

1                   **STUDENT-CENTERED LEARNING PILOT PROGRAM**

2                                   2015 GENERAL SESSION

3                                   STATE OF UTAH

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

5                           House Sponsor: Daniel McCay

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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       ▶ allows a school district or charter school to submit a proposal to the State Board of  
16 Education to participate in the Student-Centered Learning Pilot Program;
- 17       ▶ requires the State Board of Education to establish an advisory committee that may  
18 make suggestions and recommendations regarding the selection of pilot schools;
- 19       ▶ addresses the enrollment of students at a pilot school;
- 20       ▶ provides that a student enrolled at a pilot school may not count as more than one  
21 pupil in average daily membership (ADM) unless the student intends to complete  
22 high school graduation requirements and exit high school early, in accordance with  
23 the student's education/occupation plan (SEOP); and
- 24       ▶ requires the State Board of Education and pilot schools to make an annual report to  
25 the Education Interim Committee.

26 **Money Appropriated in this Bill:**

27       This bill appropriates in fiscal year 2016:



- 28           ▶ to the State Board of Education as a one-time appropriation:
- 29           • from the Education Fund, One-time, \$250,000.

30 **Other Special Clauses:**

31           This bill provides a special effective date.

32 **Utah Code Sections Affected:**

33 AMENDS:

34           **53A-1-409**, as last amended by Laws of Utah 2013, Chapter 398

35           **53A-1a-508**, as repealed and reenacted by Laws of Utah 2014, Chapter 363

36 ENACTS:

37           **53A-15-1501**, Utah Code Annotated 1953

38           **53A-15-1502**, Utah Code Annotated 1953

39           **53A-15-1503**, Utah Code Annotated 1953

40           **53A-15-1504**, Utah Code Annotated 1953

41           **53A-15-1505**, Utah Code Annotated 1953

42           **53A-15-1506**, Utah Code Annotated 1953

43           **53A-15-1507**, Utah Code Annotated 1953

44           **53A-15-1508**, Utah Code Annotated 1953

45           **53A-15-1509**, Utah Code Annotated 1953

46           **53A-15-1510**, Utah Code Annotated 1953

47           **53A-15-1511**, Utah Code Annotated 1953



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

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

51           **53A-1-409. Competency-based education -- Recommendations -- Coordination.**

52           (1) As used in this section:

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

56           (b) "Competency-based education" means an education approach that [~~requires a~~  
57 ~~student to acquire a competency~~];

58           (i) allows a student to advance and earn credit upon mastery of a competency; and

59           (ii) ~~includes a classroom structure and operation that [aid and facilitate the acquisition~~  
60 ~~of specified competencies on an individual basis wherein a student is allowed to master and~~  
61 ~~demonstrate competencies as fast as the student is able]~~ provides a student timely,  
62 differentiated support based on the student's individual learning needs.

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

66           (2) The State Board of Education shall:

67           (a) provide expertise to and consult with local school boards, school districts, and  
68 charter schools relating to competency-based education and progress-based assessments;

69           (b) before the beginning of the 2014 General Session of the Legislature, make  
70 recommendations to the Public Education Appropriations Subcommittee, including the amount  
71 and allocation of public education money, based upon both new public education money and  
72 the reallocation of money required to develop and implement:

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

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

77           (B) a course-level funding formula that distributes funds to school districts and charter  
78 schools that establish competency-based education;

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 this  
91 section.

92 (3) A funding formula described in Subsection (2)(b)(ii)(B) shall:

93 (a) base the funding for a competency-based course on a proportionate amount of the  
94 weighted pupil unit;

95 (b) partially distribute funds based on initial enrollment;

96 (c) distribute remaining funds based on a student's successful completion of a course  
97 through demonstrated competency and subject mastery; and

98 (d) not be dependent on the amount of time a student is instructed in the course or the  
99 age of the student.

100 (4) A local school board or a charter school governing board may establish a  
101 competency-based education program.

102 (5) A local school board or charter school governing board that establishes a  
103 competency-based education program shall:

104 (a) establish assessments to accurately measure competency;

105 (b) provide the assessments to an enrolled student at no cost to the student;

106 (c) award credit to a student who demonstrates competency and subject mastery;

107 (d) submit the competency-based curriculum standards to the State Board of Education  
108 for review; and

109 (e) publish the competency-based curriculum standards on its website or by other  
110 electronic means readily accessible to the public.

111 (6) A local school board or charter school governing board may:

112 (a) on a random lottery-based basis, limit enrollment to courses that have been  
113 designated as competency-based courses;

114 (b) waive or adapt traditional attendance requirements;

115 (c) adjust class sizes to maximize the value of course instructors or course mentors;

116 (d) enroll students from any geographic location within the state; and

117 (e) provide proctored online competency-based assessments.

