

Senator Howard A. Stephenson proposes the following substitute bill:

POSTSECONDARY CAREER AND EDUCATIONAL CHOICE

AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: Bradley G. Last

LONG TITLE

General Description:

This bill modifies provisions related to Utah Futures.

Highlighted Provisions:

This bill:

- ▶ amends the Department of Workforce Services, the State Board of Regents, and the State Board of Education's participation in the Utah Futures program;
- ▶ allows the Utah Education and Telehealth Network board to select one or more technology providers to provide technology and support to Utah Futures;
- ▶ eliminates an evaluation panel that assesses whether the Department of Workforce Services, the State Board of Regents, and the State Board of Education should outsource the Utah Futures website to a private provider or build the Utah Futures website in-house;
- ▶ requires an independent evaluation; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2016:

- ▶ to the Utah Education and Telehealth Network - Utah Education and Telehealth



26 Network as a one-time appropriation:
27 • from the General Fund, \$2,000,000.

28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **63I-2-253**, as last amended by Laws of Utah 2014, Chapters 102, 189, 372, and 393

33 RENUMBERS AND AMENDS:

34 **53B-17-108**, (Renumbered from 53A-1-410, as last amended by Laws of Utah 2014,
35 Chapter 372)



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

38 Section 1. Section **53B-17-108**, which is renumbered from Section 53A-1-410 is
39 renumbered and amended to read:

40 ~~[53A-1-410].~~ **53B-17-108. Utah Futures.**

41 (1) As used in this section:

42 (a) "Education provider" means:

43 (i) a Utah institution of higher education as defined in Section **53B-2-101**; ~~[or]~~

44 (ii) a Utah provider of postsecondary education~~[-];~~ or

45 (iii) a provider on the Department of Workforce Services' eligible provider list.

46 (b) "Student user" means:

47 (i) a Utah student in kindergarten through grade 12;

48 (ii) a Utah post secondary education student;

49 (iii) a parent or guardian of a Utah public education student; or

50 (iv) a Utah potential post secondary education student.

51 (c) "Utah Futures" means a career planning program developed and administered by
52 the ~~[Department of Workforce Services, the State Board of Regents, and the State Board of~~
53 ~~Education]~~ board, in consultation with the Utah Futures Steering Committee.

54 (d) "Utah Futures Steering Committee" means a committee of members designated by
55 the governor to ~~[administer and manage]~~ advise the board in administering and managing Utah
56 Futures ~~[in collaboration with the Department of Workforce Services, the State Board of~~

57 Regents, and the State Board of Education].

58 ~~[(2) The Utah Futures Steering Committee shall ensure, as funding allows and is~~
59 ~~feasible, that Utah Futures will:]~~

60 (2) (a) The Utah Futures Steering Committee and any technology provider selected
61 under Subsection (2)(b) shall provide management, support, and the overall technology
62 platform for the Utah Futures website.

63 (b) On or before October 1, 2015, the board, after consulting with the Board of
64 Business and Economic Development created in Section 63M-1-301 and the Utah Futures
65 Steering Committee, may select one or more technology providers, through a request for
66 proposals process, to provide technology and support for Utah Futures.

67 (3) The board, in consultation with the Utah Futures Steering Committee, shall ensure
68 that the technology and support provided by a provider selected under Subsection (2)(b) shall
69 allow:

70 (a) ~~[allow]~~ a student user to:

71 (i) access the student user's full academic record;

72 (ii) electronically allow the student user to give access to the student user's academic
73 record and related information to an education provider as allowed by law;

74 ~~[(iii) access information about different career opportunities and understand the related~~
75 ~~educational requirements to enter that career;]~~

76 ~~[(iv) access information about education providers;]~~

77 ~~[(v) access up to date information about entrance requirements to education providers;]~~

78 ~~[(vi)]~~ (iii) apply for entrance to multiple schools without having to fully replicate the
79 application process;

80 ~~[(vii)]~~ (iv) apply for loans, scholarships, or grants from multiple education providers in
81 one location without having to fully replicate the application process for multiple education
82 providers; and

