

SB0285S01 compared with SB0285

~~{deleted text}~~ shows text that was in SB0285 but was deleted in SB0285S01.

inserted text shows text that was not in SB0285 but was inserted into SB0285S01.

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~~{STUDENT-CENTERED}~~ Senator Howard A. Stephenson proposes the following substitute bill:

STUDENT-CENTERED LEARNING PILOT PROGRAM

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: _____

LONG TITLE

General Description:

This bill creates the Student-Centered Learning Pilot Program.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ specifies eligibility requirements for participating in the pilot program and additional factors that may be considered;
- ▶ allows a school district or charter school to submit a proposal to the State Board of Education to participate in the Student-Centered Learning Pilot Program;
- ▶ requires the State Board of Education to establish an advisory committee that may make suggestions and recommendations regarding the selection of pilot schools;
- ▶ addresses the enrollment of students at a pilot school;

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- ▶ provides that a student enrolled at a pilot school may not count as more than one pupil in average daily membership (ADM) unless the student intends to complete high school graduation requirements and exit high school early, in accordance with the student's education/occupation plan (SEOP); and
- ▶ requires the State Board of Education and pilot schools to make an annual report to the Education Interim Committee.

Money Appropriated in this Bill:

~~{This bill appropriates in fiscal year 2016:~~

~~→ to the State Board of Education as a one-time appropriation:~~

~~• from the Education Fund, One-time, \$250,000.} None~~

Other Special Clauses:

~~{ This bill provides a special effective date.} None~~

Utah Code Sections Affected:

AMENDS:

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

53A-1a-508, as repealed and reenacted by Laws of Utah 2014, Chapter 363

ENACTS:

53A-15-1501, Utah Code Annotated 1953

53A-15-1502, Utah Code Annotated 1953

53A-15-1503, Utah Code Annotated 1953

53A-15-1504, Utah Code Annotated 1953

53A-15-1505, Utah Code Annotated 1953

53A-15-1506, Utah Code Annotated 1953

53A-15-1507, Utah Code Annotated 1953

53A-15-1508, Utah Code Annotated 1953

53A-15-1509, Utah Code Annotated 1953

53A-15-1510, Utah Code Annotated 1953

53A-15-1511, Utah Code Annotated 1953

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

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

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

(1) As used in this section:

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

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

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

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

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

(2) The State Board of Education shall:

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

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

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

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

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

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

(iv) the reallocation of teaching resources from noncore electives into grades 1-3, 7-12

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math, and 7-12 English; and

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

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

(i) competency-based education; and

(ii) the use of gain scores; and

(d) develop and use monetary and nonmonetary incentives, tools, and rewards to encourage school districts and charter schools to accomplish the items described under this section.

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

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

(b) partially distribute funds based on initial enrollment;

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

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

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

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

(a) establish assessments to accurately measure competency;

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

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

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

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

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

(a) on a random lottery-based basis, limit enrollment to courses that have been

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designated as competency-based courses;

- (b) waive or adapt traditional attendance requirements;
- (c) adjust class sizes to maximize the value of course instructors or course mentors;
- (d) enroll students from any geographic location within the state; and
- (e) provide proctored online competency-based assessments.

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

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

(1) A charter agreement:

- (a) is a contract between the charter school applicant and the charter school authorizer;
- (b) shall describe the rights and responsibilities of each party; and
- (c) shall allow for the operation of the applicant's proposed charter school.

(2) A charter agreement shall include:

(a) the name of:

- (i) the charter school; and
- (ii) the charter school applicant;

(b) the mission statement and purpose of the charter school;

(c) the charter school's opening date;

(d) the grade levels and number of students the charter school will serve;

(e) a description of the structure of the charter school's governing board, including:

- (i) the number of board members;
- (ii) how members of the board are appointed; and
- (iii) board members' terms of office;

(f) assurances that:

(i) the governing board shall comply with:

- (A) the charter school's bylaws;
- (B) the charter school's articles of incorporation; and
- (C) applicable federal law, state law, and State Board of Education rules;

(ii) the governing board will meet all reporting requirements described in Section

53A-1b-115; and

(iii) except as provided in Title 53A, Chapter 20b, Part 2, Charter School Credit

Enhancement Program, neither the authorizer nor the state, including an agency of the state, is

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liable for the debts or financial obligations of the charter school or a person who operates the charter school;

(g) which administrative rules the State Board of Education will waive for the charter school;

(h) minimum financial standards for operating the charter school;

(i) minimum standards for student achievement; and

(j) signatures of the charter school authorizer and the charter school's governing board members.

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

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

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

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

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

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

Part 15. Student-Centered Learning Pilot Program

53A-15-1501. Title.

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

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

53A-15-1502. Definitions.

