

1 **EDUCATORS' PROFESSIONAL LEARNING**

2 2014 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Bradley G. Last**

5 Senate Sponsor: Aaron Osmond

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions related to educators' professional learning.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ requires a school district or charter school to implement professional learning that
13 meets specified standards;
- 14 ▶ requires the State Board of Education, school districts, and charter schools to:
- 15 • determine resources needed to implement professional learning that meets
16 specified standards; and
 - 17 • evaluate the impact of professional learning efforts and resources; and
- 18 ▶ requires a school district or charter school to use state or federal money designated
19 for professional learning to implement professional learning that meets specified
20 standards.

21 **Money Appropriated in this Bill:**

22 None

23 **Other Special Clauses:**

24 None

25 **Utah Code Sections Affected:**

26 AMENDS:

27 **53A-1a-108**, as last amended by Laws of Utah 2013, Chapter 296

28 **53A-17a-124**, as last amended by Laws of Utah 2010, Chapter 3

29 REPEALS AND REENACTS:

30 **53A-3-701**, as last amended by Laws of Utah 2003, Chapter 221

31

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

33 Section 1. Section **53A-1a-108** is amended to read:

34 **53A-1a-108. School community councils -- Duties -- Composition -- Election**
35 **procedures and selection of members.**

36 (1) As used in this section:

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

38 (b) (i) "Parent or guardian member" means a member of a school community council
39 who is a parent or guardian of a student who:

40 (A) is attending the school; or

41 (B) will be enrolled at the school during the parent's or guardian's term of office.

42 (ii) "Parent or guardian member" may not include an educator who is employed at the
43 school.

44 (c) "School employee member" means a member of a school community council who
45 is a person employed at the school by the school or school district, including the principal.

46 (d) "School LAND Trust Program money" means money allocated to a school pursuant
47 to Section **53A-16-101.5**.

48 (2) Each public school, in consultation with its local school board, shall establish a
49 school community council at the school building level for the purpose of:

50 (a) involving parents or guardians of students in decision making at the school level;

51 (b) improving the education of students;

52 (c) prudently expending School LAND Trust Program money for the improvement of
53 students' education through collaboration among parents and guardians, school employees, and
54 the local school board; and

55 (d) increasing public awareness of:

56 (i) school trust lands and related land policies;

57 (ii) management of the State School Fund established in Utah Constitution Article X,

58 Section V; and

59 (iii) educational excellence.

60 (3) (a) Except as provided in Subsection (3)(b), a school community council shall:

61 (i) create a school improvement plan in accordance with Section 53A-1a-108.5;

62 (ii) create the School LAND Trust Program in accordance with Section 53A-16-101.5;

63 (iii) assist in the creation and implementation of a [staff] professional development
64 plan [~~as provided by Section 53A-3-701~~]; and

65 (iv) advise and make recommendations to school and school district administrators and
66 the local school board regarding the school and its programs, school district programs, a child
67 access routing plan in accordance with Section 53A-3-402, and other issues relating to the
68 community environment for students.

69 (b) In addition to the duties specified in Subsection (3)(a), a school community council
70 for an elementary school shall create a reading achievement plan in accordance with Section
71 53A-1-606.5.

72 (c) A school or school district administrator may not prohibit or discourage a school
73 community council from discussing issues, or offering advice or recommendations, regarding
74 the school and its programs, school district programs, the curriculum, or the community
75 environment for students.

76 (4) (a) Each school community council shall consist of school employee members and
77 parent or guardian members in accordance with this section.

78 (b) Except as provided in Subsection (4)(c) or (d):

79 (i) each school community council for a high school shall have six parent or guardian
80 members and four school employee members, including the principal; and

81 (ii) each school community council for a school other than a high school shall have
82 four parent or guardian members and two school employee members, including the principal.

83 (c) A school community council may determine the size of the school community
84 council by a majority vote of a quorum of the school community council provided that:

85 (i) the membership includes two or more parent or guardian members than the number

86 of school employee members; and

87 (ii) there are at least two school employee members on the school community council.

88 (d) (i) The number of parent or guardian members of a school community council who
89 are not educators employed by the school district shall exceed the number of parent or guardian
90 members who are educators employed by the school district.

91 (ii) If, after an election, the number of parent or guardian members who are not
92 educators employed by the school district does not exceed the number of parent or guardian
93 members who are educators employed by the school district, the parent or guardian members of
94 the school community council shall appoint one or more parent or guardian members to the
95 school community council so that the number of parent or guardian members who are not
96 educators employed by the school district exceeds the number of parent or guardian members
97 who are educators employed by the school district.

