STUDENT-CENTERED LEARNING PILOT PROGRAM

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: Daniel McCay

LONG TITLE

General Description:

This bill creates the Student-Centered Learning Pilot Program.

Highlighted Provisions:

This bill:

- defines terms;
- specifies eligibility requirements for participating in the pilot program and additional factors that may be considered;
- requires the State Board of Education to select a consultant, through a request for proposals process, to provide consulting services to the board on the pilot program and to assist school districts and charter schools in designing and implementing educational models that meet the requirements of the Student-Centered Learning Pilot Program;
- requires the State Board of Education to establish an advisory committee that may make suggestions and recommendations regarding the selection of pilot schools;
- addresses the enrollment of students at a pilot school;
- provides that a student enrolled at a pilot school may not count as more than one pupil in average daily membership (ADM) unless the student intends to complete high school graduation requirements, and exit high school early, in accordance with the student’s education/occupation plan (SEOP); and
- requires the State Board of Education and pilot schools to make an annual report to
Money Appropriated in this Bill:

This bill appropriates in fiscal year 2014:

- to the State Board of Education as an ongoing appropriation:
  - from the Education Fund, $275,000.

Other Special Clauses:

This bill provides an effective date.

Utah Code Sections Affected:

AMENDS:

53A-1-409, as last amended by Laws of Utah 2004, Chapter 19
53A-1a-508, as last amended by Laws of Utah 2011, Chapter 349

ENACTS:

53A-15-1301, Utah Code Annotated 1953
53A-15-1302, Utah Code Annotated 1953
53A-15-1303, Utah Code Annotated 1953
53A-15-1304, Utah Code Annotated 1953
53A-15-1305, Utah Code Annotated 1953
53A-15-1306, Utah Code Annotated 1953
53A-15-1307, Utah Code Annotated 1953
53A-15-1308, Utah Code Annotated 1953
53A-15-1309, Utah Code Annotated 1953
53A-15-1310, Utah Code Annotated 1953
53A-15-1311, Utah Code Annotated 1953

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

Section 1. Section 53A-1-409 is amended to read:


(1) As used in this section:

(a) "Competency" means a demonstrable acquisition of a specified knowledge, skill, or ability that has been organized into a hierarchical arrangement leading to higher levels of knowledge, skill, or ability.
(b) "Competency-based education" means an education approach that [requires
students to acquire a competency];
   (i) allows a student to advance upon mastery of a competency; and
   (ii) includes [a] classroom structure and operation [that aid and facilitate the
   acquisition of specified competencies on an individual basis wherein students are allowed to
   master and demonstrate competencies as fast as they are able] that provide a student timely,
differentiated support based on the student's individual learning needs.
   (c) "Gain score" means the measured difference of a student's score at the beginning
and end of a time period that may be aggregated at the class, grade, school, and school district
levels.

(2) The State Board of Education shall:
   (a) provide expertise to and consult with local school boards and school districts
relating to competency-based education and progress-based assessments;
   (b) make recommendations to the Public Education Appropriations Subcommittee,
including the amount and allocation of public education money, based upon both new public
education money and the reallocation of money required to develop and implement:
   (i) competency-based education and progress-based assessments;
   (ii) a weighted competency unit that distributes public education money based on
student achievement resulting from competency-based program objectives, strategies, and
standards;
   (iii) a plan to assist students, teachers, schools, and districts that need remediation
based upon Subsections (2)(b)(i) and (ii);
   (iv) the reallocation of teaching resources from noncore electives into grades 1-3, 7-12
math, and 7-12 English; and
   (v) a teacher development program focused on achieving progress in core academics,
including instruction in explicit, systematic, and intensive phonics for teachers in grades
kindergarten through 3;
   (c) assist school districts and charter schools to develop and implement:
   (i) competency-based education; and
   (ii) the use of gain scores; and
   (d) develop and use monetary and nonmonetary incentives, tools, and rewards to
encourage school districts and charter schools to accomplish the items described under
Subsections (2)(a) through (c).

Section 2. Section 53A-1a-508 is amended to read:

53A-1a-508. Content of a charter -- Modification of charter.

(1) The major issues involving the operation of a charter school shall be considered in
advance by the applicant for a charter school and written into the school's charter.

(2) The governing body of the charter school and the chartering entity shall sign the
charter.