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

119 **53A-1a-508. Charter agreement -- Content -- Modification.**

120 (1) A charter agreement:

- 121 (a) is a contract between the charter school applicant and the charter school authorizer;
- 122 (b) shall describe the rights and responsibilities of each party; and
- 123 (c) shall allow for the operation of the applicant's proposed charter school.
- 124 (2) A charter agreement shall include:
- 125 (a) the name of:
- 126 (i) the charter school; and
- 127 (ii) the charter school applicant;
- 128 (b) the mission statement and purpose of the charter school;
- 129 (c) the charter school's opening date;
- 130 (d) the grade levels and number of students the charter school will serve;
- 131 (e) a description of the structure of the charter school's governing board, including:
- 132 (i) the number of board members;
- 133 (ii) how members of the board are appointed; and
- 134 (iii) board members' terms of office;
- 135 (f) assurances that:
- 136 (i) the governing board shall comply with:
- 137 (A) the charter school's bylaws;
- 138 (B) the charter school's articles of incorporation; and
- 139 (C) applicable federal law, state law, and State Board of Education rules;
- 140 (ii) the governing board will meet all reporting requirements described in Section
- 141 [53A-1b-115](#); and
- 142 (iii) except as provided in Title 53A, Chapter 20b, Part 2, Charter School Credit
- 143 Enhancement Program, neither the authorizer nor the state, including an agency of the state, is
- 144 liable for the debts or financial obligations of the charter school or a person who operates the
- 145 charter school;
- 146 (g) which administrative rules the State Board of Education will waive for the charter
- 147 school;
- 148 (h) minimum financial standards for operating the charter school;
- 149 (i) minimum standards for student achievement; and
- 150 (j) signatures of the charter school authorizer and the charter school's governing board
- 151 members.

152 (3) [A] (a) Except as provided in Subsection (3)(b), a charter agreement may not be  
153 modified except by mutual agreement between the charter school authorizer and the governing  
154 board of the charter school.

155 (b) (i) Subject to Subsection (3)(c), at the request of the governing body of a charter  
156 school that is selected to participate in the Student-Centered Learning Pilot Program created in  
157 Section 53A-15-1503, the chartering entity shall attach an addendum to the school's charter  
158 indicating the charter is modified to be consistent with the requirements of the  
159 Student-Centered Learning Pilot Program and describing those modifications.

160 (ii) A chartering entity shall make the modifications described in Subsection (3)(b)(i)  
161 without requiring the charter school to participate in a charter amendment process.

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

165 (ii) The State Board of Education may approve an increase in enrollment capacity for  
166 the charter school subject to the availability of sufficient funds appropriated under Section  
167 53A-1a-513.

168 Section 3. Section 53A-15-1501 is enacted to read:

169 **Part 15. Student-Centered Learning Pilot Program**

170 **53A-15-1501. Title.**

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

172 Section 4. Section 53A-15-1502 is enacted to read:

173 **53A-15-1502. Definitions.**

174 As used in this part:

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

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

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

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

180 (3) "Competency-based education" means the same as that term is defined in Section  
181 53A-1-409.

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

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

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

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

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

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

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

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

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

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

198 Section 5. Section **53A-15-1503** is enacted to read:

199 **53A-15-1503. Student-Centered Learning Pilot Program established.**

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

202 (a) deliver instruction through blended learning;

203 (b) use an extended school year schedule;

204 (c) use data-driven instruction; and

205 (d) use competency-based education.

206 (2) The State Board of Education shall:

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

209 (b) provide guidance to a school district or charter school that is developing a proposal  
210 described in Section [53A-15-1504](#);

211 (c) provide funding to a school district or charter school to develop a proposal  
212 described in Section [53A-15-1504](#);

213 (d) select up to three pilot schools and award grants on or before July 1, 2016, as

214 provided in Section 53A-1-1504; and

215 (e) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative  
216 Rulemaking Act, and this part, that establish procedures and requirements for a school district  
217 or charter school to participate in the pilot program and for selecting pilot schools.

218 Section 6. Section 53A-15-1504 is enacted to read:

219 **53A-15-1504. School district or charter school proposal.**

220 (1) On or before April 1, 2016, a school district or charter school may submit a  
221 proposal to the board to participate in the pilot program.

222 (2) In a proposal to participate in the pilot program, a school district or charter school  
223 shall describe:

224 (a) the blended learning model that the school district or charter school plans to  
225 implement;

226 (b) a plan for hardware and facility readiness;

227 (c) a plan for professional development and professional learning communities related  
228 to the pilot program; and

229 (d) any other elements of the program required by the board rules described in  
230 Subsection 53A-15-1503(2)(e).

231 (3) A school district or charter school may request funding from the board to develop a  
232 proposal to participate in the pilot program.

233 (4) Subject to legislative appropriations, the State Board of Education shall award  
234 funding to a school district or charter school that requests funding under Subsection (3).

235 (5) A school district or charter school may contract with an independent entity to  
236 develop the proposal described in this section.

