

EDUCATION REPORTING REQUIREMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Val L. Peterson

LONG TITLE

General Description:

This bill amends provisions related to education reports.

Highlighted Provisions:

This bill:

- ▶ aligns reports and reporting dates of certain reports by the Rocky Mountain Center for Occupational and Environmental Health;

- ▶ repeals certain reports and related provisions;

- ▶ creates indexes of reports to and actions required of:

- the Higher Education Appropriations Subcommittee;
- the Education Interim Committee; and
- the Public Education Appropriations Subcommittee;

- ▶ reenacts and amends the State Superintendent's Annual Report, including requiring other certain existing reports be included in the annual report;

- ▶ amends provisions by assigning reports and appropriations recommendations to specified legislative education committees;

- ▶ repeals and reenacts provisions requiring the State Board of Education to create a strategic plan; and

- ▶ makes technical corrections.

Money Appropriated in this Bill:

None

Other Special Clauses:

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **34A-2-202.5**, as last amended by Laws of Utah 2011, Chapter 342

33 **53B-1-107**, as enacted by Laws of Utah 1987, Chapter 167

34 **53B-1-113**, as enacted by Laws of Utah 2017, Chapter 333

35 **53B-7-101**, as last amended by Laws of Utah 2017, Chapters 365 and 382

36 **53B-7-706**, as enacted by Laws of Utah 2017, Chapter 365

37 **53B-7-707**, as last amended by Coordination Clause, Laws of Utah 2018, Chapter 315

38 **53B-8-104**, as last amended by Laws of Utah 2009, Chapter 363

39 **53B-8a-111**, as last amended by Laws of Utah 2010, Chapter 6

40 **53B-8c-104**, as enacted by Laws of Utah 1997, Chapter 333

41 **53B-12-107**, as enacted by Laws of Utah 1987, Chapter 167

42 **53B-17-804**, as last amended by Laws of Utah 2013, Chapter 43

43 **53B-26-103**, as last amended by Laws of Utah 2018, Chapter 421

44 **53B-26-202**, as enacted by Laws of Utah 2018, Chapter 354

45 **53E-1-201**, as enacted by Laws of Utah 2018, Chapter 1

46 **53E-3-301**, as renumbered and amended by Laws of Utah 2018, Chapter 1

47 **53E-3-507**, as renumbered and amended by Laws of Utah 2018, Chapter 1

48 **53E-3-515**, as renumbered and amended by Laws of Utah 2018, Chapter 1

49 **53E-3-516**, as enacted by Laws of Utah 2018, Chapter 302

50 **53E-4-202**, as renumbered and amended by Laws of Utah 2018, Chapter 1

51 **53E-4-309**, as renumbered and amended by Laws of Utah 2018, Chapter 1

52 **53E-5-310**, as renumbered and amended by Laws of Utah 2018, Chapter 1

53 **53E-8-204**, as renumbered and amended by Laws of Utah 2018, Chapter 1

54 **53E-10-308**, as renumbered and amended by Laws of Utah 2018, Chapter 1

55 **53E-10-702**, as enacted by Laws of Utah 2018, Chapter 341

56 **53E-10-703**, as enacted by Laws of Utah 2018, Chapter 341
57 **53F-2-309**, as renumbered and amended by Laws of Utah 2018, Chapter 2
58 **53F-2-503**, as last amended by Laws of Utah 2018, Chapters 300, 456 and renumbered
59 and amended by Laws of Utah 2018, Chapter 2
60 **53F-2-508**, as renumbered and amended by Laws of Utah 2018, Chapter 2
61 **53F-2-510**, as renumbered and amended by Laws of Utah 2018, Chapter 2
62 **53F-2-512**, as renumbered and amended by Laws of Utah 2018, Chapter 2
63 **53F-4-203**, as enacted by Laws of Utah 2018, Chapter 2
64 **53F-4-407**, as renumbered and amended by Laws of Utah 2018, Chapter 2
65 **53F-5-204**, as renumbered and amended by Laws of Utah 2018, Chapter 2
66 **53F-5-307**, as renumbered and amended by Laws of Utah 2018, Chapter 2
67 **53F-5-405**, as renumbered and amended by Laws of Utah 2018, Chapter 2
68 **53F-5-506**, as renumbered and amended by Laws of Utah 2018, Chapter 2
69 **53G-4-403**, as renumbered and amended by Laws of Utah 2018, Chapter 3
70 **53G-4-404**, as renumbered and amended by Laws of Utah 2018, Chapter 3
71 **53G-5-411**, as enacted by Laws of Utah 2018, Chapter 3
72 **53G-6-707**, as renumbered and amended by Laws of Utah 2018, Chapter 3
73 **53G-8-207**, as renumbered and amended by Laws of Utah 2018, Chapter 3
74 **53G-9-702**, as last amended by Laws of Utah 2018, Chapter 414 and renumbered and
75 amended by Laws of Utah 2018, Chapter 3
76 **53G-9-703**, as renumbered and amended by Laws of Utah 2018, Chapter 3
77 **53G-9-802**, as renumbered and amended by Laws of Utah 2018, Chapter 3
78 **53G-10-204**, as renumbered and amended by Laws of Utah 2018, Chapter 3
79 **53G-11-511**, as renumbered and amended by Laws of Utah 2018, Chapter 3
80 **59-9-102.5**, as last amended by Laws of Utah 2011, Chapter 342
81 **63I-2-253**, as last amended by Laws of Utah 2018, Chapters 107, 281, 382, 415, and
82 456

83 ENACTS:

84 **53B-1-301**, Utah Code Annotated 1953

85 **53E-1-202**, Utah Code Annotated 1953

86 **53E-1-203**, Utah Code Annotated 1953

87 REPEALS AND REENACTS:

88 **53E-2-202**, as renumbered and amended by Laws of Utah 2018, Chapter 1

89

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

91 Section 1. Section **34A-2-202.5** is amended to read:

92 **34A-2-202.5. Offset for occupational health and safety related donations.**

93 (1) As used in this section:

94 (a) "Occupational health and safety center" means the Rocky Mountain Center for
95 Occupational and Environmental Health created in Title 53B, Chapter 17, Part 8, Rocky
96 Mountain Center for Occupational and Environmental Health.

97 (b) "Qualified donation" means a donation that is:

98 (i) cash;

99 (ii) given directly to an occupational health and safety center; and

100 (iii) given exclusively for the purpose of:

101 (A) supporting graduate level education and training in fields of:

102 (I) safety and ergonomics;

103 (II) industrial hygiene;

104 (III) occupational health nursing; and

105 (IV) occupational medicine;

106 (B) providing continuing education programs for employers designed to promote
107 workplace safety; and

108 (C) paying reasonable administrative, personnel, equipment, and overhead costs of the
109 occupational health and safety center.

110 (c) "Self-insured employer" is a self-insured employer as defined in Section
111 34A-2-201.5 that is required to pay the assessment imposed under Section 34A-2-202.
112 (2) (a) A self-insured employer may offset against the assessment imposed under
113 Section 34A-2-202 an amount equal to the lesser of:
114 (i) the total of qualified donations made by the self-insured employer in the calendar
115 year for which the assessment is calculated; and
116 (ii) .10% of the self-insured employer's total calculated premium calculated under
117 Subsection 34A-2-202(1)(d) for the calendar year for which the assessment is calculated.
118 (b) The offset provided under this Subsection (2) shall be allocated in proportion to the
119 percentages provided in Subsection 59-9-101(2)(c).
120 (3) An occupational health and safety center shall:
121 (a) provide a self-insured employer a receipt for any qualified donation made by the
122 self-insured employer to the occupational health and safety center;
123 (b) expend money received by a qualified donation:
124 (i) for the purposes described in Subsection (1)(b)(iii); and
125 (ii) in a manner that can be audited to ensure that the money is expended for the
126 purposes described in Subsection (1)(b)(iii); and
127 (c) in conjunction with the report required by Section 59-9-102.5, report to [~~the~~
128 ~~Legislature through~~] the Office of the Legislative Fiscal Analyst for review by the Higher
129 Education Appropriations Subcommittee by no later than [~~July 1~~] August 15 of each year:
130 (i) the qualified donations received by the occupational health and safety center in the
131 previous calendar year; and
132 (ii) the expenditures during the previous calendar year of qualified donations received
133 by the occupational health and safety center.
134 Section 2. Section 53B-1-107 is amended to read:
135 **53B-1-107. Annual report of board activities.**
136 The board shall submit an annual report of its activities to the governor and to the

137 [~~Legislature~~] Education Interim Committee and shall provide copies to all institutions in the
138 state system of higher education.

139 Section 3. Section **53B-1-113** is amended to read:

140 **53B-1-113. Education loan notifications.**

141 (1) As used in this section:

142 (a) "Borrower" means:

143 (i) an individual enrolled in an eligible postsecondary institution who receives an
144 education loan; or

145 (ii) an individual, including a parent or legal guardian, who receives an education loan
146 to fund education expenses of an individual enrolled in an eligible postsecondary institution.

147 (b) "Education loan" means a loan made to a borrower that is:

148 (i) made directly by a federal or state program; or

149 (ii) insured or guaranteed under a federal or state program.

150 (c) "Eligible postsecondary institution" means a public or private postsecondary
151 institution that:

152 (i) is located in Utah; and

153 (ii) participates in federal student assistance programs under the Higher Education Act
154 of 1965, Title IV, 20 U.S.C. Sec. 1070 et seq.

155 (2) Annually, on or before July 1, an eligible postsecondary institution that receives
156 information about a borrower's education loan shall:

157 (a) notify the borrower that the borrower has an education loan;

158 (b) direct the borrower to the National Student Loan Data System described in 20
159 U.S.C. Sec. 1092b to receive information about the borrower's education loan; and

160 (c) provide the borrower information on how the borrower can access an online
161 repayment calculator.

162 (3) An eligible postsecondary institution does not incur liability for information
163 provided to a borrower in accordance with this section.

164 ~~[(4) On or before the October 2017 interim meeting, the State Board of Regents shall~~
165 ~~report to the Education Interim Committee on:]~~

166 ~~[(a) the number of notifications issued under Subsection (2); and]~~

167 ~~[(b) the feasibility of an eligible postsecondary institution providing annually to each~~
168 ~~borrower:]~~

169 ~~[(i) an estimate of the total dollar amount of education loans taken out by the borrower;~~
170 ~~and]~~

171 ~~[(ii) for the estimated dollar amount of education loans that the borrower has taken out,~~
172 ~~an estimate of:]~~

173 ~~[(A) the potential total payoff amount, including principal and interest;]~~

174 ~~[(B) the monthly repayment amounts, including principal and interest, that the~~
175 ~~borrower may incur;]~~

176 ~~[(C) the number of years used in determining the potential payoff amount; and]~~

177 ~~[(D) the percentage of the aggregate borrowing limit the borrower has reached.]~~

178 Section 4. Section **53B-1-301** is enacted to read:

179 **Part 3. Reports**

180 **53B-1-301. Reports to and actions of the Higher Education Appropriations**
181 **Subcommittee.**

182 (1) In accordance with applicable provisions and Section [68-3-14](#), the following
183 recurring reports are due to the Higher Education Appropriations Subcommittee:

184 (a) the reports described in Sections [34A-2-202.5](#), [53B-17-804](#), and [59-9-102.5](#) by the
185 Rocky Mountain Center for Occupational and Environmental Health;

186 (b) the report described in Section [53B-7-101](#) by the board on recommended
187 appropriations for higher education institutions, including the report described in Section
188 [53B-8-104](#) by the board on the effects of offering nonresident partial tuition scholarships;

189 (c) the report described in Section [53B-7-704](#) by the Department of Workforce
190 Services and the Governor's Office of Economic Development on targeted jobs;

191 (d) the reports described in Section 53B-7-705 by the board and the Utah System of
192 Technical Colleges Board of Trustees, respectively, on performance;

193 (e) the report described in Section 53B-8-113 by the board on the Public Safety Officer
194 Career Advancement Reimbursement Program;

195 (f) the report described in Section 53B-8-201 by the board on the Regents' Scholarship
196 Program;

197 (g) the report described in Section 53B-8d-104 by the Division of Child and Family
198 Services on tuition waivers for wards of the state;

199 (h) the report described in Section 53B-12-107 by the Utah Higher Education
200 Assistance Authority;

201 (i) the report described in Section 53B-13a-104 by the board on the Success Stipend
202 Program;

203 (j) the report described in Section 53B-17-201 by the University of Utah regarding the
204 Miners' Hospital for Disabled Miners;

205 (k) the report described in Section 53B-26-103 by the Governor's Office of Economic
206 Development on high demand technical jobs projected to support economic growth;

207 (l) the report described in Section 53B-26-202 by the Medical Education Council on
208 projected demand for nursing professionals; and

209 (m) the report described in Section 53E-10-308 by the State Board of Education and
210 State Board of Regents on student participation in the concurrent enrollment program.

211 (2) In accordance with applicable provisions and Section 68-3-14, the following
212 occasional reports are due to the Higher Education Appropriations Subcommittee:

213 (a) upon request, the information described in Section 53B-8a-111 submitted by the
214 Utah Educational Savings Plan;

215 (b) as described in Section 53B-26-103, a proposal by an eligible partnership related to
216 workforce needs for technical jobs projected to support economic growth;

217 (c) a proposal described in Section 53B-26-202 by an eligible program to respond to

- 218 projected demand for nursing professionals; and
219 (d) the reports described in Section 63C-19-202 by the Higher Education Strategic
220 Planning Commission on the commission's progress.
221 (3) In accordance with applicable provisions, the Higher Education Appropriations
222 Subcommittee shall complete the following:
223 (a) as required by Section 53B-7-703, the review of performance funding described in
224 Section 53B-7-703;
225 (b) the review described in Section 53B-7-705 of the implementation of performance
226 funding;
227 (c) an appropriation recommendation described in Section 53B-26-103 to fund a
228 proposal responding to workforce needs of a strategic industry cluster;
229 (d) an appropriation recommendation described in Section 53B-26-202 to fund a
230 proposal responding to projected demand for nursing professionals; and
231 (e) review of the report described in Section 63B-10-301 by the University of Utah on
232 the status of a bond and bond payments specified in Section 63B-10-301.

233 Section 5. Section 53B-7-101 is amended to read:
234 **53B-7-101. Combined requests for appropriations -- Board review of operating**
235 **budgets -- Submission of budgets -- Recommendations -- Hearing request --**
236 **Appropriation formulas -- Allocations -- Dedicated credits -- Financial affairs.**
237 (1) As used in this section:
238 (a) (i) "Higher education institution" or "institution" means an institution of higher
239 education listed in Section 53B-1-102.
240 (ii) "Higher education institution" or "institution" does not include:
241 (A) the Utah System of Technical Colleges Board of Trustees; or
242 (B) a technical college.
243 (b) "Research university" means the University of Utah or Utah State University.
244 (2) (a) The board shall recommend a combined appropriation for the operating budgets

245 of higher education institutions for inclusion in a state appropriations act.

246 (b) The board's combined budget recommendation shall include:

247 (i) employee compensation;

248 (ii) mandatory costs, including building operations and maintenance, fuel, and power;

249 (iii) performance funding described in Part 7, Performance Funding;

250 (iv) statewide and institutional priorities, including scholarships, financial aid, and
251 technology infrastructure; and

252 (v) enrollment growth.

253 (c) The board's recommendations shall be available for presentation to the governor
254 and to the Legislature at least 30 days before the convening of the Legislature, and shall include
255 schedules showing the recommended amounts for each institution, including separately funded
256 programs or divisions.

257 (d) The recommended appropriations shall be determined by the board only after it has
258 reviewed the proposed institutional operating budgets, and has consulted with the various
259 institutions and board staff in order to make appropriate adjustments.

260 (3) (a) Institutional operating budgets shall be submitted to the board at least 90 days
261 before the convening of the Legislature in accordance with procedures established by the board.

262 (b) Funding requests pertaining to capital facilities and land purchases shall be
263 submitted in accordance with procedures prescribed by the State Building Board.

264 (4) (a) The budget recommendations of the board shall be accompanied by full
265 explanations and supporting data.

266 (b) The appropriations recommended by the board shall be made with the dual
267 objective of:

268 (i) justifying for higher educational institutions appropriations consistent with their
269 needs, and consistent with the financial ability of the state; and

270 (ii) determining an equitable distribution of funds among the respective institutions in
271 accordance with the aims and objectives of the statewide master plan for higher education.

272 (5) (a) The board shall request a hearing with the governor on the recommended
273 appropriations.

274 (b) After the governor delivers his budget message to the Legislature, the board shall
275 request hearings on the recommended appropriations with the [~~appropriate committees of the~~
276 ~~Legislature~~] Higher Education Appropriations Subcommittee.

277 (c) If either the total amount of the state appropriations or its allocation among the
278 institutions as proposed by the Legislature or the [~~Legislature's committees~~] Higher Education
279 Appropriations Subcommittee is substantially different from the recommendations of the
280 board, the board may request further hearings with the Legislature or the [~~Legislature's~~
281 ~~appropriate committees~~] Higher Education Appropriations Subcommittee to reconsider both
282 the total amount and the allocation.

283 (6) The board may devise, establish, periodically review, and revise formulas for the
284 board's use and for the use of the governor and [~~the committees of the Legislature~~] the Higher
285 Education Appropriations Subcommittee in making appropriation recommendations.

286 (7) (a) The board shall recommend to each session of the Legislature the minimum
287 tuitions, resident and nonresident, for each institution which it considers necessary to
288 implement the budget recommendations.

289 (b) The board may fix the tuition, fees, and charges for each institution at levels the
290 board finds necessary to meet budget requirements.

291 (8) Money allocated to each institution by legislative appropriation may be budgeted in
292 accordance with institutional work programs approved by the board, provided that the
293 expenditures funded by appropriations for each institution are kept within the appropriations
294 for the applicable period.

295 (9) The dedicated credits, including revenues derived from tuitions, fees, federal
296 grants, and proceeds from sales received by the institutions of higher education are
297 appropriated to the respective institutions of higher education and used in accordance with
298 institutional work programs.

299 (10) An institution of higher education may do the institution's own purchasing, issue
300 the institution's own payrolls, and handle the institution's own financial affairs under the
301 general supervision of the board.

302 (11) If the Legislature appropriates money in accordance with this section, the money
303 shall be distributed to the board and higher education institutions to fund the items described in
304 Subsection (2)(b).

