

## SB0014S01 compared with SB0014

~~{deleted text}~~ shows text that was in SB0014 but was deleted in SB0014S01.

inserted text shows text that was not in SB0014 but was inserted into SB0014S01.

**DISCLAIMER:** This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Jack R. Draxler proposes the following substitute bill:

### AMERICAN INDIAN AND ALASKAN NATIVE AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor:** Kevin T. Van Tassell

House Sponsor: ~~{~~ Jack R. Draxler }

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#### LONG TITLE

~~{Committee Note:~~

~~— The Native American Legislative Liaison Committee recommended this bill.~~

~~{General Description:~~

This bill amends provisions related to the state system of public education and American Indians and Alaskan Natives.

#### Highlighted Provisions:

This bill:

- ▶ amends duties of the Native American Legislative Liaison Committee;
- ▶ defines terms;
- ▶ creates a pilot program to fund stipend, recruitment, and retention of teachers who teach in American Indian and Alaskan Native concentrated schools;

~~{ → creates a pilot program for regional service centers to fund individuals facilitating~~

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~~Title VII, Elementary and Secondary Education Act;~~

- ~~{~~ ▶ requires reporting and meetings to be held;
- ▶ provides a sunset date; and
- ▶ makes technical changes.

### Money Appropriated in this Bill:

This bill appropriates for fiscal year ~~{2016}~~2017:

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

~~—~~ ~~•~~ ~~from the Education Fund, one-time, \$20,000.~~

~~—~~ ~~This bill appropriates for fiscal year 2017 through fiscal year 2021:~~

- ~~{~~ ▶ to the State Board of Education - State Office of Education, as an ongoing appropriation:
  - from the Education Fund, ~~{\$2,000}~~\$250,000.

### Other Special Clauses:

This bill provides a special effective date.

### Utah Code Sections Affected:

AMENDS:

**36-22-2**, as enacted by Laws of Utah 1995, Chapter 143

**63I-1-253**, as last amended by Laws of Utah 2015, Chapters 62, 431, and 442

ENACTS:

**53A-31-401**, Utah Code Annotated 1953

**53A-31-402**, Utah Code Annotated 1953

**53A-31-403**, Utah Code Annotated 1953

**53A-31-404**, Utah Code Annotated 1953

**53A-31-405**, Utah Code Annotated 1953

~~{~~ ~~—~~ ~~**53B-31-406**, Utah Code Annotated 1953~~

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

Section 1. Section **36-22-2** is amended to read:

#### **36-22-2. Duties.**

(1) The committee shall:

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- (a) serve as a liaison between Utah Native American tribes and the Legislature;
- (b) recommend legislation for each annual general session of the Legislature if the committee determines that modifications to current law are in the best interest of the state of Utah and of the Utah Native American tribes;
- (c) review the operations of the Division of Indian Affairs and other state agencies working with Utah Native American tribes;
- (d) help sponsor meetings and other opportunities for discussion with and between Native Americans[-]; and
- (e) hold a meeting at which public education is discussed as required by Section ~~53A-31-406~~53A-31-405.

(2) In conducting its business, the committee shall comply with the rules of legislative interim committees.

Section 2. Section **53A-31-401** is enacted to read:

### **Part 4. American Indian and Alaskan Native Education State Plan Pilot Program** **53A-31-401. Title.**

This part is known as the "American Indian and Alaskan Native Education State Plan Pilot Program."

Section 3. Section **53A-31-402** is enacted to read:

### **53A-31-402. Definitions.**

As used in this part:

(1) "American Indian and Alaskan Native concentrated school" means a school where at least 29% of its students are American Indian or Alaskan Native.

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

~~{~~ (3) "Regional service center" means a regional service center created under Section ~~53A-3-429~~.

† (4) "Teacher" means an individual employed by a school district or charter school who is required to hold an educator license issued by the board and who has an assignment to teach in a classroom.

Section 4. Section **53A-31-403** is enacted to read:

### **53A-31-403. Pilot program created.**

(1) Beginning with fiscal year 2016-2017, there is created a five-year pilot program

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administered by the board to provide grants targeted to address the needs of American Indian and Alaskan Native students.

(2) The pilot program shall consist of:

~~— (a) a grant program to school districts and charter schools to be used to fund stipends, recruitment, retention, and professional development of teachers who teach in American Indian and Alaskan Native concentrated schools;~~ and

~~— (b) a grant program to regional service centers to fund individuals who facilitate American Indian and Alaskan Native programs under Title VII, Elementary and Secondary Education Act.~~

;

(3) Up to 3% of the money appropriated to ~~the~~ grant program under this part may be used by the board for costs in implementing the pilot program.

Section 5. Section **53A-31-404** is enacted to read:

### **53A-31-404. Grant program to school districts and charter schools.**

(1) From money appropriated to the grant program, the board shall distribute grant money on a competitive basis to a school district or charter school that applies for a grant and:

(a) (i) has within the school district one or more American Indian and Alaskan Native concentrated schools; or

(ii) is an American Indian and Alaskan Native concentrated school; and

(b) has a program to fund stipends, recruitment, retention, and professional development of teachers who teach at American Indian and Alaskan Native concentrated schools.

(2) The grant money distributed under this section may only be expended to fund a program described in Subsection (1)(b).

