

SB0116S04 compared with SB0116S03

~~text~~ shows text that was in SB0116S03 but was deleted in SB0116S04.

text shows text that was not in SB0116S03 but was inserted into SB0116S04.

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Representative ~~Bradley G. East~~ Francis D. Gibson proposes the following substitute bill:

PUBLIC SCHOOL DROPOUT RECOVERY

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: Francis D. Gibson

Cosponsors:	Peter C. Knudson	Stephen H. Urquhart
Curtis S. Bramble	Howard A. Stephenson	Todd Weiler
Lyle W. Hillyard	Jerry W. Stevenson	
Alvin B. Jackson	Daniel W. Thatcher	

LONG TITLE

General Description:

This bill provides for public school dropout recovery services.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires a local education agency to provide dropout recovery services;
- ▶ ~~provides that~~ under certain circumstances, requires a local education agency

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~~{may}to~~ contract with a provider to provide dropout recovery services~~{ subject to certain conditions}~~;

- ▶ requires a local education agency and the State Board of Education to report on the provisions of this bill; and
- ▶ directs the State Board of Education to make rules.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53A-17a-172, Utah Code Annotated 1953

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

Section 1. Section **53A-17a-172** is enacted to read:

53A-17a-172. Use of minimum school program funds for dropout recovery services.

(1) As used in this section:

(a) "Adequate monthly progress" means:

(i) an amount of progress that is measurable on a monthly basis and that, if continued for a full school year, would result in the same amount of academic credit being awarded to an eligible student as would be awarded to a regularly enrolled full-time student during a school year; or

(ii) completion of one-quarter credit of college and career readiness course work.

(b) "Attainment goal" means:

(i) for an eligible student up to 18 years of age:

(A) earning a high school diploma;

(B) earning a Utah High School Completion Diploma, as defined in State Board of Education rule; or

(C) earning an industry-based certificate that is likely to result in job placement; or

(ii) for an eligible student over 18 years of age, earning a high school diploma as

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required under Section 53A-12-101.

(c) "Average daily membership" means the same as that term is defined in Section 53A-17a-103.

(d) "Cohort" means a group of students, defined by the year the group enters ninth grade.

(e) "College and career readiness course work" means course work that prepares a student to succeed in a:

(i) post-secondary environment, such as course work designed to teach time management skills and study skills; and

(ii) work environment, such as:

(A) career and technical education courses;

(B) career exploration and planning courses;

(C) course work designed to teach the soft skills that are necessary to succeed in a work environment; and

(D) course work designed to prepare a student to pass an industry based certification exam.

(f) "Eligible student" means a student:

(i) who has withdrawn from a secondary school prior to earning a diploma with no legitimate reason for departure or absence from school;

(ii) who has been dropped from average daily membership for having a certain number of unexcused absences as described in rules established by the State Board of Education; and

(iii) (A) whose cohort has not yet graduated; or

(B) whose cohort graduated in the previous school year.

(g) (i) "Local education agency" or "LEA" means a school district or charter school.

~~(2) ii~~ "Local education agency" or "LEA" does not include:

(A) an alternative high school as defined in Section 53A-1-1102; or

(B) a statewide virtual school.

(2) (a) An LEA shall ~~provide~~ create a dropout recovery program that includes the following dropout recovery services ~~including~~:

~~(a) i~~ recruiting eligible students;

~~(b) allowing an eligible student to enroll in a dropout recovery program at any point~~

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~~during the calendar year:~~

~~†~~ ~~(fc)ii~~ working with an eligible student to identify and mitigate social barriers to regular school attendance:

~~(fd)iii~~ developing a learning plan, in consultation with the eligible student~~†~~ to:

~~(fi)A~~ identify an attainment goal; and

~~(fii)B~~ specify adequate monthly progress toward the attainment goal;

~~(fe)iv~~ monitoring an eligible student's progress against the eligible student's learning plan;

~~(ff)v~~ providing tiered interventions for an eligible student who is not making adequate monthly progress; and

~~(fg)vi~~ ~~†delivering†~~ ~~providing~~ dropout recovery services throughout the calendar year.

