

SCHOOL TURNAROUND AMENDMENTS

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Bradley G. Last

LONG TITLE

General Description:

This bill amends provisions of the School Turnaround and Leadership Development Act.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ amends provisions related to the designation of a low performing school;
- ▶ requires a local school board of a low performing school, or a charter school authorizer of a low performing charter school, to partner with the school turnaround committee to select a facilitator and develop a school turnaround plan;
- ▶ directs the State Board of Education to identify and contract with a facilitator to partner with a low performing school;
- ▶ repeals and enacts certain provisions related to funding;
- ▶ directs the State Board of Education to identify specialists for a local education board to contract with to provide interventions;
- ▶ directs the State Board of Education to adopt rules establishing implications for a low performing school that fails to improve;
- ▶ amends provisions related to an extension granted to a low performing school;
- ▶ amends and provides a repeal date for the School Recognition and Reward Program;
- ▶ enacts the Turnaround School Teacher Recruitment and Retention Program; and



28 ▶ makes technical corrections.

29 **Money Appropriated in this Bill:**

30 None

31 **Other Special Clauses:**

32 None

33 **Utah Code Sections Affected:**

34 AMENDS:

35 **53A-1-1202**, as last amended by Laws of Utah 2016, Chapter 241

36 **53A-1-1203**, as last amended by Laws of Utah 2016, Chapter 241

37 **53A-1-1204**, as last amended by Laws of Utah 2016, Chapter 241

38 **53A-1-1205**, as last amended by Laws of Utah 2016, Chapter 241

39 **53A-1-1206**, as last amended by Laws of Utah 2016, Chapter 241

40 **53A-1-1207**, as last amended by Laws of Utah 2016, Chapter 241

41 **53A-1-1208**, as last amended by Laws of Utah 2016, Chapter 241

42 **63I-2-253**, as last amended by Laws of Utah 2016, Chapters 128, 229, 236, 271, and

43 318

44 ENACTS:

45 **53A-1-1206.5**, Utah Code Annotated 1953

46 **53A-1-1208.1**, Utah Code Annotated 1953



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

49 Section 1. Section **53A-1-1202** is amended to read:

50 **53A-1-1202. Definitions.**

51 As used in this part:

52 (1) "Board" means the State Board of Education.

53 (2) "Charter school authorizer" means the same as that term is defined in Section

54 [53A-1a-501.3](#).

55 (3) "Charter school governing board" means the governing board, as defined in Section
56 [53A-1a-501.3](#), that governs a charter.

57 ~~(4)~~ (4) "District school" means a public school under the control of a local school
58 board elected under Title 20A, Chapter 14, Nomination and Election of State and Local School

59 Boards.

60 [~~(4)~~] (5) "Educator" means the same as that term is defined in Section [53A-6-103](#).

61 (6) "Facilitator" means a person who:

62 (a) has expertise in facilitating school improvement efforts;

63 (b) meets the criteria described in Section [53A-1-1206](#); and

64 (c) is independent of a local education board and a low performing school.

65 [~~(5)~~] (7) "Final remedial year" means the second school year following the initial
66 remedial year.

67 [~~(6)~~] (8) "Initial remedial year" means the school year a district school or charter school
68 is designated as a low performing school under Section [53A-1-1203](#).

69 (9) "Local education board" means a local school board or charter school governing
70 board.

71 (10) "Local school board" means a board elected under Title 20A, Chapter 14, Part 2,
72 Election of Members of Local Boards of Education.

73 [~~(7)~~] (11) "Low performing school" means a district school or charter school that has
74 been designated a low performing school by the board because the school is:

75 (a) for two consecutive school years in the lowest performing 3% of schools statewide
76 according to the percentage of possible points earned under the school grading system; and

77 (b) a low performing school according to other outcome-based measures as may be
78 defined in rules made by the board in accordance with Title 63G, Chapter 3, Utah
79 Administrative Rulemaking Act.

80 [~~(8)~~] (12) "School grade" or "grade" means the letter grade assigned to a school under
81 the school grading system.

