

EDUCATION REPORTING REQUIREMENTS

2019 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Val L. Peterson

LONG TITLE

Committee Note:

The Education Interim Committee recommended this bill.

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; and

▶ makes technical corrections.

Money Appropriated in this Bill:

None



28 **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



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

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

90 **34A-2-202.5. Offset for occupational health and safety related donations.**
91 (1) As used in this section:
92 (a) "Occupational health and safety center" means the Rocky Mountain Center for
93 Occupational and Environmental Health created in Title 53B, Chapter 17, Part 8, Rocky
94 Mountain Center for Occupational and Environmental Health.
95 (b) "Qualified donation" means a donation that is:
96 (i) cash;
97 (ii) given directly to an occupational health and safety center; and
98 (iii) given exclusively for the purpose of:
99 (A) supporting graduate level education and training in fields of:
100 (I) safety and ergonomics;
101 (II) industrial hygiene;
102 (III) occupational health nursing; and
103 (IV) occupational medicine;
104 (B) providing continuing education programs for employers designed to promote
105 workplace safety; and
106 (C) paying reasonable administrative, personnel, equipment, and overhead costs of the
107 occupational health and safety center.
108 (c) "Self-insured employer" is a self-insured employer as defined in Section
109 [34A-2-201.5](#) that is required to pay the assessment imposed under Section [34A-2-202](#).
110 (2) (a) A self-insured employer may offset against the assessment imposed under
111 Section [34A-2-202](#) an amount equal to the lesser of:
112 (i) the total of qualified donations made by the self-insured employer in the calendar
113 year for which the assessment is calculated; and
114 (ii) .10% of the self-insured employer's total calculated premium calculated under
115 Subsection [34A-2-202\(1\)\(d\)](#) for the calendar year for which the assessment is calculated.
116 (b) The offset provided under this Subsection (2) shall be allocated in proportion to the
117 percentages provided in Subsection [59-9-101\(2\)\(c\)](#).
118 (3) An occupational health and safety center shall:
119 (a) provide a self-insured employer a receipt for any qualified donation made by the
120 self-insured employer to the occupational health and safety center;

- 121 (b) expend money received by a qualified donation:
- 122 (i) for the purposes described in Subsection (1)(b)(iii); and
- 123 (ii) in a manner that can be audited to ensure that the money is expended for the
- 124 purposes described in Subsection (1)(b)(iii); and
- 125 (c) in conjunction with the report required by Section 59-9-102.5, report to [~~the~~
- 126 ~~Legislature through~~] the Office of the Legislative Fiscal Analyst for review by the Higher
- 127 Education Appropriations Subcommittee by no later than [~~July 1~~] August 15 of each year:
- 128 (i) the qualified donations received by the occupational health and safety center in the
- 129 previous calendar year; and
- 130 (ii) the expenditures during the previous calendar year of qualified donations received
- 131 by the occupational health and safety center.
- 132 Section 2. Section **53B-1-107** is amended to read:
- 133 **53B-1-107. Annual report of board activities.**
- 134 The board shall submit an annual report of its activities to the governor and to the
- 135 [~~Legislature~~] Education Interim Committee and shall provide copies to all institutions in the
- 136 state system of higher education.
- 137 Section 3. Section **53B-1-113** is amended to read:
- 138 **53B-1-113. Education loan notifications.**
- 139 (1) As used in this section:
- 140 (a) "Borrower" means:
- 141 (i) an individual enrolled in an eligible postsecondary institution who receives an
- 142 education loan; or
- 143 (ii) an individual, including a parent or legal guardian, who receives an education loan
- 144 to fund education expenses of an individual enrolled in an eligible postsecondary institution.
- 145 (b) "Education loan" means a loan made to a borrower that is:
- 146 (i) made directly by a federal or state program; or
- 147 (ii) insured or guaranteed under a federal or state program.
- 148 (c) "Eligible postsecondary institution" means a public or private postsecondary
- 149 institution that:
- 150 (i) is located in Utah; and
- 151 (ii) participates in federal student assistance programs under the Higher Education Act

152 of 1965, Title IV, 20 U.S.C. Sec. 1070 et seq.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

177 **Part 3. Reports.**

178 **53B-1-301. Reports to and actions of the Higher Education Appropriations**
179 **Subcommittee.**

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

182 (a) the reports described in Sections 34A-2-202.5, 53B-17-804, and 59-9-102.5 by the

- 183 Rocky Mountain Center for Occupational and Environmental Health;
- 184 (b) the report described in Section 53B-7-101 by the board on recommended
- 185 appropriations for higher education institutions, including the report described in Section
- 186 53B-8-104 by the board on the effects of offering nonresident partial tuition scholarships;
- 187 (c) the report described in Section 53B-7-704 by the Department of Workforce
- 188 Services and the Governor's Office of Economic Development on targeted jobs;
- 189 (d) the reports described in Section 53B-7-705 by the board and the Utah System of
- 190 Technical Colleges Board of Trustees, respectively, on performance;
- 191 (e) the report described in Section 53B-8-113 by the board on the Public Safety Officer
- 192 Career Advancement Reimbursement Program;
- 193 (f) the report described in Section 53B-8-201 by the board on the Regents' Scholarship
- 194 Program;
- 195 (g) the report described in Section 53B-8d-104 by the Division of Child and Family
- 196 Services on tuition waivers for wards of the state;
- 197 (h) the report described in Section 53B-12-107 by the Utah Higher Education
- 198 Assistance Authority;
- 199 (i) the report described in Section 53B-13a-104 by the board on the Success Stipend
- 200 Program;
- 201 (j) the report described in Section 53B-17-201 by the University of Utah regarding the
- 202 Miners' Hospital for Disabled Miners;
- 203 (k) the report described in Section 53B-26-103 by the Governor's Office of Economic
- 204 Development on high demand technical jobs projected to support economic growth;
- 205 (l) the report described in Section 53B-26-202 by the Medical Education Council on
- 206 projected demand for nursing professionals; and
- 207 (m) the report described in Section 53E-10-308 by the State Board of Education and
- 208 State Board of Regents on student participation in the concurrent enrollment program.
- 209 (2) In accordance with applicable provisions and Section 68-3-14, the following
- 210 occasional reports are due to the Higher Education Appropriations Subcommittee:
- 211 (a) upon request, the information described in Section 53B-8a-111 submitted by the
- 212 Utah Educational Savings Plan;
- 213 (b) as described in Section 53B-26-103, a proposal by an eligible partnership related to

214 workforce needs for technical jobs projected to support economic growth;

215 (c) a proposal described in Section 53B-26-202 by an eligible program to respond to
216 projected demand for nursing professionals; and

217 (d) the reports described in Section 63C-19-202 by the Higher Education Strategic
218 Planning Commission on the commission's progress.

219 (3) In accordance with applicable provisions, the Higher Education Appropriations
220 Subcommittee shall complete the following:

221 (a) as required by Section 53B-7-703, the review of performance funding described in
222 Section 53B-7-703;

223 (b) the review described in Section 53B-7-705 of the implementation of performance
224 funding;

225 (c) an appropriation recommendation described in Section 53B-26-103 to fund a
226 proposal responding to workforce needs of a strategic industry cluster;

227 (d) an appropriation recommendation described in Section 53B-26-202 to fund a
228 proposal responding to projected demand for nursing professionals; and

229 (e) review of the report described in Section 63B-10-301 by the University of Utah on
230 the status of a bond and bond payments specified in Section 63B-10-301.

231 Section 5. Section 53B-7-101 is amended to read:

232 **53B-7-101. Combined requests for appropriations -- Board review of operating**
233 **budgets -- Submission of budgets -- Recommendations -- Hearing request --**

234 **Appropriation formulas -- Allocations -- Dedicated credits -- Financial affairs.**

235 (1) As used in this section:

236 (a) (i) "Higher education institution" or "institution" means an institution of higher
237 education listed in Section 53B-1-102.

238 (ii) "Higher education institution" or "institution" does not include:

239 (A) the Utah System of Technical Colleges Board of Trustees; or

240 (B) a technical college.

241 (b) "Research university" means the University of Utah or Utah State University.

242 (2) (a) The board shall recommend a combined appropriation for the operating budgets
243 of higher education institutions for inclusion in a state appropriations act.

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

- 245 (i) employee compensation;
- 246 (ii) mandatory costs, including building operations and maintenance, fuel, and power;
- 247 (iii) performance funding described in Part 7, Performance Funding;
- 248 (iv) statewide and institutional priorities, including scholarships, financial aid, and
- 249 technology infrastructure; and
- 250 (v) enrollment growth.
- 251 (c) The board's recommendations shall be available for presentation to the governor
- 252 and to the Legislature at least 30 days before the convening of the Legislature, and shall include
- 253 schedules showing the recommended amounts for each institution, including separately funded
- 254 programs or divisions.
- 255 (d) The recommended appropriations shall be determined by the board only after it has
- 256 reviewed the proposed institutional operating budgets, and has consulted with the various
- 257 institutions and board staff in order to make appropriate adjustments.
- 258 (3) (a) Institutional operating budgets shall be submitted to the board at least 90 days
- 259 before the convening of the Legislature in accordance with procedures established by the board.
- 260 (b) Funding requests pertaining to capital facilities and land purchases shall be
- 261 submitted in accordance with procedures prescribed by the State Building Board.
- 262 (4) (a) The budget recommendations of the board shall be accompanied by full
- 263 explanations and supporting data.
- 264 (b) The appropriations recommended by the board shall be made with the dual
- 265 objective of:
- 266 (i) justifying for higher educational institutions appropriations consistent with their
- 267 needs, and consistent with the financial ability of the state; and
- 268 (ii) determining an equitable distribution of funds among the respective institutions in
- 269 accordance with the aims and objectives of the statewide master plan for higher education.
- 270 (5) (a) The board shall request a hearing with the governor on the recommended
- 271 appropriations.
- 272 (b) After the governor delivers his budget message to the Legislature, the board shall
- 273 request hearings on the recommended appropriations with the [~~appropriate committees of the~~
- 274 ~~Legislature~~] Higher Education Appropriations Subcommittee.
- 275 (c) If either the total amount of the state appropriations or its allocation among the

276 institutions as proposed by the Legislature or the [~~Legislature's committees~~] Higher Education
277 Appropriations Subcommittee is substantially different from the recommendations of the
278 board, the board may request further hearings with the Legislature or the [~~Legislature's~~
279 ~~appropriate committees~~] Higher Education Appropriations Subcommittee to reconsider both
280 the total amount and the allocation.

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

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

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

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

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

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

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

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

304 **53B-7-706. Performance metrics for higher education institutions --**
305 **Determination of performance.**

306 (1) (a) The board shall establish a model for determining a higher education

307 institution's performance.

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

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

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

313 (ii) completion by underserved students, measured by degrees and certificates awarded
314 to underserved students;

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

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

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

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

322 (c) The board shall assign the responsiveness to workforce needs metric described in
323 Subsection (2)(a)(iii) a weight of at least 25% when determining an institution of higher
324 education's performance.

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

327 (a) performance; and

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

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

332 [(5)] (4) The board shall use the model described in this section to make the report
333 described in Section 53B-7-705 for determining a higher education institution's performance
334 funding for a fiscal year beginning on or after July 1, 2018.

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

336 **53B-7-707. Performance metrics for technical colleges -- Determination of**
337 **performance.**

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

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

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

344 (i) completions, measured by certificates awarded;

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

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

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

348 (iii) secondary completions, measured by:

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

350 (B) certificates awarded to secondary students; and

351 (C) retention of certificate-seeking high school graduates as certificate-seeking
352 postsecondary students;

353 (iv) placements, measured by:

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

355 (B) placements for underserved students; and

356 (C) placements from high impact programs; and

357 (v) institutional efficiency, measured by the number of technical college graduates per
358 900 membership hours.

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

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

364 [(4)] (3) (a) For each technical college, the Utah System of Technical Colleges Board
365 of Trustees shall annually determine the technical college's:

366 (i) performance; and

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

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

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

374 **53B-8-104. Nonresident partial tuition scholarships.**

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

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

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

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

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

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

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

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

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

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

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

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

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

410 **53B-8a-111. Annual audit of financial statements -- Information to governor and**
411 **Higher Education Appropriations Subcommittee.**

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

415 (2) The plan shall submit to the governor and the [Legislature] Higher Education
416 Appropriations Subcommittee:

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

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

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

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

423 **53B-8c-104. Notice of tuition waiver approval -- Annual appropriation.**

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

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

431 ~~[(3) The department shall annually report to the Legislature's Higher Education~~
432 ~~Appropriations Subcommittee on the number of individuals for whom tuition has been waived~~
433 ~~at each institution and the total amounts paid under this chapter for the fiscal year.]~~

434 ~~[(4)]~~ (3) The Legislature may annually appropriate the funds necessary to implement
435 this chapter, including money to offset the tuition waivers at each institution.

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

437 **53B-12-107. Annual report -- Annual audit -- Reimbursement of state auditor.**

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

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

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

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

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

448 **53B-17-804. Reporting.**

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

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

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

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

456 (A) improve workplace health and safety; and

457 (B) contribute to economic growth and development in Utah and the surrounding
458 region.

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

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

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

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

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

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

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

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

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

475 **53B-26-103. GOED reporting requirement -- Proposals -- Funding.**

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

480 (a) aerospace and defense;

481 (b) energy and natural resources;

482 (c) financial services;

483 (d) life sciences;

484 (e) outdoor products;

485 (f) software development and information technology; and

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

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

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

- 493 (a) a program of instruction that:
- 494 (i) is responsive to the workforce needs of a strategic industry cluster described in
- 495 Subsection (1):
- 496 (A) in one CTE region, for a proposal submitted by a regional partnership; or
- 497 (B) in at least two CTE regions, for a proposal submitted by a statewide partnership;
- 498 (ii) leads to the attainment of a stackable sequence of credentials; and
- 499 (iii) includes a non-duplicative progression of courses that include both academic and
- 500 CTE content;
- 501 (b) expected student enrollment, attainment rates, and job placement rates;
- 502 (c) evidence of input and support for the proposal from an industry advisory group;
- 503 (d) a description of any financial or in-kind contributions for the program from an
- 504 industry advisory group;
- 505 (e) a description of the job opportunities available at each exit point in the stackable
- 506 sequence of credentials;
- 507 (f) evidence of an official action in support of the proposal from:
- 508 (i) the Utah System of Technical Colleges Board of Trustees, if the eligible partnership
- 509 includes a technical college described in Subsection 53B-26-102(10)(a); or
- 510 (ii) the board, if the eligible partnership includes:
- 511 (A) an institution of higher education; or
- 512 (B) a college described in Subsection 53B-26-102(10)(b), (c), or (d);
- 513 (g) if the program of instruction described in Subsection (3)(a) requires board approval
- 514 under Section 53B-16-102, evidence of board approval of the program of instruction; and
- 515 (h) a funding request, including justification for the request.
- 516 (4) The ~~[Legislature]~~ Higher Education Appropriations Subcommittee shall:
- 517 (a) review a proposal submitted under this section using the following criteria:
- 518 (i) the proposal contains the elements described in Subsection (3);
- 519 (ii) for a proposal from a regional partnership, support for the proposal is widespread
- 520 within the CTE region; and
- 521 (iii) the proposal expands the capacity to meet state or regional workforce needs;
- 522 (b) determine the extent to which to fund the proposal; and
- 523 (c) ~~[fund]~~ make a recommendation to the Legislature for funding the proposal through

524 the appropriations process.