305 Section 6. Section **53B-7-706** is amended to read:

306 **53B-7-706. Performance metrics for higher education institutions --**
307 **Determination of performance.**

308 (1) (a) The board shall establish a model for determining a higher education
309 institution's performance.

310 (b) The board shall submit a draft of the model described in this section to the Higher
311 Education Appropriations Subcommittee and the governor for comments and
312 recommendations.

313 (2) (a) The model described in Subsection (1) shall include metrics, including:

314 (i) completion, measured by degrees and certificates awarded;

315 (ii) completion by underserved students, measured by degrees and certificates awarded
316 to underserved students;

317 (iii) responsiveness to workforce needs, measured by degrees and certificates awarded
318 in high market demand fields;

319 (iv) institutional efficiency, measured by degrees and certificates awarded per full-time
320 equivalent student; and

321 (v) for a research university, research, measured by total research expenditures.

322 (b) Subject to Subsection (2)(c), the board shall determine the relative weights of the
323 metrics described in Subsection (2)(a).

324 (c) The board shall assign the responsiveness to workforce needs metric described in
325 Subsection (2)(a)(iii) a weight of at least 25% when determining an institution of higher

326 education's performance.

327 (3) For each higher education institution, the board shall annually determine the higher
328 education institution's:

329 (a) performance; and

330 (b) change in performance compared to the higher education institution's average
331 performance over the previous five years.

332 [~~(4) On or before September 1, 2017, the board shall report to the Higher Education
333 Appropriations Subcommittee on the model described in this section.~~]

334 [(5)] (4) The board shall use the model described in this section to make the report
335 described in Section 53B-7-705 for determining a higher education institution's performance
336 funding for a fiscal year beginning on or after July 1, 2018.

337 Section 7. Section 53B-7-707 is amended to read:

338 **53B-7-707. Performance metrics for technical colleges -- Determination of**
339 **performance.**

340 (1) (a) The Utah System of Technical Colleges Board of Trustees shall establish a
341 model for determining a technical college's performance.

342 (b) The Utah System of Technical Colleges Board of Trustees shall submit a draft of
343 the model described in this section to the Higher Education Appropriations Subcommittee and
344 the governor for comments and recommendations.

345 (2) (a) The model described in Subsection (1) shall include metrics, including:

346 (i) completions, measured by certificates awarded;

347 (ii) short-term occupational training, measured by completions of:

348 (A) short-term occupational training that takes less than 60 hours to complete; and

349 (B) short-term occupational training that takes at least 60 hours to complete;

350 (iii) secondary completions, measured by:

351 (A) completions of competencies sufficient to be recommended for high school credits;

352 (B) certificates awarded to secondary students; and

353 (C) retention of certificate-seeking high school graduates as certificate-seeking
354 postsecondary students;

355 (iv) placements, measured by:

356 (A) total placements in related employment, military service, or continuing education;

357 (B) placements for underserved students; and

358 (C) placements from high impact programs; and

359 (v) institutional efficiency, measured by the number of technical college graduates per
360 900 membership hours.

361 (b) The Utah System of Technical Colleges Board of Trustees shall determine the
362 relative weights of the metrics described in Subsection (2)(a).

363 ~~[(3) On or before September 1, 2017, the Utah System of Technical Colleges Board of~~
364 ~~Trustees shall report to the Higher Education Appropriations Subcommittee on the model~~
365 ~~described in this section.]~~

366 ~~[(4)]~~ (3) (a) For each technical college, the Utah System of Technical Colleges Board
367 of Trustees shall annually determine the technical college's:

368 (i) performance; and

369 (ii) except as provided in Subsection ~~[(4)]~~ (3)(b), change in performance compared to
370 the technical college's average performance over the previous five years.

371 (b) For performance during a fiscal year before fiscal year 2020, if comparable
372 performance data is not available for the previous five years, the Utah System of Technical
373 Colleges Board of Trustees may determine a technical college's change in performance using
374 the average performance over the previous three or four years.

375 Section 8. Section **53B-8-104** is amended to read:

376 **53B-8-104. Nonresident partial tuition scholarships.**

377 (1) The board may grant a scholarship for partial waiver of the nonresident portion of
378 total tuition charged by public institutions of higher education to nonresident undergraduate
379 students, subject to the limitations provided in this section, if the board determines that the

380 scholarship will:

381 (a) promote mutually beneficial cooperation between Utah communities and nearby
382 communities in states adjacent to Utah;

383 (b) contribute to the quality and desirable cultural diversity of educational programs in
384 Utah institutions;

385 (c) assist in maintaining an adequate level of service and related cost-effectiveness of
386 auxiliary operations in Utah institutions of higher education; and

387 (d) promote enrollment of nonresident students with high academic aptitudes.

388 (2) The board shall establish policy guidelines for the administration by institutions of
389 higher education of any partial tuition scholarships authorized under this section, for evaluating
390 applicants for those scholarships, and for reporting the results of the scholarship program
391 authorized by this section.

392 (3) The policy guidelines promulgated by the board under Subsection (2) shall include
393 the following provisions:

394 (a) the amount of the approved scholarship may not be more than 1/2 of the differential
395 tuition charged to nonresident students for an equal number of credit hours of instruction;

396 (b) a nonresident partial tuition scholarship may be awarded initially only to a
397 nonresident undergraduate student who has not previously been enrolled in a college or
398 university in Utah and who has enrolled full time for 10 or more credit hours, whose legal
399 domicile is within approximately 100 highway miles of the Utah system of higher education
400 institution at which the recipient wishes to enroll or such distance that the regents may
401 establish for any institution;

402 (c) the total number of nonresident partial tuition scholarships granted may not exceed
403 a total of 600 such scholarships in effect at any one time; and

404 (d) the board shall determine eligibility for nonresident partial tuition scholarships on
405 the basis of program availability at an institution and on a competitive basis, using quantifiable
406 measurements such as grade point averages and results of test scores.

407 (4) The board shall submit an annual report and financial analysis of the effects of
408 offering nonresident partial tuition scholarships authorized under this section to the
409 ~~[Legislature]~~ Higher Education Appropriations Subcommittee as part of ~~[its]~~ the board's budget
410 recommendations for the system of higher education.

411 Section 9. Section **53B-8a-111** is amended to read:

412 **53B-8a-111. Annual audit of financial statements -- Information to governor and**
413 **Higher Education Appropriations Subcommittee.**

414 (1) The financial statements of the plan shall be audited annually by the state auditor or
415 the state auditor's designee and reported in accordance with generally accepted accounting
416 principles.

417 (2) The plan shall submit to the governor and the ~~[Legislature]~~ Higher Education
418 Appropriations Subcommittee:

419 (a) upon request, any studies or evaluations of the plan;

420 (b) upon request, a summary of the benefits provided by the plan including the number
421 of participants and beneficiaries in the plan; and

422 (c) upon request, any other information which is relevant in order to make a full, fair,
423 and effective disclosure of the operations of the plan.

424 Section 10. Section **53B-8c-104** is amended to read:

425 **53B-8c-104. Notice of tuition waiver approval -- Annual appropriation.**

426 (1) Upon receiving an application under Subsection **53B-8c-103(1)(c)**, the department
427 shall determine whether the applicant and the courses for which tuition waiver is sought meet
428 the requirements of Section **53B-8c-103** and, if so, shall approve the application and notify the
429 higher education institution that the application has been approved.

430 (2) The department shall provide the necessary forms and applications and cooperate
431 with the state's institutions of higher education in developing efficient procedures for the
432 implementation of this chapter.

433 ~~[(3) The department shall annually report to the Legislature's Higher Education~~

434 ~~Appropriations Subcommittee on the number of individuals for whom tuition has been waived~~
435 ~~at each institution and the total amounts paid under this chapter for the fiscal year.]~~

436 [(4)] (3) The Legislature may annually appropriate the funds necessary to implement
437 this chapter, including money to offset the tuition waivers at each institution.

438 Section 11. Section **53B-12-107** is amended to read:

439 **53B-12-107. Annual report -- Annual audit -- Reimbursement of state auditor.**

440 (1) Following the close of each fiscal year, the authority [submits] shall submit an
441 annual report of [its] the authority's activities for the preceding year to the governor and the
442 [~~Legislature~~] Higher Education Appropriations Subcommittee.

443 (2) Each report shall include a complete operating and financial statement of the
444 authority during the fiscal year it covers.

445 (3) The state auditor shall at least once in each year audit the books and accounts of the
446 authority or contract with an independent certified public accountant for this audit.

447 (4) The authority shall reimburse the state auditor from its available money for the
448 actual and necessary costs of the audit.

449 Section 12. Section **53B-17-804** is amended to read:

450 **53B-17-804. Reporting.**

451 (1) (a) The board, through the director and the board chair, shall provide by no later
452 than July 1 of each year, a written report to the president of the university.

453 (b) The report required by this Subsection (1) shall:

454 (i) summarize the center's activities and accomplishments in the immediate proceeding
455 calendar year; and

456 (ii) provide information and the board's advice and recommendations on how the state,
457 university, and the center can:

458 (A) improve workplace health and safety; and

459 (B) contribute to economic growth and development in Utah and the surrounding
460 region.

461 (2) (a) If the center receives in a fiscal year money from the Eddie P. Mayne
462 Workplace Safety and Occupational Health Funding Program provided for in Section
463 34A-2-701, the center shall provide a written report:

464 [~~(i) by no later than the August 15 following the fiscal year;~~]

465 [~~(ii) to the Office of the Legislative Fiscal Analyst;~~]

466 [~~(iii) for review by the Higher Education Appropriations Subcommittee;~~]

467 (i) in conjunction with the reports described in Sections 34A-2-202.5 and 59-9-102.5;

468 [~~(iv)~~] (ii) that accounts for the expenditure of money received in the fiscal year by the
469 center from the Eddie P. Mayne Workplace Safety and Occupational Health Funding Program
470 including impact on workplace safety in Utah; and

471 [~~(v)~~] (iii) that includes a preliminary statement as to money the center will request from
472 the Eddie P. Mayne Workplace Safety and Occupational Health Funding Program for the fiscal
473 year following the day on which the report is provided.

474 (b) A report provided under this Subsection (2) meets the reporting requirements under
475 Subsection 34A-2-701(5)(b)(i)(B).

476 Section 13. Section 53B-26-103 is amended to read:

477 **53B-26-103. GOED reporting requirement -- Proposals -- Funding.**

478 (1) Every other year, the Governor's Office of Economic Development shall report to
479 the [~~Legislature~~] Higher Education Appropriations Subcommittee, the board, and the Utah
480 System of Technical Colleges Board of Trustees on the high demand technical jobs projected to
481 support economic growth in the following high need strategic industry clusters:

482 (a) aerospace and defense;

483 (b) energy and natural resources;

484 (c) financial services;

485 (d) life sciences;

486 (e) outdoor products;

487 (f) software development and information technology; and

488 (g) any other strategic industry cluster designated by the Governor's Office of
489 Economic Development.

490 (2) To receive funding under this section, an eligible partnership shall submit a
491 proposal containing the elements described in Subsection (3) to the [~~Legislature~~] Higher
492 Education Appropriations Subcommittee on or before January 5 for fiscal year 2018 and any
493 succeeding fiscal year.

494 (3) A proposal described in Subsection (2) shall include:

495 (a) a program of instruction that:

496 (i) is responsive to the workforce needs of a strategic industry cluster described in
497 Subsection (1):

498 (A) in one CTE region, for a proposal submitted by a regional partnership; or

499 (B) in at least two CTE regions, for a proposal submitted by a statewide partnership;

500 (ii) leads to the attainment of a stackable sequence of credentials; and

501 (iii) includes a non-duplicative progression of courses that include both academic and
502 CTE content;

503 (b) expected student enrollment, attainment rates, and job placement rates;

504 (c) evidence of input and support for the proposal from an industry advisory group;

505 (d) a description of any financial or in-kind contributions for the program from an
506 industry advisory group;

507 (e) a description of the job opportunities available at each exit point in the stackable
508 sequence of credentials;

509 (f) evidence of an official action in support of the proposal from:

510 (i) the Utah System of Technical Colleges Board of Trustees, if the eligible partnership
511 includes a technical college described in Subsection [53B-26-102\(10\)\(a\)](#); or

512 (ii) the board, if the eligible partnership includes:

513 (A) an institution of higher education; or

514 (B) a college described in Subsection [53B-26-102\(10\)\(b\)](#), (c), or (d);

515 (g) if the program of instruction described in Subsection (3)(a) requires board approval
516 under Section 53B-16-102, evidence of board approval of the program of instruction; and

517 (h) a funding request, including justification for the request.

518 (4) The ~~[Legislature]~~ Higher Education Appropriations Subcommittee shall:

519 (a) review a proposal submitted under this section using the following criteria:

520 (i) the proposal contains the elements described in Subsection (3);

521 (ii) for a proposal from a regional partnership, support for the proposal is widespread
522 within the CTE region; and

523 (iii) the proposal expands the capacity to meet state or regional workforce needs;

524 (b) determine the extent to which to fund the proposal; and

525 (c) ~~[fund]~~ make a recommendation to the Legislature for funding the proposal through
526 the appropriations process.

527 (5) An eligible partnership that receives funding under this section:

528 (a) shall use the money to deliver the program of instruction described in the eligible
529 partnership's proposal; and

530 (b) may not use the money for administration.

531 Section 14. Section 53B-26-202 is amended to read:

532 **53B-26-202. Nursing initiative -- Medical Education Council reporting**
533 **requirement -- Proposals -- Funding.**

534 (1) Every even-numbered year, the Medical Education Council created in Section
535 53B-24-302 shall:

536 (a) project the demand, by license classification, for individuals to enter a nursing
537 profession in each region;

538 (b) receive input from at least one medical association in developing the projections
539 described in Subsection (1)(a); and

540 (c) report the projections described in Subsection (1)(a) to:

541 (i) the State Board of Regents;

542 (ii) the Utah System of Technical Colleges Board of Trustees; and
543 (iii) the Higher Education Appropriations Subcommittee.
544 (2) To receive funding under this section, on or before January 5, an eligible program
545 shall submit to the [~~Legislature~~] Higher Education Appropriations Subcommittee, through the
546 budget process for the State Board of Regents or the Utah System of Technical Colleges, as
547 applicable, a proposal that describes:
548 (a) a program of instruction offered by the eligible program that is responsive to a
549 projection described in Subsection (1)(a);
550 (b) the following information about the eligible program:
551 (i) expected student enrollment;
552 (ii) attainment rates;
553 (iii) job placement rates; and
554 (iv) passage rates for exams required for licensure for a nursing profession;
555 (c) the instructional cost per full-time equivalent student enrolled in the eligible
556 program;
557 (d) financial or in-kind contributions to the eligible program from:
558 (i) the health care industry; or
559 (ii) an institution; and
560 (e) a funding request, including justification for the request.
561 (3) The [~~Legislature~~] Higher Education Appropriations Subcommittee shall:
562 (a) review a proposal submitted under this section using the following criteria:
563 (i) the proposal:
564 (A) contains the elements described in Subsection (2);
565 (B) expands the capacity to meet the projected demand described in Subsection (1)(a);
566 and
567 (C) has health care industry or institution support; and
568 (ii) the program of instruction described in the proposal:

- 569 (A) is cost effective;
- 570 (B) has support from the health care industry or an institution; and
- 571 (C) has high passage rates on exams required for licensure for a nursing profession;
- 572 (b) determine the extent to which to fund the proposal; and
- 573 (c) ~~[appropriate]~~ make an appropriation recommendation to the Legislature on the
- 574 amount of money determined under Subsection (3)(b) to the eligible program's institution.
- 575 (4) An institution that receives funding under this section shall use the funding to
- 576 increase the number of students enrolled in the eligible program for which the institution
- 577 receives funding.
- 578 (5) On or before November 1, 2020, and annually thereafter, the board shall report to
- 579 the Higher Education Appropriations Subcommittee on the elements described in Subsection
- 580 (2) for each eligible program funded under this section.

581 Section 15. Section **53E-1-201** is amended to read:

582 **53E-1-201. Reports to and action required of the Education Interim Committee.**

583 [Reserved]

584 (1) In accordance with applicable provisions and Section [68-3-14](#), the following

585 recurring reports are due to the Education Interim Committee:

586 (a) the prioritized list of data research described in Section [35A-14-302](#) and the report

587 on research described in Section [35A-14-304](#) by the Utah Data Research Center;

588 (b) the report described in Section [53B-1-103](#) by the State Board of Regents on career

589 and technical education issues and addressing workforce needs;

590 (c) the report described in Section [53B-1-107](#) by the State Board of Regents on the

591 activities of the State Board of Regents;

592 (d) the report described in Section [53B-2a-104](#) by the Utah System of Technical

593 Colleges Board of Trustees on career and technical education issues;

594 (e) the State Superintendent's Annual Report by the state board described in Section

595 [53E-1-203](#);

596 (f) the annual report described in Section 53E-2-202 by the state board on the strategic
597 plan to improve student outcomes;

598 (g) the report described in Section 53E-8-204 by the state board on the Utah Schools
599 for the Deaf and the Blind;

600 (h) the report described in Section 53E-10-703 by the Utah Leading through Effective,
601 Actionable, and Dynamic Education director on research and other activities;

602 (i) the report described in Section 53F-4-203 by the state board and the independent
603 evaluator on an evaluation of early interactive reading software;

604 (j) the report described in Section 53F-4-407 by the state board on UPSTART;

605 (k) the report described in Section 53F-5-307 by the state board and Department of
606 Workforce Services on an independent evaluation of:

607 (i) the Student Access to High Quality School Readiness Programs Grant Program;

608 (ii) the home-based technology high quality school readiness program;

609 (iii) the Intergenerational Poverty School Readiness Scholarship Program; and

610 (iv) early childhood teacher training;

611 (l) the report described in Section 53F-5-405 by an independent evaluator of a
612 partnership that receives a grant to improve educational outcomes for students who are low
613 income; and

614 (m) the report described in Section 63N-12-208 by the STEM Action Center Board,
615 including the information described in Section 63N-12-213 on the status of the computer
616 science initiative and Section 63N-12-214 on the Computing Partnerships Grants Program.