As used in this part:

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- (1) "Blended learning" means a formal education program in which a student learns:
 - (a) at least in part, through online delivery of content and instruction with some element of student control over time, place, path, or pace; and
 - (b) at least in part, at a supervised brick-and-mortar location away from home.
- (2) "Board" means the State Board of Education.
- (3) "Competency-based education" means the same as that term is defined in Section 53A-1-409.
- (4) "Data-driven instruction" means instruction in which quantifiable data is:
 - (a) obtained by frequently assessing a student's attainment of observable and measurable goals set to determine whether the student is making academic progress, staying the same academically, or regressing academically; and
 - (b) used to guide the instructor in determining:
 - (i) the student's next step after mastering a concept; or
 - (ii) necessary interventions or modifications to instructional methods to provide the student with a better understanding of academic concepts.
- (5) "Extended school year schedule" means a school calendar and schedule that operate beyond a traditional school calendar and provide year-round instruction.
- (6) "Extended work schedule" means a work schedule that includes additional hours of instruction time beyond a traditional school calendar to accommodate year-round instruction.
- (7) "Pilot program" means the Student-Centered Learning Pilot Program.
- (8) "Pilot school" means a school that participates in the Student-Centered Learning Pilot Program.

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

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

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

- (1) The Student-Centered Learning Pilot Program is created to develop and implement educational models that:
 - (a) deliver instruction through blended learning;
 - (b) use an extended school year schedule;
 - (c) use data-driven instruction; and
 - (d) use competency-based education.

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(2) The State Board of Education shall:

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

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

~~(c) provide funding to a school district or charter school to develop a proposal described in Section 53A-15-1504;~~

~~(d) subject to legislative appropriations,~~ select up to three pilot schools and award grants on or before July 1, 2016, as provided in Section 53A-1-1504; and

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

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

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

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

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

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

(b) a plan for hardware and facility readiness;

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

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

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

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

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

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

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

- (1) To be eligible to participate in the pilot program, a pilot school shall:
- (a) deliver instruction through blended learning;
 - (b) provide instruction to students through an extended school year schedule;
 - (c) use data-driven instruction;
 - (d) use competency-based education;
 - (e) integrate blended learning, data-driven instruction, and competency-based education to make individualized or personalized instruction core to the instructional model;
 - (f) develop and implement a professional development plan that addresses the individual professional development needs of each teacher and includes training in:
 - (i) delivering instruction within a blended learning model;
 - (ii) using data-driven instruction;
 - (iii) delivering differentiated instruction; and
 - (iv) using online content and digital tools;
 - (g) develop and implement a plan for assisting parents in engaging in their students' education, which complies with the following:
 - (i) the technology tools employed by the school shall be utilized to create transparency and collaboration in the education process and enable parents to be partners in their students' education in real time; and
 - (ii) parents shall have access through technology to real-time student data and instructional content in order to monitor and stay informed about their students' progress as they assist their students with learning;
 - (h) allow a student and a teacher at the pilot school to decide if the teacher or student participates in the pilot program;
 - (i) subject to appropriations, begin operating as a pilot school ~~no later than~~ by the 2016-17 school year; and
 - (j) share with other school districts and charter schools and leaders across the state the school's experience in implementing the pilot program, the impacts of the program, and any policy considerations.

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

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

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

(c) has a STEM focused mission and curriculum;

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

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

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

(g) is a Title I school; or

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

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

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

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

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

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

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

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

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

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

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

53A-15-1507. Implementation funding.

(1) In the 2016 General Session, the board shall submit recommendations to the

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Legislature for funding the implementation of the pilot program, including the cost of:

(a) equipment for the delivery of instruction;

(b) digital content; and

(c) assessments.

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

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

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

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

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

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

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

(i) giving priority to a student who:

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

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

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

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

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

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

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

(1) The course credits of a pilot school student shall be included in the school district's

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or charter school's calculation of average daily membership, except as provided in Subsection (2).

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

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

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

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

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

53A-15-1511. Report to Legislature.

~~{Beginning in 2017}~~After one full school year of the pilot program, the board and the pilot schools shall make an annual report to the Legislature that:

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

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

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

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

(c) advance students upon mastery of competencies;

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

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

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

(g) provide teachers the opportunity to receive a competitive compensation based on an

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extended work schedule:

- (h) establish sustainable, scalable programs that can be replicated;
- (i) improve student learning outcomes;
- (j) better prepare students for college and the workforce; and
- (k) close achievement gaps.

~~{ Section 14. **Appropriation:**~~

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

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

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

~~Schedule of Programs:~~

~~Utah State Office of Education Initiative~~

~~Programs - Contracts and Grants \$250,000~~

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

- ~~(1) be used for school districts and charter schools to develop proposals to participate in the Student-Centered Learning Pilot Program, described in Section 53A-15-1504; and~~
- ~~(2) be nonlapsing.~~

~~Section 15. **Effective date:**~~

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

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

Legislative Review Note

~~as of 2-27-15 7:21 PM~~

~~Office of Legislative Research and General Counsel}~~