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

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

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

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

530 **53B-26-202. Nursing initiative -- Medical Education Council reporting**
531 **requirement -- Proposals -- Funding.**

532 (1) Every even-numbered year, the Medical Education Council created in Section
533 [53B-24-302](#) shall:

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

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

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

539 (i) the State Board of Regents;

540 (ii) the Utah System of Technical Colleges Board of Trustees; and

541 (iii) the Higher Education Appropriations Subcommittee.

542 (2) To receive funding under this section, on or before January 5, an eligible program
543 shall submit to the [~~Legislature~~] Higher Education Appropriations Subcommittee, through the
544 budget process for the State Board of Regents or the Utah System of Technical Colleges, as
545 applicable, a proposal that describes:

546 (a) a program of instruction offered by the eligible program that is responsive to a
547 projection described in Subsection (1)(a);

548 (b) the following information about the eligible program:

549 (i) expected student enrollment;

550 (ii) attainment rates;

551 (iii) job placement rates; and

552 (iv) passage rates for exams required for licensure for a nursing profession;

553 (c) the instructional cost per full-time equivalent student enrolled in the eligible
554 program;

555 (d) financial or in-kind contributions to the eligible program from:
556 (i) the health care industry; or
557 (ii) an institution; and
558 (e) a funding request, including justification for the request.

559 (3) The ~~[Legislature]~~ Higher Education Appropriations Subcommittee shall:
560 (a) review a proposal submitted under this section using the following criteria:
561 (i) the proposal:
562 (A) contains the elements described in Subsection (2);
563 (B) expands the capacity to meet the projected demand described in Subsection (1)(a);
564 and
565 (C) has health care industry or institution support; and
566 (ii) the program of instruction described in the proposal:
567 (A) is cost effective;
568 (B) has support from the health care industry or an institution; and
569 (C) has high passage rates on exams required for licensure for a nursing profession;
570 (b) determine the extent to which to fund the proposal; and
571 (c) ~~[appropriate]~~ make an appropriation recommendation to the Legislature on the
572 amount of money determined under Subsection (3)(b) to the eligible program's institution.

573 (4) An institution that receives funding under this section shall use the funding to
574 increase the number of students enrolled in the eligible program for which the institution
575 receives funding.

576 (5) On or before November 1, 2020, and annually thereafter, the board shall report to
577 the Higher Education Appropriations Subcommittee on the elements described in Subsection
578 (2) for each eligible program funded under this section.

579 Section 15. Section **53E-1-201** is amended to read:
580 **53E-1-201. Reports to and action required of the Education Interim Committee.**
581 ~~[Reserved]~~

582 (1) In accordance with applicable provisions and Section [68-3-14](#), the following
583 recurring reports are due to the Education Interim Committee:
584 (a) the prioritized list of data research described in Section [35A-14-302](#) and the report
585 on research described in Section [35A-14-304](#) by the Utah Data Research Center;

- 586 (b) the report described in Section 53B-1-103 by the State Board of Regents on career
587 and technical education issues and addressing workforce needs;
- 588 (c) the report described in Section 53B-1-107 by the State Board of Regents on the
589 activities of the State Board of Regents;
- 590 (d) the report described in Section 53B-2a-104 by the Utah System of Technical
591 Colleges Board of Trustees on career and technical education issues;
- 592 (e) the State Superintendent's Annual Report by the state board described in Section
593 53E-1-203;
- 594 (f) at least once every five years, the report described in Section 53E-2-202 by the state
595 board on the 10-year plan for the state's public education system; and
- 596 (g) the report described in Sections 63N-12-208 by the STEM Action Center Board,
597 including the information described in Section 63N-12-213 on the status of the computer
598 science initiative and Section 63N-12-214 on the Computing Partnerships Grants Program.
- 599 (2) In accordance with applicable provisions and Section 68-3-14, the following
600 occasional reports are due to the Education Interim Committee:
- 601 (a) if required, the report described in Section 53E-4-309 by the state board explaining
602 the reasons for changing the grade level specification for the administration of specific
603 assessments;
- 604 (b) if required, the report described in Section 53E-5-210 by the state board of an
605 adjustment to the minimum level that demonstrates proficiency for each statewide assessment;
- 606 (c) the report described in Section 53E-10-702 by Utah Leading through Effective,
607 Actionable, and Dynamic Education;
- 608 (d) the report described in Section 53F-2-502 by the state board on the program
609 evaluation of the dual language immersion program;
- 610 (e) if required, the report described in Section 53F-2-513 by the state board evaluating
611 the effects of salary bonuses on the recruitment and retention of effective teachers in high
612 poverty schools;
- 613 (f) upon request, the report described in Section 53F-5-207 by the state board on the
614 Intergenerational Poverty Intervention Grants Program;
- 615 (g) the report described in Section 53F-5-210 by the state board on the Educational
616 Improvement Opportunities Outside of the Regular School Day Grant Program;

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

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

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

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

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

626 **53E-1-202. Reports to and action required of the Public Education**
 627 **Appropriations Subcommittee.**

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

630 (a) the State Superintendent's Annual Report by the state board described in Section
 631 53E-1-203; and

632 (b) the report by the STEM Action Center Board described in Section 63N-12-208,
 633 including the information described in Section 63N-12-213 on the status of the computer
 634 science initiative.

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

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

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

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

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

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

645 **53E-1-203. State Superintendent's Annual Report.**

646 (1) The state board shall prepare and submit to the governor, the Education Interim
 647 Committee, and the Public Education Appropriations Subcommittee, by November 15 of each

648 year, an annual written report known as the State Superintendent's Annual Report that includes:
649 (a) the operations, activities, programs, and services of the state board;
650 (b) subject to Subsection (4)(b), all reports listed in Subsection (4)(a); and
651 (c) data on the general condition of the schools with recommendations considered
652 desirable for specific programs, including:
653 (i) a complete statement of fund balances;
654 (ii) a complete statement of revenues by fund and source;
655 (iii) a complete statement of adjusted expenditures by fund, the status of bonded
656 indebtedness, the cost of new school plants, and school levies;
657 (iv) a complete statement of state funds allocated to each school district and charter
658 school by source, including supplemental appropriations, and a complete statement of
659 expenditures by each school district and charter school, including supplemental appropriations,
660 by function and object as outlined in the United States Department of Education publication
661 "Financial Accounting for Local and State School Systems";
662 (v) a statement that includes data on:
663 (A) fall enrollments;
664 (B) average membership;
665 (C) high school graduates;
666 (D) licensed and classified employees, including data reported by school districts on
667 educator ratings described in Section [53G-11-511](#);
668 (E) pupil-teacher ratios;
669 (F) average class sizes;
670 (G) average salaries;
671 (H) applicable private school data; and
672 (I) data from statewide assessments described in Section [53E-4-301](#) for each school
673 and school district;
674 (vi) statistical information regarding incidents of delinquent activity in the schools or at
675 school-related activities with separate categories for:
676 (A) alcohol and drug abuse;
677 (B) weapon possession;
678 (C) assaults; and

679 (D) arson;
680 (vii) information about:
681 (A) the development and implementation of the strategy of focusing on core
682 academics;
683 (B) the development and implementation of competency-based education and
684 progress-based assessments; and
685 (C) the results being achieved under Subsections (1)(c)(vii)(A) and (B), as measured by
686 individual progress-based assessments and a comparison of Utah students' progress with the
687 progress of students in other states using standardized norm-referenced tests as benchmarks;
688 and
689 (viii) other statistical and financial information about the school system that the state
690 superintendent considers pertinent.
691 (2) (a) For the purposes of Subsection (1)(c)(v):
692 (i) the pupil-teacher ratio for a school shall be calculated by dividing the number of
693 students enrolled in a school by the number of full-time equivalent teachers assigned to the
694 school, including regular classroom teachers, school-based specialists, and special education
695 teachers;
696 (ii) the pupil-teacher ratio for a school district shall be the median pupil-teacher ratio of
697 the schools within a school district;
698 (iii) the pupil-teacher ratio for charter schools aggregated shall be the median
699 pupil-teacher ratio of charter schools in the state; and
700 (iv) the pupil-teacher ratio for the state's public schools aggregated shall be the median
701 pupil-teacher ratio of public schools in the state.
702 (b) The report shall:
703 (i) include the pupil-teacher ratio for:
704 (A) each school district;
705 (B) the charter schools aggregated; and
706 (C) the state's public schools aggregated; and
707 (ii) identify a website where pupil-teacher ratios for each school in the state may be
708 accessed.
709 (3) For each operation, activity, program, or service provided by the state board, the

710 annual report shall include:

711 (a) a description of the operation, activity, program, or service;

712 (b) data and metrics:

713 (i) selected and used by the state board to measure progress, performance,

714 effectiveness, and scope of the operation, activity, program, or service, including summary
715 data; and

716 (ii) that are consistent and comparable for each state operation, activity, program, or
717 service;

718 (c) budget data, including the amount and source of funding, expenses, and allocation
719 of full-time employees for the operation, activity, program, or service;

720 (d) historical data from previous years for comparison with data reported under
721 Subsections (3)(b) and (c);

722 (e) goals, challenges, and achievements related to the operation, activity, program, or
723 service;

724 (f) relevant federal and state statutory references and requirements;

725 (g) contact information of officials knowledgeable and responsible for each operation,
726 activity, program, or service; and

727 (h) other information determined by the state board that:

728 (i) may be needed, useful, or of historical significance; or

729 (ii) promotes accountability and transparency for each operation, activity, program, or
730 service with the public and elected officials.

731 (4) (a) Except as provided in Subsection (4)(b), the annual report shall also include:

732 (i) the report described in Section [53E-3-507](#) by the state board on career and technical
733 education needs and program access;

734 (ii) through October 1, 2022, the report described in Section [53E-3-515](#) by the state
735 board on the Hospitality and Tourism Management Career and Technical Education Pilot
736 Program;

737 (iii) beginning on July 1, 2020, the report described in Section [53E-3-516](#) by the state
738 board on certain incidents that occur on school grounds;

739 (iv) the report described in Section [53E-4-202](#) by the state board on the development
740 and implementation of the core standards for Utah public schools;

741 (v) the report described in Section 53E-5-310 by the state board on school turnaround
742 and leadership development;

743 (vi) the report described in Section 53E-8-204 by the state board on the Utah Schools
744 for the Deaf and the Blind;

745 (vii) the report described in Section 53E-10-308 by the state board and State Board of
746 Regents on student participation in the concurrent enrollment program;

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

749 (ix) the report described in Section 53F-2-503 by the state board on early literacy;

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

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

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

755 (A) the Student Access to High Quality School Readiness Programs Grant Program;

756 (B) the home-based technology high quality school readiness program;

757 (C) the Intergenerational Poverty School Readiness Scholarship Program; and

758 (D) early childhood teacher training;

759 (xiii) the report described in Section 53F-5-405 by an independent evaluator of a
760 partnership that receives a grant to improve educational outcomes for students who are low
761 income;

762 (xiv) the report described in Section 53F-5-506 by the state board on information
763 related to competency-based education;

764 (xv) the report described in Section 53G-9-802 by the state board on dropout
765 prevention and recovery services; and

766 (xvi) the report described in Section 53G-10-204 by the state board on methods used,
767 and the results being achieved, to instruct and prepare students to become informed and
768 responsible citizens.

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

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

774 (6) The state board shall:

775 (a) submit the annual report in accordance with Section 68-3-14; and

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

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

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

785 Section 18. Section **53E-3-301** is amended to read:

786 **53E-3-301. Appointment -- Qualifications -- Duties.**

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

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

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

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

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

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

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

802 (d) model remediation programs;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

834 ~~[(vi) a statement that includes data on:]~~
835 ~~[(A) fall enrollments;]~~
836 ~~[(B) average membership;]~~
837 ~~[(C) high school graduates;]~~
838 ~~[(D) licensed and classified employees, including data reported by school districts on~~
839 ~~educator ratings pursuant to Section 53G-11-511;]~~
840 ~~[(E) pupil-teacher ratios;]~~
841 ~~[(F) average class sizes;]~~
842 ~~[(G) average salaries;]~~
843 ~~[(H) applicable private school data; and]~~
844 ~~[(I) data from statewide assessments described in Section 53E-4-301 for each school~~
845 ~~and school district;]~~
846 ~~[(vii) statistical information regarding incidents of delinquent activity in the schools or~~
847 ~~at school-related activities with separate categories for:]~~
848 ~~[(A) alcohol and drug abuse;]~~
849 ~~[(B) weapon possession;]~~
850 ~~[(C) assaults; and]~~
851 ~~[(D) arson;]~~
852 ~~[(viii) information about:]~~
853 ~~[(A) the development and implementation of the strategy of focusing on core~~
854 ~~academics;]~~
855 ~~[(B) the development and implementation of competency-based education and~~
856 ~~progress-based assessments; and]~~
857 ~~[(C) the results being achieved under Subsections (3)(d)(viii)(A) and (B), as measured~~
858 ~~by individual progress-based assessments and a comparison of Utah students' progress with the~~
859 ~~progress of students in other states using standardized norm-referenced tests as benchmarks;~~
860 ~~and]~~
861 ~~[(ix) other statistical and financial information about the school system that the state~~
862 ~~superintendent considers pertinent;]~~
863 ~~[(e)] (d) collecting and organizing education data into an automated decision support~~
864 ~~system to facilitate school district and school improvement planning, accountability reporting,~~

865 performance recognition, and the evaluation of educational policy and program effectiveness to
866 include:

867 (i) data that are:

868 (A) comparable across schools and school districts;

869 (B) appropriate for use in longitudinal studies; and

870 (C) comprehensive with regard to the data elements required under applicable state or
871 federal law or State Board of Education rule;

872 (ii) features that enable users, most particularly school administrators, teachers, and
873 parents, to:

874 (A) retrieve school and school district level data electronically;

875 (B) interpret the data visually; and

876 (C) draw conclusions that are statistically valid; and

877 (iii) procedures for the collection and management of education data that:

878 (A) require the state superintendent to:

879 (I) collaborate with school districts and charter schools in designing and implementing
880 uniform data standards and definitions;

881 (II) undertake or sponsor research to implement improved methods for analyzing
882 education data;

883 (III) provide for data security to prevent unauthorized access to or contamination of the
884 data; and

885 (IV) protect the confidentiality of data under state and federal privacy laws; and

886 (B) require all school districts and schools to comply with the data collection and
887 management procedures established under Subsection (3)~~(c)~~(d);

888 ~~(f)~~ (e) administering and implementing federal educational programs in accordance
889 with Part 8, Implementing Federal or National Education Programs; and

890 ~~(g)~~ (f) with the approval of the State Board of Education, preparing and submitting to
891 the governor a budget for the State Board of Education to be included in the budget that the
892 governor submits to the Legislature.