617 (2) In accordance with applicable provisions and Section 68-3-14, the following
618 occasional reports are due to the Education Interim Committee:

619 (a) if required, the report described in Section 53E-4-309 by the state board explaining
620 the reasons for changing the grade level specification for the administration of specific
621 assessments;

622 (b) if required, the report described in Section 53E-5-210 by the state board of an

623 adjustment to the minimum level that demonstrates proficiency for each statewide assessment;

624 (c) the report described in Section 53E-10-702 by Utah Leading through Effective,
625 Actionable, and Dynamic Education;

626 (d) the report described in Section 53F-2-502 by the state board on the program
627 evaluation of the dual language immersion program;

628 (e) if required, the report described in Section 53F-2-513 by the state board evaluating
629 the effects of salary bonuses on the recruitment and retention of effective teachers in high
630 poverty schools;

631 (f) upon request, the report described in Section 53F-5-207 by the state board on the
632 Intergenerational Poverty Intervention Grants Program;

633 (g) the report described in Section 53F-5-210 by the state board on the Educational
634 Improvement Opportunities Outside of the Regular School Day Grant Program;

635 (h) if required, for each year of a results-based contract for a high quality school
636 readiness program, the report described in Section 53F-6-310 by the School Readiness Board;

637 (i) upon request, the report described in Section 53G-11-505 by the state board on
638 progress in implementing employee evaluations; and

639 (j) the reports described in Section 63C-19-202 by the Higher Education Strategic
640 Planning Commission.

641 (3) In accordance with Section 53B-7-705, the Education Interim Committee shall
642 complete the review of the implementation of performance funding.

643 Section 16. Section 53E-1-202 is enacted to read:

644 **53E-1-202. Reports to and action required of the Public Education**
645 **Appropriations Subcommittee.**

646 (1) In accordance with applicable provisions and Section 68-3-14, the following
647 recurring reports are due to the Public Education Appropriations Subcommittee:

648 (a) the State Superintendent's Annual Report by the state board described in Section
649 53E-1-203;

650 (b) the report described in Section 53E-10-703 by the Utah Leading through Effective,
651 Actionable, and Dynamic Education director on research and other activities; and

652 (c) the report by the STEM Action Center Board described in Section 63N-12-208,
653 including the information described in Section 63N-12-213 on the status of the computer
654 science initiative.

655 (2) The occasional report, described in Section 53F-2-502 by the state board on the
656 program evaluation of the dual language immersion program, is due to the Public Education
657 Appropriations Subcommittee and in accordance with Section 68-3-14.

658 (3) In accordance with applicable provisions, the Public Education Appropriations
659 Subcommittee shall complete the following:

660 (a) the evaluation described in Section 53F-2-410 of funding for at-risk students;

661 (b) the reviews of related to basic school programs as described in Section 53F-2-414;

662 and

663 (c) if required, the study described in Section 53F-4-304 of scholarship payments.

664 Section 17. Section 53E-1-203 is enacted to read:

665 **53E-1-203. State Superintendent's Annual Report.**

666 (1) The state board shall prepare and submit to the governor, the Education Interim
667 Committee, and the Public Education Appropriations Subcommittee, by January 15 of each
668 year, an annual written report known as the State Superintendent's Annual Report that includes:

669 (a) the operations, activities, programs, and services of the state board;

670 (b) subject to Subsection (4)(b), all reports listed in Subsection (4)(a); and

671 (c) data on the general condition of the schools with recommendations considered

672 desirable for specific programs, including:

673 (i) a complete statement of fund balances;

674 (ii) a complete statement of revenues by fund and source;

675 (iii) a complete statement of adjusted expenditures by fund, the status of bonded

676 indebtedness, the cost of new school plants, and school levies;

677 (iv) a complete statement of state funds allocated to each school district and charter
678 school by source, including supplemental appropriations, and a complete statement of
679 expenditures by each school district and charter school, including supplemental appropriations,
680 by function and object as outlined in the United States Department of Education publication
681 "Financial Accounting for Local and State School Systems";

682 (v) a statement that includes data on:

683 (A) fall enrollments;

684 (B) average membership;

685 (C) high school graduates;

686 (D) licensed and classified employees, including data reported by school districts on
687 educator ratings described in Section [53G-11-511](#);

688 (E) pupil-teacher ratios;

689 (F) average class sizes;

690 (G) average salaries;

691 (H) applicable private school data; and

692 (I) data from statewide assessments described in Section [53E-4-301](#) for each school
693 and school district;

694 (vi) statistical information regarding incidents of delinquent activity in the schools or at
695 school-related activities; and

696 (vii) other statistical and financial information about the school system that the state
697 superintendent considers pertinent.

698 (2) (a) For the purposes of Subsection (1)(c)(v):

699 (i) the pupil-teacher ratio for a school shall be calculated by dividing the number of
700 students enrolled in a school by the number of full-time equivalent teachers assigned to the
701 school, including regular classroom teachers, school-based specialists, and special education
702 teachers;

703 (ii) the pupil-teacher ratio for a school district shall be the median pupil-teacher ratio of

704 the schools within a school district;
705 (iii) the pupil-teacher ratio for charter schools aggregated shall be the median
706 pupil-teacher ratio of charter schools in the state; and
707 (iv) the pupil-teacher ratio for the state's public schools aggregated shall be the median
708 pupil-teacher ratio of public schools in the state.
709 (b) The report shall:
710 (i) include the pupil-teacher ratio for:
711 (A) each school district;
712 (B) the charter schools aggregated; and
713 (C) the state's public schools aggregated; and
714 (ii) identify a website where pupil-teacher ratios for each school in the state may be
715 accessed.
716 (3) For each operation, activity, program, or service provided by the state board, the
717 annual report shall include:
718 (a) a description of the operation, activity, program, or service;
719 (b) data and metrics:
720 (i) selected and used by the state board to measure progress, performance,
721 effectiveness, and scope of the operation, activity, program, or service, including summary
722 data; and
723 (ii) that are consistent and comparable for each state operation, activity, program, or
724 service;
725 (c) budget data, including the amount and source of funding, expenses, and allocation
726 of full-time employees for the operation, activity, program, or service;
727 (d) historical data from previous years for comparison with data reported under
728 Subsections (3)(b) and (c);
729 (e) goals, challenges, and achievements related to the operation, activity, program, or
730 service;

- 731 (f) relevant federal and state statutory references and requirements;
732 (g) contact information of officials knowledgeable and responsible for each operation,
733 activity, program, or service; and
734 (h) other information determined by the state board that:
735 (i) may be needed, useful, or of historical significance; or
736 (ii) promotes accountability and transparency for each operation, activity, program, or
737 service with the public and elected officials.
- 738 (4) (a) Except as provided in Subsection (4)(b), the annual report shall also include:
739 (i) the report described in Section 53E-3-507 by the state board on career and technical
740 education needs and program access;
741 (ii) through October 1, 2022, the report described in Section 53E-3-515 by the state
742 board on the Hospitality and Tourism Management Career and Technical Education Pilot
743 Program;
744 (iii) beginning on July 1, 2020, the report described in Section 53E-3-516 by the state
745 board on certain incidents that occur on school grounds;
746 (iv) the report described in Section 53E-4-202 by the state board on the development
747 and implementation of the core standards for Utah public schools;
748 (v) the report described in Section 53E-5-310 by the state board on school turnaround
749 and leadership development;
750 (vi) the report described in Section 53E-10-308 by the state board and State Board of
751 Regents on student participation in the concurrent enrollment program;
752 (vii) the report described in Section 53F-2-503 by the state board on early literacy;
753 (viii) the report described in Section 53F-5-506 by the state board on information
754 related to competency-based education;
755 (ix) the report described in Section 53G-9-802 by the state board on dropout prevention
756 and recovery services; and
757 (x) the report described in Section 53G-10-204 by the state board on methods used, and

758 the results being achieved, to instruct and prepare students to become informed and responsible
759 citizens.

760 (b) The Education Interim Committee or the Public Education Appropriations
761 Subcommittee may request a report described in Subsection (4)(a) to be reported separately
762 from the State Superintendent's Annual Report.

763 (5) The annual report shall be designed to provide clear, accurate, and accessible
764 information to the public, the governor, and the Legislature.

765 (6) The state board shall:

766 (a) submit the annual report in accordance with Section [68-3-14](#); and

767 (b) make the annual report, and previous annual reports, accessible to the public by
768 placing a link to the reports on the state board's website.

769 (7) (a) Upon request of the Education Interim Committee or Public Education
770 Appropriations Subcommittee, the state board shall present the State Superintendent's Annual
771 Report to either committee.

772 (b) After submitting the State Superintendent's Annual Report in accordance with this
773 section, the state board may supplement the report at a later time with updated data,
774 information, or other materials as necessary or upon request by the governor, the Education
775 Interim Committee, or the Public Education Appropriations Subcommittee.

776 Section 18. Section [53E-2-202](#) is repealed and reenacted to read:

777 **53E-2-202. Planning for Utah's public education system.**

778 The state board shall:

779 (1) create, maintain, and review on a regular basis a statewide, comprehensive
780 multi-year strategic plan that includes long-term goals for improved student outcomes; and

781 (2) report annually to the Education Interim Committee on or before the committee's
782 November meeting on the strategic plan described in Subsection (1), including progress toward
783 achieving long-term goals.

784 Section 19. Section [53E-3-301](#) is amended to read:

785 **53E-3-301. Appointment -- Qualifications -- Duties.**

786 (1) (a) The State Board of Education shall appoint a superintendent of public
787 instruction, hereinafter called the state superintendent, who is the executive officer of the State
788 Board of Education and serves at the pleasure of the State Board of Education.

789 (b) The State Board of Education shall appoint the state superintendent on the basis of
790 outstanding professional qualifications.

791 (c) The state superintendent shall administer all programs assigned to the State Board
792 of Education in accordance with the policies and the standards established by the State Board
793 of Education.

794 (2) The State Board of Education shall, with the state superintendent, develop a
795 statewide education strategy focusing on core academics, including the development of:

796 (a) core standards for Utah public schools and graduation requirements;

797 (b) a process to select model instructional materials that best correlate with the core
798 standards for Utah public schools and graduation requirements that are supported by generally
799 accepted scientific standards of evidence;

800 (c) professional development programs for teachers, superintendents, and principals;

801 (d) model remediation programs;

802 (e) a model method for creating individual student learning targets, and a method of
803 measuring an individual student's performance toward those targets;

804 (f) progress-based assessments for ongoing performance evaluations of school districts
805 and schools;

806 (g) incentives to achieve the desired outcome of individual student progress in core
807 academics that do not create disincentives for setting high goals for the students;

808 (h) an annual report card for school and school district performance, measuring
809 learning and reporting progress-based assessments;

810 (i) a systematic method to encourage innovation in schools and school districts as each
811 strives to achieve improvement in performance; and

812 (j) a method for identifying and sharing best demonstrated practices across school
813 districts and schools.

814 (3) The state superintendent shall perform duties assigned by the State Board of
815 Education, including:

816 (a) investigating all matters pertaining to the public schools;

817 (b) adopting and keeping an official seal to authenticate the state superintendent's
818 official acts;

819 (c) holding and conducting meetings, seminars, and conferences on educational topics;

820 ~~[(d) presenting to the governor and the Legislature each December a report of the
821 public school system for the preceding year that includes:]~~

822 ~~[(i) data on the general condition of the schools with recommendations considered
823 desirable for specific programs;]~~

824 ~~[(ii) a complete statement of fund balances;]~~

825 ~~[(iii) a complete statement of revenues by fund and source;]~~

826 ~~[(iv) a complete statement of adjusted expenditures by fund, the status of bonded
827 indebtedness, the cost of new school plants, and school levies;]~~

828 ~~[(v) a complete statement of state funds allocated to each school district and charter
829 school by source, including supplemental appropriations, and a complete statement of
830 expenditures by each school district and charter school, including supplemental appropriations,
831 by function and object as outlined in the United States Department of Education publication
832 "Financial Accounting for Local and State School Systems";]~~

833 ~~[(vi) a statement that includes data on:]~~

834 ~~[(A) fall enrollments;]~~

835 ~~[(B) average membership;]~~

836 ~~[(C) high school graduates;]~~

837 ~~[(D) licensed and classified employees, including data reported by school districts on
838 educator ratings pursuant to Section [53G-11-511](#);~~

839 ~~[(E) pupil-teacher ratios;]~~
840 ~~[(F) average class sizes;]~~
841 ~~[(G) average salaries;]~~
842 ~~[(H) applicable private school data; and]~~
843 ~~[(I) data from statewide assessments described in Section ~~53E-4-301~~ for each school~~
844 ~~and school district;]~~
845 ~~[(vii) statistical information regarding incidents of delinquent activity in the schools or~~
846 ~~at school-related activities with separate categories for:]~~
847 ~~[(A) alcohol and drug abuse;]~~
848 ~~[(B) weapon possession;]~~
849 ~~[(C) assaults; and]~~
850 ~~[(D) arson;]~~
851 ~~[(viii) information about:]~~
852 ~~[(A) the development and implementation of the strategy of focusing on core~~
853 ~~academics;]~~
854 ~~[(B) the development and implementation of competency-based education and~~
855 ~~progress-based assessments; and]~~
856 ~~[(C) the results being achieved under Subsections (3)(d)(viii)(A) and (B), as measured~~
857 ~~by individual progress-based assessments and a comparison of Utah students' progress with the~~
858 ~~progress of students in other states using standardized norm-referenced tests as benchmarks;~~
859 ~~and]~~
860 ~~[(ix) other statistical and financial information about the school system that the state~~
861 ~~superintendent considers pertinent;]~~
862 ~~[(e)]~~ (d) collecting and organizing education data into an automated decision support
863 system to facilitate school district and school improvement planning, accountability reporting,
864 performance recognition, and the evaluation of educational policy and program effectiveness to
865 include:

- 866 (i) data that are:
- 867 (A) comparable across schools and school districts;
- 868 (B) appropriate for use in longitudinal studies; and
- 869 (C) comprehensive with regard to the data elements required under applicable state or
- 870 federal law or State Board of Education rule;
- 871 (ii) features that enable users, most particularly school administrators, teachers, and
- 872 parents, to:
- 873 (A) retrieve school and school district level data electronically;
- 874 (B) interpret the data visually; and
- 875 (C) draw conclusions that are statistically valid; and
- 876 (iii) procedures for the collection and management of education data that:
- 877 (A) require the state superintendent to:
- 878 (I) collaborate with school districts and charter schools in designing and implementing
- 879 uniform data standards and definitions;
- 880 (II) undertake or sponsor research to implement improved methods for analyzing
- 881 education data;
- 882 (III) provide for data security to prevent unauthorized access to or contamination of the
- 883 data; and
- 884 (IV) protect the confidentiality of data under state and federal privacy laws; and
- 885 (B) require all school districts and schools to comply with the data collection and
- 886 management procedures established under Subsection (3)~~(c)~~(d);
- 887 ~~(f)~~ (e) administering and implementing federal educational programs in accordance
- 888 with Part 8, Implementing Federal or National Education Programs; and
- 889 ~~(g)~~ (f) with the approval of the State Board of Education, preparing and submitting to
- 890 the governor a budget for the State Board of Education to be included in the budget that the
- 891 governor submits to the Legislature.
- 892 (4) The state superintendent shall distribute funds deposited in the Autism Awareness

893 Restricted Account created in Section 53F-9-401 in accordance with the requirements of
894 Section 53F-9-401.

895 (5) Upon leaving office, the state superintendent shall deliver to the state
896 superintendent's successor all books, records, documents, maps, reports, papers, and other
897 articles pertaining to the state superintendent's office.

898 [~~(6)(a) For the purposes of Subsection (3)(d)(vi):]~~

899 [~~(i) the pupil-teacher ratio for a school shall be calculated by dividing the number of
900 students enrolled in a school by the number of full-time equivalent teachers assigned to the
901 school, including regular classroom teachers, school-based specialists, and special education
902 teachers;]~~

903 [~~(ii) the pupil-teacher ratio for a school district shall be the median pupil-teacher ratio
904 of the schools within a school district;]~~

905 [~~(iii) the pupil-teacher ratio for charter schools aggregated shall be the median
906 pupil-teacher ratio of charter schools in the state; and]~~

907 [~~(iv) the pupil-teacher ratio for the state's public schools aggregated shall be the median
908 pupil-teacher ratio of public schools in the state.]~~

909 [~~(b) The printed copy of the report required by Subsection (3)(d) shall:]~~

910 [~~(i) include the pupil-teacher ratio for:]~~

911 [~~(A) each school district;]~~

912 [~~(B) the charter schools aggregated; and]~~

913 [~~(C) the state's public schools aggregated; and]~~

914 [~~(ii) identify a website where pupil-teacher ratios for each school in the state may be
915 accessed.]~~

916 Section 20. Section 53E-3-507 is amended to read:

917 **53E-3-507. Powers of the board.**

918 The State Board of Education:

919 (1) shall establish minimum standards for career and technical education programs in

920 the public education system;

921 (2) may apply for, receive, administer, and distribute funds made available through
922 programs of federal and state governments to promote and aid career and technical education;

923 (3) shall cooperate with federal and state governments to administer programs that
924 promote and maintain career and technical education;

925 (4) shall cooperate with the Utah System of Technical Colleges Board of Trustees, Salt
926 Lake Community College's School of Applied Technology, Snow College, and Utah State
927 University Eastern to ensure that students in the public education system have access to career
928 and technical education at Utah System of Technical Colleges technical colleges, Salt Lake
929 Community College's School of Applied Technology, Snow College, and Utah State University
930 Eastern;

931 (5) shall require that before a minor student may participate in clinical experiences as
932 part of a health care occupation program at a high school or other institution to which the
933 student has been referred, the student's parent or legal guardian has:

934 (a) been first given written notice through appropriate disclosure when registering and
935 prior to participation that the program contains a clinical experience segment in which the
936 student will observe and perform specific health care procedures that may include personal
937 care, patient bathing, and bathroom assistance; and

938 (b) provided specific written consent for the student's participation in the program and
939 clinical experience; and

940 (6) shall, after consulting with school districts, charter schools, the Utah System of
941 Technical Colleges Board of Trustees, Salt Lake Community College's School of Applied
942 Technology, Snow College, and Utah State University Eastern, prepare and submit an annual
943 report [~~to the governor and to the Legislature's Education Interim Committee by October 31 of~~
944 ~~each year~~] in accordance with Section [53E-1-203](#) detailing:

945 (a) how the career and technical education needs of secondary students are being met;
946 and

947 (b) the access secondary students have to programs offered:
948 (i) at technical colleges; and
949 (ii) within the regions served by Salt Lake Community College's School of Applied
950 Technology, Snow College, and Utah State University Eastern.

