

**FAMILY SCHOOL PARTNERSHIP**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Bruce R. Cutler**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill creates the Family School Partnership Pilot Program.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ allows a school to use funding from the School LAND Trust Program to provide matching funds to participate in the Family School Partnership Pilot Program;
- ▶ creates the Family School Partnership Pilot Program;
- ▶ requires the State Board of Education to:
  - determine which elementary schools are eligible for the Family School Partnership Pilot Program; and
  - award a grant to a participating school for five years;
- ▶ places requirements on a participating school;
- ▶ requires the State Board of Education to evaluate the Family School Partnership Pilot Program;
- ▶ enacts a sunset date; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**



28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53F-2-404**, as renumbered and amended by Laws of Utah 2018, Chapter 2

32 **63I-1-253**, as last amended by Laws of Utah 2017, Chapters 166 and 181

33 ENACTS:

34 **53F-5-209**, Utah Code Annotated 1953



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

37 Section 1. Section **53F-2-404** is amended to read:

38 **53F-2-404. School LAND Trust Program -- Purpose -- Distribution of funds --**

39 **School plans for use of funds.**

40 (1) As used in this section:

41 (a) "Charter agreement" means an agreement made in accordance with Section

42 **53G-5-303** that authorizes the operation of a charter school.

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

44 **53G-5-102**.

45 (c) "Charter trust land council" means a council established by a charter school

46 governing board under this section.

47 (d) "Council" means a school community council or a charter trust land council.

48 (e) "District school" means a public school under the control of a local school board

49 elected under Title 20A, Chapter 14, Nomination and Election of State and Local School

50 Boards.

51 (f) "School community council" means a council established at a district school in

52 accordance with Section **53G-7-1202**.

53 (2) There is established the School LAND (Learning And Nurturing Development)

54 Trust Program to:

55 (a) provide financial resources to public schools to enhance or improve student

56 academic achievement and implement a component of a district school's school improvement

57 plan or a charter school's charter agreement; and

58 (b) involve parents and guardians of a school's students in decision making regarding

59 the expenditure of School LAND Trust Program money allocated to the school.

60 (3) (a) The program shall be funded each fiscal year:

61 (i) from the Trust Distribution Account created in Section 53F-9-201; and

62 (ii) in the amount of the sum of the following:

63 (A) the distributions from the investment of money in the permanent State School Fund  
64 deposited to the Trust Distribution Account on or about July 15 each year; and

65 (B) interest accrued on the Trust Distribution Account in the immediately preceding  
66 fiscal year.

67 (b) The program shall be funded as provided in Subsection (3)(a) up to an amount  
68 equal to 3% of the funds provided for the Minimum School Program, pursuant to this chapter,  
69 each fiscal year.

70 (c) (i) The Legislature shall annually allocate, through an appropriation to the State  
71 Board of Education, a portion of the Trust Distribution Account created in Section 53F-9-201  
72 to be used for:

73 (A) the administration of the School LAND Trust Program; and

74 (B) the performance of duties described in Section 53E-3-514.

75 (ii) Any unused balance remaining from an amount appropriated under Subsection  
76 (3)(c)(i) shall be deposited in the Trust Distribution Account for distribution to schools in the  
77 School LAND Trust Program.

78 (4) (a) The State Board of Education shall allocate the money referred to in Subsection  
79 (3) annually as follows:

80 (i) the Utah Schools for the Deaf and the Blind shall receive funding equal to the  
81 product of:

82 (A) enrollment on October 1 in the prior year at the Utah Schools for the Deaf and the  
83 Blind divided by enrollment on October 1 in the prior year in public schools statewide; and

84 (B) the total amount available for distribution under Subsection (3);

85 (ii) charter schools shall receive funding equal to the product of:

86 (A) charter school enrollment on October 1 in the prior year, divided by enrollment on  
87 October 1 in the prior year in public schools statewide; and

88 (B) the total amount available for distribution under Subsection (3); and

89 (iii) of the funds available for distribution under Subsection (3) after the allocation of

90 funds for the Utah Schools for the Deaf and the Blind and charter schools:

91 (A) school districts shall receive 10% of the funds on an equal basis; and

92 (B) the remaining 90% of the funds shall be distributed to school districts on a per  
93 student basis.

