~ is enacted to read:

**†Part 32. Science, Technology, Engineering, and Mathematics Action Center**

**63M-1-3201. Definitions.**

As used in this part:

(1) "Board" means the STEM Action Center Board created in Section 63M-1-3202.

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(2) "Educator" has the meaning defined in Section 53A-6-103.

(3) "Office" means the Governor's Office of Economic Development.

(4) "Provider" means a provider, selected by the board through a request for information or request for proposals process, to provide ~~{services}~~ instructional technology as part of the STEM Action Center pursuant to this part.

(5) "STEM" means science, technology, engineering, and mathematics.

(6) "STEM Action Center" means the center described in Section 63M-1-3204.

Section ~~{3}~~2. Section **63M-1-3202** is enacted to read:

### **63M-1-3202. STEM Action Center Board creation -- Membership.**

(1) There is created the STEM Action Center Board within the office, composed of the following members:

~~{~~ (a) the governor or the governor's designee;

~~{~~ (~~{b}~~~~a~~) ~~{at least}~~ four private sector members who represent business, appointed by the governor;

~~{c}~~b the ~~{State Superintendent}~~state superintendent of ~~{Public Instruction}~~public instruction or the ~~{State Superintendent}~~state superintendent of ~~{Public Instruction's}~~public instruction's designee;

~~{d}~~c the ~~{Commissioner}~~commissioner of ~~{Higher Education}~~higher education or the ~~{Commissioner}~~commissioner of ~~{Higher Education's}~~higher education's designee;

~~{e}~~d a representative of the Department of Workforce Services, appointed by the director of the Department of Workforce Services; ~~{and}~~

~~{f}~~e ~~{the State Science Advisor described in Section 63M-1-606}~~ a member of the State Board of Education, chosen by the chair of the State Board of Education; and

(f) the executive director of the Governor's Office of Economic Development or the executive director of the Governor's Office of Economic Development's designee.

(2) Except as required by Subsection (3), members appointed by the governor shall be appointed to four-year terms.

(3) The length of terms of the members shall be staggered so that approximately half of the committee is appointed every two years.

(4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term.

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(5) Attendance of a simple majority of the members constitutes a quorum for the transaction of official committee business.

(6) Formal action by the committee requires a majority vote of a quorum.

(7) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

(8) The ~~governor shall select the chair of the board to serve a one-year term.~~

(9) The executive director of the Governor's Office of Economic Development or the executive director of the Governor's Office of Economic Development's designee shall serve as the vice chair of the board.

(10) The state science advisor described in Section 63M-1-606 and the office shall provide staff support to the board.

Section ~~{4}~~3. Section **63M-1-3203** is enacted to read:

### **63M-1-3203. STEM Action Center Board -- Duties.**

(1) The board shall:

(a) establish a STEM Action Center ~~{Program}~~program to:

(i) coordinate STEM activities in the state among the following stakeholders:

(A) the State Board of Education;

(B) school districts and charter schools;

(C) the State Board of Regents;

(D) institutions of higher education;

(E) parents of home-schooled students; and

(F) other state agencies;

(ii) align public education STEM activities with higher education STEM activities; and

(iii) create and coordinate best practices among public education and higher education;

(b) select a physical location for the STEM Action Center described in Section 63M-1-3204;

(c) strategically engage industry and business entities to cooperate with the board:

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(i) to support professional development and provide other assistance for educators and students; and

(ii) to provide private funding and support for the STEM Action Center;

(d) give direction to the office, the STEM Action Center, and the providers selected through a request for proposals process pursuant to this part; and

(e) work to meet the following expectations:

(i) that at least 50 educators are implementing best practice learning tools in classrooms per each product specialist or manager working with the STEM Action Center;

(ii) performance change in student achievement in each classroom working with a STEM Action Center product specialist or manager; and

(iii) that students from at least 50 high schools participate in the STEM competitions, fairs, and camps described in Subsection 63M-1-3204(2)(d).

(2) The board may:

(a) enter into contracts for the purposes of this part;

(b) apply for, receive, and disburse funds, contributions, or grants from any source for the purposes set forth in this part;

(c) employ, compensate, and prescribe the duties and powers of individuals necessary to execute the duties and powers of the board; and

(d) prescribe the duties and powers of the STEM Action Center providers.

Section ~~{5}~~4. Section **63M-1-3204** is enacted to read:

### **63M-1-3204. STEM Action Center Program.**

(1) ~~{The}~~As funding allows, the board shall:

(a) establish a STEM Action Center;

(b) appoint an executive director to oversee the administration of the STEM Action Center;

(c) ensure that the STEM Action Center:

(i) is accessible by the public; and

(ii) includes the components described in Subsection (2);

(d) work cooperatively with the State Board of Education to ~~{implement the State Board of Education's STEM education grant program}~~acquire technology and select schools as described in ~~{Section 53A-17a-169}~~Sections **63M-1-3205 and 63M-1-3206**; and

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(e) engage at least 25 private entities to provide financial support or employee time for STEM activities in schools in addition to what is currently provided by private entities.