82 [~~(9)~~] (13) "School grading system" means the system established under Part 11, School
83 Grading Act, of assigning letter grades to schools.

84 (14) "School turnaround committee" means a committee established under:

85 (a) for a district school, Section [53A-1-1204](#); or

86 (b) for a charter school, Section [53A-1-1205](#).

87 (15) "School turnaround plan" means a plan described in:

88 (a) for a district school, Section [53A-1-1204](#); or

89 (b) for a charter school, Section [53A-1-1205](#).

90 (16) "Specialist" means a person who:

91 (a) has expertise in providing interventions that address the root cause of low
 92 performance at a public school;

93 (b) is independent of a local education board and a low performing school; and

94 (c) meets the criteria described in Section [53A-1-1206.5](#).

95 ~~[(10)]~~ (17) "Statewide assessment" means a test of student achievement in basic
 96 academic subjects, including a test administered in a computer adaptive format that is
 97 administered statewide under Part 6, Achievement Tests.

98 Section 2. Section **53A-1-1203** is amended to read:

99 **53A-1-1203. State Board of Education to designate low performing schools.**

100 (1) On ~~[or before September 1]~~ a date specified by the board, the board shall annually
 101 designate ~~[a school as a]~~ low performing ~~[school if the school is:]~~ schools.

102 ~~[(1) in the lowest performing 3% of schools statewide according to the percentage of~~
 103 ~~possible points earned under the school grading system; and]~~

104 ~~[(2) a low performing school according to other outcome-based measures as may be~~
 105 ~~defined in rules made by the board in accordance with Title 63G, Chapter 3, Utah~~
 106 ~~Administrative Rulemaking Act.]~~

107 (2) A school that was designated as a lowest performing school based on 2015-2016
 108 school year performance that is not in the lowest performing 3% of schools statewide following
 109 the 2016-2017 school year is exempt from the provisions of this part.

110 Section 3. Section **53A-1-1204** is amended to read:

111 **53A-1-1204. Required action to turn around a low performing district school.**

112 (1) ~~[On or before September 15 of]~~ In an initial remedial year on a date specified by the
 113 board, a local school board of a low performing school shall establish a school turnaround
 114 committee composed of the following members:

115 (a) the local school board member who represents the voting district where the low
 116 performing school is located;

117 (b) the school principal;

118 (c) three parents of students enrolled in the low performing school appointed by the
 119 chair of the school community council;

120 (d) one teacher at the low performing school appointed by the principal; ~~[and]~~

121 (e) one teacher at the low performing school appointed by the school district
122 superintendent[-]; and

123 (f) one school district administrator.

124 (2) (a) Subject to ~~[Subsection]~~ Subsection (2)(b), ~~[on or before October 1 of]~~ in an
125 initial remedial year on a date specified by the board, a local school board of a low performing
126 school shall partner with the school turnaround committee to ~~[select an independent school~~
127 ~~turnaround expert from the experts]~~ select a facilitator identified by the board under Section
128 53A-1-1206.

129 (b) A local school board may not select ~~[an independent school turnaround expert]~~ a
130 facilitator that is:

131 (i) the school district; or

132 (ii) an employee of the school district.

133 (3) A school turnaround committee shall partner with the ~~[independent school~~
134 ~~turnaround expert selected]~~ facilitator selected under Subsection (2) to develop ~~[and~~
135 ~~implement]~~ a school turnaround plan that includes:

136 (a) ~~[the findings of the analysis conducted by the independent school turnaround expert~~
137 ~~described in Subsection 53A-1-1206(1)(a)]~~ a thorough analysis, conducted by the facilitator, of
138 the reasons for the low performing school's low performance, including findings of the root
139 cause of the low performance;

140 (b) a specific and detailed plan to address the root causes of the low performing
141 school's low performance, including recommendations regarding changes to the low
142 performing school's personnel, culture, curriculum, assessments, instructional practices,
143 governance, leadership, finances, policies, or other areas that may be necessary to implement
144 the school turnaround plan;

145 (c) measurable student achievement goals and objectives;

146 (d) a professional development plan that identifies a strategy to address problems of
147 instructional practice;

148 (e) a detailed budget specifying how the school turnaround plan will be funded;

149 (f) a plan to assess and monitor progress;

150 (g) a plan to communicate and report data on progress to stakeholders; and

151 (h) a timeline for implementation.