951 Section 21. Section **53E-3-515** is amended to read:

952 **53E-3-515. Hospitality and Tourism Management Career and Technical**
953 **Education Pilot Program.**

954 (1) As used in this section:

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

956 (b) "Local education agency" means a school district or charter school.

957 (c) "Pilot program" means the Hospitality and Tourism Management Career and
958 Technical Education Pilot Program created under Subsection (2).

959 (2) There is created a Hospitality and Tourism Management Career and Technical
960 Education Pilot Program to provide instruction that a local education agency may offer to a
961 student in any of grades 9 through 12 on:

962 (a) the information and skills required for operational level employee positions in
963 hospitality and tourism management, including:

964 (i) hospitality soft skills;

965 (ii) operational areas of the hospitality industry;

966 (iii) sales and marketing; and

967 (iv) safety and security; and

968 (b) the leadership and managerial responsibilities, knowledge, and skills required by an
969 entry-level leader in hospitality and tourism management, including:

970 (i) hospitality leadership skills;

971 (ii) operational leadership;

972 (iii) managing food and beverage operations; and

973 (iv) managing business operations.

974 (3) The instruction described in Subsection (2) may be delivered in a public school
975 using live instruction, video, or online materials.

976 (4) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board
977 shall select one or more providers to supply materials and curriculum for the pilot program.

978 (b) The board may seek recommendations from trade associations and other entities
979 that have expertise in hospitality and tourism management regarding potential providers of
980 materials and curriculum for the pilot program.

981 (5) (a) A local education agency may apply to the board to participate in the pilot
982 program.

983 (b) The board shall select participants in the pilot program.

984 (c) A local education agency that participates in the pilot program shall use the
985 materials and curriculum supplied by a provider selected under Subsection (4).

986 (6) The board shall evaluate the pilot program and provide an annual written report [~~to~~
987 ~~the Education Interim Committee]~~ in accordance with Section [53E-1-203](#) and to the Economic
988 Development and Workforce Services Interim Committee on or before October 1 describing:

989 (a) how many local education agencies and how many students are participating in the
990 pilot program; and

991 (b) any recommended changes to the pilot program.

992 Section 22. Section **53E-3-516** is amended to read:

993 **53E-3-516. School disciplinary and law enforcement action report -- Rulemaking**
994 **authority.**

995 (1) As used in this section:

996 (a) "Disciplinary action" means an action by a public school meant to formally
997 discipline a student of that public school that includes a suspension or expulsion.

998 (b) "Law enforcement agency" means the same as that term is defined in Section
999 [77-7a-103](#).

1000 (c) "Minor" means the same as that term is defined in Section [53G-6-201](#).

1001 (d) "Other law enforcement activity" means a significant law enforcement interaction
1002 with a minor that does not result in an arrest, including:

- 1003 (i) a search and seizure by an SRO;
- 1004 (ii) issuance of a criminal citation;
- 1005 (iii) issuance of a ticket or summons;
- 1006 (iv) filing a delinquency petition; or
- 1007 (v) referral to a probation officer.

1008 (e) "School is in session" means the hours of a day during which a public school
1009 conducts instruction for which student attendance is counted toward calculating average daily
1010 membership.

1011 (f) (i) "School-sponsored activity" means an activity, fundraising event, club, camp,
1012 clinic, or other event or activity that is authorized by a specific public school, according to local
1013 board policy, and satisfies at least one of the following conditions:

1014 (A) the activity is managed or supervised by a school district, public school, or public
1015 school employee;

1016 (B) the activity uses the school district or public school facilities, equipment, or other
1017 school resources; or

1018 (C) the activity is supported or subsidized, more than inconsequentially, by public
1019 funds, including the public school's activity funds or minimum school program dollars.

1020 (ii) "School-sponsored activity" includes preparation for and involvement in a public
1021 performance, contest, athletic competition, demonstration, display, or club activity.

1022 (g) "Student resource officer" or "SRO" means the same as that term is defined in
1023 Section [53G-8-701](#).

1024 (2) Beginning on July 1, 2020, the State Board of Education, in collaboration with
1025 school districts, charter schools, and law enforcement agencies, shall develop an annual report
1026 regarding the following incidents that occur on school grounds while school is in session or
1027 during a school-sponsored activity:

- 1028 (a) arrests of a minor;
- 1029 (b) other law enforcement activities; and
- 1030 (c) disciplinary actions.
- 1031 (3) The report described in Subsection (2) shall include the following information by
- 1032 school district and charter school:
 - 1033 (a) the number of arrests of a minor, including the reason why the minor was arrested;
 - 1034 (b) the number of other law enforcement activities, including the following information
 - 1035 for each incident:
 - 1036 (i) the reason for the other law enforcement activity; and
 - 1037 (ii) the type of other law enforcement activity used;
 - 1038 (c) the number of disciplinary actions imposed, including:
 - 1039 (i) the reason for the disciplinary action; and
 - 1040 (ii) the type of disciplinary action; and
 - 1041 (d) the number of SROs employed.
 - 1042 (4) The report described in Subsection (2) shall include the following information, in
 - 1043 aggregate, for each element described in Subsections (3)(a) through (c):
 - 1044 (a) age;
 - 1045 (b) grade level;
 - 1046 (c) race;
 - 1047 (d) sex; and
 - 1048 (e) disability status.
 - 1049 (5) Information included in the annual report described in Subsection (2) shall comply
 - 1050 with:
 - 1051 (a) Chapter 9, Part 3, Student Data Protection Act;
 - 1052 (b) Chapter 9, Part 2, Student Privacy; and
 - 1053 (c) the Family Education Rights and Privacy Act, 20 U.S.C. Secs. 1232g and 1232h.
 - 1054 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the

1055 State Board of Education shall make rules to compile the report described in Subsection (2).

1056 (7) The State Board of Education shall provide the report described in Subsection (2)

1057 [~~to the Education Interim Committee before November 1 of each year~~] in accordance with

1058 Section 53E-1-203 for incidents that occurred during the previous school year.

1059 Section 23. Section **53E-4-202** is amended to read:

1060 **53E-4-202. Core standards for Utah public schools.**

1061 (1) (a) In establishing minimum standards related to curriculum and instruction
1062 requirements under Section 53E-3-501, the State Board of Education shall, in consultation with
1063 local school boards, school superintendents, teachers, employers, and parents implement core
1064 standards for Utah public schools that will enable students to, among other objectives:

1065 (i) communicate effectively, both verbally and through written communication;

1066 (ii) apply mathematics; and

1067 (iii) access, analyze, and apply information.

1068 (b) Except as provided in this public education code, the State Board of Education may
1069 recommend but may not require a local school board or charter school governing board to use:

1070 (i) a particular curriculum or instructional material; or

1071 (ii) a model curriculum or instructional material.

1072 (2) The State Board of Education shall, in establishing the core standards for Utah
1073 public schools:

1074 (a) identify the basic knowledge, skills, and competencies each student is expected to
1075 acquire or master as the student advances through the public education system; and

1076 (b) align with each other the core standards for Utah public schools and the
1077 assessments described in Section 53E-4-303.

1078 (3) The basic knowledge, skills, and competencies identified pursuant to Subsection
1079 (2)(a) shall increase in depth and complexity from year to year and focus on consistent and
1080 continual progress within and between grade levels and courses in the basic academic areas of:

1081 (a) English, including explicit phonics, spelling, grammar, reading, writing,

1082 vocabulary, speech, and listening; and

1083 (b) mathematics, including basic computational skills.

1084 (4) Before adopting core standards for Utah public schools, the State Board of

1085 Education shall:

1086 (a) publicize draft core standards for Utah public schools on the State Board of
1087 Education's website and the Utah Public Notice website created under Section [63F-1-701](#);

1088 (b) invite public comment on the draft core standards for Utah public schools for a
1089 period of not less than 90 days; and

1090 (c) conduct three public hearings that are held in different regions of the state on the
1091 draft core standards for Utah public schools.

1092 (5) Local school boards shall design their school programs, that are supported by
1093 generally accepted scientific standards of evidence, to focus on the core standards for Utah
1094 public schools with the expectation that each program will enhance or help achieve mastery of
1095 the core standards for Utah public schools.

1096 (6) Except as provided in Section [53G-10-402](#), each school may select instructional
1097 materials and methods of teaching, that are supported by generally accepted scientific standards
1098 of evidence, that the school considers most appropriate to meet the core standards for Utah
1099 public schools.

1100 (7) The state may exit any agreement, contract, memorandum of understanding, or
1101 consortium that cedes control of the core standards for Utah public schools to any other entity,
1102 including a federal agency or consortium, for any reason, including:

1103 (a) the cost of developing or implementing the core standards for Utah public schools;

1104 (b) the proposed core standards for Utah public schools are inconsistent with
1105 community values; or

1106 (c) the agreement, contract, memorandum of understanding, or consortium:

1107 (i) was entered into in violation of Chapter 3, Part 8, Implementing Federal or National
1108 Education Programs, or Title 63J, Chapter 5, Federal Funds Procedures Act;

- 1109 (ii) conflicts with Utah law;
- 1110 (iii) requires Utah student data to be included in a national or multi-state database;
- 1111 (iv) requires records of teacher performance to be included in a national or multi-state
- 1112 database; or
- 1113 (v) imposes curriculum, assessment, or data tracking requirements on home school or
- 1114 private school students.

1115 (8) The State Board of Education shall [~~annually report to the Education Interim~~
1116 ~~Committee~~] submit a report in accordance with Section 53E-1-203 on the development and
1117 implementation of the core standards for Utah public schools, including the time line
1118 established for the review of the core standards for Utah public schools by a standards review
1119 committee and the recommendations of a standards review committee established under
1120 Section 53E-4-203.

1121 Section 24. Section 53E-4-309 is amended to read:

1122 **53E-4-309. Grade level specification change.**

1123 (1) The board may change a grade level specification for the administration of specific
1124 assessments under this part to a different grade level specification or a competency-based
1125 specification if the specification is more consistent with patterns of school organization.

1126 (2) (a) If the board changes a grade level specification described in Subsection (1), the
1127 board shall submit a report to the [~~Legislature~~] Education Interim Committee explaining the
1128 reasons for changing the grade level specification.

1129 (b) The board shall submit the report at least six months before the anticipated change.

1130 Section 25. Section 53E-5-310 is amended to read:

1131 **53E-5-310. Reporting requirement.**

1132 [~~On or before November 30 of each year,~~] In accordance with Section 53E-1-203, the
1133 board shall report [~~to the Education Interim Committee~~] on the provisions of this part.

1134 Section 26. Section 53E-8-204 is amended to read:

1135 **53E-8-204. Authority of the State Board of Education -- Rulemaking --**

1136 **Superintendent -- Advisory Council.**

1137 (1) The State Board of Education is the governing board of the Utah Schools for the
1138 Deaf and the Blind.

1139 (2) (a) The board shall appoint a superintendent for the Utah Schools for the Deaf and
1140 the Blind.

1141 (b) The board shall make rules in accordance with Title 63G, Chapter 3, Utah
1142 Administrative Rulemaking Act, regarding the qualifications, terms of employment, and duties
1143 of the superintendent for the Utah Schools for the Deaf and the Blind.

1144 (3) The superintendent shall:

1145 (a) subject to the approval of the board, appoint an associate superintendent to
1146 administer the Utah School for the Deaf based on:

1147 (i) demonstrated competency as an expert educator of deaf persons; and

1148 (ii) knowledge of school management and the instruction of deaf persons;

1149 (b) subject to the approval of the board, appoint an associate superintendent to
1150 administer the Utah School for the Blind based on:

1151 (i) demonstrated competency as an expert educator of blind persons; and

1152 (ii) knowledge of school management and the instruction of blind persons, including an
1153 understanding of the unique needs and education of deafblind persons.

1154 (4) (a) The board shall:

1155 (i) establish an Advisory Council for the Utah Schools for the Deaf and the Blind and
1156 appoint no more than 11 members to the advisory council;

1157 (ii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
1158 Rulemaking Act, regarding the operation of the advisory council; and

1159 (iii) receive and consider the advice and recommendations of the advisory council but
1160 is not obligated to follow the recommendations of the advisory council.

1161 (b) The advisory council described in Subsection (4)(a) shall include at least:

1162 (i) two members who are blind;

- 1163 (ii) two members who are deaf; and
- 1164 (iii) two members who are deafblind or parents of a deafblind child.
- 1165 (5) The board shall approve the annual budget and expenditures of the Utah Schools
1166 for the Deaf and the Blind.
- 1167 (6) (a) ~~[On or before the November interim meeting each year, the]~~ The board shall
1168 submit a report [to the Education Interim Committee] in accordance with Section 53E-1-201 on
1169 the Utah Schools for the Deaf and the Blind.
- 1170 (b) The board shall ensure that the report described in Subsection (6)(a) includes:
- 1171 (i) a financial report;
- 1172 (ii) a report on the activities of the superintendent and associate superintendents;
- 1173 (iii) a report on activities to involve parents and constituency and advocacy groups in
1174 the governance of the school; and
- 1175 (iv) a report on student achievement, including:
- 1176 (A) longitudinal student achievement data for both current and previous students served
1177 by the Utah Schools for the Deaf and the Blind;
- 1178 (B) graduation rates; and
- 1179 (C) a description of the educational placement of students exiting the Utah Schools for
1180 the Deaf and the Blind.
- 1181 Section 27. Section **53E-10-308** is amended to read:
- 1182 **53E-10-308. Reporting.**
- 1183 The State Board of Education and the State Board of Regents shall submit an annual
1184 written report to the Higher Education Appropriations Subcommittee and ~~[the Public Education~~
1185 ~~Appropriations Subcommittee]~~ in accordance with Section 53E-1-203 on student participation
1186 in the concurrent enrollment program, including:
- 1187 (1) data on the higher education tuition not charged due to the hours of higher
1188 education credit granted through concurrent enrollment;
- 1189 (2) tuition or fees charged under Section 53E-10-305;

- 1190 (3) an accounting of the money appropriated for concurrent enrollment; and
- 1191 (4) a justification of the distribution method described in Subsections 53F-2-409(3)(d)
- 1192 and (e).

1193 Section 28. Section 53E-10-702 is amended to read:

1194 **53E-10-702. ULEAD established -- Duties -- Funding.**

1195 There is created the Utah Leading through Effective, Actionable, and Dynamic
1196 Education, a collaborative effort in research and innovation between the director, participating
1197 institutions, and education leaders to:

- 1198 (1) gather and explain current education research in an electronic research
1199 clearinghouse for use by practitioners;
- 1200 (2) initiate and disseminate research reports on innovative and successful practices by
1201 Utah LEAs, and guided by the steering committee, practitioners, and policymakers;
- 1202 (3) promote statewide innovation and collaboration by:
 - 1203 (a) identifying experts in areas of practice;
 - 1204 (b) conducting conferences, webinars, and online forums for practitioners; and
 - 1205 (c) facilitating direct collaboration between schools; and
- 1206 (4) (a) report to the ~~[Legislature]~~ Education Interim Committee and policymakers on
1207 innovative and successful K-12 practices; and
- 1208 (b) in the report, propose policy changes to remove barriers to implementation of
1209 successful practices.

1210 Section 29. Section 53E-10-703 is amended to read:

1211 **53E-10-703. ULEAD director -- Qualification and employment -- Duties --**
1212 **Reporting -- Annual conference.**

- 1213 (1) The ULEAD director shall:
 - 1214 (a) (i) hold a doctorate degree in education or an equivalent degree; and
 - 1215 (ii) have demonstrated experience in research and dissemination of best practices in
1216 education; and

- 1217 (b) (i) be a full-time employee; and
1218 (ii) report to the state superintendent of public instruction.
- 1219 (2) The state superintendent shall:
- 1220 (a) evaluate the director's performance annually;
1221 (b) report on the director's performance to the selection committee; and
1222 (c) provide space for the director and the director's staff.
- 1223 (3) The director may hire staff, using only money specifically appropriated to ULEAD.
- 1224 (4) The director shall perform the following duties and functions:
- 1225 (a) gather current research on innovative and effective practices in K-12 education for
1226 use by policymakers and practitioners;
- 1227 (b) facilitate collaboration between LEAs, higher education researchers, and
1228 practitioners by:
- 1229 (i) sharing innovative and effective practices shown to improve student learning;
1230 (ii) identifying experts in specific areas of practice; and
1231 (iii) maintaining a research clearinghouse and directory of researchers; and
- 1232 (c) analyze barriers to replication or adaption of innovative and successful practices
1233 studied by ULEAD or contributed to the ULEAD research clearinghouse.
- 1234 (5) The director shall:
- 1235 (a) prioritize reports and other research based on recommendations of the steering
1236 committee in accordance with Subsection [53E-10-707\(5\)](#), and after consulting with individuals
1237 described in Subsection [53E-10-707\(6\)](#);
- 1238 (b) identify Utah LEAs, or schools outside the public school system, that are:
- 1239 (i) innovative in specific areas of practice; and
1240 (ii) more effective or efficient than comparable LEAs in improving student learning;
- 1241 (c) establish criteria for innovative practice reports to be performed by participating
1242 institutions and included in the research clearinghouse, including report templates;
- 1243 (d) arrange with participating institutions to generate innovative practice reports on

- 1244 effective and innovative K-12 education practices; and
- 1245 (e) (i) disseminate each innovative practice report to LEAs; and
- 1246 (ii) publish innovative practice reports on the ULEAD website.
- 1247 (6) In an innovative practice report, a participating institution shall:
- 1248 (a) include or reference a review of research regarding the practice in which the subject
- 1249 LEA has demonstrated success;
- 1250 (b) identify through academically acceptable, evidence-based research methods the
- 1251 causes of the LEA's successful practice;
- 1252 (c) identify opportunities for LEAs to adopt or customize innovative or best practices;
- 1253 (d) address limitations to successful replication or adaptation of the successful practice
- 1254 by other LEAs, which may include barriers arising from federal or state law, state or LEA
- 1255 policy, socioeconomic conditions, or funding limitations;
- 1256 (e) include practical templates for successful replication and adaptation of successful
- 1257 practices, following criteria established by the director;
- 1258 (f) identify experts in the successful practice that is the subject of the innovative
- 1259 practice report, including teachers or administrators at the subject LEA; and
- 1260 (g) include:
- 1261 (i) an executive summary describing the innovative practice report; and
- 1262 (ii) a video component or other elements designed to ensure that an innovative practice
- 1263 report is readily understandable by practitioners.
- 1264 (7) The director may, if requested by an LEA leader or policymaker, conduct an
- 1265 evidence-based review of a possible innovation in an area of practice.
- 1266 (8) The director may also accept innovative practice reports from trained practitioners
- 1267 that meet the criteria set by the director.
- 1268 (9) The director or a participating institution, to enable successful replication or
- 1269 adaption of successful practices, may recommend to:
- 1270 (a) the Legislature, amendments to state law; or

- 1271 (b) the board, revisions to board rule or policy.
- 1272 (10) The director shall:
- 1273 (a) report on the activities of ULEAD annually to the board; and
- 1274 (b) provide reports or other information to the board upon board request.
- 1275 (11) The director shall:
- 1276 (a) prepare an annual report on ULEAD research and other activities;
- 1277 (b) ~~[on or before September 30, submit the annual report:]~~
- 1278 ~~[(i) to the Education Interim Committee and the Public Education Appropriations~~
- 1279 ~~Subcommittee; and]~~
- 1280 ~~[(ii) in accordance with Section 68-3-14;]~~ submit the report in accordance with Section
- 1281 53E-1-201 and 53E-1-202;
- 1282 (c) publish the annual report on the ULEAD website; and
- 1283 (d) disseminate the report to LEAs through electronic channels.
- 1284 (12) The director shall facilitate and conduct an annual conference on successful and
- 1285 innovative K-12 education practices, featuring:
- 1286 (a) Utah education leaders; and
- 1287 (b) practitioners and researchers, chosen by the director, to discuss the subjects of LEA
- 1288 and other ULEAD activities, or other innovative and successful education practices.
- 1289 Section 30. Section **53F-2-309** is amended to read:
- 1290 **53F-2-309. Appropriation for intensive special education costs.**
- 1291 (1) As used in this section:
- 1292 (a) "Board" means the State Board of Education.
- 1293 (b) "Local education agency" or "LEA" means:
- 1294 (i) a school district;
- 1295 (ii) a charter school; or
- 1296 (iii) the Utah Schools for the Deaf and the Blind.
- 1297 (2) (a) ~~[On or before February 1, 2017, the]~~ The board shall, in accordance with Title

1298 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules establishing a distribution
1299 formula to allocate money appropriated to the board for Special Education -- Intensive Services
1300 that allocate to an LEA:

1301 (i) 50% of the appropriation based on the highest cost students with disabilities; and
1302 (ii) 50% of the appropriation based on the highest impact to an LEA due to high cost
1303 students with disabilities.

