

STEM AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies provisions related to the STEM Action Center.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ creates an expendable special revenue fund called the "STEM Action Center Foundation Fund";
- ▶ provides for treating money in the fund as an endowment fund such that the principal in the fund is not expended;
- ▶ modifies provisions related to the STEM Action Center creating a foundation; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

63N-12-202, as renumbered and amended by Laws of Utah 2015, Chapter 283

63N-12-204, as last amended by Laws of Utah 2016, Chapter 139

63N-12-210, as last amended by Laws of Utah 2016, Chapter 139



28 ENACTS:

29 [63N-12-204.5](#), Utah Code Annotated 1953



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

32 Section 1. Section **63N-12-202** is amended to read:

33 **63N-12-202. Definitions.**

34 As used in this part:

35 (1) "Board" means the STEM Action Center Board created in Section [63N-12-203](#).

36 (2) "Director" means the director appointed by the board to oversee the administration
37 of the STEM Action Center.

38 [~~(2)~~] (3) "Educator" [~~has the same meaning as~~] means the same as that term is defined
39 in Section [53A-6-103](#).

40 (4) "Foundation" means a foundation established as described in Subsections
41 [63N-12-204](#)(3) and (4).

42 (5) "Fund" means the STEM Action Center Foundation Fund created in Section
43 [63N-12-204.5](#).

44 [~~(3)~~] (6) "High quality professional development" means professional development that
45 meets high quality standards developed by the State Board of Education.

46 [~~(4)~~] (7) "Office" means the Governor's Office of Economic Development.

47 [~~(5)~~] (8) "Provider" means a provider[;] selected [~~by staff of the board and staff of the~~
48 ~~Utah State Board of Education, on behalf of the board~~] on behalf of the board by the staff of the
49 board and the staff of the State Board of Education:

50 (a) through a request for proposals process; or

51 (b) through a direct award or sole source procurement process for a pilot described in
52 Section [63N-12-206](#).

53 [~~(6)~~] (9) "STEM" means science, technology, engineering, and mathematics.

54 [~~(7)~~] (10) "STEM Action Center" means the center described in Section [63N-12-205](#).

55 Section 2. Section **63N-12-204** is amended to read:

56 **63N-12-204. STEM Action Center Board -- Duties.**

57 (1) The board shall:

58 (a) establish a STEM Action Center to:

- 59 (i) coordinate STEM activities in the state among the following stakeholders:
- 60 (A) the State Board of Education;
- 61 (B) school districts and charter schools;
- 62 (C) the State Board of Regents;
- 63 (D) institutions of higher education;
- 64 (E) parents of home-schooled students;
- 65 (F) other state agencies; and
- 66 (G) business and industry representatives;
- 67 (ii) align public education STEM activities with higher education STEM activities; and
- 68 (iii) create and coordinate best practices among public education and higher education;
- 69 (b) with the consent of the Senate, appoint a director to oversee the administration of
- 70 the STEM Action Center;
- 71 (c) select a physical location for the STEM Action Center;
- 72 (d) strategically engage industry and business entities to cooperate with the board:
- 73 (i) to support high quality professional development and provide other assistance for
- 74 educators and students; and
- 75 (ii) to provide private funding and support for the STEM Action Center;
- 76 (e) give direction to the STEM Action Center and the providers selected through a
- 77 request for proposals process pursuant to this part; and
- 78 (f) work to meet the following expectations:
- 79 (i) that at least 50 educators are implementing best practice learning tools in
- 80 classrooms;
- 81 (ii) performance change in student achievement in each classroom participating in a
- 82 STEM Action Center project; and
- 83 (iii) that students from at least 50 schools in the state participate in the STEM
- 84 competitions, fairs, and camps described in Subsection [63N-12-205\(2\)\(d\)](#).
- 85 (2) The board may:
- 86 (a) enter into contracts for the purposes of this part;
- 87 (b) apply for, receive, and disburse funds, contributions, or grants from any source for
- 88 the purposes set forth in this part;
- 89 (c) employ, compensate, and prescribe the duties and powers of individuals necessary

90 to execute the duties and powers of the board;

91 (d) prescribe the duties and powers of the STEM Action Center providers; and

92 (e) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
93 make rules to administer this part.