- 152 (4) A local school board of a low performing school shall:
- 153 (a) prioritize school district funding and resources to the low performing school; [~~and~~]
- 154 (b) grant the low performing school streamlined authority over staff, schedule, policies,
- 155 budget, and academic programs to implement the school turnaround plan[~~;~~]; and
- 156 (c) assist a facilitator, specialist, and low performing school with:
- 157 (i) addressing the root cause of the low performing school's low performance; and
- 158 (ii) the development or implementation of a school turnaround plan.

159 (5) (a) On or before March 1 of an initial remedial year, a school turnaround committee

160 shall submit the school turnaround plan to the local school board for approval.

161 (b) Except as provided in Subsection (5)(c), on or before April 1 of an initial remedial

162 year, a local school board of a low performing school shall submit the school turnaround plan

163 to the board for approval.

164 (c) If the local school board does not approve the school turnaround plan submitted

165 under Subsection (5)(a), the school turnaround committee may appeal the disapproval in

166 accordance with rules made by the board as described in Subsection 53A-1-1206(5).

167 Section 4. Section 53A-1-1205 is amended to read:

168 **53A-1-1205. Required action to terminate or turn around a low performing**

169 **charter school.**

170 (1) [~~On or before September 10 of~~] In an initial remedial year on a date specified by the

171 board, a charter school authorizer of a low performing school shall initiate a review to

172 determine whether the charter school is in compliance with the school's charter agreement

173 described in Section 53A-1a-508, including the school's established minimum standards for

174 student achievement.

175 (2) If a low performing school is found to be out of compliance with the school's

176 charter agreement, the charter school authorizer may terminate the school's charter in

177 accordance with Section 53A-1a-510.

178 (3) A charter school authorizer shall make a determination on the status of a low

179 performing school's charter under Subsection (2) on or before [~~October 1 of~~] a date specified

180 by the board in an initial remedial year.

181 (4) If a charter school authorizer does not terminate a low performing school's charter

182 under Subsection (2), a charter school governing board of a low performing school shall:

- 183 (a) on or before [~~October 15 of~~] a date specified by the board in an initial remedial
184 year, establish a school turnaround committee composed of the following members:
- 185 (i) a member of the charter school governing board, appointed by the chair of the
186 charter school governing board;
- 187 (ii) the school principal;
- 188 (iii) three parents of students enrolled in the low performing school, appointed by the
189 chair of the charter school governing board; and
- 190 (iv) two teachers at the low performing school, appointed by the school principal; and
- 191 (b) subject to Subsection (5), on or before [~~November 1 of~~] a date specified by the
192 board in an initial remedial year, [~~in partnership with the school turnaround committee, select~~
193 ~~an independent school turnaround expert from the experts~~] select, in partnership with the
194 school turnaround committee, a facilitator from the facilitators identified by the board under
195 Section [53A-1-1206](#).
- 196 (5) A charter school governing board may not select [~~a school turnaround expert~~] a
197 facilitator that:
- 198 (a) is a member of the charter school governing board;
- 199 (b) is an employee of the charter school; or
- 200 (c) has a contract to operate the charter school.
- 201 (6) (a) A school turnaround committee shall partner with the [~~independent school~~
202 ~~turnaround expert~~] facilitator selected under Subsection (4)(b) to develop and implement a
203 school turnaround plan that includes the elements described in Subsection [53A-1-1204](#)(3).
- 204 (b) A charter school governing board shall assist a facilitator, specialist, and a low
205 performing charter school with:
- 206 (i) addressing the root cause of the low performing school's low performance; and
- 207 (ii) the development or implementation of a school turnaround plan.
- 208 (7) (a) On or before March 1 of an initial remedial year, a school turnaround committee
209 shall submit the school turnaround plan to the charter school governing board for approval.
- 210 (b) Except as provided in Subsection (7)(c), on or before April 1 of an initial remedial
211 year, a charter school governing board of a low performing school shall submit the school
212 turnaround plan to the board for approval.
- 213 (c) If the charter school governing board does not approve the school turnaround plan

