

HB0426S01 compared with HB0426

~~text~~ shows text that was in HB0426 but was deleted in HB0426S01.

Inserted text shows text that was not in HB0426 but was inserted into HB0426S01.

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Representative Val L. Peterson proposes the following substitute bill:

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 a portion of money in the fund as an endowment fund such that the principal ~~fin~~of 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:

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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

ENACTS:

63N-12-204.5, Utah Code Annotated 1953

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

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

63N-12-202. Definitions.

As used in this part:

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

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

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

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

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

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

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

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

(a) through a request for proposals process; or

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

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

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

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

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

(1) The board shall:

(a) establish a STEM Action Center to:

(i) coordinate STEM activities in the state among the following stakeholders:

(A) the State Board of Education;

(B) school districts and charter schools;

(C) the State Board of Regents;

(D) institutions of higher education;

(E) parents of home-schooled students;

(F) other state agencies; and

(G) business and industry representatives;

(ii) align public education STEM activities with higher education STEM activities; and

(iii) create and coordinate best practices among public education and higher education;

(b) with the consent of the Senate, appoint a director to oversee the administration of the STEM Action Center;

(c) select a physical location for the STEM Action Center;

(d) strategically engage industry and business entities to cooperate with the board:

(i) to support high quality professional development and provide other assistance for educators and students; and

(ii) to provide private funding and support for the STEM Action Center;

(e) give direction to the STEM Action Center and the providers selected through a request for proposals process pursuant to this part; and

(f) work to meet the following expectations:

(i) that at least 50 educators are implementing best practice learning tools in classrooms;

(ii) performance change in student achievement in each classroom participating in a

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STEM Action Center project; and

(iii) that students from at least 50 schools in the state participate in the STEM competitions, fairs, and camps described in Subsection 63N-12-205(2)(d).

(2) The board may:

(a) enter into contracts for the purposes of this part;

(b) apply for, receive, and disburse funds, contributions, or grants from any source for the purposes set forth in this part;

(c) employ, compensate, and prescribe the duties and powers of individuals necessary to execute the duties and powers of the board;

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

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

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

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

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

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

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

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

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

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

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

(f) may not:

(i) engage in lobbying activities;

(ii) attempt to influence legislation; or

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

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(A) a political candidate; or

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

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

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

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

(1) There is created an expendable special revenue fund known as the "STEM Action Center Foundation Fund."

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

(3) Money may be deposited into the fund from a variety of sources, including ~~transfers~~, grants, private foundations, individual donors, gifts, bequests, ~~and~~ legislative appropriations, **and money made available from any other source.**

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

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

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

~~{ ~~(7)~~ (6) The state treasurer shall invest the money in the fund according to the procedures and requirements of Title 51, Chapter 7, State Money Management Act, except that all interest or other earnings derived from those investments shall be deposited into the fund.~~

(7) The director, under the direction of the board, may expend money from the fund for the purposes described in this part.

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

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

(1) The STEM Action Center ~~shall~~ may, through a request for proposals process,

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select technology providers for the purpose of providing a STEM education high quality professional development application.

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

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

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

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

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

(e) include video examples of highly effective STEM education teaching that:

(i) cover a cross section of grade levels and subjects;

(ii) under the direction of the State Board of Education, include videos of highly effective Utah STEM educators; and

(iii) contain tools to help educators implement what they have learned; and

(f) allow for additional STEM education video content to be added.

(3) In addition to the high quality professional development application described in Subsections (1) and (2), the STEM Action Center may create STEM education hybrid or blended high quality professional development that allows for face-to-face applied learning.

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Legislative Review Note

Office of Legislative Research and General Counsel†