1304 (b) [~~Beginning with the 2017-18 school year, the~~] The board shall allocate money
1305 appropriated to the board for Special Education -- Intensive Services in accordance with rules
1306 described in Subsection (2)(a).

1307 [~~(3) Before initiating the rulemaking process under Subsection (2)(a), the board shall~~
1308 ~~present the proposed rule to the Public Education Appropriations Subcommittee or Education~~
1309 ~~Interim Committee.]~~

1310 Section 31. Section **53F-2-503** is amended to read:

1311 **53F-2-503. Early Literacy Program -- Literacy proficiency plan.**

1312 (1) As used in this section:

1313 (a) "Board" means the State Board of Education.

1314 (b) "Program" means the Early Literacy Program.

1315 (c) "Program money" means:

1316 (i) school district revenue allocated to the program from other money available to the
1317 school district, except money provided by the state, for the purpose of receiving state funds
1318 under this section; and

1319 (ii) money appropriated by the Legislature to the program.

1320 (2) The Early Literacy Program consists of program money and is created to
1321 supplement other school resources for early literacy.

1322 (3) Subject to future budget constraints, the Legislature may annually appropriate
1323 money to the Early Literacy Program.

1324 (4) (a) A local education board of a school district or a charter school that serves

1325 students in any of grades kindergarten through grade 3 shall submit a plan to the board for
1326 literacy proficiency improvement that incorporates the following components:

1327 (i) core instruction in:

1328 (A) phonological awareness;

1329 (B) phonics;

1330 (C) fluency;

1331 (D) comprehension;

1332 (E) vocabulary;

1333 (F) oral language; and

1334 (G) writing;

1335 (ii) intervention strategies that are aligned to student needs;

1336 (iii) professional development for classroom teachers, literacy coaches, and

1337 interventionists in kindergarten through grade 3;

1338 (iv) assessments that support adjustments to core and intervention instruction;

1339 (v) a growth goal for the school district or charter school that:

1340 (A) is based upon student learning gains as measured by benchmark assessments

1341 administered pursuant to Section [53E-4-307](#); and

1342 (B) includes a target of at least 60% of all students in grades 1 through 3 meeting the

1343 growth goal;

1344 (vi) at least two goals that are specific to the school district or charter school that:

1345 (A) are measurable;

1346 (B) address current performance gaps in student literacy based on data; and

1347 (C) include specific strategies for improving outcomes; and

1348 (vii) if a school uses interactive literacy software, the use of interactive literacy

1349 software, including early interactive reading software described in Section [53F-4-203](#).

1350 (b) A local education board shall approve a plan described in Subsection (4)(a) in a

1351 public meeting before submitting the plan to the board.

1352 (c) The board shall provide model plans that a local education board may use, or a
1353 local education board may develop the local education board's own plan.

1354 (d) A plan developed by a local education board shall be approved by the board.

1355 (e) The board shall develop uniform standards for acceptable growth goals that a local
1356 education board adopts for a school district or charter school as described in this Subsection
1357 (4).

1358 (5) (a) There are created within the Early Literacy Program three funding programs:

1359 (i) the Base Level Program;

1360 (ii) the Guarantee Program; and

1361 (iii) the Low Income Students Program.

1362 (b) The board may use up to \$7,500,000 from an appropriation described in Subsection
1363 (3) for computer-assisted instructional learning and assessment programs.

1364 (6) Money appropriated to the board for the Early Literacy Program and not used by the
1365 board for computer-assisted instructional learning and assessments described in Subsection
1366 (5)(b) shall be allocated to the three funding programs as follows:

1367 (a) 8% to the Base Level Program;

1368 (b) 46% to the Guarantee Program; and

1369 (c) 46% to the Low Income Students Program.

1370 (7) (a) For a school district or charter school to participate in the Base Level Program,
1371 the local education board shall submit a plan described in Subsection (4) and shall receive
1372 approval of the plan from the board.

1373 (b) (i) The local school board of a school district qualifying for Base Level Program
1374 funds and the governing boards of qualifying elementary charter schools combined shall
1375 receive a base amount.

1376 (ii) The base amount for the qualifying elementary charter schools combined shall be
1377 allocated among each charter school in an amount proportionate to:

1378 (A) each existing charter school's prior year fall enrollment in grades kindergarten

1379 through grade 3; and

1380 (B) each new charter school's estimated fall enrollment in grades kindergarten through
1381 grade 3.

1382 (8) (a) A local school board that applies for program money in excess of the Base Level
1383 Program funds may choose to first participate in the Guarantee Program or the Low Income
1384 Students Program.

1385 (b) A school district shall fully participate in either the Guarantee Program or the Low
1386 Income Students Program before the local school board may elect for the school district to
1387 either fully or partially participate in the other program.

1388 (c) For a school district to fully participate in the Guarantee Program, the local school
1389 board shall allocate to the program money available to the school district, except money
1390 provided by the state, equal to the amount of revenue that would be generated by a tax rate of
1391 .000056.

1392 (d) For a school district to fully participate in the Low Income Students Program, the
1393 local school board shall allocate to the program money available to the school district, except
1394 money provided by the state, equal to the amount of revenue that would be generated by a tax
1395 rate of .000065.

1396 (e) (i) The board shall verify that a local school board allocates the money required in
1397 accordance with Subsections (8)(c) and (d) before the board distributes funds in accordance
1398 with this section.

1399 (ii) The State Tax Commission shall provide the board the information the board needs
1400 in order to comply with Subsection (8)(e)(i).

1401 (9) (a) Except as provided in Subsection (9)(c), the local school board of a school
1402 district that fully participates in the Guarantee Program shall receive state funds in an amount
1403 that is:

1404 (i) equal to the difference between \$21 multiplied by the school district's total WPU's
1405 and the revenue the local school board is required to allocate under Subsection (8)(c) for the

1406 school district to fully participate in the Guarantee Program; and

1407 (ii) not less than \$0.

1408 (b) Except as provided in Subsection (9)(c), an elementary charter school shall receive
1409 under the Guarantee Program an amount equal to \$21 times the elementary charter school's
1410 total WPU's.

1411 (c) The board may adjust the \$21 guarantee amount described in Subsections (9)(a) and
1412 (b) to account for actual appropriations and money used by the board for computer-assisted
1413 instructional learning and assessments.

1414 (10) The board shall distribute Low Income Students Program funds in an amount
1415 proportionate to the number of students in each school district or charter school who qualify for
1416 free or reduced price school lunch multiplied by two.

1417 (11) A school district that partially participates in the Guarantee Program or Low
1418 Income Students Program shall receive program funds based on the amount of school district
1419 revenue allocated to the program as a percentage of the amount of revenue that could have been
1420 allocated if the school district had fully participated in the program.

1421 (12) (a) A local education board shall use program money for early literacy
1422 interventions and supports in kindergarten through grade 3 that have proven to significantly
1423 increase the percentage of students who are proficient in literacy, including:

1424 (i) evidence-based intervention curriculum;

1425 (ii) literacy assessments that identify student learning needs and monitor learning
1426 progress; or

1427 (iii) focused literacy interventions that may include:

1428 (A) the use of reading specialists or paraprofessionals;

1429 (B) tutoring;

1430 (C) before or after school programs;

1431 (D) summer school programs; or

1432 (E) the use of interactive computer software programs for literacy instruction and

1433 assessments for students.

1434 (b) A local education board may use program money for portable technology devices
1435 used to administer literacy assessments.

1436 (c) Program money may not be used to supplant funds for existing programs, but may
1437 be used to augment existing programs.

1438 (13) (a) A local education board shall annually submit a report to the board accounting
1439 for the expenditure of program money in accordance with the local education board's plan
1440 described in Subsection (4).

1441 (b) If a local education board uses program money in a manner that is inconsistent with
1442 Subsection (12), the school district or charter school is liable for reimbursing the board for the
1443 amount of program money improperly used, up to the amount of program money received from
1444 the board.

1445 (14) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1446 the board shall make rules to implement the program.

1447 (b) (i) The rules under Subsection (14)(a) shall require each local education board to
1448 annually report progress in meeting goals described in Subsections (4)(a)(v) and (vi), including
1449 the strategies the school district or charter school uses to address the goals.

1450 (ii) If a school district or charter school does not meet or exceed the school district's or
1451 charter school's goals described in Subsection (4)(a)(v) or (vi), the local education board shall
1452 prepare a new plan that corrects deficiencies.

1453 (iii) The new plan described in Subsection (14)(b)(ii) shall be approved by the board
1454 before the local education board receives an allocation for the next year.

1455 (15) (a) The board shall:

1456 (i) develop strategies to provide support for a school district or charter school that fails
1457 to meet a goal described in Subsection (4)(a)(v) or (vi); and

1458 (ii) provide increasing levels of support to a school district or charter school that fails
1459 to meet a goal described in Subsection (4)(a)(v) or (vi) for two consecutive years.

1460 (b) (i) The board shall use a digital reporting platform to provide information to school
1461 districts and charter schools about interventions that increase proficiency in literacy.

1462 (ii) The digital reporting platform shall include performance information for a school
1463 district or charter school on the goals described in ~~[Subsection]~~ Subsections (4)(a)(v) and (vi).

1464 (16) The board may use up to 3% of the funds appropriated by the Legislature to carry
1465 out the provisions of this section for administration of the program.

1466 (17) The board shall make an annual report ~~[to the Public Education Appropriations~~
1467 ~~Subcommittee]~~ in accordance with Section 53E-1-203 that:

1468 (a) includes information on:

1469 (i) student learning gains in early literacy for the past school year and the five-year
1470 trend;

1471 (ii) the percentage of grade 3 students who are proficient in English language arts in the
1472 past school year and the five-year trend;

1473 (iii) the progress of school districts and charter schools in meeting goals described in a
1474 plan described in Subsection (4)(a); and

1475 (iv) the specific strategies or interventions used by school districts or charter schools
1476 that have significantly improved early grade literacy proficiency; and

1477 (b) may include recommendations on how to increase the percentage of grade 3
1478 students who are proficient in English language arts, including how to use a strategy or
1479 intervention described in Subsection (17)(a)(iv) to improve literacy proficiency for additional
1480 students.

1481 (18) The report described in Subsection (17) shall include information provided
1482 through the digital reporting platform described in Subsection (15)(b).

1483 Section 32. Section **53F-2-508** is amended to read:

1484 **53F-2-508. Student Leadership Skills Development Program.**

1485 (1) For purposes of this section:

1486 (a) "Board" means the State Board of Education.

1487 (b) "Program" means the Student Leadership Skills Development Program created in
1488 Subsection (2).

1489 (2) There is created the Student Leadership Skills Development Program to develop
1490 student behaviors and skills that enhance a school's learning environment and are vital for
1491 success in a career, including:

- 1492 (a) communication skills;
- 1493 (b) teamwork skills;
- 1494 (c) interpersonal skills;
- 1495 (d) initiative and self-motivation;
- 1496 (e) goal setting skills;
- 1497 (f) problem solving skills; and
- 1498 (g) creativity.

1499 (3) (a) The board shall administer the program and award grants to elementary schools
1500 that apply for a grant on a competitive basis.

1501 (b) The board may award a grant of:

- 1502 (i) up to \$10,000 per school for the first year a school participates in the program; and
- 1503 (ii) up to \$20,000 per school for subsequent years a school participates in the program.

1504 (c) (i) After awarding a grant to a school for a particular year, the board may not
1505 change the grant amount awarded to the school for that year.

1506 (ii) The board may award a school a different amount in subsequent years.

1507 (4) An elementary school may participate in the program established under this section
1508 in accordance with State Board of Education rules, made in accordance with Title 63G,
1509 Chapter 3, Utah Administrative Rulemaking Act.

1510 (5) In selecting elementary schools to participate in the program, the board shall:

- 1511 (a) require a school in the first year the school participates in the program to provide
1512 matching funds or an in-kind contribution of goods or services in an amount equal to the grant
1513 the school receives from the board;

- 1514 (b) require a school to participate in the program for two years; and
- 1515 (c) give preference to Title I schools or schools in need of academic improvement.
- 1516 (6) The board shall make the following information related to the grants described in
- 1517 Subsection (3) publicly available on the board's website:
- 1518 (a) reimbursement procedures that clearly define how a school may spend grant money
- 1519 and how the board will reimburse the school;
- 1520 (b) the period of time a school is permitted to spend grant money;
- 1521 (c) criteria for selecting a school to receive a grant; and
- 1522 (d) a list of schools that receive a grant and the amount of each school's grant.
- 1523 (7) A school that receives a grant described in Subsection (3) shall:
- 1524 (a) (i) set school-wide goals for the school's student leadership skills development
- 1525 program; and
- 1526 (ii) require each student to set personal goals; and
- 1527 (b) provide the following to the board after the first school year of implementation of
- 1528 the program:
- 1529 (i) evidence that the grant money was used for the purpose of purchasing or developing
- 1530 the school's own student leadership skills development program; and
- 1531 (ii) a report on the effectiveness and impact of the school's student leadership skills
- 1532 development program on student behavior and academic results as measured by:
- 1533 (A) a reduction in truancy;
- 1534 (B) assessments of academic achievement;
- 1535 (C) a reduction in incidents of student misconduct or disciplinary actions; and
- 1536 (D) the achievement of school-wide goals and students' personal goals.
- 1537 (8) After participating in the program for two years, a school may not receive
- 1538 additional grant money in subsequent years if the school fails to demonstrate an improvement
- 1539 in student behavior and academic achievement as measured by the data reported under
- 1540 Subsection (7)(b).

1541 ~~[(9) (a) The board shall make a report on the program to the Education Interim~~
1542 ~~Committee by the committee's October 2016 meeting.]~~

1543 ~~[(b) The report shall include an evaluation of the program's success in enhancing a~~
1544 ~~school's learning environment and improving academic achievement.]~~

1545 Section 33. Section **53F-2-510** is amended to read:

1546 **53F-2-510. Digital Teaching and Learning Grant Program.**

1547 (1) As used in this section:

1548 (a) "Advisory committee" means the committee established by the board under
1549 Subsection (9)(b).

1550 (b) "Board" means the State Board of Education.

1551 (c) "Digital readiness assessment" means an assessment provided by the board that:

1552 (i) is completed by an LEA analyzing an LEA's readiness to incorporate comprehensive
1553 digital teaching and learning; and

1554 (ii) informs the preparation of an LEA's plan for incorporating comprehensive digital
1555 teaching and learning.

1556 (d) "High quality professional learning" means the professional learning standards
1557 described in Section [53G-11-303](#).

1558 (e) "Implementation assessment" means an assessment that analyzes an LEA's
1559 implementation of an LEA plan, including identifying areas for improvement, obstacles to
1560 implementation, progress toward the achievement of stated goals, and recommendations going
1561 forward.

1562 (f) "LEA plan" means an LEA's plan to implement a digital teaching and learning
1563 program that meets the requirements of this section and requirements set forth by the board and
1564 the advisory committee.

1565 (g) "Local education agency" or "LEA" means:

1566 (i) a school district;

1567 (ii) a charter school; or

1568 (iii) the Utah Schools for the Deaf and the Blind.

1569 (h) "Program" means the Digital Teaching and Learning Grant Program created and
1570 described in Subsections ~~[(8)]~~ (6) through ~~[(13)]~~ (11).

1571 (i) "Utah Education and Telehealth Network" or "UETN" means the Utah Education
1572 and Telehealth Network created in Section 53B-17-105.

1573 (2) (a) The board shall establish a digital teaching and learning task force to develop a
1574 funding proposal to present to the Legislature for digital teaching and learning in elementary
1575 and secondary schools.

1576 (b) The digital teaching and learning task force shall include representatives of:

1577 (i) the board;

1578 (ii) UETN;

1579 (iii) LEAs; and

1580 (iv) the Governor's Education Excellence Commission.