83 ~~[(viii)]~~ (v) research open jobs from different companies within the user's career interest
84 and apply for those jobs without having to leave the website to do so;

85 (b) ~~[allow]~~ all users ~~[to]~~, including all Utah residents, to:

86 (i) access information about different career opportunities and understand the related
87 educational requirements to enter that career;

- 88 (ii) access information about education providers;
- 89 (iii) access up-to-date information about entrance requirements to education providers;

90 and

91 [~~(iv) apply for entrance to multiple schools without having to fully replicate the~~
92 ~~application process;~~]

93 [~~(v) apply for loans, scholarships, or grants from multiple education providers in one~~
94 ~~location without having to fully replicate the application process for multiple education~~
95 ~~providers; and]~~

96 [~~(vi) (iv) research open jobs from different companies within the user's career interest~~
97 ~~and apply for those jobs without having to leave the website to do so;~~

98 (c) [~~allow~~] an education provider to [~~:(i) research and find student users who are~~
99 ~~interested in various educational outcomes; (ii)] promote the education provider's programs and~~
100 schools to student users; [~~and]~~

101 [~~(iii) connect with student users within the Utah Futures website;~~]

102 (d) [~~allow~~] a Utah business to [~~:(i) research and find student users who are pursuing~~
103 ~~educational outcomes that are consistent with jobs the Utah business is trying to fill now or in~~
104 ~~the future; and (ii)] market jobs and communicate with [~~student~~] users through the Utah~~

105 Futures website as allowed by law;

106 (e) [~~allow the Department of Workforce Services to analyze and report]~~ analysis and
107 reporting on student user interests, education paths, and behaviors within the education system
108 so as to predictively determine appropriate career and educational outcomes and results; and

109 (f) [~~allow~~] all users of the Utah Futures' system to communicate and interact through
110 social networking tools within the Utah Futures website as allowed by law.

111 [~~(3) On or before October 1, 2014, the State Board of Education, after consulting with~~
112 ~~the Board of Business and Economic Development created in Section 63M-1-301, may select a~~
113 ~~technology provider, through a request for proposals process, to provide technology and~~
114 ~~support for Utah Futures.;~~]

115 (4) In evaluating proposals under Subsection [~~(3)~~] (2)(b) in consultation with the Board
116 of Business and Economic Development [~~, the State Board of Education]~~ and the Utah Futures
117 Steering Committee, the board shall ensure that the technology provided by a proposer:

118 (a) allows Utah Futures to license the selected service oriented architecture

119 technologies;

120 (b) ~~[allows]~~ requires Utah Futures to protect all user data within the system by
121 leveraging role architecture;

122 (c) ~~[allows Utah Futures to]~~ requires the provider selected under Subsection (2)(b) to
123 update the user interface, APIs, and web services software layers as needed;

124 (d) provides the ability for a student user to have a secure profile and login to access
125 and to store personal information related to the services listed in Subsection ~~[(2)]~~ (3) via the
126 Internet;

127 (e) protects all user data within Utah Futures;

128 (f) allows the ~~[State Board of Education]~~ board to license the technology of the
129 selected technology provider; and

130 (g) provides technology able to support application programming interfaces to integrate
131 technology of other third party providers, which may include cloud-based technology.

132 ~~[(5)(a) On or before August 1, 2014, the evaluation panel described in Subsection~~
133 ~~(5)(b), using the criteria described in Subsection (5)(c), shall evaluate Utah Futures and~~
134 ~~determine whether any or all components of Utah Futures, as described in this section, should~~
135 ~~be outsourced to a private provider or built in-house by the participating state agencies.]~~

136 ~~[(b) The evaluation panel described in Subsection (5)(a) shall consist of the following~~
137 ~~members, appointed by the governor after consulting with the State Board of Education:]~~

138 ~~[(i) five members who represent business, including:]~~

139 ~~[(A) one member who has extensive knowledge and experience in information~~
140 ~~technology; and]~~

141 ~~[(B) one member who has extensive knowledge and experience in human resources;]~~