(3) The charter shall include:
   (a) the age or grade levels to be served by the school;
   (b) the projected maximum number of students to be enrolled in the school and the
       projected enrollment in each of the first three years of operations;
   (c) the governance structure of the school;
   (d) the financial plan for the school and the provisions which will be made for auditing
       the school under Subsection 53A-1a-507(4);
   (e) the mission and education goals of the school, the curriculum offered, and the
       methods of assessing whether students are meeting educational goals, to include at a minimum
       participation in the Utah Performance Assessment System for Students under Chapter 1, Part 6,
       Achievement Tests;
   (f) admission and dismissal procedures, including suspension procedures;
   (g) procedures to review complaints of parents regarding the operation of the school;
   (h) the opportunity for parental involvement at the school;
   (i) how the school will provide adequate liability and other appropriate insurance for
       the school, its governing body, and its employees;
   (j) the proposed school calendar, including the length of the school day and school
       year;
   (k) whether any agreements have been entered into or plans developed with school
       districts regarding participation of charter school students in extracurricular activities within
       the school districts;
   (l) the district within which the school will be located and the address of the school's
       physical facility, if known at the time the charter is signed;
the qualifications to be required of the teachers, including the requirement of a criminal background check;

(n) in the case of an existing public school converting to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach at the school after its conversion to charter status;

(o) the school's intention to create a library;

(p) a description of school administrative and supervisory services;

(q) fiscal procedures that are consistent with generally accepted financial management standards to be used by the school;

(r) the school's policies and procedures regarding:

(i) employee evaluation; and

(ii) employment of relatives; and

(s) an acknowledgment that neither the chartering entity nor the state, including an agency of the state, is liable for the debts or financial obligations of the charter school or persons or entities who operate the charter school.

(4) [A] (a) Except as provided in Subsection (4)(b), a charter may be modified by mutual agreement of the chartering entity and the governing body of the school.

(b) (i) Subject to Subsection (4)(c), at the request of the governing body of a charter school that is selected to participate in the Student-Centered Learning Pilot Program created in Section 53A-15-1303, the chartering entity shall attach an addendum to the school's charter indicating the charter is modified to be consistent with the requirements of the Student-Centered Learning Pilot Program and describing those modifications.

(ii) A chartering entity shall make the modifications described in Subsection (4)(b)(i) without requiring the charter school to participate in a charter amendment process.

(c) (i) If an increase in a charter school's enrollment capacity is required to participate in the Student-Centered Learning Pilot Program, the charter school shall submit a request for an increase in enrollment capacity to the State Board of Education.

(ii) The State Board of Education may approve an increase in enrollment capacity for the charter school subject to the availability of sufficient funds appropriated under Section 53A-1a-513.

(5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
State Board of Education shall make rules that establish the procedures and deadlines for approved charter schools to apply and qualify for expansion, including the establishment of satellite campuses.

Section 3. Section 53A-15-1301 is enacted to read:

**Part 13. Student-Centered Learning Pilot Program**


This part is known as the "Student-Centered Learning Pilot Program."

Section 4. Section 53A-15-1302 is enacted to read:


As used in this part:

(1) "Blended learning" means a formal education program in which a student learns:

(a) at least in part through online delivery of content and instruction with some element of student control over time, place, path, or pace; and

(b) at least in part at a supervised brick-and-mortar location away from home.

(2) "Board" means the State Board of Education.

(3) "Competency-based education" is as defined in Section 53A-1-409.

(4) "Data-driven instruction" means instruction in which quantifiable data is:

(a) obtained by frequently assessing a student's attainment of observable and measurable goals set to determine whether the student is making academic progress, staying the same, or regressing academically; and

(b) used to guide the instructor in determining:

(i) the student's next step after mastering a concept; or

(ii) necessary interventions or modifications to instructional methods to provide the student with a better understanding of academic concepts.

(5) "Extended school year schedule" means a school calendar and schedule that operate beyond a traditional school calendar and provide instruction year-round.

(6) "Extended work schedule" means a work schedule that includes additional hours of instruction time beyond a traditional school calendar to accommodate year-round instruction.

(7) "Pilot program" means the Student-Centered Learning Pilot Program.

(8) "Pilot school" means a school that participates in the Student-Centered Learning Pilot Program.
"STEM" means science, technology, engineering, and mathematics.

Section 5. Section 53A-15-1303 is enacted to read:


(1) The Student-Centered Learning Pilot Program is created to develop and implement educational models that:

(a) deliver instruction through blended learning;
(b) use an extended school year schedule;
(c) use data-driven instruction; and
(d) use competency-based education.

(2) The State Board of Education shall:

(a) select schools to participate in the pilot program based on a competitive application process;
(b) make the application forms and procedures available to school districts and charter schools on or before September 1, 2013;
(c) select up to 10 pilot schools and award grants as provided in Section 53A-1-1304 on or before December 31, 2013; and
(d) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, and this part, establishing procedures and requirements for submitting applications to participate in the pilot program and for selecting applicants.