~~(3) Subject to Subsection (4), an LEA†b) An LEA shall allow an eligible student to enroll in a dropout recovery program created under Subsection (2)(a) at any point during the calendar year.~~

~~(3) An LEA that does not meet the criteria described in Subsections (4)(a) and (b) may contract with a provider to provide one or more of the dropout recovery services described in Subsection (2)(a).~~

~~(4) An LEA ~~†that contracts†~~ shall contract with a provider to provide the dropout recovery services described in Subsection (2)(a) if:~~

~~(a) the LEA has a graduation rate that is lower than the statewide graduation rate, as annually calculated by the State Board of Education; and~~

~~(b) (i) on average over the previous calendar year, at least 10% of the eligible students in the LEA have not made adequate monthly progress toward an attainment goal; or~~

~~(ii) the LEA's graduation rate, as calculated annually by the State Board of Education, has not increased by at least 1% as compared to the previous school year.~~

~~(5) An LEA described in Subsection (4) shall ensure that:~~

~~(a) ~~†the†~~ a provider that is contracted with under Subsection (4) has a demonstrated record of effectiveness engaging with and recovering eligible students; and~~

~~(b) a contract with a provider ~~†described in Subsection (3)†~~~~

~~(i) †~~ requires the provider to:

~~(†A)†i) provide the services described in Subsection (2)(a); and~~

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~~(B)ii~~ regularly report an eligible student's progress to the LEA;

~~(ii) specifies that the LEA will only reimburse the provider for months during which an eligible student has made adequate monthly progress toward the attainment goal identified in the eligible student's learning plan; and~~

~~(iii) allows the provider to disenroll, from the provider's program, an eligible student who is not making adequate monthly progress toward the attainment goal identified in the eligible student's learning plan for three consecutive months.~~

~~(5)6~~ (a) Subject to Subsection ~~(5)6~~(b), an LEA may count a student who was classified as an eligible student during a previous school year in average daily membership for the current school year if the eligible student ~~continues to receive~~ is enrolled in a dropout recovery services program created under Subsection (2)(a) during the current school year ~~as described in this section~~.

(b) An LEA may count a student in average daily membership under Subsection ~~(5)6~~(a):

(i) for a month during which the student makes adequate monthly progress, calculated in accordance with rules established by the State Board of Education under Subsection ~~(6)7~~(a); and

(ii) if a student re-enrolls in an LEA or statewide course or program, in accordance with the pupil accounting provisions under Section 53A-17a-106 and State Board of Education rule.

~~(6)7~~ The State Board of Education shall:

(a) make rules specifying procedures for calculating average daily membership under Subsection (6)~~(b)~~(i); and

(b) ensure that the amount accounted for under Subsection ~~(5)(a)6~~:

(i) does not exceed one pupil in average daily membership per student;

(ii) includes only the value of the kindergarten through grade 12 weighted pupil unit;

and

(iii) excludes add-on weighted pupil units.

(8) An LEA shall annually submit a report to the State Board of Education on dropout recovery services provided under this section, including:

(a) the number of eligible students:

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(i) in the LEA;

(ii) enrolled in a dropout recovery program under Subsection (2)(a);

(iii) making adequate monthly progress toward an attainment goal; and

(iv) counted in average daily membership under Subsections (6)(b)(i) and (ii); and

(b) funding allocated to provide for a dropout recovery program as described in

Subsection (2).

(9) The State Board of Education shall:

(a) review reports submitted under Subsection (8);

(b) ensure that an LEA described in Subsection (4) contracts with a provider to provide dropout recovery services in accordance with Subsections (4) and (5); and

(c) annually report to the Education Interim Committee on the provisions of this section.