1581 ~~[(3) (a) The board, in consultation with the digital teaching and learning task force
1582 created in Subsection (2), shall create a funding proposal for a statewide digital teaching and
1583 learning program designed to:]~~

1584 ~~[(i) improve student outcomes through the use of digital teaching and learning
1585 technology; and]~~

1586 ~~[(ii) provide high quality professional learning for educators to improve student
1587 outcomes through the use of digital teaching and learning technology.]~~

1588 ~~[(b) The board shall:]~~

1589 ~~[(i) identify outcome based metrics to measure student achievement related to a digital
1590 teaching and learning program; and]~~

1591 ~~[(ii) develop minimum benchmark standards for student achievement and school level
1592 outcomes to measure successful implementation of a digital teaching and learning program.]~~

1593 ~~[(4)]~~ (3) As funding allows, the board shall develop a master plan for a statewide
1594 digital teaching and learning program, including the following:

- 1595 (a) a statement of purpose that describes the objectives or goals the board will
1596 accomplish by implementing a digital teaching and learning program;
- 1597 (b) a forecast for fundamental components needed to implement a digital teaching and
1598 learning program, including a forecast for:
- 1599 (i) student and teacher devices;
 - 1600 (ii) Wi-Fi and wireless compatible technology;
 - 1601 (iii) curriculum software;
 - 1602 (iv) assessment solutions;
 - 1603 (v) technical support;
 - 1604 (vi) change management of LEAs;
 - 1605 (vii) high quality professional learning;
 - 1606 (viii) Internet delivery and capacity; and
 - 1607 (ix) security and privacy of users;
- 1608 (c) a determination of the requirements for:
- 1609 (i) statewide technology infrastructure; and
 - 1610 (ii) local LEA technology infrastructure;
- 1611 (d) standards for high quality professional learning related to implementing and
1612 maintaining a digital teaching and learning program;
- 1613 (e) a statewide technical support plan that will guide the implementation and
1614 maintenance of a digital teaching and learning program, including standards and competency
1615 requirements for technical support personnel;
- 1616 (f) (i) a grant program for LEAs; or
 - 1617 (ii) a distribution formula to fund LEA digital teaching and learning programs;
 - 1618 (g) in consultation with UETN, an inventory of the state public education system's
1619 current technology resources and other items and a plan to integrate those resources into a
1620 digital teaching and learning program;
 - 1621 (h) an ongoing evaluation process that is overseen by the board;

1622 (i) proposed rules that incorporate the principles of the master plan into the state's
1623 public education system as a whole; and

1624 (j) a plan to ensure long-term sustainability that:

1625 (i) accounts for the financial impacts of a digital teaching and learning program; and

1626 (ii) facilitates the redirection of LEA savings that arise from implementing a digital
1627 teaching and learning program.

1628 ~~[(5)]~~ (4) UETN shall:

1629 (a) in consultation with the board, conduct an inventory of the state public education
1630 system's current technology resources and other items as determined by UETN, including
1631 software;

1632 (b) perform an engineering study to determine the technology infrastructure needs of
1633 the public education system to implement a digital teaching and learning program, including
1634 the infrastructure needed for the board, UETN, and LEAs; and

1635 (c) as funding allows, provide infrastructure and technology support for school districts
1636 and charter schools.

1637 ~~[(6) On or before December 1, 2015, the board and UETN shall present the funding
1638 proposal for a statewide digital teaching and learning program described in Subsection (3) to
1639 the Education Interim Committee and the Executive Appropriations Committee, including:]~~

1640 ~~[(a) the board's progress on the development of a master plan described in Subsection
1641 (4); and]~~

1642 ~~[(b) the progress of UETN on the inventory and study described in Subsection (5).]~~

1643 ~~[(7)]~~ (5) Beginning July 1, 2016, and ending July 1, 2021, each LEA, including each
1644 school within an LEA, shall annually complete a digital readiness assessment.

1645 ~~[(8)]~~ (6) There is created the Digital Teaching and Learning Grant Program to improve
1646 educational outcomes in public schools by effectively incorporating comprehensive digital
1647 teaching and learning technology.

1648 ~~[(9)]~~ (7) The board shall:

1649 (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1650 adopt rules for the administration of the program, including rules requiring:

1651 (i) an LEA plan to include measures to ensure that the LEA monitors and implements
1652 technology with best practices, including the recommended use for effectiveness;

1653 (ii) an LEA plan to include robust goals for learning outcomes and appropriate
1654 measurements of goal achievement;

1655 (iii) an LEA to demonstrate that the LEA plan can be fully funded by grant funds or a
1656 combination of grant and local funds; and

1657 (iv) an LEA to report on funds from expenses previous to the implementation of the
1658 LEA plan that the LEA has redirected after implementation;

1659 (b) establish an advisory committee to make recommendations on the program and
1660 LEA plan requirements and report to the board; and

1661 (c) in accordance with this section, approve LEA plans and award grants.

1662 [~~(10)~~] (8) (a) The board shall, subject to legislative appropriations, award a grant to an
1663 LEA:

1664 (i) that submits an LEA plan that meets the requirements described in Subsection
1665 [~~(11)~~] (9); and

1666 (ii) for which the LEA's leadership and management members have completed a digital
1667 teaching and learning leadership and implementation training as provided in Subsection [~~(10)~~]
1668 (8)(b).

1669 (b) The board or its designee shall provide the training described in Subsection [~~(10)~~]
1670 (8)(a)(ii).

1671 [~~(11)~~] (9) The board shall establish requirements of an LEA plan that shall include:

1672 (a) the results of the LEA's digital readiness assessment and a proposal to remedy an
1673 obstacle to implementation or other issues identified in the assessment;

1674 (b) a proposal to provide high quality professional learning for educators in the use of
1675 digital teaching and learning technology;

1676 (c) a proposal for leadership training and management restructuring, if necessary, for
1677 successful implementation;

1678 (d) clearly identified targets for improved student achievement, student learning, and
1679 college readiness through digital teaching and learning; and

1680 (e) any other requirement established by the board in rule in accordance with Title
1681 63G, Chapter 3, Utah Administrative Rulemaking Act, including an application process and
1682 metrics to analyze the quality of a proposed LEA plan.

1683 ~~[(12)]~~ (10) The board or the board's designee shall establish an interactive dashboard
1684 available to each LEA that is awarded a grant for the LEA to track and report the LEA's
1685 long-term, intermediate, and direct outcomes in realtime and for the LEA to use to create
1686 customized reports.

1687 ~~[(13)]~~ (11) (a) There is no federal funding, federal requirement, federal education
1688 agreement, or national program included or related to this state adopted program.

1689 (b) Any inclusion of federal funding, federal requirement, federal education agreement,
1690 or national program shall require separate express approval as provided in Title 53E, Chapter 3,
1691 Part 8, Implementing Federal or National Education Programs.

1692 ~~[(14)]~~ (12) (a) An LEA that receives a grant as part of the program shall:

1693 (i) subject to Subsection ~~[(14)]~~ (12)(b), complete an implementation assessment for
1694 each year that the LEA is expending grant money; and

1695 (ii) (A) report the findings of the implementation assessment to the board; and

1696 (B) submit to the board a plan to resolve issues raised in the implementation
1697 assessment.

1698 (b) Each school within the LEA shall:

1699 (i) complete an implementation assessment; and

1700 (ii) submit a compilation report that meets the requirements described in Subsections

1701 ~~[(14)]~~ (12)(a)(ii)(A) and (B).

1702 ~~[(15)]~~ (13) The board or the board's designee shall review an implementation

1703 assessment and review each participating LEA's progress from the previous year, as applicable.

1704 ~~[(+6)]~~ (14) The board shall establish interventions for an LEA that does not make
1705 progress on implementation of the LEA's implementation plan, including:

1706 (a) nonrenewal of, or time period extensions for, the LEA's grant;

1707 (b) reduction of funds; or

1708 (c) other interventions to assist the LEA.

1709 ~~[(+7)]~~ (15) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the
1710 board shall contract with an independent evaluator to:

1711 (a) annually evaluate statewide direct and intermediate outcomes beginning the first
1712 year that grants are awarded, including baseline data collection for long-term outcomes;

1713 (b) in the fourth year after a grant is awarded, and each year thereafter, evaluate
1714 statewide long-term outcomes; and

1715 (c) report on the information described in Subsections ~~[(+7)]~~ (15)(a) and (b) to the
1716 board.

1717 ~~[(+8)]~~ (16) (a) To implement an LEA plan, a contract, in accordance with Title 63G,
1718 Chapter 6a, Utah Procurement Code, or other agreement with one or more providers of
1719 technology powered learning solutions and one or more providers of wireless networking
1720 solutions may be entered into by:

1721 (i) UETN, in cooperation with or on behalf of, as applicable, the board, the board's
1722 designee, or an LEA; or

1723 (ii) an LEA.

1724 (b) A contract or agreement entered into under Subsection ~~[(+8)]~~ (16)(a) may be a
1725 contract or agreement that:

1726 (i) UETN enters into with a provider and payment for services is directly appropriated
1727 by the Legislature, as funds are available, to UETN;

1728 (ii) UETN enters into with a provider and pays for the provider's services and is
1729 reimbursed for payments by an LEA that benefits from the services;

1730 (iii) UETN negotiates the terms of on behalf of an LEA that enters into the contract or
1731 agreement directly with the provider and the LEA pays directly for the provider's services; or

1732 (iv) an LEA enters into directly, pays a provider, and receives preapproved
1733 reimbursement from a UETN fund established for this purpose.

1734 (c) If an LEA does not reimburse UETN in a reasonable time for services received
1735 under a contract or agreement described in Subsection [~~(18)~~] (16)(b), the board shall pay the
1736 balance due to UETN from the LEA's funds received under Title 53F, Chapter 2, State Funding
1737 -- Minimum School Program.

1738 (d) If UETN negotiates or enters into an agreement as described in Subsection [~~(18)~~]
1739 (16)(b)(ii) or [~~(18)~~] (16)(b)(iii), and UETN enters into an additional agreement with an LEA
1740 that is associated with the agreement described in Subsection [~~(18)~~] (16)(b)(ii) or [~~(18)~~]
1741 (16)(b)(iii), the associated agreement may be treated by UETN and the LEA as a cooperative
1742 procurement, as that term is defined in Section 63G-6a-103, regardless of whether the
1743 associated agreement satisfies the requirements of Section 63G-6a-2105.

1744 Section 34. Section 53F-2-512 is amended to read:

1745 **53F-2-512. Appropriation for accommodation plans for students with Section 504**
1746 **accommodations.**

1747 (1) As used in this section:

1748 (a) "Board" means the State Board of Education.

1749 (b) "Local education agency" or "LEA" means:

1750 (i) a school district;

1751 (ii) a charter school; or

1752 (iii) the Utah Schools for the Deaf and the Blind.

1753 (c) "Section 504 accommodation plan" means an accommodation plan under Section
1754 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.

1755 (2) (a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah
1756 Administrative Rulemaking Act, that establish a reimbursement program that:

1757 (i) distributes any money appropriated to the board for Special Education -- Section
1758 504 Accommodations;

1759 (ii) allows an LEA to apply for reimbursement of the costs of services that:

1760 (A) an LEA renders to a student with a Section 504 accommodation plan; and

1761 (B) exceed 150% of the average cost of a general education student; and

1762 (iii) provides for a pro-rated reimbursement based on the amount of reimbursement
1763 applications received during a given fiscal year and the amount of money appropriated to the
1764 board that fiscal year.

1765 (b) Beginning with the 2018-19 school year, the board shall allocate money
1766 appropriated to the board for Special Education -- Section 504 Accommodations in accordance
1767 with the rules described in Subsection (2)(a).

1768 ~~[(3) On or before January 30, 2018, the board shall report to the Public Education
1769 Appropriations Subcommittee:]~~

1770 ~~[(a) information collected regarding the number of students who qualify for a Section
1771 504 accommodation plan; and]~~

1772 ~~[(b) if available, the estimated financial impact of providing Section 504
1773 accommodation services to the number of students described in Subsection (3)(a).]~~

1774 Section 35. Section **53F-4-203** is amended to read:

1775 **53F-4-203. Early intervention interactive reading software -- Independent**
1776 **evaluator.**

1777 (1) (a) Subject to legislative appropriations, the State Board of Education shall select
1778 and contract with one or more technology providers, through a request for proposals process, to
1779 provide early interactive reading software for literacy instruction and assessments for students
1780 in kindergarten through grade 3.

1781 (b) By August 1 of each year, the State Board of Education shall distribute licenses for
1782 early interactive reading software described in Subsection (1)(a) to the school districts and
1783 charter schools of local education boards that apply for the licenses.

1784 (c) Except as provided in board rule, a school district or charter school that received a
1785 license described in Subsection (1)(b) during the prior year shall be given first priority to
1786 receive an equivalent license during the current year.

1787 (d) Licenses distributed to school districts and charter schools in addition to the
1788 licenses described in Subsection (1)(c) shall be distributed through a competitive process.

1789 (2) A public school that receives a license described in Subsection (1)(b) shall use the
1790 license:

1791 (a) for a student in kindergarten or grade 1:

1792 (i) for intervention for the student if the student is reading below grade level; or

1793 (ii) for advancement beyond grade level for the student if the student is reading at or
1794 above grade level; and

1795 (b) for a student in grade 2 or 3, for intervention for the student if the student is reading
1796 below grade level.

1797 (3) (a) On or before August 1 of each year, the State Board of Education shall select
1798 and contract with an independent evaluator, through a request for proposals process, to act as
1799 an independent contractor to evaluate early interactive reading software provided under this
1800 section.

1801 (b) The State Board of Education shall ensure that a contract with an independent
1802 evaluator requires the independent evaluator to:

1803 (i) evaluate a student's learning gains as a result of using early interactive reading
1804 software provided under Subsection (1);

1805 (ii) for the evaluation under Subsection (3)(b)(i), use an assessment that is not
1806 developed by a provider of early interactive reading software; and

1807 (iii) determine the extent to which a public school uses the early interactive reading
1808 software.

1809 (c) The State Board of Education and the independent evaluator selected under
1810 Subsection (3)(a) shall ~~report annually~~ submit a report on the results of the evaluation ~~to the~~

1811 ~~Education Interim Committee and the governor]~~ in accordance with Section [53E-1-201](#).

1812 (4) The State Board of Education may use up to 4% of the appropriation provided
1813 under Subsection (1)(a) to:

1814 (a) acquire an analytical software program that:

1815 (i) monitors, for an individual school, early intervention interactive reading software
1816 use and the associated impact on student performance; and

1817 (ii) analyzes the information gathered under Subsection (4)(a)(i) to prescribe individual
1818 school usage time to maximize the beneficial impact on student performance; or

1819 (b) contract with an independent evaluator selected under Subsection (3)(a).

1820 Section 36. Section ~~53F-4-407~~ is amended to read:

1821 **53F-4-407. Annual report.**

1822 (1) The State Board of Education shall make a report on UPSTART [~~to the Education~~
1823 ~~Interim Committee by November 30 each year]~~ in accordance with Section [53E-1-201](#).

1824 (2) The report shall:

1825 (a) address the extent to which UPSTART is accomplishing the purposes for which it
1826 was established as specified in Section [53F-4-402](#); and

1827 (b) include the following information:

1828 (i) the number of families:

1829 (A) volunteering to participate in the program;

1830 (B) selected to participate in the program;

1831 (C) requesting computers; and

1832 (D) furnished computers;

1833 (ii) the frequency of use of the instructional software;

1834 (iii) obstacles encountered with software usage, hardware, or providing technical
1835 assistance to families;

1836 (iv) student performance on pre-kindergarten and post-kindergarten assessments
1837 conducted by school districts and charter schools for students who participated in the

1838 home-based educational technology program and those who did not participate in the program;
1839 and

1840 (v) as available, the evaluation of the program conducted pursuant to Section
1841 [53F-4-406](#).

1842 Section 37. Section **53F-5-204** is amended to read:

1843 **53F-5-204. Initiative to strengthen college and career readiness.**

1844 (1) As used in this section:

1845 (a) "College and career counseling" means:

1846 (i) nurturing college and career aspirations;

1847 (ii) assisting students in planning an academic program that connects to college and
1848 career goals;

1849 (iii) providing early and ongoing exposure to information necessary to make informed
1850 decisions when selecting a college and career;

1851 (iv) promoting participation in college and career assessments;

1852 (v) providing financial aid information; and

1853 (vi) increasing understanding about college admission processes.

1854 (b) "LEA" or "local education agency" means a school district or charter school.

1855 (2) There is created the Strengthening College and Career Readiness Program, a grant
1856 program for LEAs, to improve students' college and career readiness through enhancing the
1857 skill level of school counselors to provide college and career counseling.

1858 (3) The State Board of Education shall:

1859 (a) on or before August 1, 2015, collaborate with the State Board of Regents, and
1860 business, community, and education stakeholders to develop a certificate for school counselors
1861 that:

1862 (i) certifies that a school counselor is highly skilled at providing college and career
1863 counseling; and

1864 (ii) is aligned with the Utah Comprehensive Counseling and Guidance Program as

1865 defined in rules established by the State Board of Education;

1866 (b) subject to legislative appropriations, award grants to LEAs, on a competitive basis,

1867 for payment of course fees for courses required to earn the certificate developed by the State

1868 Board of Education under Subsection (3)(a); and

1869 (c) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,

1870 make rules specifying:

1871 (i) procedures for applying for and awarding grants under this section;

1872 (ii) criteria for awarding grants; and

1873 (iii) reporting requirements for grantees.

