

PUBLIC EDUCATION AMENDMENTS

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jefferson Moss

Senate Sponsor: Ann Millner

LONG TITLE

General Description:

This bill creates the program Utah Leading through Effective, Actionable, and Dynamic Education.

Highlighted Provisions:

This bill:

- ▶ amends defined terms for the Utah Data Research Center; and
- ▶ enacts Title 53E, Chapter 10, Part 7, ULEAD, including:
 - defining terms;
 - creating and defining the duties of the Director Selection Committee;
 - enacting the qualifications, duties, and functions of the ULEAD director (director);
 - authorizing the director to collaborate or arrange with participating universities;
 - enacting language requiring the director to create and maintain electronic resources and a research clearinghouse; and
 - creating and defining the duties of the ULEAD Steering Committee.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



28 AMENDS:

29 **35A-14-102**, as enacted by Laws of Utah 2017, Chapter 375 and last amended by
30 Coordination Clause, Laws of Utah 2017, Chapter 382

31 ENACTS:

32 **53E-10-701**, Utah Code Annotated 1953

33 **53E-10-702**, Utah Code Annotated 1953

34 **53E-10-703**, Utah Code Annotated 1953

35 **53E-10-704**, Utah Code Annotated 1953

36 **53E-10-705**, Utah Code Annotated 1953

37 **53E-10-706**, Utah Code Annotated 1953

38 **53E-10-707**, Utah Code Annotated 1953

39

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

41 Section 1. Section **35A-14-102** is amended to read:

42 **35A-14-102. Definitions.**

43 As used in this chapter:

44 (1) "Advisory board" means the Utah Data Research Advisory Board created in Section
45 **35A-14-203**.

46 (2) "Center" means the Utah Data Research Center.

47 (3) "Data" means any information about a person stored in a physical or electronic
48 record.

49 (4) "Data research program" means the data maintained by the center in accordance
50 with Section **35A-14-301**.

51 (5) "De-identified data" means data about a person that cannot, without additional
52 information, identify the person to another person or machine.

53 (6) "Director" means the director of the Workforce Research and Analysis Division.

54 (7) "Participating entity" means:

55 (a) the State Board of Education, which includes the director as defined in Section
56 **53E-10-701**;

57 (b) the State Board of Regents;

58 (c) the Utah System of Technical Colleges Board of Trustees;

- 59 (d) the Department of Workforce Services; and
- 60 (e) the Department of Health.

61 Section 2. Section **53E-10-701** is enacted to read:

62 **Part 7. ULEAD**

63 **53E-10-701. Definitions.**

64 As used in this part:

- 65 (1) "Board" means the State Board of Education.
- 66 (2) "Director" means the director of ULEAD appointed under this part.
- 67 (3) "Director Selection Committee" or "selection committee" means the committee
- 68 created in Section [53E-10-703](#) that appoints the director.
- 69 (4) "Local education agency" or "LEA" means a public:
- 70 (a) school district;
- 71 (b) school; or
- 72 (c) charter school.
- 73 (5) "Participating institution" means a public or private research institution that enters
- 74 into an arrangement with the director to provide research and other services described in this
- 75 part.
- 76 (6) "Research clearinghouse" means a collection of information maintained and
- 77 distributed by ULEAD in accordance with Section [53E-10-705](#).
- 78 (7) "Steering committee" means the committee that advises the director and is created
- 79 in Section [53E-10-706](#).
- 80 (8) "ULEAD" means Utah Leading through Effective, Actionable, and Dynamic
- 81 Education through the efforts of the director, participating institutions, and the steering
- 82 committee as described in this part.

83 Section 3. Section **53E-10-702** is enacted to read:

84 **53E-10-702. ULEAD established -- Duties -- Funding.**

85 There is created the Utah Leading through Effective, Actionable, and Dynamic
86 Education, a collaborative effort in research and innovation between the director, participating
87 institutions, and education leaders to:

- 88 (1) gather and explain current education research in an electronic research
- 89 clearinghouse for use by practitioners;

90 (2) initiate and disseminate research reports on innovative and successful practices by
91 Utah LEAs, and guided by the steering committee, practitioners, and policymakers;

92 (3) promote statewide innovation and collaboration by:

93 (a) identifying experts in areas of practice;

94 (b) conducting conferences, webinars, and online forums for practitioners; and

95 (c) facilitating direct collaboration between schools; and

96 (4) (a) report to the Legislature and policymakers on innovative and successful K-12
97 practices; and

98 (b) in the report, propose policy changes to remove barriers to implementation of
99 successful practices.

