

**Senator Jerry W. Stevenson** proposes the following substitute bill:

**EDUCATIONAL TECHNOLOGY AMENDMENTS**

2013 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jerry W. Stevenson**

House Sponsor: Stephen G. Handy

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to the deployment of educational technology in public schools.

**Highlighted Provisions:**

This bill:

- ▶ removes the repeal date for the Smart School Technology Program;
- ▶ requires the Board of Business and Economic Development to select, through a request for proposals process, a single technology provider with integrated whole-school technology deployment experience in Utah's public schools to develop and implement a whole-school one to one technology deployment plan for public schools;
- ▶ requires the State Board of Education to make rules requiring schools to provide matching funds to participate in the Smart School Technology Program; and
- ▶ makes technical amendments.

**Money Appropriated in this Bill:**

This bill appropriates in fiscal year 2014:

- ▶ to the Governor's Office of Economic Development - Administration as a one-time appropriation:



- 25 • from the General Fund, \$2,400,000.

26 **Other Special Clauses:**

27 This bill provides an effective date.

28 **Utah Code Sections Affected:**

29 AMENDS:

30 **53A-1-709**, as enacted by Laws of Utah 2012, Chapter 208

31 **63I-2-253**, as last amended by Laws of Utah 2012, Chapters 57, 208, 273, 280, 318,  
32 329, 381, and 394

33 **63I-2-263**, as last amended by Laws of Utah 2012, Chapters 208, 266, and 369

34 **63M-1-909**, as last amended by Laws of Utah 2012, Chapter 208

35 **63M-1-909.5**, as enacted by Laws of Utah 2012, Chapter 208



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

38 Section 1. Section **53A-1-709** is amended to read:

39 **53A-1-709. Smart School Technology Program.**

40 (1) As used in this section, "program" means the Smart School Technology Program.

41 (2) ~~[A three-year pilot project known as the]~~ The Smart School Technology Program is  
42 created to encourage the deployment of whole-school one to one mobile device technology in  
43 public schools.

44 (3) The Board of Business and Economic Development with input from an  
45 independent evaluating committee, shall issue a request for proposals for the development and  
46 implementation of a whole-school one to one mobile device technology deployment plan for  
47 schools.

48 (4) From recommendations submitted by an independent evaluating committee, the  
49 Board of Business and Economic Development shall select a single education technology  
50 provider with integrated whole-school technology deployment experience through the request  
51 for proposals process.

52 (5) (a) An independent evaluating committee shall be established to:

53 (i) advise the Board of Business and Economic Development in issuing a request for  
54 proposals under Subsection (3);

55 (ii) evaluate proposals submitted through a request for proposals issued under

56 Subsection (3); and

57 (iii) advise the State Board of Education on selecting schools to participate in the  
58 program.

59 (b) The membership of the independent evaluating committee shall include:

60 (i) three members of the State Board of Education appointed by the chair of the State  
61 Board of Education;

62 (ii) the state chief information officer;

63 (iii) two members appointed by the executive director of the Governor's Office of  
64 Economic Development; and

65 (iv) the governor's education director.

66 (c) The independent evaluating committee shall evaluate a proposal on:

67 (i) a provider's experience with integrated whole-school technology deployment; and

68 (ii) the components of a whole-school technology deployment plan.

69 (6) An educational technology provider selected under Subsection (4) shall develop a  
70 customized whole-school one to one mobile device technology deployment plan for each  
71 school participating in the program.

72 (7) The whole-school technology deployment plan shall be based on submitted  
73 proposals to the committee and may include the following components:

74 (a) a personal mobile learning device [~~or digital textbook~~] for each student;

75 (b) desktop or laptop computers for [~~classrooms~~] each classroom;

76 (c) peripherals and networking equipment, including a wireless network that is not  
77 self-interfering;

78 (d) wireless audio equipment in each classroom;

79 (e) digital projectors or televisions with wireless device mirroring technology;

80 [~~(f)~~] (f) on and off campus Internet filtering;

81 [~~(g)~~] (g) operating software for the technology system, including software that connects  
82 [~~digital~~] personal mobile learning devices among students and a teacher to facilitate classroom  
83 interaction;

84 (h) curriculum and instructional software purchase credits per device to be used toward  
85 improving student outcomes with respect to the core curriculum and skill building on the use of  
86 technology;

87 (i) device repair and replacement criteria;

88 [~~(f)~~] (j) professional development for educators and technology specialists on:

89 (i) the operation and use of the technology equipment; and

90 (ii) accessing and using online content; and

91 [~~(g)~~] (k) ongoing technical support.

92 (8) (a) A school within a school district, with the approval of the local school board, or  
93 a charter school, may submit an application to the State Board of Education to participate in the  
94 program.

95 (b) With input from the independent evaluating committee established under  
96 Subsection (5), the State Board of Education shall select schools to participate in the program.

97 (c) In selecting schools, the State Board of Education shall seek to include [~~students~~] in  
98 the program schools:

99 (i) from different regions of the state;

100 (ii) from urban and rural areas; [~~and~~]

101 (iii) with a variety of economic and demographic characteristics[-]; and

102 (iv) with documented technology implementation plans, including a plan for the use of:

103 (A) instructional software that improves student outcomes with respect to the core  
104 curriculum; and

105 (B) software that provides students with skill building on the use of technology.