94 (b) (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
95 the State Board of Education shall make rules specifying a formula to distribute the amount  
96 allocated under Subsection (4)(a)(ii) to charter schools.

97 (ii) In making rules under Subsection (4)(b)(i), the State Board of Education shall:

98 (A) consult with the State Charter School Board; and

99 (B) ensure that the rules include a provision that allows a charter school in the charter  
100 school's first year of operations to receive funding based on projected enrollment, to be  
101 adjusted in future years based on actual enrollment.

102 (c) A school district shall distribute [~~its~~] the school's district's allocation under  
103 Subsection (4)(a)(iii) to each school within the school district on an equal per student basis.

104 (d) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
105 State Board of Education may make rules regarding the time and manner in which the student  
106 count shall be made for allocation of the money under Subsection (4)(a)(iii).

107 (5) To receive [~~its~~] the school's allocation under Subsection (4):

108 (a) a district school shall have established a school community council in accordance  
109 with Section [53G-7-1202](#);

110 (b) a charter school shall have established a charter trust land council in accordance  
111 with Subsection (9); and

112 (c) the school's principal shall provide a signed, written assurance that the school is in  
113 compliance with Subsection (5)(a) or (b).

114 (6) (a) A council shall create a program to use [~~its~~] the council's allocation under  
115 Subsection (4) to:

116 (i) implement a component of the school's school improvement plan or charter  
117 agreement, including:

118 [(i)] (A) the school's identified most critical academic needs;

119 [(ii)] (B) a recommended course of action to meet the identified academic needs;

120 [(iii)] (C) a specific listing of any programs, practices, materials, or equipment which

121 the school will need to implement a component of ~~[its]~~ the school's school improvement plan  
122 to have a direct impact on the instruction of students and result in measurable increased student  
123 performance; and

124 ~~[(iv)]~~ (D) how the school intends to spend ~~[its]~~ the school's allocation of funds under  
125 this section to enhance or improve academic excellence at the school[-]; or

126 (ii) notwithstanding Subsection (2)(a), provide matching funds for the Family School  
127 Partnership Pilot Program created in Section [53F-5-209](#).

128 (b) (i) A council shall create and vote to adopt a plan for the use of School LAND  
129 Trust Program money in a meeting of the council at which a quorum is present.

130 (ii) If a majority of the quorum votes to adopt a plan for the use of School LAND Trust  
131 Program money, the plan is adopted.

132 (c) A council shall:

133 (i) post a plan for the use of School LAND Trust Program money that is adopted in  
134 accordance with Subsection (6)(b) on the School LAND Trust Program website; and

135 (ii) include with the plan a report noting the number of council members who voted for  
136 or against the approval of the plan and the number of council members who were absent for the  
137 vote.

138 (d) (i) The local school board of a district school shall approve or disapprove a plan for  
139 the use of School LAND Trust Program money.

140 (ii) If a local school board disapproves a plan for the use of School LAND Trust  
141 Program money:

142 (A) the local school board shall provide a written explanation of why the plan was  
143 disapproved and request the school community council who submitted the plan to revise the  
144 plan; and

145 (B) the school community council shall submit a revised plan in response to a local  
146 school board's request under Subsection (6)(d)(ii)(A).

147 (iii) Once a plan has been approved by a local school board, a school community  
148 council may amend the plan, subject to a majority vote of the school community council and  
149 local school board approval.

