

1                   **STUDENT-CENTERED LEARNING PILOT PROGRAM**

2                                   2013 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Howard A. Stephenson**

5                           House Sponsor: Daniel McCay

---

---

7   **LONG TITLE**

8   **General Description:**

9           This bill creates the Student-Centered Learning Pilot Program.

10 **Highlighted Provisions:**

11       This bill:

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



28 the Education Interim Committee.

29 **Money Appropriated in this Bill:**

30 This bill appropriates in fiscal year 2014:

- 31 ▶ to the State Board of Education as an ongoing appropriation:
- 32 • from the Education Fund, \$275,000.

33 **Other Special Clauses:**

34 This bill provides an effective date.

35 **Utah Code Sections Affected:**

36 AMENDS:

37 **53A-1-409**, as last amended by Laws of Utah 2004, Chapter 19

38 **53A-1a-508**, as last amended by Laws of Utah 2011, Chapter 349

39 ENACTS:

40 **53A-15-1301**, Utah Code Annotated 1953

41 **53A-15-1302**, Utah Code Annotated 1953

42 **53A-15-1303**, Utah Code Annotated 1953

43 **53A-15-1304**, Utah Code Annotated 1953

44 **53A-15-1305**, Utah Code Annotated 1953

45 **53A-15-1306**, Utah Code Annotated 1953

46 **53A-15-1307**, Utah Code Annotated 1953

47 **53A-15-1308**, Utah Code Annotated 1953

48 **53A-15-1309**, Utah Code Annotated 1953

49 **53A-15-1310**, Utah Code Annotated 1953

50 **53A-15-1311**, Utah Code Annotated 1953

51 

---

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

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

54 **53A-1-409. Competency-based education -- Recommendations -- Coordination.**

55 (1) As used in this section:

56 (a) "Competency" means a demonstrable acquisition of a specified knowledge, skill, or  
57 ability that has been organized into a hierarchical arrangement leading to higher levels of  
58 knowledge, skill, or ability.

59 (b) "Competency-based education" means an education approach that [~~requires~~  
60 ~~students to acquire a competency~~];

61 (i) allows a student to advance upon mastery of a competency; and

62 (ii) includes [~~a~~] classroom structure and operation [~~that aid and facilitate the~~  
63 ~~acquisition of specified competencies on an individual basis wherein students are allowed to~~  
64 ~~master and demonstrate competencies as fast as they are able~~] that provide a student timely,  
65 differentiated support based on the student's individual learning needs.

66 (c) "Gain score" means the measured difference of a student's score at the beginning  
67 and end of a time period that may be aggregated at the class, grade, school, and school district  
68 levels.

69 (2) The State Board of Education shall:

70 (a) provide expertise to and consult with local school boards and school districts  
71 relating to competency-based education and progress-based assessments;

72 (b) make recommendations to the Public Education Appropriations Subcommittee,  
73 including the amount and allocation of public education money, based upon both new public  
74 education money and the reallocation of money required to develop and implement:

75 (i) competency-based education and progress-based assessments;

76 (ii) a weighted competency unit that distributes public education money based on  
77 student achievement resulting from competency-based program objectives, strategies, and  
78 standards;

79 (iii) a plan to assist students, teachers, schools, and districts that need remediation  
80 based upon Subsections (2)(b)(i) and (ii);

81 (iv) the reallocation of teaching resources from noncore electives into grades 1-3, 7-12  
82 math, and 7-12 English; and

83 (v) a teacher development program focused on achieving progress in core academics,  
84 including instruction in explicit, systematic, and intensive phonics for teachers in grades  
85 kindergarten through 3;

86 (c) assist school districts and charter schools to develop and implement:

87 (i) competency-based education; and

88 (ii) the use of gain scores; and

89 (d) develop and use monetary and nonmonetary incentives, tools, and rewards to

90 encourage school districts and charter schools to accomplish the items described under  
91 Subsections (2)(a) through (c).