214 submitted under Subsection (7)(a), the school turnaround committee may appeal the
215 disapproval in accordance with rules made by the board as described in Subsection
216 [53A-1-1206\(5\)](#).

217 (8) The provisions of this part do not modify or limit a charter school authorizer's
218 authority at any time to terminate a charter school's charter in accordance with Section
219 [53A-1a-510](#).

220 Section 5. Section **53A-1-1206** is amended to read:

221 **53A-1-1206. State Board of Education to identify facilitators -- Review and**
222 **approval of school turnaround plans -- Appeals process.**

223 (1) [~~On or before August 30, the~~] The board shall [~~identify two or more approved~~
224 ~~independent school turnaround experts, through a request for proposals process,~~], through a
225 competitive procurement process, identify and contract with two or more facilitators that a low
226 performing school may select [~~from to partner with~~] as partners to:

227 (a) conduct a thorough analysis of the root cause of the low performing school's low
228 performance;

229 (b) develop a specific and detailed plan to address the root cause of the low performing
230 school's low performance;

231 [~~(a)~~] (c) collect and analyze data on the low performing school's student achievement,
232 personnel, culture, curriculum, assessments, instructional practices, governance, leadership,
233 finances, and policies;

234 [~~(b)~~] (d) recommend changes to the low performing school's culture, curriculum,
235 assessments, instructional practices, governance, finances, policies, or other areas based on
236 data collected under Subsection (1)[~~(a)~~](c);

237 [~~(c)~~] (e) develop and implement, in partnership with the school turnaround committee,
238 a school turnaround plan that meets the criteria described in Subsection [53A-1-1204\(3\)](#);

239 [~~(d)~~] (f) monitor the effectiveness of a school turnaround plan through reliable means
240 of evaluation, including on-site visits, observations, surveys, analysis of student achievement
241 data, and interviews;

242 [~~(e)~~] (g) provide ongoing implementation support and project management for a school
243 turnaround plan; and

244 [~~(f)~~] provide high-quality professional development personalized for school staff that is

245 designed to build the:]

246 [~~(i) leadership capacity of the school principal; and]~~

247 [~~(ii) instructional capacity of school staff; and]~~

248 [~~(g)~~] (h) leverage support from community partners to coordinate an efficient delivery

249 of supports to students both inside and outside the classroom.

250 (2) In identifying [~~independent school turnaround experts]~~ a facilitator under

251 Subsection (1), the board shall identify [~~experts]~~ a facilitator that:

252 (a) has experience conducting root cause analyses;

253 [~~(a) have]~~ (b) has a credible track record of improving student academic achievement

254 in public schools with various demographic characteristics, as measured by statewide

255 assessments;

256 [~~(b) have]~~ (c) has experience designing, implementing, and evaluating data-driven

257 instructional systems in public schools;

258 [~~(c) have]~~ (d) has experience coaching public school administrators and teachers on

259 designing data-driven school improvement plans; and

260 [~~(d) have]~~ (e) has experience working with the various education entities that govern

261 public schools[;].