893 (4) The state superintendent shall distribute funds deposited in the Autism Awareness
894 Restricted Account created in Section 53F-9-401 in accordance with the requirements of
895 Section 53F-9-401.

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

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

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

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

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

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

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

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

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

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

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

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

917 Section 19. Section **53E-3-507** is amended to read:

918 **53E-3-507. Powers of the board.**

919 The State Board of Education:

920 (1) shall establish minimum standards for career and technical education programs in
921 the public education system;

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

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

926 (4) shall cooperate with the Utah System of Technical Colleges Board of Trustees, Salt

927 Lake Community College's School of Applied Technology, Snow College, and Utah State
928 University Eastern to ensure that students in the public education system have access to career
929 and technical education at Utah System of Technical Colleges technical colleges, Salt Lake
930 Community College's School of Applied Technology, Snow College, and Utah State University
931 Eastern;

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

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

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

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

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

948 (b) the access secondary students have to programs offered:

949 (i) at technical colleges; and

950 (ii) within the regions served by Salt Lake Community College's School of Applied
951 Technology, Snow College, and Utah State University Eastern.

952 Section 20. Section **53E-3-515** is amended to read:

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

955 (1) As used in this section:

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

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

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

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

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

- 965 (i) hospitality soft skills;
- 966 (ii) operational areas of the hospitality industry;
- 967 (iii) sales and marketing; and
- 968 (iv) safety and security; and

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

- 971 (i) hospitality leadership skills;
- 972 (ii) operational leadership;
- 973 (iii) managing food and beverage operations; and
- 974 (iv) managing business operations.

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

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

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

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

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

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

987 (6) The board shall evaluate the pilot program and provide an annual written report [~~to~~
988 ~~the Education Interim Committee~~] in accordance with Section 53E-1-203 and to the Economic

989 Development and Workforce Services Interim Committee on or before October 1 describing:

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

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

993 Section 21. Section **53E-3-516** is amended to read:

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

996 (1) As used in this section:

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

999 (b) "Law enforcement agency" means the same as that term is defined in Section
1000 [77-7a-103](#).

1001 (c) "Minor" means the same as that term is defined in Section [53G-6-201](#).

1002 (d) "Other law enforcement activity" means a significant law enforcement interaction
1003 with a minor that does not result in an arrest, including:

- 1004 (i) a search and seizure by an SRO;
- 1005 (ii) issuance of a criminal citation;
- 1006 (iii) issuance of a ticket or summons;
- 1007 (iv) filing a delinquency petition; or
- 1008 (v) referral to a probation officer.

1009 (e) "School is in session" means the hours of a day during which a public school
1010 conducts instruction for which student attendance is counted toward calculating average daily
1011 membership.

1012 (f) (i) "School-sponsored activity" means an activity, fundraising event, club, camp,
1013 clinic, or other event or activity that is authorized by a specific public school, according to local
1014 board policy, and satisfies at least one of the following conditions:

- 1015 (A) the activity is managed or supervised by a school district, public school, or public
1016 school employee;
- 1017 (B) the activity uses the school district or public school facilities, equipment, or other
1018 school resources; or
- 1019 (C) the activity is supported or subsidized, more than inconsequentially, by public

1020 funds, including the public school's activity funds or minimum school program dollars.

1021 (ii) "School-sponsored activity" includes preparation for and involvement in a public
1022 performance, contest, athletic competition, demonstration, display, or club activity.

1023 (g) "Student resource officer" or "SRO" means the same as that term is defined in
1024 Section [53G-8-701](#).

1025 (2) Beginning on July 1, 2020, the State Board of Education, in collaboration with
1026 school districts, charter schools, and law enforcement agencies, shall develop an annual report
1027 regarding the following incidents that occur on school grounds while school is in session or
1028 during a school-sponsored activity:

1029 (a) arrests of a minor;

1030 (b) other law enforcement activities; and

1031 (c) disciplinary actions.

1032 (3) The report described in Subsection (2) shall include the following information by
1033 school district and charter school:

1034 (a) the number of arrests of a minor, including the reason why the minor was arrested;

1035 (b) the number of other law enforcement activities, including the following information
1036 for each incident:

1037 (i) the reason for the other law enforcement activity; and

1038 (ii) the type of other law enforcement activity used;

1039 (c) the number of disciplinary actions imposed, including:

1040 (i) the reason for the disciplinary action; and

1041 (ii) the type of disciplinary action; and

1042 (d) the number of SROs employed.

1043 (4) The report described in Subsection (2) shall include the following information, in
1044 aggregate, for each element described in Subsections (3)(a) through (c):

1045 (a) age;

1046 (b) grade level;

1047 (c) race;

1048 (d) sex; and

1049 (e) disability status.

1050 (5) Information included in the annual report described in Subsection (2) shall comply

1051 with:

1052 (a) Chapter 9, Part 3, Student Data Protection Act;

1053 (b) Chapter 9, Part 2, Student Privacy; and

1054 (c) the Family Education Rights and Privacy Act, 20 U.S.C. Secs. 1232g and 1232h.

1055 (6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
1056 State Board of Education shall make rules to compile the report described in Subsection (2).

1057 (7) The State Board of Education shall provide the report described in Subsection (2)

1058 [~~to the Education Interim Committee before November 1 of each year~~] in accordance with

1059 Section 53E-1-203 for incidents that occurred during the previous school year.

1060 Section 22. Section **53E-4-202** is amended to read:

1061 **53E-4-202. Core standards for Utah public schools.**

1062 (1) (a) In establishing minimum standards related to curriculum and instruction
1063 requirements under Section 53E-3-501, the State Board of Education shall, in consultation with
1064 local school boards, school superintendents, teachers, employers, and parents implement core
1065 standards for Utah public schools that will enable students to, among other objectives:

1066 (i) communicate effectively, both verbally and through written communication;

1067 (ii) apply mathematics; and

1068 (iii) access, analyze, and apply information.

1069 (b) Except as provided in this public education code, the State Board of Education may
1070 recommend but may not require a local school board or charter school governing board to use:

1071 (i) a particular curriculum or instructional material; or

1072 (ii) a model curriculum or instructional material.

1073 (2) The State Board of Education shall, in establishing the core standards for Utah
1074 public schools:

1075 (a) identify the basic knowledge, skills, and competencies each student is expected to
1076 acquire or master as the student advances through the public education system; and

1077 (b) align with each other the core standards for Utah public schools and the
1078 assessments described in Section 53E-4-303.

1079 (3) The basic knowledge, skills, and competencies identified pursuant to Subsection
1080 (2)(a) shall increase in depth and complexity from year to year and focus on consistent and
1081 continual progress within and between grade levels and courses in the basic academic areas of:

- 1082 (a) English, including explicit phonics, spelling, grammar, reading, writing,
1083 vocabulary, speech, and listening; and
- 1084 (b) mathematics, including basic computational skills.
- 1085 (4) Before adopting core standards for Utah public schools, the State Board of
1086 Education shall:
- 1087 (a) publicize draft core standards for Utah public schools on the State Board of
1088 Education's website and the Utah Public Notice website created under Section [63F-1-701](#);
- 1089 (b) invite public comment on the draft core standards for Utah public schools for a
1090 period of not less than 90 days; and
- 1091 (c) conduct three public hearings that are held in different regions of the state on the
1092 draft core standards for Utah public schools.
- 1093 (5) Local school boards shall design their school programs, that are supported by
1094 generally accepted scientific standards of evidence, to focus on the core standards for Utah
1095 public schools with the expectation that each program will enhance or help achieve mastery of
1096 the core standards for Utah public schools.
- 1097 (6) Except as provided in Section [53G-10-402](#), each school may select instructional
1098 materials and methods of teaching, that are supported by generally accepted scientific standards
1099 of evidence, that the school considers most appropriate to meet the core standards for Utah
1100 public schools.
- 1101 (7) The state may exit any agreement, contract, memorandum of understanding, or
1102 consortium that cedes control of the core standards for Utah public schools to any other entity,
1103 including a federal agency or consortium, for any reason, including:
- 1104 (a) the cost of developing or implementing the core standards for Utah public schools;
1105 (b) the proposed core standards for Utah public schools are inconsistent with
1106 community values; or
- 1107 (c) the agreement, contract, memorandum of understanding, or consortium:
- 1108 (i) was entered into in violation of Chapter 3, Part 8, Implementing Federal or National
1109 Education Programs, or Title 63J, Chapter 5, Federal Funds Procedures Act;
- 1110 (ii) conflicts with Utah law;
- 1111 (iii) requires Utah student data to be included in a national or multi-state database;
- 1112 (iv) requires records of teacher performance to be included in a national or multi-state

1113 database; or

1114 (v) imposes curriculum, assessment, or data tracking requirements on home school or
1115 private school students.

1116 (8) The State Board of Education shall [~~annually report to the Education Interim~~
1117 ~~Committee~~] submit a report in accordance with Section 53E-1-203 on the development and
1118 implementation of the core standards for Utah public schools, including the time line
1119 established for the review of the core standards for Utah public schools by a standards review
1120 committee and the recommendations of a standards review committee established under
1121 Section 53E-4-203.

1122 Section 23. Section 53E-4-309 is amended to read:

1123 **53E-4-309. Grade level specification change.**

1124 (1) The board may change a grade level specification for the administration of specific
1125 assessments under this part to a different grade level specification or a competency-based
1126 specification if the specification is more consistent with patterns of school organization.

1127 (2) (a) If the board changes a grade level specification described in Subsection (1), the
1128 board shall submit a report to the [~~Legislature~~] Education Interim Committee explaining the
1129 reasons for changing the grade level specification.

1130 (b) The board shall submit the report at least six months before the anticipated change.

1131 Section 24. Section 53E-5-310 is amended to read:

1132 **53E-5-310. Reporting requirement.**

1133 [~~On or before November 30 of each year,~~] In accordance with Section 53E-1-203, the
1134 board shall report [~~to the Education Interim Committee~~] on the provisions of this part.

1135 Section 25. Section 53E-8-204 is amended to read:

1136 **53E-8-204. Authority of the State Board of Education -- Rulemaking --**

1137 **Superintendent -- Advisory Council.**

1138 (1) The State Board of Education is the governing board of the Utah Schools for the
1139 Deaf and the Blind.

1140 (2) (a) The board shall appoint a superintendent for the Utah Schools for the Deaf and
1141 the Blind.

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

1144 of the superintendent for the Utah Schools for the Deaf and the Blind.

1145 (3) The superintendent shall:

1146 (a) subject to the approval of the board, appoint an associate superintendent to
1147 administer the Utah School for the Deaf based on:

1148 (i) demonstrated competency as an expert educator of deaf persons; and

1149 (ii) knowledge of school management and the instruction of deaf persons;

1150 (b) subject to the approval of the board, appoint an associate superintendent to
1151 administer the Utah School for the Blind based on:

1152 (i) demonstrated competency as an expert educator of blind persons; and

1153 (ii) knowledge of school management and the instruction of blind persons, including an
1154 understanding of the unique needs and education of deafblind persons.

1155 (4) (a) The board shall:

1156 (i) establish an Advisory Council for the Utah Schools for the Deaf and the Blind and
1157 appoint no more than 11 members to the advisory council;

1158 (ii) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
1159 Rulemaking Act, regarding the operation of the advisory council; and

1160 (iii) receive and consider the advice and recommendations of the advisory council but
1161 is not obligated to follow the recommendations of the advisory council.

1162 (b) The advisory council described in Subsection (4)(a) shall include at least:

1163 (i) two members who are blind;

1164 (ii) two members who are deaf; and

1165 (iii) two members who are deafblind or parents of a deafblind child.

1166 (5) The board shall approve the annual budget and expenditures of the Utah Schools
1167 for the Deaf and the Blind.

1168 (6) (a) [~~On or before the November interim meeting each year, the~~] The board shall
1169 submit a report [to the Education Interim Committee] in accordance with Section [53E-1-203](#) on
1170 the Utah Schools for the Deaf and the Blind.

1171 (b) The board shall ensure that the report described in Subsection (6)(a) includes:

1172 (i) a financial report;

1173 (ii) a report on the activities of the superintendent and associate superintendents;

1174 (iii) a report on activities to involve parents and constituency and advocacy groups in

1175 the governance of the school; and

1176 (iv) a report on student achievement, including:

1177 (A) longitudinal student achievement data for both current and previous students served
1178 by the Utah Schools for the Deaf and the Blind;

1179 (B) graduation rates; and

1180 (C) a description of the educational placement of students exiting the Utah Schools for
1181 the Deaf and the Blind.

1182 Section 26. Section **53E-10-308** is amended to read:

1183 **53E-10-308. Reporting.**

1184 The State Board of Education and the State Board of Regents shall submit an annual
1185 written report to the Higher Education Appropriations Subcommittee and [~~the Public Education~~
1186 ~~Appropriations Subcommittee~~] in accordance with Section [53E-1-203](#) on student participation
1187 in the concurrent enrollment program, including:

1188 (1) data on the higher education tuition not charged due to the hours of higher
1189 education credit granted through concurrent enrollment;

1190 (2) tuition or fees charged under Section [53E-10-305](#);

1191 (3) an accounting of the money appropriated for concurrent enrollment; and

1192 (4) a justification of the distribution method described in Subsections [53F-2-409\(3\)\(d\)](#)
1193 and (e).

1194 Section 27. Section **53E-10-702** is amended to read:

1195 **53E-10-702. ULEAD established -- Duties -- Funding.**

1196 There is created the Utah Leading through Effective, Actionable, and Dynamic
1197 Education, a collaborative effort in research and innovation between the director, participating
1198 institutions, and education leaders to:

1199 (1) gather and explain current education research in an electronic research
1200 clearinghouse for use by practitioners;

1201 (2) initiate and disseminate research reports on innovative and successful practices by
1202 Utah LEAs, and guided by the steering committee, practitioners, and policymakers;

1203 (3) promote statewide innovation and collaboration by:

1204 (a) identifying experts in areas of practice;

1205 (b) conducting conferences, webinars, and online forums for practitioners; and

1206 (c) facilitating direct collaboration between schools; and
1207 (4) (a) report to the [~~Legislature~~] Education Interim Committee and policymakers on
1208 innovative and successful K-12 practices; and

1209 (b) in the report, propose policy changes to remove barriers to implementation of
1210 successful practices.

1211 Section 28. Section **53E-10-703** is amended to read:

1212 **53E-10-703. ULEAD director -- Qualification and employment -- Duties --**
1213 **Reporting -- Annual conference.**

1214 (1) The ULEAD director shall:

1215 (a) (i) hold a doctorate degree in education or an equivalent degree; and
1216 (ii) have demonstrated experience in research and dissemination of best practices in
1217 education; and

1218 (b) (i) be a full-time employee; and
1219 (ii) report to the state superintendent of public instruction.

1220 (2) The state superintendent shall:

1221 (a) evaluate the director's performance annually;
1222 (b) report on the director's performance to the selection committee; and
1223 (c) provide space for the director and the director's staff.