1874 (4) An LEA that receives a grant under this section shall use the grant for payment of

1875 course fees for courses required to attain the certificate as determined by the State Board of

1876 Education under Subsection (3)(a).

1877 ~~[(5) The State Board of Education shall report to the Education Interim Committee on~~

1878 ~~the status of the Strengthening College and Career Readiness Program on or before:]~~

1879 ~~[(a) November 1, 2016; and]~~

1880 ~~[(b) November 1, 2017.]~~

1881 Section 38. Section **53F-5-307** is amended to read:

1882 **53F-5-307. Evaluation -- Reporting requirements.**

1883 (1) In accordance with this section, the board, in coordination with the department,

1884 shall oversee the ongoing review and evaluation by an independent evaluator for each school

1885 year of:

1886 (a) the Student Access to High Quality School Readiness Programs Grant Program

1887 described in Section **53F-5-303**;

1888 (b) the home-based technology high quality school readiness program described in

1889 Section **53F-5-304**;

1890 (c) the Intergenerational Poverty School Readiness Scholarship Program described in

1891 Section **53F-5-305**; and

- 1892 (d) early childhood teacher training described in Section [53F-5-306](#).
- 1893 (2) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board
1894 shall enter into a contract with an independent evaluator to assist the board in the evaluation
1895 process.
- 1896 (b) In selecting an independent evaluator, the board shall select an evaluator that:
- 1897 (i) has the capacity to meet the requirements described in Subsection (3);
- 1898 (ii) has a background in designing and conducting rigorous evaluations;
- 1899 (iii) has a demonstrated ability to monitor and evaluate a program over an extended
1900 period of time;
- 1901 (iv) is independent from agencies or providers implementing high quality school
1902 readiness programs funded under this part; and
- 1903 (v) has experience in early childhood education or early childhood education
1904 evaluation.
- 1905 (c) The board may not enter into a contract with an independent evaluator without
1906 obtaining approval from the department.
- 1907 (3) Under the direction of the board, with input from the department, the independent
1908 evaluator selected under Subsection (2) shall:
- 1909 (a) design an evaluation methodology that:
- 1910 (i) assesses the effects of a high quality school readiness program on an eligible
1911 student's:
- 1912 (A) readiness for kindergarten, using a uniform assessment methodology that includes
1913 a pre- and post-test chosen in coordination with the board;
- 1914 (B) ability, as determined by following the student longitudinally, to meet grade 3 core
1915 standards for Utah public schools, established by the board under Section [53E-4-202](#), by the
1916 end of the student's grade 3 year; and
- 1917 (C) attainment of a high school diploma or other completion certificate, as determined
1918 by following the student longitudinally; and

1919 (ii) allows for comparisons between students with similar demographic characteristics
1920 who complete a high quality school readiness program and students who do not; and

1921 (b) conduct an annual evaluation of the programs described in Subsection (1).

1922 (4) To assist the independent evaluator selected under Subsection (2) in completing the
1923 evaluation required under Subsection (3):

1924 (a) an LEA that receives a grant under Section 53F-5-303, or enrolls an IGP
1925 scholarship recipient under Section 53F-5-305, shall assign a statewide unique student
1926 identifier to each student who participates in the LEA's school readiness program;

1927 (b) an eligible private provider that receives a grant described in Section 53F-5-303 or
1928 an eligible home-based technology provider that receives a contract described in Section
1929 53F-5-304 shall work in conjunction with the board to assign a statewide unique student
1930 identifier to each student who is enrolled in the provider's school readiness program in the
1931 student's last year before kindergarten; and

1932 (c) an eligible private provider or eligible home-based technology provider that
1933 receives an IGP scholarship under Section 53F-5-305 shall work in conjunction with the board
1934 to assign a statewide unique student identifier to each student who is funded by an IGP
1935 scholarship.

1936 (5) The board and the department shall ~~[report annually, on or before November 1, to~~
1937 ~~the Education Interim Committee]~~ submit a report in accordance with Section 53E-1-201 on
1938 the results of an evaluation conducted under this section.

1939 Section 39. Section 53F-5-405 is amended to read:

1940 **53F-5-405. Independent evaluation -- Reporting.**

1941 (1) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board shall
1942 contract with an independent evaluator to annually evaluate a partnership that receives a grant
1943 under this part.

1944 (2) The evaluation described in Subsection (1) shall:

1945 (a) assess implementation of a partnership, including the extent to which members of a

1946 partnership:

1947 (i) share data to align and improve efforts focused on student success; and

1948 (ii) meet regularly and communicate authentically; and

1949 (b) assess the impact of a partnership on student outcomes using appropriate statistical

1950 evaluation methods.

1951 (3) In identifying an independent evaluator under Subsection (1), the board shall

1952 identify an evaluator that:

1953 (a) has a credible track record of conducting evaluations as described in Subsection (2);

1954 and

1955 (b) is independent of any member of the partnership and does not otherwise have a

1956 vested interest in the outcome of the evaluation.

1957 (4) Beginning in the 2017-18 school year, the board shall ensure that the independent

1958 evaluator:

1959 (a) prepares an annual written report of an evaluation conducted under this section; and

1960 (b) [~~annually submits the report to the Education Interim Committee~~] submits the

1961 report in accordance with Section [53E-1-201](#).

1962 Section 40. Section **53F-5-506** is amended to read:

1963 **53F-5-506. Waiver from board rule -- Board recommended statutory changes.**

1964 (1) An LEA may apply to the board in a grant application submitted under this part for

1965 a waiver of a board rule that inhibits or hinders the LEA from accomplishing its goals set out in

1966 its grant application.

1967 (2) The board may grant the waiver, unless:

1968 (a) the waiver would cause the LEA to be in violation of state or federal law; or

1969 (b) the waiver would threaten the health, safety, or welfare of students in the LEA.

1970 (3) If the board denies the waiver, the board shall provide in writing the reason for the

1971 denial to the waiver applicant.

1972 (4) (a) The board shall request from each LEA that receives a grant under this part for

1973 each year the LEA receives funds:

1974 (i) information on a state statute that hinders an LEA from fully implementing the
1975 LEA's program; and

1976 (ii) suggested changes to the statute.

1977 (b) The board shall ~~[, in a written]~~ report ~~[, provide]~~ any information received from an
1978 LEA under Subsection (4)(a) and the board's recommendations ~~[to the Legislature no later than~~
1979 ~~November 30 of each year]~~ in accordance with Section 53E-1-203.

1980 Section 41. Section **53G-4-403** is amended to read:

1981 **53G-4-403. School district fiscal year -- Statistical reports.**

1982 (1) A school district's fiscal year begins on July 1 and ends on June 30.

1983 (2) (a) A school district shall forward statistical reports for the preceding school year,
1984 containing items required by law or by the State Board of Education, to the state superintendent
1985 on or before November 1 of each year.

1986 (b) The reports shall include information to enable the state superintendent to complete
1987 the statement of funds required under ~~[Subsection 53E-3-301(3)(d)(v)]~~ Section 53E-1-203.

1988 (3) A school district shall forward the accounting report required under Section
1989 51-2a-201 to the state superintendent on or before October 15 of each year.

1990 Section 42. Section **53G-4-404** is amended to read:

1991 **53G-4-404. Annual financial report -- Audit report.**

1992 (1) The annual financial report of each school district, containing items required by law
1993 or by the State Board of Education and attested to by independent auditors, shall be prepared as
1994 required by Section 51-2a-201.

1995 (2) If auditors are employed under Section 51-2a-201, the auditors shall complete their
1996 field work in sufficient time to allow them to verify necessary audit adjustments included in the
1997 annual financial report to the state superintendent.

1998 (3) (a) (i) The district shall forward the annual financial report to the state
1999 superintendent not later than October 1.

2000 (ii) The report shall include information to enable the state superintendent to complete
2001 the statement of funds required under [~~Subsection 53E-3-301(3)(d)(v)~~] Section 53E-1-203.

2002 (b) The State Board of Education shall publish electronically a copy of the report on
2003 the Internet not later than [~~December 15~~] January 15.

2004 (4) The completed audit report shall be delivered to the school district board of
2005 education and the state superintendent of public instruction not later than November 30 of each
2006 year.

2007 Section 43. Section **53G-5-411** is amended to read:

2008 **53G-5-411. Charter school fiscal year -- Statistical reports.**

2009 (1) A charter school's fiscal year begins on July 1 and ends on June 30.

2010 (2) (a) A charter school shall forward statistical reports for the preceding school year,
2011 containing items required by law or by the State Board of Education, to the state superintendent
2012 on or before November 1 of each year.

2013 (b) The reports shall include information to enable the state superintendent to complete
2014 the statement of funds required under [~~Subsection 53E-3-301(3)(d)(v)~~] Section 53E-1-203.

2015 (3) A charter school shall forward the accounting report required under Section
2016 51-2a-201 to the state superintendent on or before October 15 of each year.

2017 Section 44. Section **53G-6-707** is amended to read:

2018 **53G-6-707. Interstate compact students -- Inclusion in attendance count --**
2019 **Foreign exchange students -- Annual report -- Requirements for exchange student**
2020 **agencies.**

2021 (1) A school district or charter school may include the following students in the
2022 district's or school's membership and attendance count for the purpose of apportionment of
2023 state money:

2024 (a) a student enrolled under an interstate compact, established between the State Board
2025 of Education and the state education authority of another state, under which a student from one
2026 compact state would be permitted to enroll in a public school in the other compact state on the

2027 same basis as a resident student of the receiving state; or

2028 (b) a student receiving services under Title 62A, Chapter 4a, Part 7, Interstate Compact
2029 on Placement of Children.

2030 (2) A school district or charter school may:

2031 (a) enroll foreign exchange students that do not qualify for state money; and

2032 (b) pay for the costs of those students with other funds available to the school district
2033 or charter school.

2034 (3) Due to the benefits to all students of having the opportunity to become familiar
2035 with individuals from diverse backgrounds and cultures, school districts are encouraged to
2036 enroll foreign exchange students, as provided in Subsection (2), particularly in schools with
2037 declining or stable enrollments where the incremental cost of enrolling the foreign exchange
2038 student may be minimal.

2039 ~~[(4) The board shall make an annual report to the Legislature on the number of
2040 exchange students and the number of interstate compact students sent to or received from
2041 public schools outside the state.]~~

2042 ~~[(5)]~~ (4) (a) A local school board or charter school governing board shall require each
2043 approved exchange student agency to provide it with a sworn affidavit of compliance prior to
2044 the beginning of each school year.

2045 (b) The affidavit shall include the following assurances:

2046 (i) that the agency has complied with all applicable policies of the board;

2047 (ii) that a household study, including a background check of all adult residents, has
2048 been made of each household where an exchange student is to reside, and that the study was of
2049 sufficient scope to provide reasonable assurance that the exchange student will receive proper
2050 care and supervision in a safe environment;

2051 (iii) that host parents have received training appropriate to their positions, including
2052 information about enhanced criminal penalties under Subsection 76-5-406(10) for persons who
2053 are in a position of special trust;

2054 (iv) that a representative of the exchange student agency shall visit each student's place
2055 of residence at least once each month during the student's stay in Utah;

2056 (v) that the agency will cooperate with school and other public authorities to ensure
2057 that no exchange student becomes an unreasonable burden upon the public schools or other
2058 public agencies;

2059 (vi) that each exchange student will be given in the exchange student's native language
2060 names and telephone numbers of agency representatives and others who could be called at any
2061 time if a serious problem occurs; and

2062 (vii) that alternate placements are readily available so that no student is required to
2063 remain in a household if conditions appear to exist which unreasonably endanger the student's
2064 welfare.

2065 [~~(6)~~] (5) (a) A local school board or charter school governing board shall provide each
2066 approved exchange student agency with a list of names and telephone numbers of individuals
2067 not associated with the agency who could be called by an exchange student in the event of a
2068 serious problem.

2069 (b) The agency shall make a copy of the list available to each of its exchange students
2070 in the exchange student's native language.

2071 [~~(7)~~] (6) Notwithstanding Subsection 53F-2-303(3)(a), a school district or charter
2072 school shall enroll a foreign exchange student if the foreign exchange student:

2073 (a) is sponsored by an agency approved by the State Board of Education;

2074 (b) attends the same school during the same time period that another student from the
2075 school is:

2076 (i) sponsored by the same agency; and

2077 (ii) enrolled in a school in a foreign country; and

2078 (c) is enrolled in the school for one year or less.

2079 Section 45. Section 53G-8-207 is amended to read:

2080 **53G-8-207. Alternatives to suspension or expulsion.**

- 2081 (1) Each local school board or governing board of a charter school shall establish:
- 2082 (a) policies providing that prior to suspending or expelling a student for repeated acts
- 2083 of willful disobedience, defiance of authority, or disruptive behavior which are not of such a
- 2084 violent or extreme nature that immediate removal is required, good faith efforts shall be made
- 2085 to implement a remedial discipline plan that would allow the student to remain in school; and
- 2086 (b) alternatives to suspension, including policies that allow a student to remain in
- 2087 school under an in-school suspension program or under a program allowing the parent or
- 2088 guardian, with the consent of the student's teacher or teachers, to attend class with the student
- 2089 for a period of time specified by a designated school official.
- 2090 (2) If the parent or guardian does not agree or fails to attend class with the student, the
- 2091 student shall be suspended in accordance with the conduct and discipline policies of the district
- 2092 or the school.
- 2093 (3) The parent or guardian of a suspended student and the designated school official
- 2094 may enlist the cooperation of the Division of Child and Family Services, the juvenile court, or
- 2095 other appropriate state agencies, if necessary, in dealing with the student's suspension.
- 2096 (4) The state superintendent of public instruction, in cooperation with school districts
- 2097 and charter schools, shall:
- 2098 (a) research methods of motivating and providing incentives to students that:
- 2099 (i) directly and regularly reward or recognize appropriate behavior;
- 2100 (ii) impose immediate and direct consequences on students who fail to comply with
- 2101 district or school standards of conduct; and
- 2102 (iii) keep the students in school, or otherwise continue student learning with
- 2103 appropriate supervision or accountability;
- 2104 (b) explore funding resources to implement methods of motivating and providing
- 2105 incentives to students that meet the criteria specified in Subsection (4)(a);
- 2106 (c) evaluate the benefits and costs of methods of motivating and providing incentives
- 2107 to students that meet the criteria specified in Subsection (4)(a);

2108 (d) publish a report that incorporates the research findings, provides model plans with
2109 suggested resource pools, and makes recommendations for local school boards and school
2110 personnel; and

2111 [~~(e) submit the report described in Subsection (4)(d) to the Education Interim~~
2112 ~~Committee; and]~~

2113 [(~~f~~) (e) maintain data for purposes of accountability, later reporting, and future
2114 analysis.

2115 Section 46. Section **53G-9-702** is amended to read:

2116 **53G-9-702. Youth suicide prevention programs required in secondary schools --**
2117 **State Board of Education to develop model programs.**

2118 (1) As used in the section:

2119 (a) "Board" means the State Board of Education.

2120 (b) "Intervention" means an effort to prevent a student from attempting suicide.

2121 (c) "Postvention" means mental health intervention after a suicide attempt or death to
2122 prevent or contain contagion.

2123 (d) "Program" means a youth suicide prevention program described in Subsection (2).

2124 (e) "Public education suicide prevention coordinator" means an individual designated
2125 by the board as described in Subsection (3).

2126 (f) "Secondary grades":

2127 (i) means grades 7 through 12; and

2128 (ii) if a middle or junior high school includes grade 6, includes grade 6.

2129 (g) "State suicide prevention coordinator" means the state suicide prevention
2130 coordinator described in Section [62A-15-1101](#).

2131 (2) In collaboration with the public education suicide prevention coordinator, a school
2132 district or charter school, in the secondary grades of the school district or charter school, shall
2133 implement a youth suicide prevention program, which, in collaboration with the training,
2134 programs, and initiatives described in Section [53G-9-607](#), shall include programs and training

2135 to address:

2136 (a) bullying and cyberbullying, as those terms are defined in Section [53G-9-601](#);

2137 (b) prevention of youth suicide;

2138 (c) youth suicide intervention;

2139 (d) postvention for family, students, and faculty;

2140 (e) underage drinking of alcohol;

2141 (f) methods of strengthening the family; and

2142 (g) methods of strengthening a youth's relationships in the school and community.

2143 (3) The board shall:

2144 (a) designate a public education suicide prevention coordinator; and

2145 (b) in collaboration with the Department of Health and the state suicide prevention

2146 coordinator, develop model programs to provide to school districts and charter schools:

2147 (i) program training; and

2148 (ii) resources regarding the required components described in Subsection (2)(b).

2149 (4) The public education suicide prevention coordinator shall:

2150 (a) oversee the youth suicide prevention programs of school districts and charter

2151 schools;

2152 (b) coordinate prevention and postvention programs, services, and efforts with the state

2153 suicide prevention coordinator; and

2154 (c) award grants in accordance with Section [53F-5-206](#).

2155 (5) A public school suicide prevention program may allow school personnel to ask a
2156 student questions related to youth suicide prevention, intervention, or postvention.

2157 (6) (a) Subject to legislative appropriation, the board may distribute money to a school
2158 district or charter school to be used to implement evidence-based practices and programs, or
2159 emerging best practices and programs, for preventing suicide in the school district or charter
2160 school.

2161 (b) The board shall distribute money under Subsection (6)(a) so that each school that

2162 enrolls students in grade 7 or a higher grade receives an allocation of at least \$1,000.

2163 (c) (i) A school shall use money allocated to the school under Subsection (6)(b) to
 2164 implement evidence-based practices and programs, or emerging best practices and programs,
 2165 for preventing suicide.

2166 (ii) Each school may select the evidence-based practices and programs, or emerging
 2167 best practices and programs, for preventing suicide that the school implements.