Section 6. Section 53A-15-1304 is enacted to read:


(1) (a) The board shall select a consultant through a request for proposals process to provide consulting services to the board on the pilot program and to assist school districts and charter schools in designing and implementing educational models that meet the requirements of Section 53A-15-1305.
(b) The board shall select a consultant as specified in Subsection (1)(a) no later than June 30, 2013.

(2) A consultant selected under Subsection (1) shall:

(a) offer a comprehensive suite of design and implementation services related to personalized learning that will allow a pilot school to customize its system for the delivery of online education and select the applications that best meet the needs of the school; and
(b) have significant experience in:

(i) implementing different types of blended learning models in elementary and secondary schools; and

(ii) assessing school and school district readiness to implement blended learning.

(3) Of the $275,000 appropriated to the State Board of Education in fiscal year 2014 for the Student-Centered Learning Pilot Program, the board may use up to $75,000 to contract with the consultant to:

(a) conduct statewide training to introduce the pilot program and assist applicants in drafting an application;

(b) consult on the development of the pilot program application and application process;

(c) develop criteria and guidelines for scoring and selecting applications; and

(d) consult on the selection of applications based on key success factors in blended learning implementations.

(4) The board shall use the remaining money appropriated for the pilot program after the contract expenses described in Subsection (3) to make grants, by January 2014, to school districts and charter schools selected to participate in the pilot program.

(5) A school district or charter school awarded a grant shall use the grant money to contract with the consultant selected by the board under Subsection (1) to:

(a) design and implement blended learning at a pilot school, including:

(i) designing the instructional model;

(ii) selecting digital content;

(iii) cocreating a plan for hardware and facility readiness;

(iv) providing professional development; and

(v) developing professional learning communities;

(b) provide support to a pilot school through the first year of operation, including:

(i) ongoing professional development;

(ii) access to online professional learning communities and resources;

(iii) technical assistance; and

(iv) assistance in modifying and improving a pilot school's educational model; and

(c) develop a community of practice among pilot schools for sharing practices.
collaborating, problem solving, refining, and enhancing student-centered learning models.

Section 7. Section 53A-15-1305 is enacted to read:

53A-15-1305. Eligibility requirements to participate in the Student-Centered Learning Pilot Program -- Additional considerations.

(1) To be eligible to participate in the pilot program, a pilot school shall:

(a) deliver instruction through blended learning;

(b) provide instruction to students through an extended school year schedule;

(c) utilize blended learning and an extended school year schedule to increase student enrollment, generating additional money to increase teacher compensation, thereby allowing teachers to be compensated for a full 12 months of instruction;

(d) use data-driven instruction;

(e) use competency-based education;

(f) integrate blended learning, data-driven instruction, and competency-based education to make individualized or personalized instruction core to the instructional model;

(g) develop and implement a professional development plan that addresses the individual professional development needs of each teacher and includes training in:

(i) delivering instruction within a blended learning model;

(ii) using data-driven instruction;

(iii) delivering differentiated instruction; and

(iv) using online content and digital tools;

(h) develop and implement a plan for assisting parents in engaging in their students' education that complies with the following:

(i) the technology tools employed by the school shall be utilized to create transparency and collaboration in the education process and enable parents to be partners in their students' education in real time; and

(ii) parents shall have access through technology to real-time student data and instructional content in order to monitor and stay informed about their students' progress as they assist their students with learning;

(i) be a new school, a whole school conversion, or operate as a separate program within an existing school;

(j) begin operating as a pilot school no later than the 2015-16 school year; and
(k) share with other school districts and leaders across the state the school's experience in implementing the pilot program, the impacts of the program, and any policy considerations.

(2) In selecting applicants to participate in the pilot program, the State Board of Education shall give additional consideration to an applicant that:

(a) allows students the opportunity to apply and reinforce learning by engaging in projects;

(b) encourages students to learn and work collaboratively with other students to develop essential social and workplace skills;

(c) allows students to participate in internships through partnerships with employers;

(d) requires students to take a course of study leading to an associate's degree or a technical skills certification upon high school graduation;

(e) has a STEM focused mission and curriculum;

(f) has a well developed college and career readiness plan;

(g) encourages students to utilize BYOD "bring your own device" as part of the school's technology device policy;

(h) proposes to establish the pilot program throughout a complete kindergarten through grade 12 feeder system;

(i) incorporates dual-immersion language programs into a complete kindergarten through grade 12 feeder system;

(j) employs teachers under the extended work schedule who earn approximately 50% more than a teacher working a traditional school calendar year;

(k) provides an expanded benefits package to employees that includes paid vacation and holidays;

(l) is a Title I school; or

(m) establishes sustainable, scalable programs that can be replicated.