1224 (3) The director may hire staff, using only money specifically appropriated to ULEAD.

1225 (4) The director shall perform the following duties and functions:

1226 (a) gather current research on innovative and effective practices in K-12 education for
1227 use by policymakers and practitioners;

1228 (b) facilitate collaboration between LEAs, higher education researchers, and
1229 practitioners by:

1230 (i) sharing innovative and effective practices shown to improve student learning;

1231 (ii) identifying experts in specific areas of practice; and

1232 (iii) maintaining a research clearinghouse and directory of researchers; and

1233 (c) analyze barriers to replication or adaption of innovative and successful practices
1234 studied by ULEAD or contributed to the ULEAD research clearinghouse.

1235 (5) The director shall:

1236 (a) prioritize reports and other research based on recommendations of the steering

1237 committee in accordance with Subsection 53E-10-707(5), and after consulting with individuals
1238 described in Subsection 53E-10-707(6);

1239 (b) identify Utah LEAs, or schools outside the public school system, that are:

1240 (i) innovative in specific areas of practice; and

1241 (ii) more effective or efficient than comparable LEAs in improving student learning;

1242 (c) establish criteria for innovative practice reports to be performed by participating
1243 institutions and included in the research clearinghouse, including report templates;

1244 (d) arrange with participating institutions to generate innovative practice reports on
1245 effective and innovative K-12 education practices; and

1246 (e) (i) disseminate each innovative practice report to LEAs; and

1247 (ii) publish innovative practice reports on the ULEAD website.

1248 (6) In an innovative practice report, a participating institution shall:

1249 (a) include or reference a review of research regarding the practice in which the subject
1250 LEA has demonstrated success;

1251 (b) identify through academically acceptable, evidence-based research methods the
1252 causes of the LEA's successful practice;

1253 (c) identify opportunities for LEAs to adopt or customize innovative or best practices;

1254 (d) address limitations to successful replication or adaptation of the successful practice
1255 by other LEAs, which may include barriers arising from federal or state law, state or LEA
1256 policy, socioeconomic conditions, or funding limitations;

1257 (e) include practical templates for successful replication and adaptation of successful
1258 practices, following criteria established by the director;

1259 (f) identify experts in the successful practice that is the subject of the innovative
1260 practice report, including teachers or administrators at the subject LEA; and

1261 (g) include:

1262 (i) an executive summary describing the innovative practice report; and

1263 (ii) a video component or other elements designed to ensure that an innovative practice
1264 report is readily understandable by practitioners.

1265 (7) The director may, if requested by an LEA leader or policymaker, conduct an
1266 evidence-based review of a possible innovation in an area of practice.

1267 (8) The director may also accept innovative practice reports from trained practitioners

1268 that meet the criteria set by the director.

1269 (9) The director or a participating institution, to enable successful replication or
1270 adaption of successful practices, may recommend to:

1271 (a) the Legislature, amendments to state law; or

1272 (b) the board, revisions to board rule or policy.

1273 (10) The director shall:

1274 (a) report on the activities of ULEAD annually to the board; and

1275 (b) provide reports or other information to the board upon board request.

1276 (11) The director shall:

1277 (a) prepare an annual report on ULEAD research and other activities;

1278 (b) ~~[on or before September 30, submit the annual report:]~~

1279 ~~[(i) to the Education Interim Committee and the Public Education Appropriations~~

1280 ~~Subcommittee; and]~~

1281 ~~[(ii) in accordance with Section 68-3-14;]~~ submit the report in accordance with Section

1282 53E-1-203;

1283 (c) publish the annual report on the ULEAD website; and

1284 (d) disseminate the report to LEAs through electronic channels.

1285 (12) The director shall facilitate and conduct an annual conference on successful and
1286 innovative K-12 education practices, featuring:

1287 (a) Utah education leaders; and

1288 (b) practitioners and researchers, chosen by the director, to discuss the subjects of LEA
1289 and other ULEAD activities, or other innovative and successful education practices.

1290 Section 29. Section **53F-2-309** is amended to read:

1291 **53F-2-309. Appropriation for intensive special education costs.**

1292 (1) As used in this section:

1293 (a) "Board" means the State Board of Education.

1294 (b) "Local education agency" or "LEA" means:

1295 (i) a school district;

1296 (ii) a charter school; or

1297 (iii) the Utah Schools for the Deaf and the Blind.

1298 (2) (a) ~~[On or before February 1, 2017, the]~~ The board shall, in accordance with Title

1299 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules establishing a distribution
1300 formula to allocate money appropriated to the board for Special Education -- Intensive Services
1301 that allocate to an LEA:

1302 (i) 50% of the appropriation based on the highest cost students with disabilities; and

1303 (ii) 50% of the appropriation based on the highest impact to an LEA due to high cost
1304 students with disabilities.

1305 (b) [~~Beginning with the 2017-18 school year, the~~] The board shall allocate money
1306 appropriated to the board for Special Education -- Intensive Services in accordance with rules
1307 described in Subsection (2)(a).

1308 [~~(3) Before initiating the rulemaking process under Subsection (2)(a), the board shall~~
1309 ~~present the proposed rule to the Public Education Appropriations Subcommittee or Education~~
1310 ~~Interim Committee.~~]

1311 Section 30. Section **53F-2-503** is amended to read:

1312 **53F-2-503. Early Literacy Program -- Literacy proficiency plan.**

1313 (1) As used in this section:

1314 (a) "Board" means the State Board of Education.

1315 (b) "Program" means the Early Literacy Program.

1316 (c) "Program money" means:

1317 (i) school district revenue allocated to the program from other money available to the
1318 school district, except money provided by the state, for the purpose of receiving state funds
1319 under this section; and

1320 (ii) money appropriated by the Legislature to the program.

1321 (2) The Early Literacy Program consists of program money and is created to
1322 supplement other school resources for early literacy.

1323 (3) Subject to future budget constraints, the Legislature may annually appropriate
1324 money to the Early Literacy Program.

1325 (4) (a) A local education board of a school district or a charter school that serves
1326 students in any of grades kindergarten through grade 3 shall submit a plan to the board for
1327 literacy proficiency improvement that incorporates the following components:

1328 (i) core instruction in:

1329 (A) phonological awareness;

- 1330 (B) phonics;
- 1331 (C) fluency;
- 1332 (D) comprehension;
- 1333 (E) vocabulary;
- 1334 (F) oral language; and
- 1335 (G) writing;
- 1336 (ii) intervention strategies that are aligned to student needs;
- 1337 (iii) professional development for classroom teachers, literacy coaches, and
- 1338 interventionists in kindergarten through grade 3;
- 1339 (iv) assessments that support adjustments to core and intervention instruction;
- 1340 (v) a growth goal for the school district or charter school that:
- 1341 (A) is based upon student learning gains as measured by benchmark assessments
- 1342 administered pursuant to Section [53E-4-307](#); and
- 1343 (B) includes a target of at least 60% of all students in grades 1 through 3 meeting the
- 1344 growth goal;
- 1345 (vi) at least two goals that are specific to the school district or charter school that:
- 1346 (A) are measurable;
- 1347 (B) address current performance gaps in student literacy based on data; and
- 1348 (C) include specific strategies for improving outcomes; and
- 1349 (vii) if a school uses interactive literacy software, the use of interactive literacy
- 1350 software, including early interactive reading software described in Section [53F-4-203](#).
- 1351 (b) A local education board shall approve a plan described in Subsection (4)(a) in a
- 1352 public meeting before submitting the plan to the board.
- 1353 (c) The board shall provide model plans that a local education board may use, or a
- 1354 local education board may develop the local education board's own plan.
- 1355 (d) A plan developed by a local education board shall be approved by the board.
- 1356 (e) The board shall develop uniform standards for acceptable growth goals that a local
- 1357 education board adopts for a school district or charter school as described in this Subsection
- 1358 (4).
- 1359 (5) (a) There are created within the Early Literacy Program three funding programs:
- 1360 (i) the Base Level Program;

- 1361 (ii) the Guarantee Program; and
1362 (iii) the Low Income Students Program.
- 1363 (b) The board may use up to \$7,500,000 from an appropriation described in Subsection
1364 (3) for computer-assisted instructional learning and assessment programs.
- 1365 (6) Money appropriated to the board for the Early Literacy Program and not used by the
1366 board for computer-assisted instructional learning and assessments described in Subsection
1367 (5)(b) shall be allocated to the three funding programs as follows:
- 1368 (a) 8% to the Base Level Program;
1369 (b) 46% to the Guarantee Program; and
1370 (c) 46% to the Low Income Students Program.
- 1371 (7) (a) For a school district or charter school to participate in the Base Level Program,
1372 the local education board shall submit a plan described in Subsection (4) and shall receive
1373 approval of the plan from the board.
- 1374 (b) (i) The local school board of a school district qualifying for Base Level Program
1375 funds and the governing boards of qualifying elementary charter schools combined shall
1376 receive a base amount.
- 1377 (ii) The base amount for the qualifying elementary charter schools combined shall be
1378 allocated among each charter school in an amount proportionate to:
- 1379 (A) each existing charter school's prior year fall enrollment in grades kindergarten
1380 through grade 3; and
- 1381 (B) each new charter school's estimated fall enrollment in grades kindergarten through
1382 grade 3.
- 1383 (8) (a) A local school board that applies for program money in excess of the Base Level
1384 Program funds may choose to first participate in the Guarantee Program or the Low Income
1385 Students Program.
- 1386 (b) A school district shall fully participate in either the Guarantee Program or the Low
1387 Income Students Program before the local school board may elect for the school district to
1388 either fully or partially participate in the other program.
- 1389 (c) For a school district to fully participate in the Guarantee Program, the local school
1390 board shall allocate to the program money available to the school district, except money
1391 provided by the state, equal to the amount of revenue that would be generated by a tax rate of

1392 .000056.

1393 (d) For a school district to fully participate in the Low Income Students Program, the
1394 local school board shall allocate to the program money available to the school district, except
1395 money provided by the state, equal to the amount of revenue that would be generated by a tax
1396 rate of .000065.

1397 (e) (i) The board shall verify that a local school board allocates the money required in
1398 accordance with Subsections (8)(c) and (d) before the board distributes funds in accordance
1399 with this section.

1400 (ii) The State Tax Commission shall provide the board the information the board needs
1401 in order to comply with Subsection (8)(e)(i).

1402 (9) (a) Except as provided in Subsection (9)(c), the local school board of a school
1403 district that fully participates in the Guarantee Program shall receive state funds in an amount
1404 that is:

1405 (i) equal to the difference between \$21 multiplied by the school district's total WPU's
1406 and the revenue the local school board is required to allocate under Subsection (8)(c) for the
1407 school district to fully participate in the Guarantee Program; and

1408 (ii) not less than \$0.

1409 (b) Except as provided in Subsection (9)(c), an elementary charter school shall receive
1410 under the Guarantee Program an amount equal to \$21 times the elementary charter school's
1411 total WPU's.

1412 (c) The board may adjust the \$21 guarantee amount described in Subsections (9)(a) and
1413 (b) to account for actual appropriations and money used by the board for computer-assisted
1414 instructional learning and assessments.

1415 (10) The board shall distribute Low Income Students Program funds in an amount
1416 proportionate to the number of students in each school district or charter school who qualify for
1417 free or reduced price school lunch multiplied by two.

1418 (11) A school district that partially participates in the Guarantee Program or Low
1419 Income Students Program shall receive program funds based on the amount of school district
1420 revenue allocated to the program as a percentage of the amount of revenue that could have been
1421 allocated if the school district had fully participated in the program.

1422 (12) (a) A local education board shall use program money for early literacy

1423 interventions and supports in kindergarten through grade 3 that have proven to significantly
1424 increase the percentage of students who are proficient in literacy, including:

1425 (i) evidence-based intervention curriculum;

1426 (ii) literacy assessments that identify student learning needs and monitor learning

1427 progress; or

1428 (iii) focused literacy interventions that may include:

1429 (A) the use of reading specialists or paraprofessionals;

1430 (B) tutoring;

1431 (C) before or after school programs;

1432 (D) summer school programs; or

1433 (E) the use of interactive computer software programs for literacy instruction and

1434 assessments for students.

1435 (b) A local education board may use program money for portable technology devices
1436 used to administer literacy assessments.

1437 (c) Program money may not be used to supplant funds for existing programs, but may
1438 be used to augment existing programs.

1439 (13) (a) A local education board shall annually submit a report to the board accounting
1440 for the expenditure of program money in accordance with the local education board's plan
1441 described in Subsection (4).

1442 (b) If a local education board uses program money in a manner that is inconsistent with
1443 Subsection (12), the school district or charter school is liable for reimbursing the board for the
1444 amount of program money improperly used, up to the amount of program money received from
1445 the board.

1446 (14) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1447 the board shall make rules to implement the program.

1448 (b) (i) The rules under Subsection (14)(a) shall require each local education board to
1449 annually report progress in meeting goals described in Subsections (4)(a)(v) and (vi), including
1450 the strategies the school district or charter school uses to address the goals.

1451 (ii) If a school district or charter school does not meet or exceed the school district's or
1452 charter school's goals described in Subsection (4)(a)(v) or (vi), the local education board shall
1453 prepare a new plan that corrects deficiencies.

1454 (iii) The new plan described in Subsection (14)(b)(ii) shall be approved by the board
1455 before the local education board receives an allocation for the next year.

1456 (15) (a) The board shall:

1457 (i) develop strategies to provide support for a school district or charter school that fails
1458 to meet a goal described in Subsection (4)(a)(v) or (vi); and

1459 (ii) provide increasing levels of support to a school district or charter school that fails
1460 to meet a goal described in Subsection (4)(a)(v) or (vi) for two consecutive years.

1461 (b) (i) The board shall use a digital reporting platform to provide information to school
1462 districts and charter schools about interventions that increase proficiency in literacy.

1463 (ii) The digital reporting platform shall include performance information for a school
1464 district or charter school on the goals described in Subsection (4)(a)(v) and (vi).

1465 (16) The board may use up to 3% of the funds appropriated by the Legislature to carry
1466 out the provisions of this section for administration of the program.

1467 (17) The board shall make an annual report [~~to the Public Education Appropriations~~
1468 ~~Subcommittee~~] in accordance with Section 53E-1-203 that:

1469 (a) includes information on:

1470 (i) student learning gains in early literacy for the past school year and the five-year
1471 trend;

1472 (ii) the percentage of grade 3 students who are proficient in English language arts in the
1473 past school year and the five-year trend;

1474 (iii) the progress of school districts and charter schools in meeting goals described in a
1475 plan described in Subsection (4)(a); and

1476 (iv) the specific strategies or interventions used by school districts or charter schools
1477 that have significantly improved early grade literacy proficiency; and

1478 (b) may include recommendations on how to increase the percentage of grade 3
1479 students who are proficient in English language arts, including how to use a strategy or
1480 intervention described in Subsection (17)(a)(iv) to improve literacy proficiency for additional
1481 students.

1482 (18) The report described in Subsection (17) shall include information provided
1483 through the digital reporting platform described in Subsection (15)(b).