100 Section 4. Section 53E-10-703 is enacted to read:

101 **53E-10-703. ULEAD director -- Qualification and employment -- Duties --**

102 **Reporting -- Annual conference.**

103 (1) The ULEAD director shall:

104 (a) (i) hold a doctorate degree in education or an equivalent degree; and

105 (ii) have demonstrated experience in research and dissemination of best practices in
106 education; and

107 (b) (i) be a full-time employee; and

108 (ii) report to the state superintendent of public instruction.

109 (2) The state superintendent shall:

110 (a) evaluate the director's performance annually;

111 (b) report on the director's performance to the selection committee; and

112 (c) provide space for the director and the director's staff.

113 (3) The director may hire staff, using only money specifically appropriated to ULEAD.

114 (4) The director shall perform the following duties and functions:

115 (a) gather current research on innovative and effective practices in K-12 education for
116 use by policymakers and practitioners;

117 (b) facilitate collaboration between LEAs, higher education researchers, and
118 practitioners by:

119 (i) sharing innovative and effective practices shown to improve student learning;

120 (ii) identifying experts in specific areas of practice; and

- 121 (iii) maintaining a research clearinghouse and directory of researchers; and
122 (c) analyze barriers to replication or adaption of innovative and successful practices
123 studied by ULEAD or contributed to the ULEAD research clearinghouse.
- 124 (5) The director shall:
- 125 (a) prioritize reports and other research based on recommendations of the steering
126 committee in accordance with Subsection 53E-10-707(5), and after consulting with individuals
127 described in Subsection 53E-10-707(6);
- 128 (b) identify Utah LEAs, or schools outside the public school system, that are:
- 129 (i) innovative in specific areas of practice; and
130 (ii) more effective or efficient than comparable LEAs in improving student learning;
131 (c) establish criteria for innovative practice reports to be performed by participating
132 institutions and included in the research clearinghouse, including report templates;
- 133 (d) arrange with participating institutions to generate innovative practice reports on
134 effective and innovative K-12 education practices; and
- 135 (e) (i) disseminate each innovative practice report to LEAs; and
136 (ii) publish innovative practice reports on the ULEAD website.
- 137 (6) In an innovative practice report, a participating institution shall:
- 138 (a) include or reference a review of research regarding the practice in which the subject
139 LEA has demonstrated success;
- 140 (b) identify through academically acceptable, evidence-based research methods the
141 causes of the LEA's successful practice;
- 142 (c) identify opportunities for LEAs to adopt or customize innovative or best practices;
143 (d) address limitations to successful replication or adaptation of the successful practice
144 by other LEAs, which may include barriers arising from federal or state law, state or LEA
145 policy, socioeconomic conditions, or funding limitations;
- 146 (e) include practical templates for successful replication and adaptation of successful
147 practices, following criteria established by the director;
- 148 (f) identify experts in the successful practice that is the subject of the innovative
149 practice report, including teachers or administrators at the subject LEA; and
- 150 (g) include:
- 151 (i) an executive summary describing the innovative practice report; and

152 (ii) a video component or other elements designed to ensure that an innovative practice
 153 report is readily understandable by practitioners.

154 (7) The director may, if requested by an LEA leader or policymaker, conduct an
 155 evidence-based review of a possible innovation in an area of practice.

156 (8) The director may also accept innovative practice reports from trained practitioners
 157 that meet the criteria set by the director.

158 (9) The director or a participating institution, to enable successful replication or
 159 adaption of successful practices, may recommend to:

160 (a) the Legislature, amendments to state law; or

161 (b) the board, revisions to board rule or policy.

162 (10) The director shall:

163 (a) report on the activities of ULEAD annually to the board; and

164 (b) provide reports or other information to the board upon board request.

165 (11) The director shall:

166 (a) prepare an annual report on ULEAD research and other activities;

167 (b) on or before September 30, submit the annual report:

168 (i) to the Education Interim Committee and the Public Education Appropriations
 169 Subcommittee; and

170 (ii) in accordance with Section [68-3-14](#);

171 (c) publish the annual report on the ULEAD website; and

172 (d) disseminate the report to LEAs through electronic channels.

173 (12) The director shall facilitate and conduct an annual conference on successful and
 174 innovative K-12 education practices, featuring:

175 (a) Utah education leaders; and

176 (b) practitioners and researchers, chosen by the director, to discuss the subjects of LEA
 177 and other ULEAD activities, or other innovative and successful education practices.