262 [~~(e) have experience delivering high-quality professional development in instructional~~

263 ~~effectiveness to public school administrators and teachers;]~~

264 [~~(f) are willing to be compensated for professional services based on performance as~~

265 ~~described in Subsection (3); and]~~

266 [~~(g) are willing to partner with any low performing school in the state, regardless of~~

267 ~~location.]~~

268 [~~(3) (a) When awarding a contract to an independent school turnaround expert selected~~

269 ~~by a local school board under Subsection 53A-1-1204(2) or by a charter school governing~~

270 ~~board under Subsection 53A-1-1205(4)(b), the board shall ensure that a contract between the~~

271 ~~board and the independent school turnaround expert specifies that the board will:]~~

272 [~~(i) pay an independent school turnaround expert no more than 50% of the expert's~~

273 ~~professional fees at the beginning of the independent school turnaround expert's work for the~~

274 ~~low performing school; and]~~

275 [~~(ii) pay the remainder of the independent school turnaround expert's professional fees~~

276 upon completion of the independent school turnaround expert's work for the low performing
277 school if:]

278 [~~(A) the independent school turnaround expert fulfills the terms of the contract; and]~~

279 [~~(B) the low performing school's grade improves by at least one letter grade, as~~

280 ~~determined by the board under Subsection (3)(b).]~~

281 [~~(b) The board shall determine whether a low performing school's grade has improved~~

282 ~~under Subsection (3)(a)(ii) by comparing the school's letter grade for the school year prior to~~

283 ~~the initial remedial year to the school's letter grade:]~~

284 [~~(i) for the final remedial year; or]~~

285 [~~(ii) for the last school year of the extension period if, as described in Section~~

286 ~~53A-1-1207:]~~

287 [~~(A) a school is granted an extension; and]~~

288 [~~(B) the board extends the contract of the school's independent school turnaround~~

289 ~~expert.]~~

290 [~~(c) In negotiating a contract with an independent school turnaround expert, the board~~

291 ~~shall offer:]~~

292 [~~(i) differentiated amounts of funding based on student enrollment; and]~~

293 [~~(ii) a higher amount of funding for schools that are in the lowest performing 1% of~~

294 ~~schools statewide according to the percentage of possible points earned under the school~~

295 ~~grading system.]~~

296 (3) (a) The board shall provide training to a facilitator identified under this section.

297 (b) The board may not approve a facilitator unless the facilitator participates in the

298 training described in Subsection (3)(a).

299 (4) The board shall:

300 (a) review a school turnaround plan submitted for approval under Subsection

301 ~~53A-1-1204(5)(b) or under Subsection 53A-1-1205(7)(b) within 30 days of submission; and~~

302 (b) approve a school turnaround plan that:

303 (i) is timely;

304 (ii) is well-developed; and

305 (iii) meets the criteria described in Subsection ~~53A-1-1204(3)~~[; and].

306 [~~(c) subject to legislative appropriations, provide funding to a low performing school~~

307 ~~for interventions identified in an approved school turnaround plan if the local school board or~~
 308 ~~charter school governing board provides matching funds or an in-kind contribution of goods or~~
 309 ~~services in an amount equal to the funding the low performing school would receive from the~~
 310 ~~board.]~~

311 (5) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 312 the board shall make rules to establish an appeals process for:

313 (i) a low performing district school that is not granted approval from the district
 314 school's local school board under Subsection 53A-1-1204(5)(b);

315 (ii) a low performing charter school that is not granted approval from the charter
 316 school's charter school governing board under Subsection 53A-1-1205(7)(b); and

317 (iii) a local school board or charter school governing board that is not granted approval
 318 from the board under Subsection (4)(b).

319 (b) The board shall ensure that rules made under Subsection (5)(a) require an appeals
 320 process described in:

321 (i) Subsections (5)(a)(i) and (ii) to be resolved on or before April 1 of the initial
 322 remedial year; and

323 (ii) Subsection (5)(a)(iii) to be resolved on or before May 15 of the initial remedial
 324 year.