1484 Section 31. Section **53F-2-508** is amended to read:

1485 **53F-2-508. Student Leadership Skills Development Program.**

1486 (1) For purposes of this section:

1487 (a) "Board" means the State Board of Education.

1488 (b) "Program" means the Student Leadership Skills Development Program created in

1489 Subsection (2).

1490 (2) There is created the Student Leadership Skills Development Program to develop

1491 student behaviors and skills that enhance a school's learning environment and are vital for

1492 success in a career, including:

1493 (a) communication skills;

1494 (b) teamwork skills;

1495 (c) interpersonal skills;

1496 (d) initiative and self-motivation;

1497 (e) goal setting skills;

1498 (f) problem solving skills; and

1499 (g) creativity.

1500 (3) (a) The board shall administer the program and award grants to elementary schools

1501 that apply for a grant on a competitive basis.

1502 (b) The board may award a grant of:

1503 (i) up to \$10,000 per school for the first year a school participates in the program; and

1504 (ii) up to \$20,000 per school for subsequent years a school participates in the program.

1505 (c) (i) After awarding a grant to a school for a particular year, the board may not

1506 change the grant amount awarded to the school for that year.

1507 (ii) The board may award a school a different amount in subsequent years.

1508 (4) An elementary school may participate in the program established under this section

1509 in accordance with State Board of Education rules, made in accordance with Title 63G,

1510 Chapter 3, Utah Administrative Rulemaking Act.

1511 (5) In selecting elementary schools to participate in the program, the board shall:

1512 (a) require a school in the first year the school participates in the program to provide

1513 matching funds or an in-kind contribution of goods or services in an amount equal to the grant

1514 the school receives from the board;

1515 (b) require a school to participate in the program for two years; and

1516 (c) give preference to Title I schools or schools in need of academic improvement.

1517 (6) The board shall make the following information related to the grants described in

1518 Subsection (3) publicly available on the board's website:

1519 (a) reimbursement procedures that clearly define how a school may spend grant money

1520 and how the board will reimburse the school;

1521 (b) the period of time a school is permitted to spend grant money;

1522 (c) criteria for selecting a school to receive a grant; and

1523 (d) a list of schools that receive a grant and the amount of each school's grant.

1524 (7) A school that receives a grant described in Subsection (3) shall:

1525 (a) (i) set school-wide goals for the school's student leadership skills development

1526 program; and

1527 (ii) require each student to set personal goals; and

1528 (b) provide the following to the board after the first school year of implementation of

1529 the program:

1530 (i) evidence that the grant money was used for the purpose of purchasing or developing

1531 the school's own student leadership skills development program; and

1532 (ii) a report on the effectiveness and impact of the school's student leadership skills

1533 development program on student behavior and academic results as measured by:

1534 (A) a reduction in truancy;

1535 (B) assessments of academic achievement;

1536 (C) a reduction in incidents of student misconduct or disciplinary actions; and

1537 (D) the achievement of school-wide goals and students' personal goals.

1538 (8) After participating in the program for two years, a school may not receive

1539 additional grant money in subsequent years if the school fails to demonstrate an improvement

1540 in student behavior and academic achievement as measured by the data reported under

1541 Subsection (7)(b).

1542 ~~[(9) (a) The board shall make a report on the program to the Education Interim~~
1543 ~~Committee by the committee's October 2016 meeting.]~~

1544 ~~[(b) The report shall include an evaluation of the program's success in enhancing a~~
1545 ~~school's learning environment and improving academic achievement.]~~

1546 Section 32. Section **53F-2-510** is amended to read:

- 1547 **53F-2-510. Digital Teaching and Learning Grant Program.**
- 1548 (1) As used in this section:
- 1549 (a) "Advisory committee" means the committee established by the board under
- 1550 Subsection (9)(b).
- 1551 (b) "Board" means the State Board of Education.
- 1552 (c) "Digital readiness assessment" means an assessment provided by the board that:
- 1553 (i) is completed by an LEA analyzing an LEA's readiness to incorporate comprehensive
- 1554 digital teaching and learning; and
- 1555 (ii) informs the preparation of an LEA's plan for incorporating comprehensive digital
- 1556 teaching and learning.
- 1557 (d) "High quality professional learning" means the professional learning standards
- 1558 described in Section [53G-11-303](#).
- 1559 (e) "Implementation assessment" means an assessment that analyzes an LEA's
- 1560 implementation of an LEA plan, including identifying areas for improvement, obstacles to
- 1561 implementation, progress toward the achievement of stated goals, and recommendations going
- 1562 forward.
- 1563 (f) "LEA plan" means an LEA's plan to implement a digital teaching and learning
- 1564 program that meets the requirements of this section and requirements set forth by the board and
- 1565 the advisory committee.
- 1566 (g) "Local education agency" or "LEA" means:
- 1567 (i) a school district;
- 1568 (ii) a charter school; or
- 1569 (iii) the Utah Schools for the Deaf and the Blind.
- 1570 (h) "Program" means the Digital Teaching and Learning Grant Program created and
- 1571 described in Subsections [~~(8)~~] (6) through [~~(13)~~] (11).
- 1572 (i) "Utah Education and Telehealth Network" or "UETN" means the Utah Education
- 1573 and Telehealth Network created in Section [53B-17-105](#).
- 1574 (2) (a) The board shall establish a digital teaching and learning task force to develop a
- 1575 funding proposal to present to the Legislature for digital teaching and learning in elementary
- 1576 and secondary schools.
- 1577 (b) The digital teaching and learning task force shall include representatives of:

- 1578 (i) the board;
- 1579 (ii) UETN;
- 1580 (iii) LEAs; and
- 1581 (iv) the Governor's Education Excellence Commission.
- 1582 [~~(3)(a) The board, in consultation with the digital teaching and learning task force~~
- 1583 ~~created in Subsection (2), shall create a funding proposal for a statewide digital teaching and~~
- 1584 ~~learning program designed to:]~~
- 1585 [~~(i) improve student outcomes through the use of digital teaching and learning~~
- 1586 ~~technology; and]~~
- 1587 [~~(ii) provide high quality professional learning for educators to improve student~~
- 1588 ~~outcomes through the use of digital teaching and learning technology.]~~
- 1589 [~~(b) The board shall:]~~
- 1590 [~~(i) identify outcome based metrics to measure student achievement related to a digital~~
- 1591 ~~teaching and learning program; and]~~
- 1592 [~~(ii) develop minimum benchmark standards for student achievement and school level~~
- 1593 ~~outcomes to measure successful implementation of a digital teaching and learning program.]~~
- 1594 [~~(4)~~ (3) As funding allows, the board shall develop a master plan for a statewide
- 1595 digital teaching and learning program, including the following:
- 1596 (a) a statement of purpose that describes the objectives or goals the board will
- 1597 accomplish by implementing a digital teaching and learning program;
- 1598 (b) a forecast for fundamental components needed to implement a digital teaching and
- 1599 learning program, including a forecast for:
- 1600 (i) student and teacher devices;
- 1601 (ii) Wi-Fi and wireless compatible technology;
- 1602 (iii) curriculum software;
- 1603 (iv) assessment solutions;
- 1604 (v) technical support;
- 1605 (vi) change management of LEAs;
- 1606 (vii) high quality professional learning;
- 1607 (viii) Internet delivery and capacity; and
- 1608 (ix) security and privacy of users;

- 1609 (c) a determination of the requirements for:
1610 (i) statewide technology infrastructure; and
1611 (ii) local LEA technology infrastructure;
1612 (d) standards for high quality professional learning related to implementing and
1613 maintaining a digital teaching and learning program;
1614 (e) a statewide technical support plan that will guide the implementation and
1615 maintenance of a digital teaching and learning program, including standards and competency
1616 requirements for technical support personnel;
1617 (f) (i) a grant program for LEAs; or
1618 (ii) a distribution formula to fund LEA digital teaching and learning programs;
1619 (g) in consultation with UETN, an inventory of the state public education system's
1620 current technology resources and other items and a plan to integrate those resources into a
1621 digital teaching and learning program;
1622 (h) an ongoing evaluation process that is overseen by the board;
1623 (i) proposed rules that incorporate the principles of the master plan into the state's
1624 public education system as a whole; and
1625 (j) a plan to ensure long-term sustainability that:
1626 (i) accounts for the financial impacts of a digital teaching and learning program; and
1627 (ii) facilitates the redirection of LEA savings that arise from implementing a digital
1628 teaching and learning program.
- 1629 ~~[(5)]~~ (4) UETN shall:
1630 (a) in consultation with the board, conduct an inventory of the state public education
1631 system's current technology resources and other items as determined by UETN, including
1632 software;
1633 (b) perform an engineering study to determine the technology infrastructure needs of
1634 the public education system to implement a digital teaching and learning program, including
1635 the infrastructure needed for the board, UETN, and LEAs; and
1636 (c) as funding allows, provide infrastructure and technology support for school districts
1637 and charter schools.
- 1638 ~~[(6) On or before December 1, 2015, the board and UETN shall present the funding~~
1639 ~~proposal for a statewide digital teaching and learning program described in Subsection (3) to~~

1640 ~~the Education Interim Committee and the Executive Appropriations Committee, including:]~~
1641 ~~[(a) the board's progress on the development of a master plan described in Subsection~~
1642 ~~(4); and]~~
1643 ~~[(b) the progress of UETN on the inventory and study described in Subsection (5).]~~
1644 ~~[(7)]~~ (5) Beginning July 1, 2016, and ending July 1, 2021, each LEA, including each
1645 school within an LEA, shall annually complete a digital readiness assessment.
1646 ~~[(8)]~~ (6) There is created the Digital Teaching and Learning Grant Program to improve
1647 educational outcomes in public schools by effectively incorporating comprehensive digital
1648 teaching and learning technology.
1649 ~~[(9)]~~ (7) The board shall:
1650 (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1651 adopt rules for the administration of the program, including rules requiring:
1652 (i) an LEA plan to include measures to ensure that the LEA monitors and implements
1653 technology with best practices, including the recommended use for effectiveness;
1654 (ii) an LEA plan to include robust goals for learning outcomes and appropriate
1655 measurements of goal achievement;
1656 (iii) an LEA to demonstrate that the LEA plan can be fully funded by grant funds or a
1657 combination of grant and local funds; and
1658 (iv) an LEA to report on funds from expenses previous to the implementation of the
1659 LEA plan that the LEA has redirected after implementation;
1660 (b) establish an advisory committee to make recommendations on the program and
1661 LEA plan requirements and report to the board; and
1662 (c) in accordance with this section, approve LEA plans and award grants.
1663 ~~[(10)]~~ (8) (a) The board shall, subject to legislative appropriations, award a grant to an
1664 LEA:
1665 (i) that submits an LEA plan that meets the requirements described in Subsection
1666 ~~[(11)]~~ (9); and
1667 (ii) for which the LEA's leadership and management members have completed a digital
1668 teaching and learning leadership and implementation training as provided in Subsection ~~[(10)]~~
1669 (8)(b).
1670 (b) The board or its designee shall provide the training described in Subsection ~~[(10)]~~

1671 ~~(8)~~(a)(ii).

1672 ~~[(11)]~~ (9) The board shall establish requirements of an LEA plan that shall include:

1673 (a) the results of the LEA's digital readiness assessment and a proposal to remedy an
1674 obstacle to implementation or other issues identified in the assessment;

1675 (b) a proposal to provide high quality professional learning for educators in the use of
1676 digital teaching and learning technology;

1677 (c) a proposal for leadership training and management restructuring, if necessary, for
1678 successful implementation;

1679 (d) clearly identified targets for improved student achievement, student learning, and
1680 college readiness through digital teaching and learning; and

1681 (e) any other requirement established by the board in rule in accordance with Title
1682 63G, Chapter 3, Utah Administrative Rulemaking Act, including an application process and
1683 metrics to analyze the quality of a proposed LEA plan.

1684 ~~[(12)]~~ (10) The board or the board's designee shall establish an interactive dashboard
1685 available to each LEA that is awarded a grant for the LEA to track and report the LEA's
1686 long-term, intermediate, and direct outcomes in realtime and for the LEA to use to create
1687 customized reports.

1688 ~~[(13)]~~ (11) (a) There is no federal funding, federal requirement, federal education
1689 agreement, or national program included or related to this state adopted program.

1690 (b) Any inclusion of federal funding, federal requirement, federal education agreement,
1691 or national program shall require separate express approval as provided in Title 53E, Chapter 3,
1692 Part 8, Implementing Federal or National Education Programs.

1693 ~~[(14)]~~ (12) (a) An LEA that receives a grant as part of the program shall:

1694 (i) subject to Subsection ~~[(14)]~~ (12)(b), complete an implementation assessment for
1695 each year that the LEA is expending grant money; and

1696 (ii) (A) report the findings of the implementation assessment to the board; and

1697 (B) submit to the board a plan to resolve issues raised in the implementation
1698 assessment.

1699 (b) Each school within the LEA shall:

1700 (i) complete an implementation assessment; and

1701 (ii) submit a compilation report that meets the requirements described in Subsections

1702 [~~(14)~~] (12)(a)(ii)(A) and (B).

1703 [~~(15)~~] (13) The board or the board's designee shall review an implementation
1704 assessment and review each participating LEA's progress from the previous year, as applicable.

1705 [~~(16)~~] (14) The board shall establish interventions for an LEA that does not make
1706 progress on implementation of the LEA's implementation plan, including:

- 1707 (a) nonrenewal of, or time period extensions for, the LEA's grant;
- 1708 (b) reduction of funds; or
- 1709 (c) other interventions to assist the LEA.

1710 [~~(17)~~] (15) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the
1711 board shall contract with an independent evaluator to:

- 1712 (a) annually evaluate statewide direct and intermediate outcomes beginning the first
1713 year that grants are awarded, including baseline data collection for long-term outcomes;
- 1714 (b) in the fourth year after a grant is awarded, and each year thereafter, evaluate
1715 statewide long-term outcomes; and
- 1716 (c) report on the information described in Subsections [~~(17)~~] (15)(a) and (b) to the
1717 board.

1718 [~~(18)~~] (16) (a) To implement an LEA plan, a contract, in accordance with Title 63G,
1719 Chapter 6a, Utah Procurement Code, or other agreement with one or more providers of
1720 technology powered learning solutions and one or more providers of wireless networking
1721 solutions may be entered into by:

- 1722 (i) UETN, in cooperation with or on behalf of, as applicable, the board, the board's
1723 designee, or an LEA; or
- 1724 (ii) an LEA.

1725 (b) A contract or agreement entered into under Subsection [~~(18)~~] (16)(a) may be a
1726 contract or agreement that:

- 1727 (i) UETN enters into with a provider and payment for services is directly appropriated
1728 by the Legislature, as funds are available, to UETN;
- 1729 (ii) UETN enters into with a provider and pays for the provider's services and is
1730 reimbursed for payments by an LEA that benefits from the services;
- 1731 (iii) UETN negotiates the terms of on behalf of an LEA that enters into the contract or
1732 agreement directly with the provider and the LEA pays directly for the provider's services; or

1733 (iv) an LEA enters into directly, pays a provider, and receives preapproved
1734 reimbursement from a UETN fund established for this purpose.