98 (5) (a) Except as provided in Subsection (5)(f), a school employee member, other than
99 the principal, shall be elected by secret ballot by a majority vote of the school employees and
100 serve a two-year term. The principal shall serve as an ex officio member with full voting
101 privileges.

102 (b) (i) Except as provided in Subsection (5)(f), a parent or guardian member shall be
103 elected by secret ballot at an election held at the school by a majority vote of those voting at the
104 election and serve a two-year term.

105 (ii) Only parents or guardians of students attending the school may vote at the election
106 under Subsection (5)(b)(i).

107 (iii) Any parent or guardian of a student who meets the qualifications of this section
108 may file or declare the parent's or guardian's candidacy for election to a school community
109 council.

110 (iv) (A) Subject to Subsections (5)(b)(iv)(B) and (5)(b)(iv)(C), a timeline for the
111 election of parent or guardian members of a school community council shall be established by
112 a local school board for the schools within the school district.

113 (B) An election for the parent or guardian members of a school community council

114 shall be held near the beginning of the school year and completed before October 15 or held in
115 the spring and completed before the last week of school.

116 (C) Each school shall establish a time period for the election of parent or guardian
117 members of a school community council under Subsection (5)(b)(iv)(B) that is consistent for at
118 least a four-year period.

119 (c) (i) The principal of the school, or the principal's designee, shall provide notice of
120 the available community council positions to school employees, parents, and guardians at least
121 10 days before the date that voting commences for the elections held under Subsections (5)(a)
122 and (5)(b).

123 (ii) The notice shall include:

124 (A) the dates and times of the elections;

125 (B) a list of council positions that are up for election; and

126 (C) instructions for becoming a candidate for a community council position.

127 (iii) The principal of the school, or the principal's designee, shall oversee the elections
128 held under Subsections (5)(a) and (5)(b).

129 (iv) Ballots cast in an election held under Subsection (5)(b) shall be deposited in a
130 secure ballot box.

131 (d) Results of the elections held under Subsections (5)(a) and (5)(b) shall be made
132 available to the public upon request.

133 (e) (i) If a parent or guardian position on a school community council remains unfilled
134 after an election is held, the other parent or guardian members of the council shall appoint a
135 parent or guardian who meets the qualifications of this section to fill the position.

136 (ii) If a school employee position on a school community council remains unfilled after
137 an election is held, the other school employee members of the council shall appoint a school
138 employee to fill the position.

139 (iii) A member appointed to a school community council under Subsection (5)(e)(i) or
140 (ii) shall serve a two-year term.

141 (f) (i) If the number of candidates who file for a parent or guardian position or school

142 employee position on a school community council is less than or equal to the number of open
143 positions, an election is not required.

144 (ii) If an election is not held pursuant to Subsection (5)(f)(i) and a parent or guardian
145 position remains unfilled, the other parent or guardian members of the council shall appoint a
146 parent or guardian who meets the qualifications of this section to fill the position.

147 (iii) If an election is not held pursuant to Subsection (5)(f)(i) and a school employee
148 position remains unfilled, the other school employee members of the council shall appoint a
149 school employee who meets the qualifications of this section to fill the position.

150 (g) The principal shall enter the names of the council members on the School LAND
151 Trust website on or before November 15 each year, pursuant to Section [53A-1a-108.1](#).

152 (h) Terms shall be staggered so that approximately half of the council members stand
153 for election each year.

154 (i) A school community council member may serve successive terms provided the
155 member continues to meet the definition of a parent or guardian member or school employee
156 member as specified in Subsection (1).

157 (j) Each school community council shall elect:

158 (i) a chair from its parent or guardian members; and

159 (ii) a vice chair from either its parent or guardian members or school employee
160 members, excluding the principal.

161 (6) (a) A school community council may create subcommittees or task forces to:

162 (i) advise or make recommendations to the council; or

163 (ii) develop all or part of a plan listed in Subsection (3).

164 (b) Any plan or part of a plan developed by a subcommittee or task force shall be
165 subject to the approval of the school community council.

166 (c) A school community council may appoint individuals who are not council members
167 to serve on a subcommittee or task force, including parents or guardians, school employees, or
168 other community members.

169 (7) (a) A majority of the members of a school community council is a quorum for the

170 transaction of business.

171 (b) The action of a majority of the members of a quorum is the action of the school
172 community council.

173 (8) A local school board shall provide training for a school community council each
174 year, including training:

175 (a) for the chair and vice chair about their responsibilities;

176 (b) on resources available on the School LAND Trust website; and

177 (c) on the following statutes governing school community councils:

178 (i) Section 53A-1a-108;

179 (ii) Section 53A-1a-108.1;

180 (iii) Section 53A-1a-108.5; and

181 (iv) Section 53A-16-101.5.