325 ~~[(6) (a) Subject to Subsection (6)(b), the board shall balance the need to prioritize~~
 326 ~~funding appropriated by the Legislature to carry out the provisions of this part to contract with~~
 327 ~~highly qualified independent school turnaround experts with the need to fund:]~~

328 ~~[(i) interventions to facilitate the implementation of a school turnaround plan under~~
 329 ~~Subsection (4)(c);]~~

330 ~~[(ii) the School Recognition and Reward Program created under Section 53A-1-1208;~~
 331 ~~and]~~

332 ~~[(iii) the School Leadership Development Program created under Section 53A-1-1209;]~~

333 ~~[(b) The board may use up to 4% of the funds appropriated by the Legislature to carry~~
 334 ~~out the provisions of this part for administration if the amount for administration is approved~~
 335 ~~by the board in an open meeting.]~~

336 (6) The board may use up to 4% of the funds appropriated by the Legislature to carry
 337 out the provisions of this part for administration if the amount for administration is approved

338 by the board in an open meeting.

339 Section 6. Section **53A-1-1206.5** is enacted to read:

340 **53A-1-1206.5. State Board of Education to identify specialists -- Local education**
341 **board to contract with specialists -- Funding -- Allocation.**

342 (1) The board shall through a competitive procurement process identify and approve
343 two or more specialists.

344 (2) In identifying and approving specialists described in Subsection (1), the board shall
345 identify specialists that have expertise in providing interventions that address the root causes of
346 low school performance, including demonstrated ability to improve student outcomes through
347 effective:

348 (a) professional learning;

349 (b) instruction and curriculum alignment;

350 (c) school culture improvement strategies and collaborative relationship building; and

351 (d) school leadership.

352 (3) A specialist may be a facilitator.

353 (4) (a) After a school turnaround plan is approved by the board as described in Section
354 53A-1-1206, a local education board of a low performing school, in partnership with the
355 respective school turnaround committee, shall contract with one or more specialists approved
356 by the board under Subsection (1) to provide interventions to address the root causes of the low
357 performing school's low performance.

358 (b) A local education board shall ensure that a specialist contracted with under
359 Subsection (4)(a) has expertise directly related to addressing the root cause of the low
360 performing school's low performance.

361 (c) A local education board may not select a specialist that is:

362 (i) the school district, charter school authorizer, or charter governing board,
363 respectively; or

364 (ii) an employee of the respective school district, charter school authorizer, or charter
365 governing board.

366 (d) A local education board shall ensure that a contract between the local education
367 board and a specialist specify performance measures that will be used to regularly assess the
368 effectiveness of the specialist's services.

369 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
370 board shall make rules establishing contract requirements for a contract between a local
371 education board and a specialist.

372 (6) (a) Subject to legislative appropriations, if a school turnaround plan is approved by
373 the board, the board shall distribute funds to each local education board with a low performing
374 school to contract with one or more specialists.

375 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
376 board shall make rules establishing a distribution method for the funds described in Subsection
377 (6)(a).

378 Section 7. Section **53A-1-1207** is amended to read:

379 **53A-1-1207. Implications for failing to improve school performance.**

380 (1) As used in this section, "high performing charter school" means a charter school
381 that:

382 (a) satisfies all requirements of state law and board rules;

383 (b) meets or exceeds standards for student achievement established by the charter
384 school's charter school authorizer; and

385 (c) has received at least a "B" grade under the school grading system in the previous
386 two school years.

387 (2) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
388 the board shall make rules establishing:

389 (i) exit criteria for a low performing school;

390 (ii) criteria for granting a school an extension as described in Subsection (3); and

391 (iii) implications for a low performing school that does not meet exit criteria after the
392 school's final remedial year or the last school year of the extension period described in

393 Subsection (3).

394 (b) In establishing exit criteria for a low performing school the board shall:

395 (i) determine for each low performing school the number of points awarded under the
396 school grading system in the final remedial year that represent a substantive and statistically

397 significant improvement over the number of points awarded under the school grading system in
398 the school year immediately preceding the initial remedial year;

399 (ii) establish a method to estimate the exit criteria after a low performing school's first

400 remedial year to provide a target for each low performing school; and

401 (iii) use generally accepted statistical practices.