1735 (c) If an LEA does not reimburse UETN in a reasonable time for services received
1736 under a contract or agreement described in Subsection [~~(18)~~] (16)(b), the board shall pay the
1737 balance due to UETN from the LEA's funds received under Title 53F, Chapter 2, State Funding
1738 -- Minimum School Program.

1739 (d) If UETN negotiates or enters into an agreement as described in Subsection [~~(18)~~]
1740 (16)(b)(ii) or [~~(18)~~] (16)(b)(iii), and UETN enters into an additional agreement with an LEA
1741 that is associated with the agreement described in Subsection [~~(18)~~] (16)(b)(ii) or [~~(18)~~]
1742 (16)(b)(iii), the associated agreement may be treated by UETN and the LEA as a cooperative
1743 procurement, as that term is defined in Section 63G-6a-103, regardless of whether the
1744 associated agreement satisfies the requirements of Section 63G-6a-2105.

1745 Section 33. Section 53F-2-512 is amended to read:

1746 **53F-2-512. Appropriation for accommodation plans for students with Section 504**
1747 **accommodations.**

1748 (1) As used in this section:

1749 (a) "Board" means the State Board of Education.

1750 (b) "Local education agency" or "LEA" means:

1751 (i) a school district;

1752 (ii) a charter school; or

1753 (iii) the Utah Schools for the Deaf and the Blind.

1754 (c) "Section 504 accommodation plan" means an accommodation plan under Section
1755 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 701 et seq.

1756 (2) (a) The board shall make rules, in accordance with Title 63G, Chapter 3, Utah
1757 Administrative Rulemaking Act, that establish a reimbursement program that:

1758 (i) distributes any money appropriated to the board for Special Education -- Section
1759 504 Accommodations;

1760 (ii) allows an LEA to apply for reimbursement of the costs of services that:

1761 (A) an LEA renders to a student with a Section 504 accommodation plan; and

1762 (B) exceed 150% of the average cost of a general education student; and

1763 (iii) provides for a pro-rated reimbursement based on the amount of reimbursement

1764 applications received during a given fiscal year and the amount of money appropriated to the
1765 board that fiscal year.

1766 (b) Beginning with the 2018-19 school year, the board shall allocate money
1767 appropriated to the board for Special Education -- Section 504 Accommodations in accordance
1768 with the rules described in Subsection (2)(a).

1769 ~~[(3) On or before January 30, 2018, the board shall report to the Public Education~~
1770 ~~Appropriations Subcommittee:]~~

1771 ~~[(a) information collected regarding the number of students who qualify for a Section~~
1772 ~~504 accommodation plan; and]~~

1773 ~~[(b) if available, the estimated financial impact of providing Section 504~~
1774 ~~accommodation services to the number of students described in Subsection (3)(a).]~~

1775 Section 34. Section **53F-4-203** is amended to read:

1776 **53F-4-203. Early intervention interactive reading software -- Independent**
1777 **evaluator.**

1778 (1) (a) Subject to legislative appropriations, the State Board of Education shall select
1779 and contract with one or more technology providers, through a request for proposals process, to
1780 provide early interactive reading software for literacy instruction and assessments for students
1781 in kindergarten through grade 3.

1782 (b) By August 1 of each year, the State Board of Education shall distribute licenses for
1783 early interactive reading software described in Subsection (1)(a) to the school districts and
1784 charter schools of local education boards that apply for the licenses.

1785 (c) Except as provided in board rule, a school district or charter school that received a
1786 license described in Subsection (1)(b) during the prior year shall be given first priority to
1787 receive an equivalent license during the current year.

1788 (d) Licenses distributed to school districts and charter schools in addition to the
1789 licenses described in Subsection (1)(c) shall be distributed through a competitive process.

1790 (2) A public school that receives a license described in Subsection (1)(b) shall use the
1791 license:

1792 (a) for a student in kindergarten or grade 1:

1793 (i) for intervention for the student if the student is reading below grade level; or

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

1795 above grade level; and

1796 (b) for a student in grade 2 or 3, for intervention for the student if the student is reading
1797 below grade level.

1798 (3) (a) On or before August 1 of each year, the State Board of Education shall select
1799 and contract with an independent evaluator, through a request for proposals process, to act as
1800 an independent contractor to evaluate early interactive reading software provided under this
1801 section.

1802 (b) The State Board of Education shall ensure that a contract with an independent
1803 evaluator requires the independent evaluator to:

1804 (i) evaluate a student's learning gains as a result of using early interactive reading
1805 software provided under Subsection (1);

1806 (ii) for the evaluation under Subsection (3)(b)(i), use an assessment that is not
1807 developed by a provider of early interactive reading software; and

1808 (iii) determine the extent to which a public school uses the early interactive reading
1809 software.

1810 (c) The State Board of Education and the independent evaluator selected under
1811 Subsection (3)(a) shall ~~[report annually]~~ submit a report on the results of the evaluation ~~[to the~~
1812 ~~Education Interim Committee and the governor]~~ in accordance with Section 53E-1-203.

1813 (4) The State Board of Education may use up to 4% of the appropriation provided
1814 under Subsection (1)(a) to:

1815 (a) acquire an analytical software program that:

1816 (i) monitors, for an individual school, early intervention interactive reading software
1817 use and the associated impact on student performance; and

1818 (ii) analyzes the information gathered under Subsection (4)(a)(i) to prescribe individual
1819 school usage time to maximize the beneficial impact on student performance; or

1820 (b) contract with an independent evaluator selected under Subsection (3)(a).

1821 Section 35. Section **53F-4-407** is amended to read:

1822 **53F-4-407. Annual report.**

1823 (1) The State Board of Education shall make a report on UPSTART ~~[to the Education~~
1824 ~~Interim Committee by November 30 each year]~~ in accordance with Section 53E-1-203.

1825 (2) The report shall:

1826 (a) address the extent to which UPSTART is accomplishing the purposes for which it
1827 was established as specified in Section 53F-4-402; and

1828 (b) include the following information:

1829 (i) the number of families:

1830 (A) volunteering to participate in the program;

1831 (B) selected to participate in the program;

1832 (C) requesting computers; and

1833 (D) furnished computers;

1834 (ii) the frequency of use of the instructional software;

1835 (iii) obstacles encountered with software usage, hardware, or providing technical
1836 assistance to families;

1837 (iv) student performance on pre-kindergarten and post-kindergarten assessments
1838 conducted by school districts and charter schools for students who participated in the
1839 home-based educational technology program and those who did not participate in the program;
1840 and

1841 (v) as available, the evaluation of the program conducted pursuant to Section
1842 53F-4-406.

1843 Section 36. Section 53F-5-204 is amended to read:

1844 **53F-5-204. Initiative to strengthen college and career readiness.**

1845 (1) As used in this section:

1846 (a) "College and career counseling" means:

1847 (i) nurturing college and career aspirations;

1848 (ii) assisting students in planning an academic program that connects to college and
1849 career goals;

1850 (iii) providing early and ongoing exposure to information necessary to make informed
1851 decisions when selecting a college and career;

1852 (iv) promoting participation in college and career assessments;

1853 (v) providing financial aid information; and

1854 (vi) increasing understanding about college admission processes.

1855 (b) "LEA" or "local education agency" means a school district or charter school.

1856 (2) There is created the Strengthening College and Career Readiness Program, a grant

1857 program for LEAs, to improve students' college and career readiness through enhancing the
1858 skill level of school counselors to provide college and career counseling.

1859 (3) The State Board of Education shall:

1860 (a) on or before August 1, 2015, collaborate with the State Board of Regents, and
1861 business, community, and education stakeholders to develop a certificate for school counselors
1862 that:

1863 (i) certifies that a school counselor is highly skilled at providing college and career
1864 counseling; and

1865 (ii) is aligned with the Utah Comprehensive Counseling and Guidance Program as
1866 defined in rules established by the State Board of Education;

1867 (b) subject to legislative appropriations, award grants to LEAs, on a competitive basis,
1868 for payment of course fees for courses required to earn the certificate developed by the State
1869 Board of Education under Subsection (3)(a); and

1870 (c) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1871 make rules specifying:

1872 (i) procedures for applying for and awarding grants under this section;

1873 (ii) criteria for awarding grants; and

1874 (iii) reporting requirements for grantees.

1875 (4) An LEA that receives a grant under this section shall use the grant for payment of
1876 course fees for courses required to attain the certificate as determined by the State Board of
1877 Education under Subsection (3)(a).

1878 ~~[(5) The State Board of Education shall report to the Education Interim Committee on~~
1879 ~~the status of the Strengthening College and Career Readiness Program on or before:]~~

1880 ~~[(a) November 1, 2016; and]~~

1881 ~~[(b) November 1, 2017.]~~

1882 Section 37. Section **53F-5-307** is amended to read:

1883 **53F-5-307. Evaluation -- Reporting requirements.**

1884 (1) In accordance with this section, the board, in coordination with the department,
1885 shall oversee the ongoing review and evaluation by an independent evaluator for each school
1886 year of:

1887 (a) the Student Access to High Quality School Readiness Programs Grant Program

1888 described in Section [53F-5-303](#);

1889 (b) the home-based technology high quality school readiness program described in
1890 Section [53F-5-304](#);

1891 (c) the Intergenerational Poverty School Readiness Scholarship Program described in
1892 Section [53F-5-305](#); and

1893 (d) early childhood teacher training described in Section [53F-5-306](#).

1894 (2) (a) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board
1895 shall enter into a contract with an independent evaluator to assist the board in the evaluation
1896 process.

1897 (b) In selecting an independent evaluator, the board shall select an evaluator that:

1898 (i) has the capacity to meet the requirements described in Subsection (3);

1899 (ii) has a background in designing and conducting rigorous evaluations;

1900 (iii) has a demonstrated ability to monitor and evaluate a program over an extended
1901 period of time;

1902 (iv) is independent from agencies or providers implementing high quality school
1903 readiness programs funded under this part; and

1904 (v) has experience in early childhood education or early childhood education
1905 evaluation.

1906 (c) The board may not enter into a contract with an independent evaluator without
1907 obtaining approval from the department.

1908 (3) Under the direction of the board, with input from the department, the independent
1909 evaluator selected under Subsection (2) shall:

1910 (a) design an evaluation methodology that:

1911 (i) assesses the effects of a high quality school readiness program on an eligible
1912 student's:

1913 (A) readiness for kindergarten, using a uniform assessment methodology that includes
1914 a pre- and post-test chosen in coordination with the board;

1915 (B) ability, as determined by following the student longitudinally, to meet grade 3 core
1916 standards for Utah public schools, established by the board under Section [53E-4-202](#), by the
1917 end of the student's grade 3 year; and

1918 (C) attainment of a high school diploma or other completion certificate, as determined

1919 by following the student longitudinally; and

1920 (ii) allows for comparisons between students with similar demographic characteristics
1921 who complete a high quality school readiness program and students who do not; and

1922 (b) conduct an annual evaluation of the programs described in Subsection (1).

1923 (4) To assist the independent evaluator selected under Subsection (2) in completing the
1924 evaluation required under Subsection (3):

1925 (a) an LEA that receives a grant under Section [53F-5-303](#), or enrolls an IGP

1926 scholarship recipient under Section [53F-5-305](#), shall assign a statewide unique student

1927 identifier to each student who participates in the LEA's school readiness program;

1928 (b) an eligible private provider that receives a grant described in Section [53F-5-303](#) or

1929 an eligible home-based technology provider that receives a contract described in Section

1930 [53F-5-304](#) shall work in conjunction with the board to assign a statewide unique student

1931 identifier to each student who is enrolled in the provider's school readiness program in the

1932 student's last year before kindergarten; and

1933 (c) an eligible private provider or eligible home-based technology provider that

1934 receives an IGP scholarship under Section [53F-5-305](#) shall work in conjunction with the board

1935 to assign a statewide unique student identifier to each student who is funded by an IGP

1936 scholarship.

1937 (5) The board and the department shall [~~report annually, on or before November 1, to~~

1938 ~~the Education Interim Committee~~] submit a report in accordance with Section [53E-1-203](#) on

1939 the results of an evaluation conducted under this section.

1940 Section 38. Section [53F-5-405](#) is amended to read:

1941 **[53F-5-405. Independent evaluation -- Reporting.](#)**

1942 (1) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the board shall

1943 contract with an independent evaluator to annually evaluate a partnership that receives a grant

1944 under this part.

1945 (2) The evaluation described in Subsection (1) shall:

1946 (a) assess implementation of a partnership, including the extent to which members of a

1947 partnership:

1948 (i) share data to align and improve efforts focused on student success; and

1949 (ii) meet regularly and communicate authentically; and

1950 (b) assess the impact of a partnership on student outcomes using appropriate statistical
1951 evaluation methods.

1952 (3) In identifying an independent evaluator under Subsection (1), the board shall
1953 identify an evaluator that:

1954 (a) has a credible track record of conducting evaluations as described in Subsection (2);
1955 and

1956 (b) is independent of any member of the partnership and does not otherwise have a
1957 vested interest in the outcome of the evaluation.

1958 (4) Beginning in the 2017-18 school year, the board shall ensure that the independent
1959 evaluator:

1960 (a) prepares an annual written report of an evaluation conducted under this section; and

1961 (b) [~~annually submits the report to the Education Interim Committee~~] submits the
1962 report in accordance with Section 53E-1-203.

1963 Section 39. Section **53F-5-506** is amended to read:

1964 **53F-5-506. Waiver from board rule -- Board recommended statutory changes.**

1965 (1) An LEA may apply to the board in a grant application submitted under this part for
1966 a waiver of a board rule that inhibits or hinders the LEA from accomplishing its goals set out in
1967 its grant application.

1968 (2) The board may grant the waiver, unless:

1969 (a) the waiver would cause the LEA to be in violation of state or federal law; or

1970 (b) the waiver would threaten the health, safety, or welfare of students in the LEA.

1971 (3) If the board denies the waiver, the board shall provide in writing the reason for the
1972 denial to the waiver applicant.

1973 (4) (a) The board shall request from each LEA that receives a grant under this part for
1974 each year the LEA receives funds:

1975 (i) information on a state statute that hinders an LEA from fully implementing the
1976 LEA's program; and

1977 (ii) suggested changes to the statute.

1978 (b) The board shall [~~in a written~~] report [~~provide~~] any information received from an
1979 LEA under Subsection (4)(a) and the board's recommendations [~~to the Legislature no later than~~
1980 ~~November 30 of each year~~] in accordance with Section 53E-1-203.

1981 Section 40. Section **53G-4-403** is amended to read:

1982 **53G-4-403. School district fiscal year -- Statistical reports.**

1983 (1) A school district's fiscal year begins on July 1 and ends on June 30.

1984 (2) (a) A school district shall forward statistical reports for the preceding school year,
1985 containing items required by law or by the State Board of Education, to the state superintendent
1986 on or before November 1 of each year.