Section 8. Section 53A-15-1306 is enacted to read:


(1) The State Board of Education shall establish an advisory committee to review applications to participate in the pilot program.

(2) The advisory committee may offer suggestions and recommendations to the State Board of Education on the selection of applicants.
(3) The advisory committee shall include representatives of stakeholders, including the following legislators who shall serve as nonvoting members:

(a) the chair of the House Education Standing Committee;
(b) the chair of the Senate Education Standing Committee;
(c) the Senate chair of the Public Education Appropriations Subcommittee; and
(d) the House chair of the Public Education Appropriations Subcommittee.

Section 9. Section 53A-15-1307 is enacted to read:


(1) In the 2014 General Session, the board shall submit recommendations to the Legislature for funding the implementation of the pilot program in the selected pilot schools, including the cost of:

(a) a consultant selected by the board, who:

(i) in the first year of operations, assists pilot schools in the final design and implementation of the pilot program; and

(ii) in the second and third years of operations, provides continuing professional development and technical support to pilot schools and assists pilot schools in the modification and improvement of each school's educational model and in refreshing each school's digital content;

(b) equipment for the delivery of instruction;

(c) digital content; and

(d) assessments.

(2) Subject to legislative appropriations, the board may make grants to school districts and charter schools participating in the pilot program for up to three years, with the amount of a grant decreasing each year.

Section 10. Section 53A-15-1308 is enacted to read:


(1) Section 53A-1a-506 shall govern the eligibility of students for enrollment at a charter school that is a pilot school.

(2) (a) A local school board shall adopt rules governing the enrollment of students at a pilot school.
(b) The rules adopted under Subsection (2)(a) shall include policies and procedures to
ensure that decisions regarding enrollment requests are administered fairly without prejudice to
any student or class of student, except as provided in Subsection (2)(c).
(c) Policies for enrolling students in a pilot school may include:
(i) giving priority to a student who:
(A) resides within the attendance boundaries of a pilot school; or
(B) resides within the school district in which the pilot school is located; or
(ii) limiting enrollment based on the capacity of a program, class, grade level, or the
pilot school.
(3) A school district shall solicit applications for teaching positions for a pilot school
and hire teachers from a list of interested and qualified applicants.

Section 11. Section 53A-15-1309 is enacted to read:

53A-15-1309. Student enrolled in a pilot school may not count as more than one
ADM -- Exception.
(1) The course credits of a pilot school student shall be included in the school district's
or charter school's calculation of average daily membership, except as provided in Subsection
(2).
(2) A student enrolled in a pilot school may not count as more than one pupil in
average daily membership (ADM), unless the student intends to complete high school
graduation requirements, and exit high school, early, in accordance with the student's
education/occupation plan (SEOP).

Section 12. Section 53A-15-1310 is enacted to read:

53A-15-1310. Flexibility in complying with a school district or charter school
policy.
A local school board or charter school governing board shall grant flexibility to a pilot
school in complying with a school district or charter school policy that prohibits the pilot
school from meeting the requirements of the pilot program.

Section 13. Section 53A-15-1311 is enacted to read:

The State Board of Education and the pilot program grantees shall make an annual
report to the Legislature that:
(1) compares the academic performance of students participating in the pilot program with students in other schools that have demographic characteristics that are similar to those of the pilot program students; and

(2) describes the extent to which the pilot schools:

(a) use online content and digital tools as integral elements of instruction and learning;

(b) maximize engagement and achievement by addressing the needs of each student through personalized instruction;

(c) advance students upon mastery of competencies;

(d) create a culture that supports individualized learning across students, teachers, school district and charter school leadership, and parents;

(e) improve system structure and policy to allow for efficiencies in teacher practice, scheduling, staffing, and use of space;

(f) allocate time, resources, and places in a way that provides maximum flexibility for a student-centered learning environment;

(g) provide teachers the opportunity to receive a competitive compensation based on an extended work schedule;

(h) establish sustainable, scalable programs that can be replicated;

(i) improve student learning outcomes;

(j) better prepare students for college and the workforce; and

(k) close achievement gaps.


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 State Board of Education

From Education Fund $275,000

Schedule of Programs:

Student-Centered Learning Pilot Program $275,000

Section 15. Effective date.
(1) Except as provided in Subsection (2), this bill takes effect on May 14, 2013.

(2) Uncodified Section 14, Appropriation, takes effect on July 1, 2013.

Legislative Review Note
as of 2-13-13 1:11 PM

Office of Legislative Research and General Counsel