(2) ~~{The}~~ As funding allows, the executive director of the STEM Action Center shall:

(a) support professional development for educators regarding education related instructional technology that supports STEM education;

(b) ensure that the STEM Action Center acts as a research and development center for education related instructional technology acquired through a request for proposals process described in Section 63M-1-3205;

(c) review and acquire education related technology for:

(i) educator professional development; and

(ii) public school instruction;

(d) facilitate participation in interscholastic STEM related competitions, fairs, and camps;

(e) engage private industry in the development and maintenance of the STEM Action Center;

(f) use resources to bring the latest STEM education learning tools into public education classrooms;

(g) identify at least 10 best practice innovations used in Utah schools that have resulted in at least 80% of students performing at grade level in STEM areas;

(h) identify at least 25 best practices being used outside the state and implement at least 10 of the best practices through a pilot program;

(i) identify:

(i) three learning tools ~~{per grade }~~ in each of grades kindergarten through grade 6 identified as best practices; and

(ii) three learning tools per STEM subject in each of grades 7 through grade 12 identified as best practices;

(j) provide a Utah best practices database, including best practices from public education, higher education, the Utah Education Network, and other STEM related entities;

(k) keep track of the following items related to the best practices database described in Subsection (2)(j):

(i) how the best practices database is being used; and



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(ii) how many individuals are using the database, including the demographics of the users, if available;

(l) join and participate in a national STEM network;

(m) identify performance changes linked to use of the best practices database described in Subsection (2)(j);

(n) ~~implement at least five applied learning curriculum pilots in classrooms~~~~work cooperatively with the State Board of Education to designate schools as STEM schools, where the schools have agreed to adopt a plan of STEM implementation in alignment with criteria set by the State Board of Education and the board;~~

(o) support best methods of professional development, including methods of professional development that reduce cost and increase effectiveness, to help educators learn how to most effectively implement best practice learning tools in classrooms;

(p) recognize a high school's achievement in the STEM competitions, fairs, and camps described in Subsection (2)(d);

(q) send student results from STEM competitions, fairs, and camps described in Subsection (2)(d) to media and ask that the media report on them in a similar manner;

(r) develop and distribute STEM toolkits to parents of students being tracked by the STEM Action Center;

~~(s) produce a newsletter at least once a week to be made available to interested individuals, including legislators;~~

~~(t) support STEM professionals working to obtain a competency-based license in accordance with Section 53A-6-104.5 and as granted by the State Board of Education;~~

~~(~~tu~~s) support targeted professional development for improved instruction in STEM in grades 6, 7, and 8, including:~~

(i) improved instructional materials that are more dynamic and stimulating for students;

(ii) targeted instruction for students who traditionally avoid enrolling in STEM courses;

(iii) introduction of stimulating engineering courses; and

(iv) introduction of other ~~research based~~~~research-based~~ methods that support student achievement in STEM areas; and

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~~(fv)t~~ ensure that an online college readiness assessment tool developed by the State Board of Regents be accessible by:

- (i) public education students; and
- (ii) higher education students ~~}; and};~~

~~{~~ ~~(w) develop and produce a low cost, highly-interactive, print and online mathematics instructional support materials, for students in grades 7 and 8, that will meet the State Board of Education's core curriculum standards for mathematics.~~

~~‡~~ (3) The board may prescribe other duties for the STEM Action Center in addition to the responsibilities described in this section.

(4) (a) The executive director shall track and compare the student performance of students participating in a STEM Action Center program to all other similarly situated students in the state, in the following STEM related activities, at the beginning and end of each year:

- (i) public education high school graduation rates;
- (ii) the number of students taking a remedial mathematics course at an institution of higher education described in Section 53B-1-102;
- (iii) the number of students who graduate from a Utah public school and begin a postsecondary education program; and
- (iv) the number of students, as compared to all similarly situated students, who are performing at grade level in STEM classes.

(b) The State Board of Education shall provide information to the board to assist the board in complying with the requirements of Subsection (4)(a) if allowed under federal law.

Section ~~{6}5~~. Section **63M-1-3205** is enacted to read:

**63M-1-3205. Acquisition of STEM education related instructional technology -- Research and development of education related instructional technology**~~};~~

~~————~~ ~~(1) The board}~~ **through a pilot program.**

~~(1) (a) On behalf of the board, the staff of the board and the staff of the State Board of Education shall collaborate and~~ shall select one or more providers, through a request for proposals process, to provide **STEM** education related instructional technology ~~{for educators and students.~~

~~————~~ ~~(2}{to school districts and charter schools.~~

**(b) On behalf of the board, the staff of the board and the staff of the State Board of**

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Education shall consider and may accept an offer from a provider in response to the request for proposals described in Subsection (1)(a) even if the provider did not participate in the STEM education related instructional technology pilot described in Subsection (3).

(2) The STEM education related instructional technology shall:

(a) provide mathematics instruction for students in grades 6, 7, or 8; or

(b) provide mathematics instruction to secondary students to prepare the secondary students for college mathematics courses.