150 (e) A charter trust land council's plan for the use of School LAND Trust Program  
151 money is subject to approval by the:

- 152 (i) charter school governing board; and
- 153 (ii) charter school's charter school authorizer.
- 154 (7) (a) A district school or charter school shall:
- 155 (i) implement the program as approved;
- 156 (ii) provide ongoing support for the council's program; and
- 157 (iii) meet State Board of Education reporting requirements regarding financial and
- 158 performance accountability of the program.
- 159 (b) (i) A district school or charter school shall prepare and post an annual report of the
- 160 program on the School LAND Trust Program website each fall.
- 161 (ii) The report shall detail the use of program funds received by the school under this
- 162 section and an assessment of the results obtained from the use of the funds.
- 163 (iii) A summary of the report shall be provided to parents or guardians of students
- 164 attending the school.
- 165 (8) On or before October 1 of each year, a school district shall record the amount of the
- 166 program funds distributed to each school under Subsection (4)(c) on the School LAND Trust
- 167 Program website to assist schools in developing the annual report described in Subsection
- 168 (7)(b).
- 169 (9) (a) The governing board of a charter school shall establish a council, which shall
- 170 prepare a plan for the use of School LAND Trust Program money that includes the elements
- 171 listed in Subsection (6).
- 172 (b) (i) The membership of the council shall include parents or guardians of students
- 173 enrolled at the school and may include other members.
- 174 (ii) The number of council members who are parents or guardians of students enrolled
- 175 at the school shall exceed all other members combined by at least two.
- 176 (c) A charter school governing board may serve as the council that prepares a plan for
- 177 the use of School LAND Trust Program money if the membership of the charter school
- 178 governing board meets the requirements of Subsection (9)(b)(ii).
- 179 (d) (i) Except as provided in Subsection (9)(d)(ii), council members who are parents or
- 180 guardians of students enrolled at the school shall be elected in accordance with procedures
- 181 established by the charter school governing board.
- 182 (ii) Subsection (9)(d)(i) does not apply to a charter school governing board that serves

183 as the council that prepares a plan for the use of School LAND Trust Program money.

184 (e) A parent or guardian of a student enrolled at the school shall serve as chair or  
185 cochair of a council that prepares a plan for the use of School LAND Trust Program money.

186 (10) The president or chair of a local school board or charter school governing board  
187 shall ensure that the members of the local school board or charter school governing board are  
188 provided with annual training on the requirements of this section.

189 (11) If the amount of money prescribed for funding the School LAND Trust Program  
190 under this section is less than or greater than the money appropriated for the School LAND  
191 Trust Program, the appropriation shall be equal to the amount of money prescribed for funding  
192 the School LAND Trust Program in this section, up to a maximum of an amount equal to 3%  
193 of the funds provided for the Minimum School Program.

194 (12) The State Board of Education shall distribute the money appropriated in  
195 Subsection (11) in accordance with this section and rules established by the ~~[board]~~ State  
196 Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking  
197 Act.

198 Section 2. Section **53F-5-209** is enacted to read:

199 **53F-5-209. Family School Partnership Pilot Program.**

200 (1) As used in this section:

201 (a) "Board" means the State Board of Education.

202 (b) "Educator" means the same as that term is defined in Section [53E-6-102](#).

203 (c) "Elementary school" means a public school that provides instruction in kindergarten  
204 through at least grade 3.

205 (d) "Home visit" means a visit to a student and the student's family as part of the  
206 program:

207 (i) at the student's residence; or

208 (ii) at another location off of school property.

209 (e) "Local board" means a local school board or a charter school governing board.

210 (f) "Participating school" means an elementary school that receives a grant pursuant to  
211 this section.

212 (g) "Program" means the Family School Partnership Pilot Program.

213 (2) There is created the Family School Partnership Pilot Program.