237 Section 7. Section 53A-15-1505 is enacted to read:

238 **53A-15-1505. Eligibility requirements to participate in the Student-Centered**  
239 **Learning Pilot Program -- Additional considerations.**

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

241 (a) deliver instruction through blended learning;

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

243 (c) use data-driven instruction;

244 (d) use competency-based education;



- 245 (e) integrate blended learning, data-driven instruction, and competency-based  
246 education to make individualized or personalized instruction core to the instructional model;
- 247 (f) develop and implement a professional development plan that addresses the  
248 individual professional development needs of each teacher and includes training in:
- 249 (i) delivering instruction within a blended learning model;  
250 (ii) using data-driven instruction;  
251 (iii) delivering differentiated instruction; and  
252 (iv) using online content and digital tools;
- 253 (g) develop and implement a plan for assisting parents in engaging in their students'  
254 education, which complies with the following:
- 255 (i) the technology tools employed by the school shall be utilized to create transparency  
256 and collaboration in the education process and enable parents to be partners in their students'  
257 education in real time; and
- 258 (ii) parents shall have access through technology to real-time student data and  
259 instructional content in order to monitor and stay informed about their students' progress as  
260 they assist their students with learning;
- 261 (h) allow a student and a teacher at the pilot school to decide if the teacher or student  
262 participates in the pilot program;
- 263 (i) begin operating as a pilot school no later than the 2016-17 school year; and  
264 (j) share with other school districts and charter schools and leaders across the state the  
265 school's experience in implementing the pilot program, the impacts of the program, and any  
266 policy considerations.
- 267 (2) In selecting applicants to participate in the pilot program, the State Board of  
268 Education shall give additional consideration to an applicant that:
- 269 (a) utilizes blended learning and an extended school year to increase student  
270 enrollment, generating additional money to increase teacher compensation, thereby allowing  
271 teachers to be compensated for a full 12 months of instruction;
- 272 (b) requires students to take a course of study leading to an associate's degree or a  
273 technical skills certification upon high school graduation;
- 274 (c) has a STEM focused mission and curriculum;  
275 (d) encourages students to utilize BYOD "bring your own device" as part of the

276 school's technology device policy;

277 (e) proposes to establish the pilot program throughout a complete kindergarten through  
278 grade 12 feeder system;

279 (f) provides an expanded benefits package to employees that includes paid vacation  
280 and holidays;

281 (g) is a Title I school; or

282 (h) establishes sustainable, scalable programs that can be replicated.

283 Section 8. Section **53A-15-1506** is enacted to read:

284 **53A-15-1506. Selection of pilot program participants -- Advisory committee.**

285 (1) The board shall establish an advisory committee to review proposals submitted by  
286 school districts and charter schools to participate in the pilot program.

287 (2) The advisory committee may offer suggestions and recommendations to the board  
288 on the selection of pilot schools.

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

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

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

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

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

295 Section 9. Section **53A-15-1507** is enacted to read:

296 **53A-15-1507. Implementation funding.**

297 (1) In the 2016 General Session, the board shall submit recommendations to the  
298 Legislature for funding the implementation of the pilot program, including the cost of:

299 (a) equipment for the delivery of instruction;

300 (b) digital content; and

301 (c) assessments.

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

305 Section 10. Section **53A-15-1508** is enacted to read:

306 **53A-15-1508. Enrollment of students in a pilot school -- Selection of pilot school**

307 **teachers.**

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

310 (2) (a) A local school board shall adopt rules governing the enrollment of students at a  
311 district school that is a pilot school.

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

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

316 (i) giving priority to a student who:

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

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

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

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

323 (4) A pilot school may not require a student or teacher to participate in the pilot  
324 program.

325 Section 11. Section **53A-15-1509** is enacted to read:

326 **53A-15-1509. Student enrolled in a pilot school may not count as more than one**  
327 **ADM -- Exception.**

328 (1) The course credits of a pilot school student shall be included in the school district's  
329 or charter school's calculation of average daily membership, except as provided in Subsection  
330 (2).

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

335 Section 12. Section **53A-15-1510** is enacted to read:

336 **53A-15-1510. Flexibility in complying with a school district or charter school**  
337 **policy.**

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

341 Section 13. Section **53A-15-1511** is enacted to read:

342 **53A-15-1511. Report to Legislature.**

343 Beginning in 2017, the board and the pilot schools shall make an annual report to the  
344 Legislature that:

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

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

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

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

352 (c) advance students upon mastery of competencies;

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

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

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

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

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

362 (i) improve student learning outcomes;

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

364 (k) close achievement gaps.

365 Section 14. **Appropriation.**

366 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for  
367 the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money  
368 are appropriated from resources not otherwise appropriated, or reduced from amounts

369 previously appropriated, out of the funds or accounts indicated. These sums of money are in  
370 addition to any amounts previously appropriated for fiscal year 2016.

371 To State Board of Education - Utah State Office of Education - Initiative Programs

372 From Education Fund, one-time \$250,000

373 Schedule of Programs:

374 Utah State Office of Education Initiative

375 Programs - Contracts and Grants \$250,000

376 The Legislature intends that the appropriation provided in this section:

377 (1) be used for school districts and charter schools to develop proposals to participate  
378 in the Student-Centered Learning Pilot Program, described in Section [53A-15-1504](#); and

379 (2) be nonlapsing.

380 Section 15. **Effective date.**

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

382 (2) Uncodified Section 14, Appropriation, takes effect on July 1, 2015.

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**Legislative Review Note**  
as of 2-27-15 7:21 PM

**Office of Legislative Research and General Counsel**