(3) Before issuing a request for proposals described in Subsection (1), ~~the board shall find the best known methods of purchasing learning tools, including~~ on behalf of the board, the staff of the board and the staff of the State Board of Education shall collaborate and shall:

(a) select providers, through a request for information process, to conduct a pilot of STEM education related instructional technology ~~, in accordance with~~ described in Subsection (2); and

(b) select schools to participate in the pilot of STEM education related instructional technology.

(4) (a) The board shall publish a request for information described in Subsection (3)(a):

(i) for at least 30 days;

(ii) on the website used by the Division of Purchasing and General Services for public notice of procurements; and

(iii) on the office's website.

(b) On behalf of the board, the staff of the board and the staff of the State Board of Education shall collaborate to select at least two providers of the providers that respond to the request for information described in Subsection (3)(a) to participate in the STEM education related instructional technology pilot.

(5) The board, the board's staff, and the staff of the State Board of Education are exempt from the provisions of Title 63G, Chapter ~~6~~6a, Utah Procurement Code, when selecting providers to participate in the STEM education related instructional technology pilot described in Subsections (3) and (4).

Section 6. Section 63M-1-3206 is enacted to read:

**63M-1-3206. Grants to schools for STEM education instructional technology.**

(1) Subject to legislative appropriations, on behalf of the board, the staff of the board

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and the staff of the State Board of Education shall collaborate and shall:

(a) distribute licenses for the STEM education related instructional technology described in Section 63M-1-3205 to school districts and charter schools; and

(b) provide related professional development to the school districts and charter schools that receive a license for STEM education related instructional technology as described in Subsection (1)(a).

(2) A school district or charter school may apply to the board, through a competitive process, to receive a license from the board.

(3) A school district or charter school that receives a license and professional development as described in this section shall provide the school district's or charter school's own computer hardware.

Section 7. Section ~~{63M-1-3206}~~ 63M-1-3207 is enacted to read:

~~{63M-1-3206}~~ 63M-1-3207. **Report to Legislature and the State Board of Education.**

(1) The board and all providers shall report the progress of the STEM Action Center, including the information described in Subsection (2), to the following groups once each year:

- (a) the Education Interim Committee;
- (b) the Public Education Appropriations Subcommittee; and
- (c) the State Board of Education.

(2) The report described in Subsection (1) shall include information that demonstrates the effectiveness of the program, including:

- (a) the number of educators receiving professional development;
- (b) the number of students receiving services from the STEM Action Center;
- (c) a list of the providers selected pursuant to this part;
- (d) a report on the STEM Action Center's fulfilment of its duties described in

Subsection 63M-1-3204; and

(e) student performance of students participating in a STEM Action Center program as collected in Subsection 63M-1-3204(5).

Section 8. **Repealer.**

This bill repeals:

Section **63M-1-608, Science education program.**

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### Section 9. Appropriation.

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2014.

#### To Governor's Office of Economic Development - Administration

From General Fund ~~(\$15,000)~~ \$1,500,000

From General Fund, one-time ~~(\$5,000)~~ \$8,500,000

#### Schedule of Programs:

Administration \$10,000,000

#### ~~{~~ To State Board of Education - Related to Basic School Programs

From General Fund, one-time \$5,000,000

#### ~~\_\_\_\_\_~~ Schedule of Programs:

~~\_\_\_\_\_~~ STEM Education Grant Program \$5,000,000

~~‡~~ The Legislature intends that:

(1) up to \$1,500,000 of the appropriation for Administration be used to ~~‡~~

~~\_\_\_\_\_~~ (a) ‡ establish a STEM Action Center as described in Section 63M-1-3204;

~~(‡b) ‡~~ establish a physical location ~~‡~~ at least \$5,000,000 of the appropriation for ‡the STEM Action Center; and

~~\_\_\_\_\_~~ (c) ‡ Administration be used for education related instructional technology and related professional development to provide mathematics instruction for students in grades 6, 7, or 8 as described in Subsection 63M-1-3205(2)(a) and Section ‡63M-1-3205‡63M-1-3206;

~~(‡2) ‡~~ at least \$3,500,000 of the appropriation for ~~‡STEM Education Grant Program be used by the State Board of Education to award grants to school districts and charter schools for STEM related education‡~~ Administration be used for education related instructional technology and related professional development to provide mathematics instruction to secondary students to prepare the secondary students for college mathematics courses as described in ‡Section 53A-17a-169‡ Subsection 63M-1-3205(2)(b) and Section 63M-1-3206;

~~(‡3) ‡~~ that the appropriation described in Subsection (1):

(a) be ongoing; and

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(b) not lapse at the close of fiscal year 2014; and

~~(4;5)~~ that the ~~{appropriation}~~ appropriations described in ~~{Subsection}~~ Subsections

(2) and (3):

(a) be one-time; and

(b) not lapse at the close of fiscal year 2014.

### Section 10. **Effective date.**

(1) Except as provided in Subsection (2), ~~if approved by two-thirds of all the members elected to each house,~~ this bill takes effect ~~on May 14, 2013;~~ upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, ~~without the governor's signature, or in the case of a veto, the date of veto override.~~

(2) ~~Uncodified Section 9, Appropriation,~~ takes effect on July 1, 2013.