

HB0235S01 compared with HB0235

~~{deleted text}~~ shows text that was in HB0235 but was deleted in HB0235S01.

Inserted text shows text that was not in HB0235 but was inserted into HB0235S01.

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Representative Bruce R. Cutler proposes the following substitute bill:

FAMILY SCHOOL PARTNERSHIP

2018 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Bruce R. Cutler

Senate Sponsor: _____

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;

HB0235S01 compared with HB0235

- ▶ 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:

None

Utah Code Sections Affected:

AMENDS:

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

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

ENACTS:

53F-5-209, Utah Code Annotated 1953

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

Section 1. Section ~~{53F-2-404}~~ **53F-5-209** is ~~{amended to read:~~

~~———— 53F-2-404. School LAND Trust Program — Purpose — Distribution of funds —~~

~~School plans for use of funds.~~

~~———— (1) As used in this section:~~

~~———— (a) "Charter agreement" means an agreement made in accordance with Section 53G-5-303 that authorizes the operation of a charter school.~~

~~———— (b) "Charter school authorizer" means the same as that term is defined in Section 53G-5-102.~~

~~———— (c) "Charter trust land council" means a council established by a charter school governing board under this section.~~

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

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

~~Boards.~~

HB0235S01 compared with HB0235

~~—— (f) "School community council" means a council established at a district school in accordance with Section 53G-7-1202.~~

~~—— (2) There is established the School LAND (Learning And Nurturing Development) Trust Program to:~~

~~—— (a) provide financial resources to public schools to enhance or improve student academic achievement and implement a component of a district school's school improvement plan or a charter school's charter agreement; and~~

~~—— (b) involve parents and guardians of a school's students in decision making regarding the expenditure of School LAND Trust Program money allocated to the school.~~

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

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

~~—— (ii) in the amount of the sum of the following:~~

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

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

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

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

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

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

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

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

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

HB0235S01 compared with HB0235

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

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

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

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

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

~~—— (iii) of the funds available for distribution under Subsection (3) after the allocation of funds for the Utah Schools for the Deaf and the Blind and charter schools:~~

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

~~—— (B) the remaining 90% of the funds shall be distributed to school districts on a per student basis:~~

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

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

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

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

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

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

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

~~—— (a) a district school shall have established a school community council in accordance with Section 53G-7-1202;~~

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

~~—— (c) the school's principal shall provide a signed, written assurance that the school is in~~

HB0235S01 compared with HB0235

~~compliance with Subsection (5)(a) or (b):~~

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

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

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

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

~~—— [(iii)] (C) a specific listing of any programs, practices, materials, or equipment which the school will need to implement a component of [its] the school's school improvement plan to have a direct impact on the instruction of students and result in measurable increased student performance; and~~

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

~~—— (ii) notwithstanding Subsection (2)(a), provide matching funds for the Family School Partnership Pilot Program created in Section 53F-5-209.~~

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

~~—— (ii) If a majority of the quorum votes to adopt a plan for the use of School LAND Trust Program money, the plan is adopted:~~

~~—— (c) A council shall:~~

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

~~—— (ii) include with the plan a report noting the number of council members who voted for or against the approval of the plan and the number of council members who were absent for the vote:~~

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

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

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

HB0235S01 compared with HB0235

~~plan; and~~

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

~~—— (iii) Once a plan has been approved by a local school board, a school community council may amend the plan, subject to a majority vote of the school community council and local school board approval:~~

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

~~—— (i) charter school governing board; and~~

~~—— (ii) charter school's charter school authorizer:~~

~~—— (7) (a) A district school or charter school shall:~~

~~—— (i) implement the program as approved;~~

~~—— (ii) provide ongoing support for the council's program; and~~

~~—— (iii) meet State Board of Education reporting requirements regarding financial and performance accountability of the program:~~

~~—— (b) (i) A district school or charter school shall prepare and post an annual report of the program on the School LAND Trust Program website each fall:~~

~~—— (ii) The report shall detail the use of program funds received by the school under this section and an assessment of the results obtained from the use of the funds:~~

~~—— (iii) A summary of the report shall be provided to parents or guardians of students attending the school:~~

~~—— (8) On or before October 1 of each year, a school district shall record the amount of the program funds distributed to each school under Subsection (4)(c) on the School LAND Trust Program website to assist schools in developing the annual report described in Subsection (7)(b):~~

~~—— (9) (a) The governing board of a charter school shall establish a council, which shall prepare a plan for the use of School LAND Trust Program money that includes the elements listed in Subsection (6):~~

~~—— (b) (i) The membership of the council shall include parents or guardians of students enrolled at the school and may include other members:~~

~~—— (ii) The number of council members who are parents or guardians of students enrolled~~