1987 (b) The reports shall include information to enable the state superintendent to complete
1988 the statement of funds required under [~~Subsection 53E-3-301(3)(d)(v)~~] Section 53E-1-203.

1989 (3) A school district shall forward the accounting report required under Section
1990 51-2a-201 to the state superintendent on or before October 15 of each year.

1991 Section 41. Section **53G-4-404** is amended to read:

1992 **53G-4-404. Annual financial report -- Audit report.**

1993 (1) The annual financial report of each school district, containing items required by law
1994 or by the State Board of Education and attested to by independent auditors, shall be prepared as
1995 required by Section 51-2a-201.

1996 (2) If auditors are employed under Section 51-2a-201, the auditors shall complete their
1997 field work in sufficient time to allow them to verify necessary audit adjustments included in the
1998 annual financial report to the state superintendent.

1999 (3) (a) (i) The district shall forward the annual financial report to the state
2000 superintendent not later than October 1.

2001 (ii) The report shall include information to enable the state superintendent to complete
2002 the statement of funds required under [~~Subsection 53E-3-301(3)(d)(v)~~] Section 53E-1-203.

2003 (b) The State Board of Education shall publish electronically a copy of the report on
2004 the Internet not later than December 15.

2005 (4) The completed audit report shall be delivered to the school district board of
2006 education and the state superintendent of public instruction not later than November 30 of each
2007 year.

2008 Section 42. Section **53G-5-411** is amended to read:

2009 **53G-5-411. Charter school fiscal year -- Statistical reports.**

2010 (1) A charter school's fiscal year begins on July 1 and ends on June 30.

2011 (2) (a) A charter school shall forward statistical reports for the preceding school year,

2012 containing items required by law or by the State Board of Education, to the state superintendent
2013 on or before November 1 of each year.

2014 (b) The reports shall include information to enable the state superintendent to complete
2015 the statement of funds required under [~~Subsection 53E-3-301(3)(d)(v)~~] Section 53E-1-203.

2016 (3) A charter school shall forward the accounting report required under Section
2017 51-2a-201 to the state superintendent on or before October 15 of each year.

2018 Section 43. Section ~~53G-6-707~~ is amended to read:

2019 **53G-6-707. Interstate compact students -- Inclusion in attendance count --**
2020 **Foreign exchange students -- Annual report -- Requirements for exchange student**
2021 **agencies.**

2022 (1) A school district or charter school may include the following students in the
2023 district's or school's membership and attendance count for the purpose of apportionment of
2024 state money:

2025 (a) a student enrolled under an interstate compact, established between the State Board
2026 of Education and the state education authority of another state, under which a student from one
2027 compact state would be permitted to enroll in a public school in the other compact state on the
2028 same basis as a resident student of the receiving state; or

2029 (b) a student receiving services under Title 62A, Chapter 4a, Part 7, Interstate Compact
2030 on Placement of Children.

2031 (2) A school district or charter school may:

2032 (a) enroll foreign exchange students that do not qualify for state money; and

2033 (b) pay for the costs of those students with other funds available to the school district
2034 or charter school.

2035 (3) Due to the benefits to all students of having the opportunity to become familiar
2036 with individuals from diverse backgrounds and cultures, school districts are encouraged to
2037 enroll foreign exchange students, as provided in Subsection (2), particularly in schools with
2038 declining or stable enrollments where the incremental cost of enrolling the foreign exchange
2039 student may be minimal.

2040 [~~(4) The board shall make an annual report to the Legislature on the number of~~
2041 ~~exchange students and the number of interstate compact students sent to or received from~~
2042 ~~public schools outside the state.]~~

2043 [~~5~~] (4) (a) A local school board or charter school governing board shall require each
2044 approved exchange student agency to provide it with a sworn affidavit of compliance prior to
2045 the beginning of each school year.

2046 (b) The affidavit shall include the following assurances:

2047 (i) that the agency has complied with all applicable policies of the board;

2048 (ii) that a household study, including a background check of all adult residents, has
2049 been made of each household where an exchange student is to reside, and that the study was of
2050 sufficient scope to provide reasonable assurance that the exchange student will receive proper
2051 care and supervision in a safe environment;

2052 (iii) that host parents have received training appropriate to their positions, including
2053 information about enhanced criminal penalties under Subsection 76-5-406(10) for persons who
2054 are in a position of special trust;

2055 (iv) that a representative of the exchange student agency shall visit each student's place
2056 of residence at least once each month during the student's stay in Utah;

2057 (v) that the agency will cooperate with school and other public authorities to ensure
2058 that no exchange student becomes an unreasonable burden upon the public schools or other
2059 public agencies;

2060 (vi) that each exchange student will be given in the exchange student's native language
2061 names and telephone numbers of agency representatives and others who could be called at any
2062 time if a serious problem occurs; and

2063 (vii) that alternate placements are readily available so that no student is required to
2064 remain in a household if conditions appear to exist which unreasonably endanger the student's
2065 welfare.

2066 [~~6~~] (5) (a) A local school board or charter school governing board shall provide each
2067 approved exchange student agency with a list of names and telephone numbers of individuals
2068 not associated with the agency who could be called by an exchange student in the event of a
2069 serious problem.

2070 (b) The agency shall make a copy of the list available to each of its exchange students
2071 in the exchange student's native language.

2072 [~~7~~] (6) Notwithstanding Subsection 53F-2-303(3)(a), a school district or charter
2073 school shall enroll a foreign exchange student if the foreign exchange student:

- 2074 (a) is sponsored by an agency approved by the State Board of Education;
- 2075 (b) attends the same school during the same time period that another student from the
- 2076 school is:
 - 2077 (i) sponsored by the same agency; and
 - 2078 (ii) enrolled in a school in a foreign country; and
 - 2079 (c) is enrolled in the school for one year or less.

2080 Section 44. Section **53G-8-207** is amended to read:

2081 **53G-8-207. Alternatives to suspension or expulsion.**

2082 (1) Each local school board or governing board of a charter school shall establish:

2083 (a) policies providing that prior to suspending or expelling a student for repeated acts
2084 of willful disobedience, defiance of authority, or disruptive behavior which are not of such a
2085 violent or extreme nature that immediate removal is required, good faith efforts shall be made
2086 to implement a remedial discipline plan that would allow the student to remain in school; and

2087 (b) alternatives to suspension, including policies that allow a student to remain in
2088 school under an in-school suspension program or under a program allowing the parent or
2089 guardian, with the consent of the student's teacher or teachers, to attend class with the student
2090 for a period of time specified by a designated school official.

2091 (2) If the parent or guardian does not agree or fails to attend class with the student, the
2092 student shall be suspended in accordance with the conduct and discipline policies of the district
2093 or the school.

2094 (3) The parent or guardian of a suspended student and the designated school official
2095 may enlist the cooperation of the Division of Child and Family Services, the juvenile court, or
2096 other appropriate state agencies, if necessary, in dealing with the student's suspension.

2097 (4) The state superintendent of public instruction, in cooperation with school districts
2098 and charter schools, shall:

2099 (a) research methods of motivating and providing incentives to students that:

- 2100 (i) directly and regularly reward or recognize appropriate behavior;
- 2101 (ii) impose immediate and direct consequences on students who fail to comply with
- 2102 district or school standards of conduct; and
- 2103 (iii) keep the students in school, or otherwise continue student learning with

2104 appropriate supervision or accountability;

2105 (b) explore funding resources to implement methods of motivating and providing
2106 incentives to students that meet the criteria specified in Subsection (4)(a);

2107 (c) evaluate the benefits and costs of methods of motivating and providing incentives
2108 to students that meet the criteria specified in Subsection (4)(a);

2109 (d) publish a report that incorporates the research findings, provides model plans with
2110 suggested resource pools, and makes recommendations for local school boards and school
2111 personnel; and

2112 [~~(e) submit the report described in Subsection (4)(d) to the Education Interim~~
2113 ~~Committee; and]~~

2114 [(~~f~~) (e) maintain data for purposes of accountability, later reporting, and future
2115 analysis.

2116 Section 45. Section **53G-9-702** is amended to read:

2117 **53G-9-702. Youth suicide prevention programs required in secondary schools --**
2118 **State Board of Education to develop model programs.**

2119 (1) As used in the section:

2120 (a) "Board" means the State Board of Education.

2121 (b) "Intervention" means an effort to prevent a student from attempting suicide.

2122 (c) "Postvention" means mental health intervention after a suicide attempt or death to
2123 prevent or contain contagion.

2124 (d) "Program" means a youth suicide prevention program described in Subsection (2).

2125 (e) "Public education suicide prevention coordinator" means an individual designated
2126 by the board as described in Subsection (3).

2127 (f) "Secondary grades":

2128 (i) means grades 7 through 12; and

2129 (ii) if a middle or junior high school includes grade 6, includes grade 6.

2130 (g) "State suicide prevention coordinator" means the state suicide prevention
2131 coordinator described in Section [62A-15-1101](#).

2132 (2) In collaboration with the public education suicide prevention coordinator, a school
2133 district or charter school, in the secondary grades of the school district or charter school, shall
2134 implement a youth suicide prevention program, which, in collaboration with the training,
2135 programs, and initiatives described in Section [53G-9-607](#), shall include programs and training

2136 to address:

- 2137 (a) bullying and cyberbullying, as those terms are defined in Section [53G-9-601](#);
- 2138 (b) prevention of youth suicide;
- 2139 (c) youth suicide intervention;
- 2140 (d) postvention for family, students, and faculty;
- 2141 (e) underage drinking of alcohol;
- 2142 (f) methods of strengthening the family; and
- 2143 (g) methods of strengthening a youth's relationships in the school and community.

2144 (3) The board shall:

- 2145 (a) designate a public education suicide prevention coordinator; and
- 2146 (b) in collaboration with the Department of Health and the state suicide prevention
- 2147 coordinator, develop model programs to provide to school districts and charter schools:
- 2148 (i) program training; and
- 2149 (ii) resources regarding the required components described in Subsection (2)(b).

2150 (4) The public education suicide prevention coordinator shall:

- 2151 (a) oversee the youth suicide prevention programs of school districts and charter
- 2152 schools;
- 2153 (b) coordinate prevention and postvention programs, services, and efforts with the state
- 2154 suicide prevention coordinator; and
- 2155 (c) award grants in accordance with Section [53F-5-206](#).

2156 (5) A public school suicide prevention program may allow school personnel to ask a

2157 student questions related to youth suicide prevention, intervention, or postvention.

2158 (6) (a) Subject to legislative appropriation, the board may distribute money to a school

2159 district or charter school to be used to implement evidence-based practices and programs, or

2160 emerging best practices and programs, for preventing suicide in the school district or charter

2161 school.

2162 (b) The board shall distribute money under Subsection (6)(a) so that each school that

2163 enrolls students in grade 7 or a higher grade receives an allocation of at least \$1,000.

2164 (c) (i) A school shall use money allocated to the school under Subsection (6)(b) to

2165 implement evidence-based practices and programs, or emerging best practices and programs,

2166 for preventing suicide.

2167 (ii) Each school may select the evidence-based practices and programs, or emerging
 2168 best practices and programs, for preventing suicide that the school implements.

2169 ~~[(7)(a) The board shall provide a written report, and shall orally report to the
 2170 Legislature's Education Interim Committee, by the October 2015 meeting, jointly with the
 2171 public education suicide prevention coordinator and the state suicide prevention coordinator,
 2172 on:]~~

2173 ~~[(i) the progress of school district and charter school youth suicide prevention
 2174 programs, including rates of participation by school districts, charter schools, and students;]~~

2175 ~~[(ii) the board's coordination efforts with the Department of Health and the state
 2176 suicide prevention coordinator;]~~

2177 ~~[(iii) the public education suicide prevention coordinator's model program for training
 2178 and resources related to youth suicide prevention, intervention, and postvention;]~~

2179 ~~[(iv) data measuring the effectiveness of youth suicide programs;]~~

2180 ~~[(v) funds appropriated to each school district and charter school for youth suicide
 2181 prevention programs; and]~~

2182 ~~[(vi) five-year trends of youth suicides per school, school district, and charter school.]~~

2183 ~~[(b) School districts and charter schools shall provide to the board information that is
 2184 necessary for the board's report to the Legislature's Education Interim Committee as required in
 2185 Subsection (7)(a);]~~

2186 Section 46. Section **53G-9-703** is amended to read:

2187 **53G-9-703. Parent education -- Mental health -- Bullying -- Safety.**

2188 (1) (a) Except as provided in Subsection ~~[(4)]~~ (3), a school district shall offer a seminar
 2189 for parents of students in the school district that:

2190 (i) is offered at no cost to parents;

2191 (ii) begins at or after 6 p.m.;

2192 (iii) is held in at least one school located in the school district; and

2193 (iv) covers the topics described in Subsection (2).

2194 (b) (i) A school district shall annually offer one parent seminar for each 11,000
 2195 students enrolled in the school district.

2196 (ii) Notwithstanding Subsection (1)(b)(i), a school district may not be required to offer
 2197 more than three seminars.

2198 (c) A school district may:
 2199 (i) develop its own curriculum for the seminar described in Subsection (1)(a); or
 2200 (ii) use the curriculum developed by the State Board of Education under Subsection
 2201 (2).

2202 (d) A school district shall notify each charter school located in the attendance
 2203 boundaries of the school district of the date and time of a parent seminar, so the charter school
 2204 may inform parents of the seminar.

2205 (2) The State Board of Education shall:

2206 (a) develop a curriculum for the parent seminar described in Subsection (1) that
 2207 includes information on:

2208 (i) substance abuse, including illegal drugs and prescription drugs and prevention;

2209 (ii) bullying;

2210 (iii) mental health, depression, suicide awareness, and suicide prevention, including
 2211 education on limiting access to fatal means;

2212 (iv) Internet safety, including pornography addiction; and

2213 (v) the School Safety and Crisis Line established in Section 53E-10-502; and

2214 (b) provide the curriculum, including resources and training, to school districts upon
 2215 request.

2216 ~~[(3) The State Board of Education shall report to the Legislature's Education Interim
 2217 Committee, by the October 2015 meeting, on:]~~

2218 ~~[(a) the progress of implementation of the parent seminar;]~~

2219 ~~[(b) the number of parent seminars conducted in each school district;]~~

2220 ~~[(c) the estimated attendance reported by each school district;]~~

2221 ~~[(d) a recommendation of whether to continue the parent seminar program; and]~~

2222 ~~[(e) if a local school board has opted out of providing the parent seminar, as described
 2223 in Subsection (4), the reasons why a local school board opted out.]~~

2224 [(4)] (3) (a) A school district is not required to offer the parent seminar if the local
 2225 school board determines that the topics described in Subsection (2) are not of significant
 2226 interest or value to families in the school district.

2227 (b) If a local school board chooses not to offer the parent seminar, the local school
 2228 board shall notify the State Board of Education and provide the reasons why the local school

2229 board chose not to offer the parent seminar.

