

COMPETENCY-BASED LEARNING AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Howard A. Stephenson

House Sponsor: _____

LONG TITLE

General Description:

This bill establishes the Competency-Based Education Grants Program.

Highlighted Provisions:

This bill:

▶ enacts Title 53A, Chapter 15, Part 17, Competency-Based Education Grants

Program, including:

- enacts definitions;
- enacts provisions related to the State Board of Education (board) duties;
- enacts provisions related to planning grants;
- enacts provisions related to implementation grants;
- enacts provisions related to expansion grants;
- enacts provisions related to waivers from board rule; and
- enacts provisions related to institutions of higher education and prohibitions on

penalizing students in a competency-based education program.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:



- 28 [53A-15-1701](#), Utah Code Annotated 1953
- 29 [53A-15-1702](#), Utah Code Annotated 1953
- 30 [53A-15-1703](#), Utah Code Annotated 1953
- 31 [53A-15-1704](#), Utah Code Annotated 1953
- 32 [53A-15-1705](#), Utah Code Annotated 1953
- 33 [53A-15-1706](#), Utah Code Annotated 1953
- 34 [53A-15-1707](#), Utah Code Annotated 1953
- 35 [53A-15-1708](#), Utah Code Annotated 1953

36 REPEALS:

37 [53A-1-409](#), as last amended by Laws of Utah 2015, Chapter 415



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

40 Section 1. Section **53A-15-1701** is enacted to read:

41 **Part 17. Competency-Based Education Grants Program**

42 **53A-15-1701. Title.**

43 This part is known as "Competency-Based Education Grants Program."

44 Section 2. Section **53A-15-1702** is enacted to read:

45 **53A-15-1702. Definitions.**

46 As used in this part:

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

48 (a) at least in part, through online learning with some element of student control over
49 time, place, path, and pace;

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

51 (c) in a program in which the modalities along each student's learning path within a
52 course or subject are connected to provide an integrated learning experience.

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

54 (3) "Competency-Based education" means a system where a student advances to higher
55 levels of learning when the student demonstrates competency of concepts and skills regardless
56 of time, place, or pace.

57 (4) "Extended learning" means learning opportunities outside of a traditional school
58 structure, including:

- 59 (a) online learning available anywhere, anytime;
60 (b) career-based experiences, including internships and job shadowing;
61 (c) community-based projects; and
62 (d) off-site postsecondary learning.
63 (5) "Grant program" means the Competency-Based Education Grants Program created
64 in this part.

- 65 (6) "Institution of higher education" means an institution listed in Section [53B-1-102](#).
66 (7) "Local education agency" or "LEA" means:
67 (a) a school district;
68 (b) a charter school; or
69 (c) the Utah Schools for the Deaf and the Blind.
70 (8) "Review committee" means the committee established under Section [53A-15-1703](#).
71 (9) "STEM" means science, technology, engineering, and mathematics.
72 Section 3. Section **53A-15-1703** is enacted to read:

73 **53A-15-1703. Competency-Based Education Grants Program -- Board duties --**
74 **Review committee -- Technical assistance training.**

- 75 (1) There is created the Competency-Based Education Grants Program consisting of
76 the grants created in this part to improve educational outcomes in public schools by advancing
77 student mastery of concepts and skills through the following core principles:
78 (a) student advancement upon mastery of a concept or skill;
79 (b) competencies that include explicit, measurable, and transferable learning objectives
80 that empower a student;
81 (c) assessment that is meaningful and provides a positive learning experience for a
82 student;
83 (d) timely, differentiated support based on a student's individual learning needs; and
84 (e) learning outcomes that emphasize competencies that include application and
85 creation of knowledge along with the development of important skills and dispositions.
86 (2) The grant program shall incentivize an LEA to establish competency-based
87 education within the LEA through the use of:
88 (a) personalized learning;
89 (b) blended learning;

- 90 (c) extended learning;
- 91 (d) educator professional learning in competency-based education; or
- 92 (e) any other method that emphasizes the core principles described in Subsection (1).

93 (3) The board shall:

94 (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
95 adopt rules:

- 96 (i) for the administration of the grant program and awarding of grants; and
- 97 (ii) to define outcome-based measures appropriate to the type of grant for an LEA that
98 is awarded a grant under this part to use to measure the performance of the LEA's plan or
99 program;

100 (b) establish a grant application process;

101 (c) in accordance with Subsection (4), establish a review committee to make
102 recommendations to the board for:

103 (i) metrics to analyze the quality of a grant application; and

104 (ii) approval of a grant application; and

105 (d) with input from the review committee, adopt metrics to analyze the quality of a
106 grant application.

107 (4) (a) The review committee shall consist of STEM and blended learning experts,
108 current and former school administrators, current and former teachers, and at least one former
109 school district superintendent, in addition to other staff designated by the board.

110 (b) The review committee shall:

111 (i) review a grant application submitted by an LEA;

112 (ii) make recommendations to the LEA to modify the application, if necessary; and

113 (iii) make recommendations to the board regarding the final disposition of an
114 application.