94 (3) The board may establish a foundation to assist in:

95 (a) the development and implementation of the programs authorized under this part to
96 promote STEM education; and

97 (b) implementation of other STEM education objectives described in this part.

98 (4) A foundation established by the board under Subsection (3):

99 (a) may solicit and receive contributions from a private organization for STEM
100 education objectives described in this part;

101 (b) shall comply with [~~Title 51, Chapter 7, State Money Management Act~~] the
102 requirements described in Section 63N-12-204.5;

103 (c) does not have power or authority to incur contractual obligations or liabilities that
104 constitute a claim against public funds;

105 (d) may not exercise executive or administrative authority over the programs or other
106 activities described in this part, except to the extent specifically authorized by the board;

107 (e) shall provide the board with information detailing transactions and balances [~~of~~
108 ~~funds managed for the board~~] associated with the foundation; and

109 (f) may not:

110 (i) engage in lobbying activities;

111 (ii) attempt to influence legislation; or

112 (iii) participate in any campaign activity for or against:

113 (A) a political candidate; or

114 (B) an initiative, referendum, proposed constitutional amendment, bond, or any other
115 ballot proposition submitted to the voters.

116 [~~(5) Money donated to a foundation established under Subsection (3) may be accounted~~
117 ~~for in an expendable special revenue fund.~~]

118 Section 3. Section **63N-12-204.5** is enacted to read:

119 **63N-12-204.5. STEM Action Center Foundation Fund.**

120 (1) There is created an expendable special revenue fund known as the "STEM Action

121 Center Foundation Fund."

122 (2) The director shall administer the fund under the direction of the board.

123 (3) Money may be deposited into the fund from a variety of sources, including grants,
124 private foundations, individual donors, gifts, bequests, and legislative appropriations.

125 (4) Money collected by a foundation described in Subsections [63N-12-204\(3\)](#) and (4)
126 shall be deposited into the fund.

127 (5) The fund shall be treated as an endowment fund such that the principal of the fund
128 is held in perpetuity by the Division of Finance on behalf of the STEM Action Center.

129 (6) Only interest or other earnings derived from the fund may be expended by the board
130 or a foundation described in Subsections [63N-12-204\(3\)](#) and (4), except that the principal of
131 the fund may be spent in a time of emergency in an amount as determined by the director and
132 the board.

133 (7) The state treasurer shall invest the money in the fund according to the procedures
134 and requirements of Title 51, Chapter 7, State Money Management Act, except that all interest
135 or other earnings derived from those investments shall be deposited into the fund.

136 Section 4. Section **63N-12-210** is amended to read:

137 **63N-12-210. Acquisition of STEM education high quality professional**
138 **development.**

139 (1) The STEM Action Center [~~shall~~] may, through a request for proposals process,
140 select technology providers for the purpose of providing a STEM education high quality
141 professional development application.

142 (2) The high quality professional development application described in Subsection (1)
143 shall:

144 (a) allow the State Board of Education, a school district, or a school to define the
145 application's input and track results of the high quality professional development;

146 (b) allow educators to access automatic tools, resources, and strategies, including
147 instructional materials with integrated STEM content;

148 (c) allow educators to work in online learning communities, including giving and
149 receiving feedback via uploaded video;

150 (d) track and report data on the usage of the components of the application's system
151 and the relationship to improvement in classroom instruction;

152 (e) include video examples of highly effective STEM education teaching that:
153 (i) cover a cross section of grade levels and subjects;
154 (ii) under the direction of the State Board of Education, include videos of highly
155 effective Utah STEM educators; and
156 (iii) contain tools to help educators implement what they have learned; and
157 (f) allow for additional STEM education video content to be added.
158 (3) In addition to the high quality professional development application described in
159 Subsections (1) and (2), the STEM Action Center may create STEM education hybrid or
160 blended high quality professional development that allows for face-to-face applied learning.

Legislative Review Note
Office of Legislative Research and General Counsel