(3) (a) If a school district or charter school obtains a grant under this section, by no later than two years from the date the school district or charter school obtains the grant, the board shall review the implementation of the program described in Subsection (1)(b) to determine whether:

(i) the program is effective in addressing the need to retain teachers at American Indian and Alaskan Native concentrated schools; and

(ii) the money is being spent for a purpose not covered by the program described in

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### Subsection (1)(b).

(b) If the board determines that the program is not effective or that the money is being spent for a purpose not covered by the program described in Subsection (1)(b), the board may terminate the grant money being distributed to the school district or charter school.

(4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board may make rules providing:

(a) criteria for evaluating grant applications; and

(b) procedures for:

(i) a school district to apply to the board to receive grant money under this section; and

(ii) the review of the use of grant money described in Subsection (3).

(5) The grant money is intended to supplement and not replace existing money supporting American Indian and Alaskan Native concentrated schools.

Section 6. Section 53A-31-405 is enacted to read:

53A-31-405. ~~Grant program to regional service centers.~~

~~(1) From money appropriated to the grant program, the board shall distribute grant money on a competitive basis to regional service centers that apply for a grant to fund, in addition to any available federal money, an individual who facilitates American Indian and Alaskan Native programs under Title VH, Elementary and Secondary Education Act.~~

~~(2) The grant money distributed under this section may only be expended for the purpose described in Subsection (1).~~

~~(3) (a) If a regional service center obtains a grant under this section, by no later than two years from the date on which the regional service center obtains the grant, the board shall review the implementation of the grant money to determine whether:~~

~~(i) the objectives of Title VH, Elementary and Secondary Education Act, as outlined by the regional service center are being met; and~~

~~(ii) the money is being spent for a purpose not provided for in Subsection (1).~~

~~(b) If the board determines that the objectives of Title VH, Elementary and Secondary Education Act, are not being met or that the money is being spent for a purpose not covered by Subsection (1), the board may terminate the grant money being distributed to the regional service center.~~

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~~(4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board may make rules providing:~~

~~(a) criteria for evaluating grant applications; and~~

~~(b) procedures for:~~

~~(i) a regional service center to apply to the board to receive grant money under this section; and~~

~~(ii) the review of the use of grant money described in Subsection (3).~~

~~(5) This section is not intended to require the replacement of individuals who are employed by a school district or charter school.~~

~~Section 7. Section 53B-31-406 is enacted to read:~~

~~53B-31-406.} Reporting -- Meeting.~~

~~(1) The liaison shall annually report to the Native American Legislative Liaison Committee during the five years of the pilot program regarding:~~

~~(a) what entities receive a grant under this part;~~

~~(b) the effectiveness of the expenditures of grant money; and~~

~~(c) recommendations, if any, for additional legislative action.~~

~~(2) The Native American Legislative Liaison Committee shall annually schedule at least one meeting at which education is discussed with selected stakeholders.~~

~~Section 7. Section 63I-1-253 is amended to read:~~

~~63I-1-253. Repeal dates, Titles 53, 53A, and 53B.~~

~~The following provisions are repealed on the following dates:~~

~~(1) Section 53-3-232, Conditional license, is repealed July 1, 2015.~~

~~(2) Subsection 53-10-202(18) is repealed July 1, 2018.~~

~~(3) Section 53-10-202.1 is repealed July 1, 2018.~~

~~(4) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is repealed July 1, 2020.~~

~~(5) The State Instructional Materials Commission, created in Section 53A-14-101, is repealed July 1, 2016.~~

~~(6) Section 53A-15-106 is repealed July 1, 2019.~~

~~(7) Subsections 53A-16-113(3) and (4) are repealed December 31, 2016.~~

~~(8) Section 53A-16-114 is repealed December 31, 2016.~~

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(9) Section 53A-17a-163, Performance-based Compensation Pilot Program, is repealed July 1, 2016.

(10) Title 53A, Chapter 31, Part 4, American Indian and Alaskan Native Education State Plan Pilot Program, is repealed July 1, 2022.

~~(10)~~ (11) Section 53B-24-402, Rural residency training program, is repealed July 1, 2020.

~~(11)~~ (12) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells, other hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.

**Section 8. Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, ~~{2015}~~2016, and ending June 30, ~~{2016}~~2017, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or ~~{accounts}~~amounts indicated. These sums of money are in addition to ~~{any}~~ amounts previously appropriated for fiscal year ~~{2016}~~2017.

To State Board of Education - Utah State Office of Education

~~{~~ From Education Fund, one-time ~~\_\_\_\_\_~~ \$20,000

~~\_\_\_\_\_~~ Schedule of Programs:

~~\_\_\_\_\_~~ Teaching and Learning ~~\_\_\_\_\_~~ \$20,000

~~\_\_\_\_\_~~ Section 9. Appropriation:

~~\_\_\_\_\_~~ Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2016, and ending June 30, 2021, 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 2017 through fiscal year 2021.

~~\_\_\_\_\_~~ To State Board of Education - Utah State Office of Education

~~{~~ From Education Fund ~~\_\_\_\_\_~~ ~~{~~\$2,000~~}~~\$250,000

~~\_\_\_\_\_~~ Schedule of Programs:

~~\_\_\_\_\_~~ Pilot Teacher Retention Grant Program ~~\_\_\_\_\_~~ ~~{~~\$1,500,000

~~\_\_\_\_\_~~ Pilot Regional Service Center Title IV Program ~~\_\_\_\_\_~~ \$500,000

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~~Section 10~~; \$250,000

Section 9. **Effective date.**

If approved by two-thirds of all the members elected to each house, this bill takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.

†

**Legislative Review Note**

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