115 (5) (a) The board shall provide technical assistance training to assist an LEA with a
116 grant application under this part.

117 (b) An LEA may not apply for a grant under this part unless:

118 (i) a representative of the LEA attends the technical assistance training before the LEA
119 submits a grant application; and

120 (ii) the representative is a superintendent, principal, or a person in a leadership position

121 within the LEA.

122 (c) The technical assistance training shall include:

123 (i) instructions on completing a grant application, including grant application
124 requirements;

125 (ii) information on the scoring metrics used to review a grant application; and

126 (iii) information on competency-based education.

127 (6) The board may use up to 1% of an appropriation provided to fund this part for
128 administration of the grant program.

129 Section 4. Section **53A-15-1704** is enacted to read:

130 **53A-15-1704. Planning grants -- Requirements.**

131 (1) (a) The board shall, subject to legislative appropriations, award a planning grant to
132 an LEA:

133 (i) that submits a planning grant application that meets the requirements established by
134 the board, subject to Subsection (2);

135 (ii) if an LEA designee has attended the technical assistance training described in
136 Section [53A-15-1703](#); and

137 (iii) if the LEA planning grant application has been recommended by the review
138 committee.

139 (b) An LEA that receives a grant under Subsection (1)(a) shall expend the grant funds
140 no later than one calendar year after receiving the funds.

141 (2) (a) A planning grant application shall include evidence that the LEA:

142 (i) can provide a general description of the program the LEA would like to plan;

143 (ii) is intending to plan for:

144 (A) schoolwide implementation; or

145 (B) if the LEA intends to implement initially with a population smaller than
146 schoolwide, phasing the plan in schoolwide or districtwide over a specified period of time;

147 (iii) can describe the types of partners that will help with the plan and, eventually,
148 implement the program;

149 (iv) planning activities and program will focus on:

150 (A) implementation of the core principles described in Section [53A-15-1703](#);

151 (B) use of the methods, as applicable, described in Section [53A-15-1703](#); and

- 152 (C) the outcome-based measures adopted by the board under Section 53A-15-1703;
- 153 (v) has:
- 154 (A) the capacity, qualifications, local governing body support, and time to successfully
- 155 plan the program; and
- 156 (B) an intentional and feasible planning process;
- 157 (vi) will align the LEA's budget as necessary with the planning process; and
- 158 (vii) will communicate and promote the plan with parents, teachers, and members of
- 159 the community.

160 (b) The board may adopt other requirements in addition to the requirements in
161 Subsection (2)(a).

162 Section 5. Section 53A-15-1705 is enacted to read:

163 **53A-15-1705. Implementation grants -- Requirements.**

164 (1) (a) The board shall, subject to legislative appropriations, award an implementation
165 grant to an LEA:

166 (i) that submits an implementation grant application that meets the requirements
167 established by the board, subject to Subsection (2);

168 (ii) if an LEA designee has attended the technical assistance training described in
169 Section 53A-15-1703; and

170 (iii) if the LEA implementation grant application has been recommended by the review
171 committee.

172 (b) An LEA that receives a grant under Subsection (1)(a) shall expend the grant funds
173 no later than two calendar years after receiving the funds.

174 (2) (a) An implementation grant application shall include evidence that the LEA:

175 (i) can logically articulate the proposed program's mission, theory of change, and the
176 program's intended goals and outcomes;

177 (ii) (A) program will have schoolwide implementation; or

178 (B) if the LEA intends to implement initially with a population smaller than
179 schoolwide, program includes steps to phase the program in schoolwide or districtwide over a
180 specified period of time;

181 (iii) has an understanding of similar programs and can use this knowledge to strengthen
182 the LEA's program implementation;

- 183 (iv) program will focus on:
- 184 (A) direct alignment with the core principles described in Section 53A-15-1703;
- 185 (B) use of the methods, as applicable, described in Section 53A-15-1703; and
- 186 (C) the outcome based measures adopted by the board under Section 53A-15-1703;
- 187 (v) program will address a need, determined by data, in the LEA or community;
- 188 (vi) has a strong evaluation plan that will clearly measure the success of the LEA's
- 189 program against the stated goals and objectives;
- 190 (vii) has a list of signatures of key stakeholders and partners who are committed to
- 191 implementing the program;
- 192 (viii) has the capacity, qualifications, local governing body support, and time to
- 193 successfully implement this program;
- 194 (ix) has an intentional and feasible scope of work to implement the program;
- 195 (x) will align the LEA's budget as necessary with the planning process; and
- 196 (xi) will communicate and promote the plan with parents, teachers, and members of the
- 197 community.
- 198 (b) The board may adopt other requirements in addition to the requirements in
- 199 Subsection (2)(a).
- 200 (3) A program under this section may include:
- 201 (a) a waiver, subject to Section 53A-15-1707, of required school hours attended or
- 202 traditional school calendar scheduling; and
- 203 (b) an adjustment of educator compensation to reflect the implementation of a waiver
- 204 under Subsection (3)(a).
- 205 Section 6. Section **53A-15-1706** is enacted to read:
- 206 **53A-15-1706. Expansion grants -- Requirements.**
- 207 (1) (a) The board shall, subject to legislative appropriations and to expand an existing
- 208 LEA program schoolwide or districtwide, award a grant to an LEA:
- 209 (i) that submits an expansion grant application that meets the requirements established
- 210 by the board, subject to Subsection (2);
- 211 (ii) if an LEA designee has attended the technical assistance training described in
- 212 Section 53A-15-1703; and
- 213 (iii) if the LEA expansion grant application has been recommended by the review

214 committee.