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

93 **53A-1a-508. Content of a charter -- Modification of charter.**

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

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

98 (3) The charter shall include:

99 (a) the age or grade levels to be served by the school;

100 (b) the projected maximum number of students to be enrolled in the school and the  
101 projected enrollment in each of the first three years of operations;

102 (c) the governance structure of the school;

103 (d) the financial plan for the school and the provisions which will be made for auditing  
104 the school under Subsection 53A-1a-507(4);

105 (e) the mission and education goals of the school, the curriculum offered, and the  
106 methods of assessing whether students are meeting educational goals, to include at a minimum  
107 participation in the Utah Performance Assessment System for Students under Chapter 1, Part 6,  
108 Achievement Tests;

109 (f) admission and dismissal procedures, including suspension procedures;

110 (g) procedures to review complaints of parents regarding the operation of the school;

111 (h) the opportunity for parental involvement at the school;

112 (i) how the school will provide adequate liability and other appropriate insurance for  
113 the school, its governing body, and its employees;

114 (j) the proposed school calendar, including the length of the school day and school  
115 year;

116 (k) whether any agreements have been entered into or plans developed with school  
117 districts regarding participation of charter school students in extracurricular activities within  
118 the school districts;

119 (l) the district within which the school will be located and the address of the school's  
120 physical facility, if known at the time the charter is signed;

121 (m) the qualifications to be required of the teachers, including the requirement of a  
122 criminal background check;

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

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

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

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

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

131 (i) employee evaluation; and

132 (ii) employment of relatives; and

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

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

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

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

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

148 (ii) The State Board of Education may approve an increase in enrollment capacity for  
149 the charter school subject to the availability of sufficient funds appropriated under Section  
150 53A-1a-513.

151 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

152 State Board of Education shall make rules that establish the procedures and deadlines for  
153 approved charter schools to apply and qualify for expansion, including the establishment of  
154 satellite campuses.

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

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

157 **53A-15-1301. Title.**

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

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

160 **53A-15-1302. Definitions.**

161 As used in this part:

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

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

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

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

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

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

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

172 (b) used to guide the instructor in determining:

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

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

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

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

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

181 (8) "Pilot school" means a school that participates in the Student-Centered Learning  
182 Pilot Program.

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

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

185 **53A-15-1303. Student-Centered Learning Pilot Program established.**

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

188 (a) deliver instruction through blended learning;

189 (b) use an extended school year schedule;

190 (c) use data-driven instruction; and

191 (d) use competency-based education.

192 (2) The State Board of Education shall:

193 (a) select schools to participate in the pilot program based on a competitive application  
194 process;

195 (b) make the application forms and procedures available to school districts and charter  
196 schools on or before September 1, 2013;

197 (c) select up to 10 pilot schools and award grants as provided in Section 53A-1-1304  
198 on or before December 31, 2013; and

199 (d) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative  
200 Rulemaking Act, and this part, establishing procedures and requirements for submitting  
201 applications to participate in the pilot program and for selecting applicants.

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

203 **53A-15-1304. Consulting and technical services.**

204 (1) (a) The board shall select a consultant through a request for proposals process to  
205 provide consulting services to the board on the pilot program and to assist school districts and  
206 charter schools in designing and implementing educational models that meet the requirements  
207 of Section 53A-15-1305.

208 (b) The board shall select a consultant as specified in Subsection (1)(a) no later than  
209 June 30, 2013.

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

211 (a) offer a comprehensive suite of design and implementation services related to  
212 personalized learning that will allow a pilot school to customize its system for the delivery of  
213 online education and select the applications that best meet the needs of the school; and

- 214 (b) have significant experience in:
- 215 (i) implementing different types of blended learning models in elementary and
- 216 secondary schools; and
- 217 (ii) assessing school and school district readiness to implement blended learning.
- 218 (3) Of the \$275,000 appropriated to the State Board of Education in fiscal year 2014
- 219 for the Student-Centered Learning Pilot Program, the board may use up to \$75,000 to contract
- 220 with the consultant to:
- 221 (a) conduct statewide training to introduce the pilot program and assist applicants in
- 222 drafting an application;
- 223 (b) consult on the development of the pilot program application and application
- 224 process;
- 225 (c) develop criteria and guidelines for scoring and selecting applications; and
- 226 (d) consult on the selection of applications based on key success factors in blended
- 227 learning implementations.
- 228 (4) The board shall use the remaining money appropriated for the pilot program after
- 229 the contract expenses described in Subsection (3) to make grants, by January 2014, to school
- 230 districts and charter schools selected to participate in the pilot program.
- 231 (5) A school district or charter school awarded a grant shall use the grant money to
- 232 contract with the consultant selected by the board under Subsection (1) to:
- 233 (a) design and implement blended learning at a pilot school, including:
- 234 (i) designing the instructional model;
- 235 (ii) selecting digital content;
- 236 (iii) cocreating a plan for hardware and facility readiness;
- 237 (iv) providing professional development; and
- 238 (v) developing professional learning communities;
- 239 (b) provide support to a pilot school through the first year of operation, including:
- 240 (i) ongoing professional development;
- 241 (ii) access to online professional learning communities and resources;
- 242 (iii) technical assistance; and
- 243 (iv) assistance in modifying and improving a pilot school's educational model; and
- 244 (c) develop a community of practice among pilot schools for sharing practices.