182 Section 2. Section 53A-3-701 is repealed and reenacted to read:

183 **53A-3-701. Professional learning standards.**

184 (1) As used in this section, "professional learning" means a comprehensive, sustained,
185 and evidence-based approach to improving teachers' and principals' effectiveness in raising
186 student achievement.

187 (2) A school district or charter school shall implement high quality professional
188 learning that meets the following standards:

189 (a) professional learning occurs within learning communities committed to continuous
190 improvement, individual and collective responsibility, and goal alignment;

191 (b) professional learning requires skillful leaders who develop capacity, advocate, and
192 create support systems, for professional learning;

193 (c) professional learning requires prioritizing, monitoring, and coordinating resources
194 for educator learning;

195 (d) professional learning uses a variety of sources and types of student, educator, and
196 system data to plan, assess, and evaluate professional learning;

197 (e) professional learning integrates theories, research, and models of human learning to

198 achieve its intended outcomes;

199 (f) professional learning applies research on change and sustains support for
200 implementation of professional learning for long-term change;

201 (g) professional learning aligns its outcomes with:

202 (i) performance standards for teachers and school administrators as described in rules
203 of the State Board of Education; and

204 (ii) performance standards for students as described in the core curriculum standards
205 adopted by the State Board of Education pursuant to Section [53A-1-402.6](#); and

206 (h) professional learning:

207 (i) incorporates the use of technology in the design, implementation, and evaluation of
208 high quality professional learning practices; and

209 (ii) includes targeted professional learning on the use of technology devices to enhance
210 the teaching and learning environment and the integration of technology in content delivery.

211 (3) School districts and charter schools shall use money appropriated by the Legislature
212 for professional learning or federal grant money awarded for professional learning to
213 implement professional learning that meets the standards specified in Subsection (2).

214 (4) (a) In the fall of 2014, the State Board of Education, through the state
215 superintendent of public instruction, and in collaboration with an independent consultant
216 acquired through a competitive bid process, shall conduct a statewide survey of school districts
217 and charter schools to:

218 (i) determine the current state of professional learning for educators as aligned with the
219 standards specified in Subsection (2);

220 (ii) determine the effectiveness of current professional learning practices; and

221 (iii) identify resources to implement professional learning as described in Subsection
222 (2).

223 (b) The State Board of Education shall select a consultant from bidders who have
224 demonstrated successful experience in conducting a statewide analysis of professional learning.

225 (c) (i) Annually in the fall, beginning in 2015 through 2020, the State Board of

226 Education, through the state superintendent of public instruction, in conjunction with school
227 districts and charter schools, shall gather and use data to determine the impact of professional
228 learning efforts and resources.

229 (ii) Data used to determine the impact of professional learning efforts and resources
230 under Subsection (4)(c)(i) shall include:

- 231 (A) student achievement data;
- 232 (B) educator evaluation data; and
- 233 (C) survey data.

234 Section 3. Section **53A-17a-124** is amended to read:

235 **53A-17a-124. Quality Teaching Block Grant Program -- State contributions.**

236 (1) The State Board of Education shall distribute money appropriated for the Quality
237 Teaching Block Grant Program to school districts and charter schools according to a formula
238 adopted by the board, after consultation with school districts and charter schools, that allocates
239 the funding in a fair and equitable manner.

240 (2) ~~[(a) Schools]~~ School districts and charter schools shall use Quality Teaching Block
241 Grant money to implement ~~[school and school district comprehensive, long-term professional~~
242 ~~development plans required by]~~ professional learning that meets the standards specified in
243 Section **53A-3-701**.

244 ~~[(b) In recognition of exceptional quality teaching, Quality Teaching Block Grant~~
245 ~~money may be used for the award of individual Quality Teaching Bonuses for Exemplary~~
246 ~~Teachers to recognize and reward excellence in classrooms as determined by school principals~~
247 ~~in partnership with their school community councils.]~~

248 ~~[(3) Each local school board shall:]~~

249 ~~[(a) as provided by Section **53A-3-701**, review and either approve or recommend~~
250 ~~modifications for each school's comprehensive, long-term professional development plan~~
251 ~~within the district so that each school's plan is compatible with the district's comprehensive,~~
252 ~~long-term professional development plan; and]~~

253 ~~[(b) in an open public meeting, approve a plan to spend Quality Teaching Block Grant~~

254 ~~money to implement the school district's comprehensive, long-term professional development~~
255 ~~plan.]~~