106 (d) The State Board of Education shall make rules:

107 (i) specifying procedures and criteria to be used for selecting schools that may  
108 participate in the program[-]; and

109 (ii) requiring selected schools to provide matching funds to participate in the program.

110 (9) (a) The State Board of Education, in collaboration with the education technology  
111 provider and the schools participating in the program, shall evaluate the program and submit a  
112 report on the evaluation to the Governor's Office of Economic Development and the Education  
113 Interim Committee by the committee's October meetings in 2013 and 2014.

114 (b) The State Board of Education may contract with an independent evaluator to  
115 conduct the evaluation required in Subsection (9)(a).

116 (c) The evaluation shall be based on the following criteria:

117 (i) technology system functionality;

- 118 (ii) school level outcomes;
- 119 (iii) teacher instruction and outcomes; and
- 120 (iv) student engagement and outcomes.

121 Section 2. Section **63I-2-253** is amended to read:

122 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

123 (1) Section 53A-1-402.7 is repealed July 1, 2014.

124 (2) Section 53A-1-403.5 is repealed July 1, 2017.

125 (3) Section 53A-1-411 is repealed July 1, 2016.

126 (4) Section 53A-1-412 is repealed July 1, 2013.

127 [~~(5) Section 53A-1-709 is repealed July 1, 2015.~~]

128 [~~(6)~~ (5) Section 53A-1a-513.5 is repealed July 1, 2017.

129 [~~(7)~~ (6) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.

130 [~~(8)~~ (7) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is  
131 repealed July 1, 2017.

132 [~~(9)~~ (8) Subsection 53A-13-110(4) is repealed July 1, 2013.

133 [~~(10) Section 53A-15-1215 is repealed July 1, 2012.~~]

134 Section 3. Section **63I-2-263** is amended to read:

135 **63I-2-263. Repeal dates, Title 63A to Title 63M.**

136 (1) Section 63A-1-115 is repealed on July 1, 2014.

137 (2) [~~Section 63M-1-909.5~~] Subsection 63M-1-903(1)(d) is repealed on July 1, 2015.

138 Section 4. Section **63M-1-909** is amended to read:

139 **63M-1-909. Financial assistance to entities offering economic opportunities.**

140 (1) Subject to the duties and powers of the board under Section 63M-1-303, the  
141 administrator may provide money from the Industrial Assistance Account to an entity offering  
142 an economic opportunity if that entity:

- 143 (a) applies to the administrator; and
- 144 (b) meets the qualifications of Subsection (2).

145 (2) The applicant shall:

- 146 (a) demonstrate to the satisfaction of the administrator the nature of the economic  
147 opportunity and the related benefit to the economic well-being of the state by providing  
148 evidence documenting the logical and compelling linkage, either direct or indirect, between the

149 expenditure of money necessitated by the economic opportunity and the likelihood that the  
150 state's tax base, regions of the state's tax base, or specific components of the state's tax base  
151 will not be reduced but will be maintained or enlarged;

152 (b) demonstrate how the funding request will act in concert with other state, federal, or  
153 local agencies to achieve the economic benefit;

154 (c) demonstrate how the funding request will act in concert with free market principles;

155 (d) in the case of an economic opportunity that includes the retention of jobs,  
156 demonstrate how the potential relocation of jobs outside the state is related to a merger,  
157 acquisition, consolidation, or similar business reason other than the applicant simply requesting  
158 state assistance to remain in the state;

159 (e) satisfy other criteria the administrator considers appropriate; and

160 (f) be either:

161 (i) an entity whose purpose is to exclusively or substantially promote, develop, or  
162 maintain the economic welfare and prosperity of the state as a whole, regions of the state, or  
163 specific components of the state, including:

164 (A) an entity that is a sports development organization under contract with the state for  
165 sports development and sporting event attraction and related activities that provide an  
166 economic impact or promotional value to the state; or

167 (B) an entity that implements technology innovation in public schools, including  
168 whole-school one to one mobile device technology deployment for the purpose of incubating  
169 technology solutions related to economic and workforce development.

170 (ii) a company or individual that does not otherwise qualify under Section 63M-1-906.

171 (3) Subject to the duties and powers of the board under Section 63M-1-303, the  
172 administrator shall:

173 (a) make findings as to whether an applicant has satisfied each of the conditions set  
174 forth in Subsection (2);

175 (b) establish benchmarks and timeframes in which progress toward the completion of  
176 the agreed upon activity is to occur;

177 (c) monitor compliance by an applicant with any contract or agreement entered into by  
178 the applicant and the state as provided by Section 63M-1-907; and

179 (d) make funding decisions based upon appropriate findings and compliance.

180 Section 5. Section **63M-1-909.5** is amended to read:

181 **63M-1-909.5. Selection of educational technology provider to implement**  
182 **whole-school one to one mobile device technology deployment plan for schools.**

183 The board shall select an educational technology provider to develop and implement a  
184 whole-school one to one mobile device technology deployment plan for schools in accordance  
185 with the requirements of this part and Section 53A-1-709.

186 Section 6. **Appropriation.**

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

192 To Governor's Office of Economic Development - Administration

193 From General Fund, One-time \$2,400,000

194 Schedule of Programs:

195 Administration \$2,400,000

196 The Legislature intends that the appropriation provided in this section be used for the  
197 deployment of whole-school one to one mobile device technology as provided in Section  
198 53A-1-709.

199 Section 7. **Effective date.**

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

204 (2) Uncodified Section 6, Appropriation, takes effect on July 1, 2013.