142 ~~[(ii) one member who is a user of the information provided by Utah Futures;]~~

143 ~~[(iii) one member who is a parent of a student who uses Utah Futures;]~~

144 ~~[(iv) one member who:]~~

145 ~~[(A) is an educator as defined in Section 53A-6-103; and]~~

146 ~~[(B) teaches students who use Utah Futures; and]~~

147 ~~[(v) one member who is a high school counselor licensed under Title 53A, Chapter 6,~~
148 ~~Educator Licensing and Professional Practices Act.]~~

149 ~~[(c) The evaluation panel described in Subsections (5)(a) and (b) shall consider at least~~

150 the following criteria to make the determination described in Subsection (5)(a):]

151 [~~(i) the complete functional capabilities of a private technology provider versus an~~
152 ~~in-house version;~~]

153 [~~(ii) the cost of purchasing privately developed technology versus continuing to~~
154 ~~develop or build an in-house version;~~]

155 [~~(iii) the data and security capabilities of a private technology provider versus an~~
156 ~~in-house version;~~]

157 [~~(iv) the time frames to implementation; and]~~

158 [~~(v) the best practices and examples of other states who have implemented a tool~~
159 ~~similar to Utah Futures.;~~]

160 [~~(d) On or before September 30, 2014, the evaluation panel shall report the~~
161 ~~determination to:~~]

162 [~~(i) the State Board of Education;~~]

163 [~~(ii) the Executive Appropriations Committee; and]~~

164 [~~(iii) the Education Interim Committee.;~~]

165 (5) The board, in consultation with the Utah Futures Steering Committee, shall ensure
166 that information provided on the Utah Futures website links information related to secondary,
167 postsecondary, and career opportunities.

168 (6) (a) The board shall contract with an independent evaluator to evaluate Utah Futures
169 on:

170 (i) the extent to which Utah Futures provides the outcomes described in Subsection (3);

171 and

172 (ii) the effectiveness of a technology provider selected under Subsection (2)(b) in
173 helping Utah Futures reach the outcomes described in Subsection (3).

174 (b) The board shall present the results of the evaluation described in Subsection (6)(a)
175 to the Education Interim Committee on or before June 30, 2017.

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

177 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

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

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

180 [~~(3) Subsection **53A-1-410(5)** is repealed July 1, 2015.;~~]

181 [~~(4)~~] (3) Section 53A-1-411 is repealed July 1, 2016.

182 [~~(5)~~] (4) Section 53A-1a-513.5 is repealed July 1, 2017.

183 [~~(6)~~] (5) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2019.

184 [~~(7)~~] (6) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is
185 repealed July 1, 2017.

186 [~~(8)~~] (7) Section 53A-17a-169 is repealed July 1, 2017.

187 Section 3. **Appropriation.**

188 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
189 the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money
190 are appropriated from resources not otherwise appropriated, or reduced from amounts
191 previously appropriated, out of the funds or accounts indicated. These sums of money are in
192 addition to any amounts previously appropriated for fiscal year 2016.

193 To Utah Education and Telehealth Network - Utah Education and Telehealth Network

194 From General Fund, One-time \$2,000,000

195 Schedule of Programs:

196 Utah Futures \$2,000,000

197 The Legislature intends that:

198 (1) the Utah Education and Telehealth Network:

199 (a) use the appropriation for Utah Futures as directed by the board in consultation with
200 the Utah Futures Steering Committee as described in Section 53B-17-108; and

201 (b) use up to \$50,000 of the appropriation for Utah Futures for the independent
202 evaluation described in Subsection 53B-17-108(6); and

203 (2) under Section 63J-1-603, the appropriation provided under this section not lapse at
204 the close of fiscal year 2016, and that the use of any nonlapsing funds is limited to the purposes
205 described in Section 53B-17-108.

206 Section 4. **Effective date.**

207 (1) Except as provided in Subsection (2), this bill takes effect on May 12, 2015.

208 (2) Uncodified Section 3, Appropriation, takes effect on July 1, 2015.