HB0235S01 compared with HB0235

~~at the school shall exceed all other members combined by at least two.~~

~~—— (c) A charter school governing board may serve as the council that prepares a plan for the use of School LAND Trust Program money if the membership of the charter school governing board meets the requirements of Subsection (9)(b)(ii).~~

~~—— (d) (i) Except as provided in Subsection (9)(d)(ii), council members who are parents or guardians of students enrolled at the school shall be elected in accordance with procedures established by the charter school governing board.~~

~~—— (ii) Subsection (9)(d)(i) does not apply to a charter school governing board that serves as the council that prepares a plan for the use of School LAND Trust Program money.~~

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

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

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

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

~~—— Section 2. Section **53F-5-209** is } enacted to read:~~

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

(1) As used in this section:

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

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

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

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

HB0235S01 compared with HB0235

program:

(i) at the student's residence; or

(ii) at another location off of school property.

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

(f) "Participating school" means an elementary school that receives a grant pursuant to

this section.

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

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

(3) The board shall:

(a) for each elementary school, determine the percentage of students who were absent at least 10% of the school days during the 2017-18 school year;

(b) based on legislative appropriations, select the elementary schools with the highest percentage of students who were absent at least 10% of the school days during the 2017-18 school year to participate in the program; and

(c) provide notification that an elementary school has been selected under Subsection (3)(b) to:

(i) the elementary school; and

(ii) ~~{for an}the elementary {school that is a district school, the school district in which the school is located}~~school's local board.

(4) (a) An elementary school that receives a notification described in Subsection (3)(c) shall:

(i) in writing, accept or decline to participate in the program; and

(ii) provide evidence that the elementary school's local board approves the decision described in Subsection (4)(a)(i).

(b) If an elementary school declines to participate in the program, the board may select another elementary school to participate in the program in accordance with Subsection (3).

(5) (a) The board shall award a grant to each participating school.

(b) Except as provided in Subsection (5)(c), the board shall award a participating school a grant for five years.

(c) The board may discontinue funding for a participating school that does not meet the requirements described in Subsection (6).

HB0235S01 compared with HB0235

(6) A participating school shall:

(a) use a grant provided under this section to fund an initial home visit for a student enrolled in grade 3 or below;

(b) annually provide matching funds to fund a second home visit for each student who receives an initial home visit; and

(c) ensure that:

(i) participation in the program is voluntary for families and educators;

(ii) at least two educators attend each home visit;

(iii) a cross section of students ~~receive~~ are offered home visits;

(iv) the initial home visit is focused on building a relationship and the second home visit is focused on academic success; and

(v) an educator who conducts a home visit is trained and compensated.

(7) (a) The board shall evaluate the effect of the program on:

(i) student attendance in a participating school;

(ii) family engagement in a participating school; and

(iii) any other factor determined by the board.

(b) The board may contract with a third party, in accordance with Title 63G, Chapter 6, Utah Procurement Code, to conduct the evaluation described in Subsection (7)(a).

(c) The board shall report to the Education Interim Committee and the Public Education Appropriations Subcommittee on or before:

(i) November 1, 2019, regarding the program's implementation;

(ii) November 1, 2022, regarding preliminary results of the evaluation described in Subsection (7)(a); and

(iii) November 1, 2023, regarding the final results of the evaluation described in Subsection (7)(a).

Section ~~32~~². Section **63I-1-253** is amended to read:

63I-1-253. Repeal dates, Titles 53 through 53G.

The following provisions are repealed on the following dates:

(1) Subsection 53-10-202(18) is repealed July 1, 2018.

(2) Section 53-10-202.1 is repealed July 1, 2018.

~~(3) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program, is~~

HB0235S01 compared with HB0235

repealed July 1, 2020.]

~~[(4) Section 53A-13-106.5 is repealed July 1, 2019.]~~

~~[(5) Section 53A-15-106 is repealed July 1, 2019.]~~

~~[(6) Sections 53A-15-206 and 53A-15-207 are repealed January 1, 2023.]~~

~~[(7) Title 53A, Chapter 31, Part 4, American Indian and Alaskan Native Education State Plan Pilot Program, is repealed July 1, 2022.]~~

~~[(8)] (3) Section 53B-24-402, Rural residency training program, is repealed July 1, 2020.~~

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

~~(5) Section 53E-3-515 is repealed January 1, 2023.~~

~~(6) Section 53F-5-209 ~~and the related cross reference in Subsection 53F-2-404(6)(a)(ii) are~~ is repealed July 1, 2024.~~

~~(7) Section 53F-2-514 is repealed July 1, 2020.~~

~~(8) Section 53F-5-203 is repealed July 1, 2019.~~

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

~~(10) Section 53F-6-201 is repealed July 1, 2019.~~

~~(11) Section 53F-9-501 is repealed January 1, 2023.~~

†

Legislative Review Note

Office of Legislative Research and General Counsel†