402 (c) The board shall through a competitively awarded contract engage a third party with

403 expertise in school accountability and assessments to verify the criteria adopted under this

404 Subsection (2).

405 ~~[(2)]~~ (3) (a) A low performing school may petition the board for an extension to
406 continue school improvement efforts for up to two years if the low performing [school's grade
407 does not improve by at least one letter grade, as determined by comparing the school's letter
408 grade for the school year prior to the initial remedial year to the school's letter grade for the
409 final remedial year.] school does not meet the exit criteria established by the board as described
410 in Subsection (2).

411 ~~[(b) The board may only grant an extension under Subsection (2)(a) if the low~~
412 ~~performing school has increased the number of points awarded under the school grading~~
413 ~~system by at least:]~~

414 ~~[(i) 25% for a school that is not a high school; and]~~

415 ~~[(ii) 10% for a high school:]~~

416 ~~[(c) The board shall determine whether a low performing school has increased the~~
417 ~~number of points awarded under the school grading system by the percentages described in~~
418 ~~Subsection (2)(b) by comparing the number of points awarded for the school year prior to the~~
419 ~~initial remedial year to the number of points awarded for the final remedial year.]~~

420 ~~[(d) The board may extend the contract of an independent school turnaround expert of~~
421 ~~a low performing school that is granted an extension under this Subsection (2).]~~

422 ~~[(e)]~~ (b) A school that has been granted an extension under this Subsection ~~[(2)]~~ (3) is
423 eligible for:

424 (i) continued funding under ~~[Subsection 53A-1-1206(4)(e)]~~ Section 53A-1-1212; and

425 (ii) (A) the school teacher recruitment and retention incentive under Section

426 53A-1-1208.1; or

427 ~~[(ii)]~~ (B) the School Recognition and Reward Program under Section 53A-1-1208.

428 ~~[(3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,~~
429 ~~the board shall make rules establishing consequences for a low performing school that:]~~

430 ~~[(a) (i) does not improve the school's grade by at least one letter grade, as determined~~

431 ~~by comparing the school's letter grade for the school year prior to the initial remedial year to~~
 432 ~~the school's letter grade for the final remedial year; and]~~
 433 ~~[(ii) is not granted an extension under Subsection (2); or]~~
 434 ~~[(b) (i) is granted an extension under Subsection (2); and]~~
 435 ~~[(ii) does not improve the school's grade by at least one letter grade, as determined by~~
 436 ~~comparing the school's letter grade for the school year prior to the initial remedial year to the~~
 437 ~~school's letter grade for the last school year of the extension period.]~~
 438 ~~[(4) The board shall ensure that the rules established under Subsection (3) include a~~
 439 ~~mechanism for:]~~
 440 (4) If a low performing school does not meet exit criteria after the school's final
 441 remedial year or the last school year of the extension period, the board may intervene by:
 442 (a) restructuring a district school [~~that~~], which may include:
 443 (i) contract management;
 444 (ii) conversion to a charter school; or
 445 (iii) state takeover; and
 446 (b) restructuring a charter school [~~that may include~~] by:
 447 (i) [~~termination of~~] terminating a school's charter;
 448 (ii) [~~closure of~~] closing a charter school; or
 449 (iii) transferring operation and control of the charter school to:
 450 (A) a high performing charter school; [~~or~~]
 451 (B) the school district in which the charter school is located[-]; or
 452 (C) other appropriate action as determined by the board.
 453 Section 8. Section **53A-1-1208** is amended to read:
 454 **53A-1-1208. School Recognition and Reward Program.**
 455 (1) As used in this section, "eligible school" means a low performing school that:
 456 (a) was designated as a low performing school based on 2014-2015 school year
 457 performance; and
 458 [~~(a)~~] (b) (i) improves the school's grade by at least one letter grade, as determined by
 459 comparing the school's letter grade for the school year prior to the initial remedial year to the
 460 school's letter grade for the final remedial year; or
 461 [~~(b) (i)~~] (ii) (A) has been granted an extension under Subsection **53A-1-1207**[~~(2)~~](3);

462 and

463 [(ii)] (B) improves the school's grade by at least one letter grade, as determined by
464 comparing the school's letter grade for the school year prior to the initial remedial year to the
465 school's letter grade for the last school year of the extension period.