215 (b) An LEA that receives a grant under Subsection (1)(a) shall expend the grant funds
216 no later than two calendar years after receiving the funds.

217 (2) (a) An expansion grant application shall include evidence that the LEA:

218 (i) has an established program that:

219 (A) has successfully met previous goals;

220 (B) has shown outcomes that are in alignment with the core principles described in
221 Section [53A-15-1703](#) and used methods, as applicable, described in Section [53A-15-1703](#);

222 (C) is supported by LEA management and leadership;

223 (D) is suitable for expansion schoolwide or districtwide; and

224 (E) is the program, with any necessary modifications, that the LEA plans to expand if
225 awarded the expansion grant;

226 (ii) can logically articulate the LEA's program mission, theory of change, and the
227 program's intended goals and outcomes;

228 (iii) program as proposed for expansion is focused on:

229 (A) direct alignment with the core principles identified in Section [53A-15-1703](#);

230 (B) use of the methods, as applicable, described in Section [53A-15-1703](#); and

231 (C) the outcome based measures adopted by the board under Section [53A-15-1703](#);

232 (iv) that the program will directly address a need, determined by data, in the LEA or
233 community;

234 (v) has clearly articulated core components that ensure, when expanded, the program
235 will yield positive outcomes;

236 (vi) has a strong evaluation plan that will clearly measure the success of the LEA's
237 program against the stated goals and objectives;

238 (vii) has a list of signatures of key stakeholders and partners who are committed to
239 expanding the program;

240 (viii) has the capacity, qualifications, local governing body support, and time to
241 successfully expand the program;

242 (ix) has an intentional and feasible scope of work to expand the program;

243 (x) has a strategic budget that is aligned with the LEA's scope of work; and

244 (xi) will communicate and promote the plan with parents, teachers, and members of the

245 community.

246 (b) The board may adopt other requirements in addition to the requirements in

247 Subsection (2)(a).

248 (3) A program under this section may include:

249 (a) a waiver, subject to Section 53A-15-1707, of required school hours attended or
250 traditional school calendar scheduling; and

251 (b) an adjustment of educator compensation to reflect the implementation of a waiver
252 under Subsection (3)(a).

253 Section 7. Section **53A-15-1707** is enacted to read:

254 **53A-15-1707. Waiver from board rule -- Board recommended statutory changes.**

255 (1) An LEA may apply to the board in a grant application submitted under this part for
256 a waiver of a board rule that inhibits or hinders the LEA from accomplishing its goals set out in
257 its grant application.

258 (2) The board may grant the waiver, unless:

259 (a) the waiver would cause the LEA to be in violation of state or federal law; or

260 (b) the waiver would threaten the health, safety, or welfare of students in the LEA.

261 (3) If the board denies the waiver, the board shall provide in writing the reason for the
262 denial to the waiver applicant.

263 (4) (a) The board shall request from each LEA that receives a grant under this part for
264 each year the LEA receives funds:

265 (i) information on a state statute that hinders an LEA from fully implementing the
266 LEA's program; and

267 (ii) suggested changes to the statute.

268 (b) The board shall, in a written report, provide any information received from an LEA
269 under Subsection (4)(a) and the board's recommendations to the Legislature no later than
270 November 30 of each year.

271 Section 8. Section **53A-15-1708** is enacted to read:

272 **53A-15-1708. Cooperation of institutions of higher education -- Transferring**
273 **students not to be penalized.**

274 (1) An institution of higher education:

275 (a) shall recognize and accept on equal footing as a traditional high school diploma a

276 high school diploma awarded to a student who successfully completes an educational program
277 that uses, in whole or in part, competency-based education; and

278 (b) cooperate with an LEA:

279 (i) as applicable, to facilitate the advancement of a student who attends a
280 competency-based education program; and

281 (ii) as requested, in the development of an LEA plan or program under this part.

282 (2) If a student attending an LEA that establishes competency-based education within
283 the LEA transfers to another school within the LEA or to another LEA entirely that does not
284 have a competency-based education program, the student may not be penalized by being
285 required to repeat course work that the student has successfully completed, changing the
286 student's grade, or receive any other penalty related to the student's previous attendance in the
287 competency-based education program.

288 Section 9. **Repealer.**

289 This bill repeals:

290 Section **53A-1-409, Competency-based education -- Recommendations --**
291 **Coordination.**

Legislative Review Note
Office of Legislative Research and General Counsel