- 214 (3) The board shall:  
215 (a) for each elementary school, determine the percentage of students who were absent  
216 at least 10% of the school days during the 2017-18 school year;  
217 (b) based on legislative appropriations, select the elementary schools with the highest  
218 percentage of students who were absent at least 10% of the school days during the 2017-18  
219 school year to participate in the program; and  
220 (c) provide notification that an elementary school has been selected under Subsection  
221 (3)(b) to:  
222 (i) the elementary school; and  
223 (ii) for an elementary school that is a district school, the school district in which the  
224 school is located.  
225 (4) (a) An elementary school that receives a notification described in Subsection (3)(c)  
226 shall:  
227 (i) in writing, accept or decline to participate in the program; and  
228 (ii) provide evidence that the elementary school's local board approves the decision  
229 described in Subsection (4)(a)(i).  
230 (b) If an elementary school declines to participate in the program, the board may select  
231 another elementary school to participate in the program in accordance with Subsection (3).  
232 (5) (a) The board shall award a grant to each participating school.  
233 (b) Except as provided in Subsection (5)(c), the board shall award a participating  
234 school a grant for five years.  
235 (c) The board may discontinue funding for a participating school that does not meet the  
236 requirements described in Subsection (6).  
237 (6) A participating school shall:  
238 (a) use a grant provided under this section to fund an initial home visit for a student  
239 enrolled in grade 3 or below;  
240 (b) annually provide matching funds to fund a second home visit for each student who  
241 receives an initial home visit; and  
242 (c) ensure that:  
243 (i) participation in the program is voluntary for families and educators;  
244 (ii) at least two educators attend each home visit;



- 245 (iii) a cross section of students receive home visits;
- 246 (iv) the initial home visit is focused on building a relationship and the second home
- 247 visit is focused on academic success; and
- 248 (v) an educator who conducts a home visit is trained and compensated.
- 249 (7) (a) The board shall evaluate the effect of the program on:
- 250 (i) student attendance in a participating school;
- 251 (ii) family engagement in a participating school; and
- 252 (iii) any other factor determined by the board.
- 253 (b) The board may contract with a third party, in accordance with Title 63G, Chapter 6,
- 254 Utah Procurement Code, to conduct the evaluation described in Subsection (7)(a).
- 255 (c) The board shall report to the Education Interim Committee and the Public
- 256 Education Appropriations Subcommittee on or before:
- 257 (i) November 1, 2019, regarding the program's implementation;
- 258 (ii) November 1, 2022, regarding preliminary results of the evaluation described in
- 259 Subsection (7)(a); and
- 260 (iii) November 1, 2023, regarding the final results of the evaluation described in
- 261 Subsection (7)(a).
- 262 Section 3. Section **63I-1-253** is amended to read:
- 263 **63I-1-253. Repeal dates, Titles 53 through 53G.**
- 264 The following provisions are repealed on the following dates:
- 265 (1) Subsection **53-10-202(18)** is repealed July 1, 2018.
- 266 (2) Section **53-10-202.1** is repealed July 1, 2018.
- 267 [~~3~~] Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program, is
- 268 repealed July 1, 2020.]
- 269 [~~4~~] Section **53A-13-106.5** is repealed July 1, 2019.]
- 270 [~~5~~] Section **53A-15-106** is repealed July 1, 2019.]
- 271 [~~6~~] Sections **53A-15-206** and **53A-15-207** are repealed January 1, 2023.]
- 272 [~~7~~] Title 53A, Chapter 31, Part 4, American Indian and Alaskan Native Education
- 273 State Plan Pilot Program, is repealed July 1, 2022.]
- 274 [~~8~~] (3) Section **53B-24-402**, Rural residency training program, is repealed July 1,
- 275 2020.

276            ~~(9)~~ (4) Subsection [53C-3-203](#)(4)(b)(vii), which provides for the distribution of money  
277 from the Land Exchange Distribution Account to the Geological Survey for test wells, other  
278 hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.

279            (5) Section [53E-3-515](#) is repealed January 1, 2023.

280            (6) Section [53F-5-209](#) and the related cross reference in Subsection [53F-2-404](#)(6)(a)(ii)  
281 are repealed July 1, 2024.

282            (7) Section [53F-2-514](#) is repealed July 1, 2020.

283            (8) Section [53F-5-203](#) is repealed July 1, 2019.

284            (9) Title 53F, Chapter 5, Part 6, American Indian and Alaskan Native Education State  
285 Plan Pilot Program, is repealed July 1, 2022.

286            (10) Section [53F-6-201](#) is repealed July 1, 2019.

287            (11) Section [53F-9-501](#) is repealed January 1, 2023.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**