2168 ~~[(7) (a) The board shall provide a written report, and shall orally report to the
 2169 Legislature's Education Interim Committee, by the October 2015 meeting, jointly with the
 2170 public education suicide prevention coordinator and the state suicide prevention coordinator,
 2171 on:]~~

2172 ~~[(i) the progress of school district and charter school youth suicide prevention
 2173 programs, including rates of participation by school districts, charter schools, and students;]~~

2174 ~~[(ii) the board's coordination efforts with the Department of Health and the state
 2175 suicide prevention coordinator;]~~

2176 ~~[(iii) the public education suicide prevention coordinator's model program for training
 2177 and resources related to youth suicide prevention, intervention, and postvention;]~~

2178 ~~[(iv) data measuring the effectiveness of youth suicide programs;]~~

2179 ~~[(v) funds appropriated to each school district and charter school for youth suicide
 2180 prevention programs, and]~~

2181 ~~[(vi) five-year trends of youth suicides per school, school district, and charter school.]~~

2182 ~~[(b) School districts and charter schools shall provide to the board information that is
 2183 necessary for the board's report to the Legislature's Education Interim Committee as required in
 2184 Subsection (7)(a).]~~

2185 Section 47. Section **53G-9-703** is amended to read:

2186 **53G-9-703. Parent education -- Mental health -- Bullying -- Safety.**

2187 (1) (a) Except as provided in Subsection ~~[(4)]~~ (3), a school district shall offer a seminar
 2188 for parents of students in the school district that:

- 2189 (i) is offered at no cost to parents;
- 2190 (ii) begins at or after 6 p.m.;
- 2191 (iii) is held in at least one school located in the school district; and
- 2192 (iv) covers the topics described in Subsection (2).
- 2193 (b) (i) A school district shall annually offer one parent seminar for each 11,000
- 2194 students enrolled in the school district.
- 2195 (ii) Notwithstanding Subsection (1)(b)(i), a school district may not be required to offer
- 2196 more than three seminars.
- 2197 (c) A school district may:
- 2198 (i) develop its own curriculum for the seminar described in Subsection (1)(a); or
- 2199 (ii) use the curriculum developed by the State Board of Education under Subsection
- 2200 (2).
- 2201 (d) A school district shall notify each charter school located in the attendance
- 2202 boundaries of the school district of the date and time of a parent seminar, so the charter school
- 2203 may inform parents of the seminar.
- 2204 (2) The State Board of Education shall:
- 2205 (a) develop a curriculum for the parent seminar described in Subsection (1) that
- 2206 includes information on:
- 2207 (i) substance abuse, including illegal drugs and prescription drugs and prevention;
- 2208 (ii) bullying;
- 2209 (iii) mental health, depression, suicide awareness, and suicide prevention, including
- 2210 education on limiting access to fatal means;
- 2211 (iv) Internet safety, including pornography addiction; and
- 2212 (v) the School Safety and Crisis Line established in Section [53E-10-502](#); and
- 2213 (b) provide the curriculum, including resources and training, to school districts upon
- 2214 request.
- 2215 ~~[(3) The State Board of Education shall report to the Legislature's Education Interim~~

2216 Committee, by the October 2015 meeting, on:]
2217 [~~(a) the progress of implementation of the parent seminar;~~]
2218 [~~(b) the number of parent seminars conducted in each school district;~~]
2219 [~~(c) the estimated attendance reported by each school district;~~]
2220 [~~(d) a recommendation of whether to continue the parent seminar program; and]~~
2221 [~~(e) if a local school board has opted out of providing the parent seminar, as described~~
2222 ~~in Subsection (4), the reasons why a local school board opted out.]~~

2223 [(4)] (3) (a) A school district is not required to offer the parent seminar if the local
2224 school board determines that the topics described in Subsection (2) are not of significant
2225 interest or value to families in the school district.

2226 (b) If a local school board chooses not to offer the parent seminar, the local school
2227 board shall notify the State Board of Education and provide the reasons why the local school
2228 board chose not to offer the parent seminar.

2229 Section 48. Section **53G-9-802** is amended to read:

2230 **53G-9-802. Dropout prevention and recovery -- Flexible enrollment options --**
2231 **Contracting -- Reporting.**

2232 (1) (a) Subject to Subsection (1)(b), an LEA shall provide dropout prevention and
2233 recovery services to a designated student, including:

- 2234 (i) engaging with or attempting to recover a designated student;
- 2235 (ii) developing a learning plan, in consultation with a designated student, to identify:
 - 2236 (A) barriers to regular school attendance and achievement;
 - 2237 (B) an attainment goal; and
 - 2238 (C) a means for achieving the attainment goal through enrollment in one or more of the
2239 programs described in Subsection (2);
- 2240 (iii) monitoring a designated student's progress toward reaching the designated
2241 student's attainment goal; and
- 2242 (iv) providing tiered interventions for a designated student who is not making progress

2243 toward reaching the student's attainment goal.

2244 (b) An LEA shall provide the dropout prevention and recovery services described in
2245 Subsection (1)(a):

2246 (i) throughout the calendar year; and

2247 (ii) except as provided in Subsection (1)(c)(i), for each designated student who
2248 becomes a designated student while enrolled in the LEA.

2249 (c) (i) A designated student's school district of residence shall provide dropout recovery
2250 services if the designated student:

2251 (A) was enrolled in a charter school that does not include grade 12; and

2252 (B) becomes a designated student in the summer after the student completes academic
2253 instruction at the charter school through the maximum grade level the charter school is eligible
2254 to serve under the charter school's charter agreement as described in Section [53G-5-303](#).

2255 (ii) In accordance with Subsection (1)(c)(iii), a charter school that does not include
2256 grade 12 shall notify each of the charter school's student's district of residence, as determined
2257 under Section [53G-6-302](#), when the student completes academic instruction at the charter
2258 school as described in Subsection (1)(c)(i)(B).

2259 (iii) The notification described in Subsection (1)(c)(ii) shall include the student's name,
2260 contact information, and student identification number.

2261 (2) (a) An LEA shall provide flexible enrollment options for a designated student that:

2262 (i) are tailored to the designated student's learning plan developed under Subsection
2263 (1)(a)(ii); and

2264 (ii) include two or more of the following:

2265 (A) enrollment in the LEA in a traditional program;

2266 (B) enrollment in the LEA in a nontraditional program;

2267 (C) enrollment in a program offered by a private provider that has entered into a
2268 contract with the LEA to provide educational services; or

2269 (D) enrollment in a program offered by another LEA.

- 2270 (b) A designated student may enroll in:
- 2271 (i) a program offered by the LEA under Subsection (2)(a), in accordance with this
- 2272 public education code, rules established by the State Board of Education, and policies
- 2273 established by the LEA;
- 2274 (ii) the Electronic High School, in accordance with Title 53E, Chapter 10, Part 6,
- 2275 Electronic High School; or
- 2276 (iii) the Statewide Online Education Program, in accordance with Title 53F, Chapter 4,
- 2277 Part 5, Statewide Online Education Program.
- 2278 (c) An LEA shall make the LEA's best effort to accommodate a designated student's
- 2279 choice of enrollment under Subsection (2)(b).
- 2280 (3) Beginning with the 2017-18 school year and except as provided in Subsection (4),
- 2281 an LEA shall enter into a contract with a third party to provide the dropout prevention and
- 2282 recovery services described in Subsection (1)(a) for any school year in which the LEA meets
- 2283 the following criteria:
- 2284 (a) the LEA's graduation rate is lower than the statewide graduation rate; and
- 2285 (b) (i) the LEA's graduation rate has not increased by at least 1% on average over the
- 2286 previous three school years; or
- 2287 (ii) during the previous calendar year, at least 10% of the LEA's designated students
- 2288 have not:
- 2289 (A) reached the students' attainment goals; or
- 2290 (B) made a year's worth of progress toward the students' attainment goals.
- 2291 (4) An LEA that is in the LEA's first three years of operation is not subject to the
- 2292 requirement described in Subsection (3).
- 2293 (5) An LEA described in Subsection (3) shall ensure that:
- 2294 (a) a third party with whom the LEA enters into a contract under Subsection (3) has a
- 2295 demonstrated record of effectiveness engaging with and recovering designated students; and
- 2296 (b) a contract with a third party requires the third party to:

2297 (i) provide the services described in Subsection (1)(a); and
2298 (ii) regularly report progress to the LEA.
2299 (6) An LEA shall annually submit a report to the State Board of Education on dropout
2300 prevention and recovery services provided under this section, including:
2301 (a) the methods the LEA or third party uses to engage with or attempt to recover
2302 designated students under Subsection (1)(a)(i);
2303 (b) the number of designated students who enroll in a program described in Subsection
2304 (2) as a result of the efforts described in Subsection (6)(a);
2305 (c) the number of designated students who reach the designated students' attainment
2306 goals identified under Subsection (1)(a)(ii)(B); and
2307 (d) funding allocated to provide dropout prevention and recovery services.
2308 (7) The State Board of Education shall:
2309 (a) ensure that an LEA described in Subsection (3) contracts with a third party to
2310 provide dropout prevention and recovery services in accordance with Subsections (3) and (5);
2311 and
2312 (b) ~~[on or before October 30, 2017, and each year thereafter, report to the Education~~
2313 ~~Interim Committee]~~ report on the provisions of this section in accordance with Section
2314 53E-1-203, including a summary of the reports submitted under Subsection (6).
2315 Section 49. Section **53G-10-204** is amended to read:
2316 **53G-10-204. Civic and character education -- Definitions -- Legislative finding --**
2317 **Elements -- Reporting requirements.**
2318 (1) As used in this section:
2319 (a) "Character education" means reaffirming values and qualities of character which
2320 promote an upright and desirable citizenry.
2321 (b) "Civic education" means the cultivation of informed, responsible participation in
2322 political life by competent citizens committed to the fundamental values and principles of
2323 representative democracy in Utah and the United States.

- 2324 (c) "Values" means time-established principles or standards of worth.
- 2325 (2) The Legislature recognizes that:
- 2326 (a) Civic and character education are fundamental elements of the public education
2327 system's core mission as originally intended and established under Article X of the Utah
2328 Constitution;
- 2329 (b) Civic and character education are fundamental elements of the constitutional
2330 responsibility of public education and shall be a continuing emphasis and focus in public
2331 schools;
- 2332 (c) the cultivation of a continuing understanding and appreciation of a constitutional
2333 republic and principles of representative democracy in Utah and the United States among
2334 succeeding generations of educated and responsible citizens is important to the nation and
2335 state;
- 2336 (d) the primary responsibility for the education of children within the state resides with
2337 their parents or guardians and that the role of state and local governments is to support and
2338 assist parents in fulfilling that responsibility;
- 2339 (e) public schools fulfill a vital purpose in the preparation of succeeding generations of
2340 informed and responsible citizens who are deeply attached to essential democratic values and
2341 institutions; and
- 2342 (f) the happiness and security of American society relies upon the public virtue of its
2343 citizens which requires a united commitment to a moral social order where self-interests are
2344 willingly subordinated to the greater common good.
- 2345 (3) Through an integrated curriculum, students shall be taught in connection with
2346 regular school work:
- 2347 (a) honesty, integrity, morality, civility, duty, honor, service, and obedience to law;
- 2348 (b) respect for and an understanding of the Declaration of Independence and the
2349 constitutions of the United States and of the state of Utah;
- 2350 (c) Utah history, including territorial and preterritorial development to the present;

2351 (d) the essentials and benefits of the free enterprise system;
2352 (e) respect for parents, home, and family;
2353 (f) the dignity and necessity of honest labor; and
2354 (g) other skills, habits, and qualities of character which will promote an upright and
2355 desirable citizenry and better prepare students to recognize and accept responsibility for
2356 preserving and defending the blessings of liberty inherited from prior generations and secured
2357 by the constitution.

2358 (4) Local school boards and school administrators may provide training, direction, and
2359 encouragement, as needed, to accomplish the intent and requirements of this section and to
2360 effectively emphasize civic and character education in the course of regular instruction in the
2361 public schools.

2362 (5) Civic and character education in public schools are:

2363 (a) not intended to be separate programs in need of special funding or added specialists
2364 to be accomplished; and

2365 (b) core principles which reflect the shared values of the citizens of Utah and the
2366 founding principles upon which representative democracy in the United States and the state of
2367 Utah are based.

2368 (6) To assist the Commission on Civic and Character Education in fulfilling the
2369 commission's duties under Section [67-1a-11](#), by ~~[December 30]~~ January 15 of each year, each
2370 school district and the State Charter School Board shall submit to the lieutenant governor and
2371 the commission a report summarizing how civic and character education are achieved in the
2372 school district or charter schools through an integrated school curriculum and in the regular
2373 course of school work as provided in this section.

2374 (7) ~~[Each year, the State Board of Education]~~ In accordance with Section [53E-1-203](#),
2375 the state board shall report to the Education Interim Committee~~[, on or before the October~~
2376 ~~meeting,]~~ the methods used, and the results being achieved, to instruct and prepare students to
2377 become informed and responsible citizens through an integrated curriculum taught in

2378 connection with regular school work as required in this section.

2379 Section 50. Section **53G-11-511** is amended to read:

2380 **53G-11-511. Report of performance levels.**

2381 (1) A school district shall report to the State Board of Education the number and
2382 percent of educators in each of the four levels of performance assigned under Section
2383 [53G-11-508](#).

2384 (2) The data reported under Subsection (1) shall be separately reported for the
2385 following educator classifications:

2386 (a) administrators;

2387 (b) teachers, including separately reported data for provisional teachers and career
2388 teachers; and

2389 (c) other classifications or demographics of educators as determined by the State Board
2390 of Education.

2391 (3) The state superintendent shall include the data reported by school districts under
2392 this section in the [~~state superintendent's annual report of the public school system~~] State
2393 Superintendent's Annual Report required by Section [~~53E-3-301~~] [53E-1-203](#).

2394 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2395 State Board of Education shall make rules to ensure the privacy and protection of individual
2396 evaluation data.

2397 Section 51. Section **59-9-102.5** is amended to read:

2398 **59-9-102.5. Offset for occupational health and safety related donations.**

2399 (1) As used in this section:

2400 (a) "Occupational health and safety center" means the Rocky Mountain Center for
2401 Occupational and Environmental Health created in Title 53B, Chapter 17, Part 8, Rocky
2402 Mountain Center for Occupational and Environmental Health.

2403 (b) "Qualified donation" means a donation that is:

2404 (i) cash;

- 2405 (ii) given directly to an occupational health and safety center; and
2406 (iii) given exclusively for the purpose of:
2407 (A) supporting graduate level education and training in fields of:
2408 (I) safety and ergonomics;
2409 (II) industrial hygiene;
2410 (III) occupational health nursing; and
2411 (IV) occupational medicine;
2412 (B) providing continuing education programs for employers designed to promote
2413 workplace safety; and
2414 (C) paying reasonable administrative, personnel, equipment, and overhead costs of the
2415 occupational health and safety center.
2416 (c) "Workers' compensation insurer" means an admitted insurer writing workers'
2417 compensation insurance in this state that is required to pay the premium assessment imposed
2418 under Subsection 59-9-101(2).
2419 (2) (a) A workers' compensation insurer may offset against the premium assessment
2420 imposed under Subsection 59-9-101(2) an amount equal to the lesser of:
2421 (i) the total of qualified donations made by the workers' compensation insurer in the
2422 calendar year for which the premium assessment is calculated; and
2423 (ii) .10% of the workers' compensation insurer's total workers' compensation premium
2424 income as defined in Subsection 59-9-101(2)(b) in the calendar year for which the premium
2425 assessment is calculated.
2426 (b) The offset provided under this Subsection (2) shall be allocated in proportion to the
2427 percentages provided in Subsection 59-9-101(2)(c).
2428 (3) An occupational health and safety center shall:
2429 (a) provide a workers' compensation insurer a receipt for any qualified donation made
2430 by the workers' compensation insurer to the occupational health and safety center;
2431 (b) expend money received by a qualified donation:

- 2432 (i) for the purposes described in Subsection (1)(b)(iii); and
- 2433 (ii) in a manner that can be audited to ensure that the money is expended for the
- 2434 purposes described in Subsection (1)(b)(iii); and
- 2435 (c) in conjunction with the report required by Section [34A-2-202.5](#), report to [~~the~~
- 2436 ~~Legislature through~~] the Office of the Legislative Fiscal Analyst for review by the Higher
- 2437 Education Appropriations Subcommittee by no later than [~~July 1~~] August 15 of each year:
- 2438 (i) the qualified donations received by the occupational health and safety center in the
- 2439 previous calendar year; and
- 2440 (ii) the expenditures during the previous calendar year of qualified donations received
- 2441 by the occupational health and safety center.
- 2442 Section 52. Section **63I-2-253** is amended to read:
- 2443 **63I-2-253. Repeal dates -- Titles 53 through 53G.**
- 2444 (1) Section [53A-24-602](#) is repealed July 1, 2018.
- 2445 (2) (a) Subsections [53B-2a-103](#)(2) and (4) are repealed July 1, 2019.
- 2446 (b) When repealing Subsections [53B-2a-103](#)(2) and (4), the Office of Legislative
- 2447 Research and General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3),
- 2448 make necessary changes to subsection numbering and cross references.
- 2449 (3) (a) Subsection [53B-2a-108](#)(5) is repealed July 1, 2022.
- 2450 (b) When repealing Subsection [53B-2a-108](#)(5), the Office of Legislative Research and
- 2451 General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3), make
- 2452 necessary changes to subsection numbering and cross references.
- 2453 (4) (a) Subsection [53B-7-705](#)(6)(b)(ii)(A), the language that states "Except as provided
- 2454 in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.
- 2455 (b) Subsection [53B-7-705](#)(6)(b)(ii)(B) is repealed July 1, 2021.
- 2456 (5) (a) Subsection [53B-7-707](#)~~[(4)]~~ (3)(a)(ii), the language that states "Except as
- 2457 provided in Subsection ~~[(4)]~~ (3)(b)," is repealed July 1, 2021.
- 2458 (b) Subsection [53B-7-707](#)~~[(4)]~~ (3)(b) is repealed July 1, 2021.

- 2459 (6) (a) The following sections are repealed on July 1, 2023:
- 2460 (i) Section 53B-8-202;
- 2461 (ii) Section 53B-8-203;
- 2462 (iii) Section 53B-8-204; and
- 2463 (iv) Section 53B-8-205.
- 2464 (b) (i) Subsection 53B-8-201(2) is repealed on July 1, 2023.
- 2465 (ii) When repealing Subsection 53B-8-201(2), the Office of Legislative Research and
- 2466 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
- 2467 necessary changes to subsection numbering and cross references.
- 2468 (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
- 2469 repealed July 1, 2023.
- 2470 (8) Subsection 53E-5-306(3)(b)(ii)(B) is repealed July 1, 2020.
- 2471 (9) Section 53E-5-307 is repealed July 1, 2020.
- 2472 (10) Subsections 53F-2-205(4) and (5), the language that states "or 53F-2-301.5, as
- 2473 applicable" is repealed July 1, 2023.
- 2474 (11) Subsection 53F-2-301(1) is repealed July 1, 2023.
- 2475 (12) Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as applicable"
- 2476 is repealed July 1, 2023.
- 2477 (13) Section 53F-4-204 is repealed July 1, 2019.
- 2478 (14) Section 53F-6-202 is repealed July 1, 2020.
- 2479 (15) Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as applicable"
- 2480 is repealed July 1, 2023.
- 2481 (16) Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
- 2482 applicable" is repealed July 1, 2023.
- 2483 (17) Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
- 2484 applicable" is repealed July 1, 2023.
- 2485 (18) Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as

2486 applicable" is repealed July 1, 2023.

2487 (19) On July 1, 2023, when making changes in this section, the Office of Legislative
2488 Research and General Counsel shall, in addition to the office's authority under Subsection
2489 [36-12-12\(3\)](#), make corrections necessary to ensure that sections and subsections identified in
2490 this section are complete sentences and accurately reflect the office's perception of the
2491 Legislature's intent.