178 Section 5. Section **53E-10-704** is enacted to read:

179 **53E-10-704. Director Selection Committee -- Membership -- Powers and duties --**

180 **Compensation.**

181 (1) There is created the Director Selection Committee to appoint the director.

182 (2) The selection committee shall consist of the following ~~seven~~ **nine** ←

182a members each

183 appointed for two-year staggered terms, with the initial terms of the members described in
 184 Subsections (2)(a), (b), and (c) to be three years:

185 (a) one member of the office of the governor, who is the chair of the selection
 186 committee and appointed by the governor;

187 (b) one member of the House of Representatives, appointed by the speaker of the
 188 House of Representatives;

189 (c) one member of the Senate, appointed by the president of the Senate;

190 (d) one member of the board, appointed by the chair of the board;

191 (e) one member of the Board of Regents, appointed by the chair of the Board of
 192 Regents;

193 (f) one member appointed by the state superintendent of public instruction; ~~H~~→ [and] ←~~H~~

194 (g) one member of the State Charter School Board, appointed by the chair of the State
 195 Charter School Board ~~H~~→ [] ;

195a **(h) one member of the Utah School Boards Association recognized in Section 53G-4-**
 195b **502, appointed by the association executive director; and**

195c **(i) one member of a state association that represents school superintendents, appointed**
 195d **by the association executive director. ←~~H~~**

196 (3) (a) A member of the selection committee may be appointed for more than one term.

197 (b) If a midterm vacancy occurs on the selection committee, the appointing individual,
 198 as described in Subsection (2), for the vacant position shall appoint an individual for the
 199 remainder of the term.

200 (4) A majority of the members shall constitute a quorum for the transaction of selection
 201 committee business.

202 (5) (a) The selection committee shall select and appoint a director for a four-year term.

203 (b) The director may be appointed for more than one term.

204 (6) (a) In a year in which the director is appointed, the selection committee shall:

205 (i) solicit applications for the director position to be submitted no later than June 1;

206 (ii) hold at least two meetings to discuss candidates for the open director position; and

207 (iii) select and appoint by majority vote a candidate to fill the director position to begin
 208 employment no later than August 1.

209 (b) Notwithstanding Subsection (6)(a), if a midterm vacancy in the director position
 210 occurs, the selection committee shall:

211 (i) no later than 25 business days after the day on which the position is vacated, solicit
 212 applications for the director position;

213 (ii) hold at least two meetings to discuss candidates for the vacant position; and

214 (iii) no later than 60 business days after the day on which the position is vacated, select
215 a candidate to fill the director position for the remainder of the term.

216 (7) (a) The selection committee:

217 (i) may remove a director before the completion of the director's term only by a
218 majority vote of the selection committee; and

219 (ii) is the only person empowered to remove the director.

220 (b) The chair shall hold a meeting to consider removing the director upon request of
221 two or more selection committee members.

222 (8) A member of the selection committee may not receive compensation except a
223 member who is a legislator shall receive compensation for travel and other expense
224 reimbursements in accordance with Section [36-2-2](#).

225 (9) The selection committee shall:

226 (a) establish criteria for evaluation of the ULEAD program, including the degree of
227 participation by participating institutions and practitioners; and

228 (b) evaluate the effectiveness of ULEAD every four years for purposes of continuing
229 the program.

230 (10) The selection committee shall hold a meeting described in this section in
231 accordance with Title 52, Chapter 4, Open and Public Meetings Act.

232 Section 6. Section **53E-10-705** is enacted to read:

233 **53E-10-705. Participating institutions.**

234 (1) The director may arrange or collaborate with a participating institution:

235 (a) to conduct an innovative practice report or provide other research services,
236 including research regarding barriers to adoption of practices studied by ULEAD;

237 (b) to assist an LEA to:

238 (i) facilitate communities of practice for replication or adaptation of best practices
239 identified by ULEAD; and

240 (ii) advise teachers and school leaders on conducting their own research to improve
241 education practices;

242 (c) to assist an LEA with an application to the board for waiver from a board rule in
243 accordance with Section [53G-7-202](#) to allow replication or adaptation of best practices; or

244 (d) for any other purpose that is consistent with and advances the director's duties and

245 functions.

246 (2) An agreement entered into by a participating institution with the board or an LEA
247 to perform ULEAD work shall:

248 (a) include provisions allowing and governing external research data sharing; and

249 (b) comply with state and federal law.

250 (3) The director shall support federal and private research funding requests by a
251 participating institution for research that is in support of the director's duties and functions.