245 collaborating, problem solving, refining, and enhancing student-centered learning models.

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

247 **53A-15-1305. Eligibility requirements to participate in the Student-Centered**  
248 **Learning Pilot Program -- Additional considerations.**

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

250 (a) deliver instruction through blended learning;

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

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

255 (d) use data-driven instruction;

256 (e) use competency-based education;

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

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

261 (i) delivering instruction within a blended learning model;

262 (ii) using data-driven instruction;

263 (iii) delivering differentiated instruction; and

264 (iv) using online content and digital tools;

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

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

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

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

275 (j) begin operating as a pilot school no later than the 2015-16 school year; and

276 (k) share with other school districts and leaders across the state the school's experience  
277 in implementing the pilot program, the impacts of the program, and any policy considerations.

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

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

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

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

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

287 (e) has a STEM focused mission and curriculum;

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

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

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

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

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

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

299 (l) is a Title I school; or

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

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

302 **53A-15-1306. Selection of pilot program participants -- Advisory committee.**

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

305 (2) The advisory committee may offer suggestions and recommendations to the State  
306 Board of Education on the selection of applicants.

307           (3) The advisory committee shall include representatives of stakeholders, including the  
308 following legislators who shall serve as nonvoting members:

309           (a) the chair of the House Education Standing Committee;

310           (b) the chair of the Senate Education Standing Committee;

311           (c) the Senate chair of the Public Education Appropriations Subcommittee; and

312           (d) the House chair of the Public Education Appropriations Subcommittee.

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

314           **53A-15-1307. Implementation funding.**

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

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

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

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

325           (b) equipment for the delivery of instruction;

326           (c) digital content; and

327           (d) assessments.

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

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

332           **53A-15-1308. Enrollment of students in a pilot school -- Selection of pilot school**  
333 **teachers.**

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

336           (2) (a) A local school board shall adopt rules governing the enrollment of students at a  
337 pilot school.

338 (b) The rules adopted under Subsection (2)(a) shall include policies and procedures to  
339 ensure that decisions regarding enrollment requests are administered fairly without prejudice to  
340 any student or class of student, except as provided in Subsection (2)(c).

341 (c) Policies for enrolling students in a pilot school may include:

342 (i) giving priority to a student who:

343 (A) resides within the attendance boundaries of a pilot school; or

344 (B) resides within the school district in which the pilot school is located; or

345 (ii) limiting enrollment based on the capacity of a program, class, grade level, or the  
346 pilot school.

347 (3) A school district shall solicit applications for teaching positions for a pilot school  
348 and hire teachers from a list of interested and qualified applicants.

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

350 **53A-15-1309. Student enrolled in a pilot school may not count as more than one**  
351 **ADM -- Exception.**

352 (1) The course credits of a pilot school student shall be included in the school district's  
353 or charter school's calculation of average daily membership, except as provided in Subsection  
354 (2).

355 (2) A student enrolled in a pilot school may not count as more than one pupil in  
356 average daily membership (ADM), unless the student intends to complete high school  
357 graduation requirements, and exit high school, early, in accordance with the student's  
358 education/occupation plan (SEOP).

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

360 **53A-15-1310. Flexibility in complying with a school district or charter school**  
361 **policy.**

362 A local school board or charter school governing board shall grant flexibility to a pilot  
363 school in complying with a school district or charter school policy that prohibits the pilot  
364 school from meeting the requirements of the pilot program.

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

366 **53A-15-1311. Report to Legislature.**

367 The State Board of Education and the pilot program grantees shall make an annual  
368 report to the Legislature that:

369 (1) compares the academic performance of students participating in the pilot program  
370 with students in other schools that have demographic characteristics that are similar to those of  
371 the pilot program students; and

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

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

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

376 (c) advance students upon mastery of competencies;

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

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

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

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

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

386 (i) improve student learning outcomes;

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

388 (k) close achievement gaps.

389 **Section 14. Appropriation.**

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

395 To State Board of Education

396 From Education Fund

\$275,000

397 Schedule of Programs:

398 Student-Centered Learning Pilot Program

\$275,000

399 **Section 15. Effective date.**

400           (1) Except as provided in Subsection (2), this bill takes effect on May 14, 2013.

401           (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**