466 (2) The School Recognition and Reward Program is created to provide incentives to
467 schools and educators to improve the school grade of a low performing school.

468 (3) Subject to appropriations by the Legislature, upon the release of school grades by
469 the board, the board shall distribute a reward equal to:

470 (a) for an eligible school that improves the eligible school's grade one letter grade:

471 (i) \$100 per tested student; and

472 (ii) \$1,000 per educator;

473 (b) for an eligible school that improves the eligible school's grade two letter grades:

474 (i) \$200 per tested student; and

475 (ii) \$2,000 per educator;

476 (c) for an eligible school that improves the eligible school's grade three letter grades:

477 (i) \$300 per tested student; and

478 (ii) \$3,000 per educator; and

479 (d) for an eligible school that improves the eligible school's grade four letter grades:

480 (i) \$500 per tested student; and

481 (ii) \$5,000 per educator.

482 (4) The principal of an eligible school that receives a reward under Subsection (3), in
483 consultation with the educators at the eligible school, may determine how to use the money in
484 the best interest of the school, including providing bonuses to educators.

485 (5) If the number of qualifying eligible schools exceeds available funds, the board may
486 reduce the amounts specified in Subsection (3).

487 (6) A local school board of an eligible school, in coordination with the eligible school's
488 turnaround committee, may elect to receive a reward under this section or receive funds
489 described in Section 53A-1-1208.1 but not both.

490 Section 9. Section 53A-1-1208.1 is enacted to read:

491 **53A-1-1208.1. Turnaround school teacher recruitment and retention.**

492 (1) As used in this section, "plan" means a teacher recruitment and retention plan.

493 (2) On a date specified by the board, a local education board of a low performing
 494 school shall submit to the board for review and approval a plan to address teacher recruitment
 495 and retention in a low performing school.

496 (3) The board shall:

497 (a) review a plan submitted under Subsection (2);

498 (b) approve a plan if the plan meets criteria established by the board in rules made in
 499 accordance with Chapter 63G, Chapter 3, Utah Administrative Rulemaking Act; and

500 (c) subject to legislative appropriations, provide funding to a local education board for
 501 teacher recruitment and retention efforts identified in an approved plan if the local education
 502 board provides matching funds in an amount equal to at least the funding the low performing
 503 school would receive from the board.

504 (4) The money distributed under this section may only be expended to fund teacher
 505 recruitment and retention efforts identified in an approved plan.

506 Section 10. Section **63I-2-253** is amended to read:

507 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

508 (1) Section [53A-1-403.5](#) is repealed July 1, 2017.

509 (2) Section [53A-1-411](#) is repealed July 1, 2017.

510 (3) Section [53A-1-709](#) is repealed July 1, 2020.

511 (4) Subsection [53A-1-1207\(2\)\(e\)\(ii\)\(B\)](#) is repealed July 1, 2020.

512 (5) Section [53A-1-1208](#) is repealed July 1, 2020.

513 [~~(4)~~] (6) Subsection [53A-1a-513\(4\)](#) is repealed July 1, 2017.

514 [~~(5)~~] (7) Section [53A-1a-513.5](#) is repealed July 1, 2017.

515 [~~(6)~~] (8) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2019.

516 [~~(7)~~] (9) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is
 517 repealed July 1, 2017.

518 [~~(8)~~] (10) Sections [53A-24-601](#) and [53A-24-602](#) are repealed January 1, 2018.

519 [~~(9)~~] (11) (a) Subsections [53B-2a-103\(2\)](#) and (4) are repealed July 1, 2019.

520 (b) When repealing Subsections [53B-2a-103\(2\)](#) and (4), the Office of Legislative
 521 Research and General Counsel shall, in addition to its authority under Subsection [36-12-12\(3\)](#),
 522 make necessary changes to subsection numbering and cross references.

523 [~~(10)~~] (12) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project,

524 is repealed July 1, 2023.

Legislative Review Note
Office of Legislative Research and General Counsel