252 Section 7. Section **53E-10-706** is enacted to read:

253 **53E-10-706. Electronic resources -- Research clearinghouse.**

254 (1) The board shall publish a ULEAD website containing information provided by the
255 director as described in this part.

256 (2) The director shall within two years of appointment:

257 (a) develop and maintain a research clearinghouse publicly available through the
258 website described in Subsection (1); and

259 (b) include in the research clearinghouse:

260 (i) research on K-12 education, including peer-reviewed research;

261 (ii) information on K-12 education innovation and best practices;

262 (iii) an index and explanation of academic, state, federal, or other K-12 education
263 research repositories;

264 (iv) K-12 education research and policy briefs generated by Utah public and private
265 institutions of higher education, including participating institutions, categorized and searchable
266 by topic;

267 (v) access points to and explanation of currently available K-12 education data,
268 including data managed by the Utah Data Research Center created in Section [35A-14-201](#) and
269 data maintained by the board;

270 (vi) other K-12 education information as determined by the director, including
271 information regarding efforts by institutions or other individuals to promote innovative and
272 effective education practices in Utah; and

273 (vii) each innovative practice report prepared by ULEAD, categorized and searchable
274 by topic, location of the studied LEA, and socioeconomic and demographic profile.

275 (3) The director shall publish:

276 (a) an electronic directory of K-12 education experts identified in ULEAD research and
 277 reports; and

278 (b) a monthly report to LEAs, via electronic channels provided by the board,
 279 highlighting ULEAD activities and soliciting proposals from education practitioners for
 280 ULEAD research and reports.

281 (4) The director may provide electronic seminars or forums for professional learning
 282 regarding subjects of ULEAD research and reports to K-12 practitioners.

283 Section 8. Section **53E-10-707** is enacted to read:

284 **53E-10-707. ULEAD Steering Committee.**

285 (1) (a) There is created the ULEAD Steering Committee.

286 (b) The director is the chair of the steering committee.

287 (2) The steering committee shall consist of the following members each appointed for a
 288 term of one year:

289 (a) the director;

290 (b) one member appointed by the chair of the board;

291 (c) the state superintendent of public instruction or the superintendent's designee;

292 (d) the staff director of the State Charter School Board or the director's designee;

293 (e) one member appointed by the office of the governor;

294 (f) one member, appointed by the director, who is a ~~state~~ **leader** superintendent of a
 294a school district ~~state~~ **but not a**

295 ~~local school board member~~ **leader** ;

296 (g) one member, appointed by the director, of a local school board;

297 (h) two principals or other public school leaders of public schools that are not charter
 298 schools, appointed by the director;

299 (i) two principals or other public school leaders of charter schools, appointed by the
 300 director;

301 (j) two educators who hold a current license under Chapter 6, Education Professional
 302 Licensure, nominated by LEA leaders and appointed by the director; and

303 (k) two members representing citizens or business, nominated by the members of the
 304 public and appointed by the director.

305 (3) (a) A member of the steering committee may be appointed for more than one term.

306 (b) If a midterm vacancy occurs on the steering committee, the appointing individual,

307 as described in Subsection (2), for the vacant position shall appoint an individual for the
308 remainder of the term.

309 (4) (a) The steering committee shall hold a meeting at least semi annually in January
310 and July or on dates otherwise chosen by the director.

311 (b) The board shall provide space for the steering committee to meet.

312 (5) The steering committee shall:

313 (a) discuss prospective and current ULEAD projects and findings;

314 (b) consult with and make recommendations to the director to prioritize ULEAD
315 reports and areas of focused research;

316 (c) facilitate connections between the director and Utah's political, business, education
317 technology, and academic communities; and

318 (d) make recommendations to improve gathering, retaining, and disseminating
319 education data and research and evaluation findings for use by participating institutions and
320 other education policy researchers, including data managed by the Utah Data Research Center
321 created in Section [35A-14-201](#).

322 (6) In order to determine research priorities for ULEAD, the director shall consult with:

323 (a) members of the Legislature responsible for public education;

324 (b) members of Utah professional education associations, including principals and
325 school boards; and

326 (c) policy-research centers based in Utah.

327 (7) The board or state superintendent of public instruction may request that the director
328 arrange with a participating institution to prepare a report on a specific LEA or area of practice
329 meeting the criteria established in this part.

330 (8) A member of the steering committee may not receive compensation except a
331 member who is a legislator shall receive compensation for travel and other expense
332 reimbursements in accordance with Section [36-2-2](#).

333 (9) The steering committee shall hold a meeting described in this section in accordance
334 with Title 52, Chapter 4, Open and Public Meetings Act.