2230 Section 47. Section **53G-9-802** is amended to read:

2231 **53G-9-802. Dropout prevention and recovery -- Flexible enrollment options --**
2232 **Contracting -- Reporting.**

2233 (1) (a) Subject to Subsection (1)(b), an LEA shall provide dropout prevention and
2234 recovery services to a designated student, including:

2235 (i) engaging with or attempting to recover a designated student;

2236 (ii) developing a learning plan, in consultation with a designated student, to identify:

2237 (A) barriers to regular school attendance and achievement;

2238 (B) an attainment goal; and

2239 (C) a means for achieving the attainment goal through enrollment in one or more of the
2240 programs described in Subsection (2);

2241 (iii) monitoring a designated student's progress toward reaching the designated
2242 student's attainment goal; and

2243 (iv) providing tiered interventions for a designated student who is not making progress
2244 toward reaching the student's attainment goal.

2245 (b) An LEA shall provide the dropout prevention and recovery services described in
2246 Subsection (1)(a):

2247 (i) throughout the calendar year; and

2248 (ii) except as provided in Subsection (1)(c)(i), for each designated student who
2249 becomes a designated student while enrolled in the LEA.

2250 (c) (i) A designated student's school district of residence shall provide dropout recovery
2251 services if the designated student:

2252 (A) was enrolled in a charter school that does not include grade 12; and

2253 (B) becomes a designated student in the summer after the student completes academic
2254 instruction at the charter school through the maximum grade level the charter school is eligible
2255 to serve under the charter school's charter agreement as described in Section [53G-5-303](#).

2256 (ii) In accordance with Subsection (1)(c)(iii), a charter school that does not include
2257 grade 12 shall notify each of the charter school's student's district of residence, as determined
2258 under Section [53G-6-302](#), when the student completes academic instruction at the charter
2259 school as described in Subsection (1)(c)(i)(B).

2260 (iii) The notification described in Subsection (1)(c)(ii) shall include the student's name,
2261 contact information, and student identification number.

2262 (2) (a) An LEA shall provide flexible enrollment options for a designated student that:

2263 (i) are tailored to the designated student's learning plan developed under Subsection
2264 (1)(a)(ii); and

2265 (ii) include two or more of the following:

2266 (A) enrollment in the LEA in a traditional program;

2267 (B) enrollment in the LEA in a nontraditional program;

2268 (C) enrollment in a program offered by a private provider that has entered into a
2269 contract with the LEA to provide educational services; or

2270 (D) enrollment in a program offered by another LEA.

2271 (b) A designated student may enroll in:

2272 (i) a program offered by the LEA under Subsection (2)(a), in accordance with this
2273 public education code, rules established by the State Board of Education, and policies
2274 established by the LEA;

2275 (ii) the Electronic High School, in accordance with Title 53E, Chapter 10, Part 6,
2276 Electronic High School; or

2277 (iii) the Statewide Online Education Program, in accordance with Title 53F, Chapter 4,
2278 Part 5, Statewide Online Education Program.

2279 (c) An LEA shall make the LEA's best effort to accommodate a designated student's
2280 choice of enrollment under Subsection (2)(b).

2281 (3) Beginning with the 2017-18 school year and except as provided in Subsection (4),
2282 an LEA shall enter into a contract with a third party to provide the dropout prevention and
2283 recovery services described in Subsection (1)(a) for any school year in which the LEA meets
2284 the following criteria:

2285 (a) the LEA's graduation rate is lower than the statewide graduation rate; and

2286 (b) (i) the LEA's graduation rate has not increased by at least 1% on average over the
2287 previous three school years; or

2288 (ii) during the previous calendar year, at least 10% of the LEA's designated students
2289 have not:

2290 (A) reached the students' attainment goals; or

- 2291 (B) made a year's worth of progress toward the students' attainment goals.
- 2292 (4) An LEA that is in the LEA's first three years of operation is not subject to the
2293 requirement described in Subsection (3).
- 2294 (5) An LEA described in Subsection (3) shall ensure that:
- 2295 (a) a third party with whom the LEA enters into a contract under Subsection (3) has a
2296 demonstrated record of effectiveness engaging with and recovering designated students; and
- 2297 (b) a contract with a third party requires the third party to:
- 2298 (i) provide the services described in Subsection (1)(a); and
- 2299 (ii) regularly report progress to the LEA.
- 2300 (6) An LEA shall annually submit a report to the State Board of Education on dropout
2301 prevention and recovery services provided under this section, including:
- 2302 (a) the methods the LEA or third party uses to engage with or attempt to recover
2303 designated students under Subsection (1)(a)(i);
- 2304 (b) the number of designated students who enroll in a program described in Subsection
2305 (2) as a result of the efforts described in Subsection (6)(a);
- 2306 (c) the number of designated students who reach the designated students' attainment
2307 goals identified under Subsection (1)(a)(ii)(B); and
- 2308 (d) funding allocated to provide dropout prevention and recovery services.
- 2309 (7) The State Board of Education shall:
- 2310 (a) ensure that an LEA described in Subsection (3) contracts with a third party to
2311 provide dropout prevention and recovery services in accordance with Subsections (3) and (5);
2312 and
- 2313 (b) ~~[on or before October 30, 2017, and each year thereafter, report to the Education~~
2314 ~~Interim Committee] report on the provisions of this section in accordance with Section
2315 53E-1-203, including a summary of the reports submitted under Subsection (6).~~
- 2316 Section 48. Section **53G-10-204** is amended to read:
- 2317 **53G-10-204. Civic and character education -- Definitions -- Legislative finding --**
2318 **Elements -- Reporting requirements.**
- 2319 (1) As used in this section:
- 2320 (a) "Character education" means reaffirming values and qualities of character which
2321 promote an upright and desirable citizenry.

2322 (b) "Civic education" means the cultivation of informed, responsible participation in
2323 political life by competent citizens committed to the fundamental values and principles of
2324 representative democracy in Utah and the United States.

2325 (c) "Values" means time-established principles or standards of worth.

2326 (2) The Legislature recognizes that:

2327 (a) Civic and character education are fundamental elements of the public education
2328 system's core mission as originally intended and established under Article X of the Utah
2329 Constitution;

2330 (b) Civic and character education are fundamental elements of the constitutional
2331 responsibility of public education and shall be a continuing emphasis and focus in public
2332 schools;

2333 (c) the cultivation of a continuing understanding and appreciation of a constitutional
2334 republic and principles of representative democracy in Utah and the United States among
2335 succeeding generations of educated and responsible citizens is important to the nation and
2336 state;

2337 (d) the primary responsibility for the education of children within the state resides with
2338 their parents or guardians and that the role of state and local governments is to support and
2339 assist parents in fulfilling that responsibility;

2340 (e) public schools fulfill a vital purpose in the preparation of succeeding generations of
2341 informed and responsible citizens who are deeply attached to essential democratic values and
2342 institutions; and

2343 (f) the happiness and security of American society relies upon the public virtue of its
2344 citizens which requires a united commitment to a moral social order where self-interests are
2345 willingly subordinated to the greater common good.

2346 (3) Through an integrated curriculum, students shall be taught in connection with
2347 regular school work:

2348 (a) honesty, integrity, morality, civility, duty, honor, service, and obedience to law;

2349 (b) respect for and an understanding of the Declaration of Independence and the
2350 constitutions of the United States and of the state of Utah;

2351 (c) Utah history, including territorial and preterritorial development to the present;

2352 (d) the essentials and benefits of the free enterprise system;

2353 (e) respect for parents, home, and family;
 2354 (f) the dignity and necessity of honest labor; and
 2355 (g) other skills, habits, and qualities of character which will promote an upright and
 2356 desirable citizenry and better prepare students to recognize and accept responsibility for
 2357 preserving and defending the blessings of liberty inherited from prior generations and secured
 2358 by the constitution.

2359 (4) Local school boards and school administrators may provide training, direction, and
 2360 encouragement, as needed, to accomplish the intent and requirements of this section and to
 2361 effectively emphasize civic and character education in the course of regular instruction in the
 2362 public schools.

2363 (5) Civic and character education in public schools are:

2364 (a) not intended to be separate programs in need of special funding or added specialists
 2365 to be accomplished; and

2366 (b) core principles which reflect the shared values of the citizens of Utah and the
 2367 founding principles upon which representative democracy in the United States and the state of
 2368 Utah are based.

2369 (6) To assist the Commission on Civic and Character Education in fulfilling the
 2370 commission's duties under Section [67-1a-11](#), by December 30 of each year, each school district
 2371 and the State Charter School Board shall submit to the lieutenant governor and the commission
 2372 a report summarizing how civic and character education are achieved in the school district or
 2373 charter schools through an integrated school curriculum and in the regular course of school
 2374 work as provided in this section.

2375 (7) ~~[Each year, the]~~ The State Board of Education shall report ~~[to the Education Interim~~
 2376 ~~Committee, on or before the October meeting,]~~ in accordance with Section [53E-1-203](#) the
 2377 methods used, and the results being achieved, to instruct and prepare students to become
 2378 informed and responsible citizens through an integrated curriculum taught in connection with
 2379 regular school work as required in this section.

2380 Section 49. Section **53G-11-511** is amended to read:

2381 **53G-11-511. Report of performance levels.**

2382 (1) A school district shall report to the State Board of Education the number and
 2383 percent of educators in each of the four levels of performance assigned under Section

2384 [53G-11-508](#).

2385 (2) The data reported under Subsection (1) shall be separately reported for the
2386 following educator classifications:

2387 (a) administrators;

2388 (b) teachers, including separately reported data for provisional teachers and career
2389 teachers; and

2390 (c) other classifications or demographics of educators as determined by the State Board
2391 of Education.

2392 (3) The state superintendent shall include the data reported by school districts under
2393 this section in the [~~state superintendent's annual report of the public school system~~] State
2394 Superintendent's Annual Report required by Section [~~53E-3-301~~] [53E-1-203](#).

2395 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
2396 State Board of Education shall make rules to ensure the privacy and protection of individual
2397 evaluation data.

2398 Section 50. Section **59-9-102.5** is amended to read:

2399 **59-9-102.5. Offset for occupational health and safety related donations.**

2400 (1) As used in this section:

2401 (a) "Occupational health and safety center" means the Rocky Mountain Center for
2402 Occupational and Environmental Health created in Title 53B, Chapter 17, Part 8, Rocky
2403 Mountain Center for Occupational and Environmental Health.

2404 (b) "Qualified donation" means a donation that is:

2405 (i) cash;

2406 (ii) given directly to an occupational health and safety center; and

2407 (iii) given exclusively for the purpose of:

2408 (A) supporting graduate level education and training in fields of:

2409 (I) safety and ergonomics;

2410 (II) industrial hygiene;

2411 (III) occupational health nursing; and

2412 (IV) occupational medicine;

2413 (B) providing continuing education programs for employers designed to promote
2414 workplace safety; and

2415 (C) paying reasonable administrative, personnel, equipment, and overhead costs of the
2416 occupational health and safety center.

2417 (c) "Workers' compensation insurer" means an admitted insurer writing workers'
2418 compensation insurance in this state that is required to pay the premium assessment imposed
2419 under Subsection 59-9-101(2).

2420 (2) (a) A workers' compensation insurer may offset against the premium assessment
2421 imposed under Subsection 59-9-101(2) an amount equal to the lesser of:

2422 (i) the total of qualified donations made by the workers' compensation insurer in the
2423 calendar year for which the premium assessment is calculated; and

2424 (ii) .10% of the workers' compensation insurer's total workers' compensation premium
2425 income as defined in Subsection 59-9-101(2)(b) in the calendar year for which the premium
2426 assessment is calculated.

2427 (b) The offset provided under this Subsection (2) shall be allocated in proportion to the
2428 percentages provided in Subsection 59-9-101(2)(c).

2429 (3) An occupational health and safety center shall:

2430 (a) provide a workers' compensation insurer a receipt for any qualified donation made
2431 by the workers' compensation insurer to the occupational health and safety center;

2432 (b) expend money received by a qualified donation:

2433 (i) for the purposes described in Subsection (1)(b)(iii); and

2434 (ii) in a manner that can be audited to ensure that the money is expended for the
2435 purposes described in Subsection (1)(b)(iii); and

2436 (c) in conjunction with the report required by Section 34A-2-202.5, report to [~~the~~
2437 Legislature through] the Office of the Legislative Fiscal Analyst for review by the Higher
2438 Education Appropriations Subcommittee by no later than [~~July 1~~] August 15 of each year:

2439 (i) the qualified donations received by the occupational health and safety center in the
2440 previous calendar year; and

2441 (ii) the expenditures during the previous calendar year of qualified donations received
2442 by the occupational health and safety center.

2443 Section 51. Section 63I-2-253 is amended to read:

2444 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

2445 (1) Section 53A-24-602 is repealed July 1, 2018.

- 2446 (2) (a) Subsections 53B-2a-103(2) and (4) are repealed July 1, 2019.
- 2447 (b) When repealing Subsections 53B-2a-103(2) and (4), the Office of Legislative
2448 Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3),
2449 make necessary changes to subsection numbering and cross references.
- 2450 (3) (a) Subsection 53B-2a-108(5) is repealed July 1, 2022.
- 2451 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and
2452 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
2453 necessary changes to subsection numbering and cross references.
- 2454 (4) (a) Subsection 53B-7-705(6)(b)(ii)(A), the language that states "Except as provided
2455 in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.
- 2456 (b) Subsection 53B-7-705(6)(b)(ii)(B) is repealed July 1, 2021.
- 2457 (5) (a) Subsection 53B-7-707[~~(4)~~] (3)(a)(ii), the language that states "Except as
2458 provided in Subsection [~~(4)~~] (3)(b)," is repealed July 1, 2021.
- 2459 (b) Subsection 53B-7-707[~~(4)~~] (3)(b) is repealed July 1, 2021.
- 2460 (6) (a) The following sections are repealed on July 1, 2023:
- 2461 (i) Section 53B-8-202;
- 2462 (ii) Section 53B-8-203;
- 2463 (iii) Section 53B-8-204; and
- 2464 (iv) Section 53B-8-205.
- 2465 (b) (i) Subsection 53B-8-201(2) is repealed on July 1, 2023.
- 2466 (ii) When repealing Subsection 53B-8-201(2), the Office of Legislative Research and
2467 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
2468 necessary changes to subsection numbering and cross references.
- 2469 (7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
2470 repealed July 1, 2023.
- 2471 (8) Subsection 53E-5-306(3)(b)(ii)(B) is repealed July 1, 2020.
- 2472 (9) Section 53E-5-307 is repealed July 1, 2020.
- 2473 (10) Subsections 53F-2-205(4) and (5), the language that states "or 53F-2-301.5, as
2474 applicable" is repealed July 1, 2023.
- 2475 (11) Subsection 53F-2-301(1) is repealed July 1, 2023.
- 2476 (12) Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as applicable"

2477 is repealed July 1, 2023.

2478 (13) Section 53F-4-204 is repealed July 1, 2019.

2479 (14) Section 53F-6-202 is repealed July 1, 2020.

2480 (15) Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as applicable"

2481 is repealed July 1, 2023.

2482 (16) Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as

2483 applicable" is repealed July 1, 2023.

2484 (17) Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as

2485 applicable" is repealed July 1, 2023.

2486 (18) Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as

2487 applicable" is repealed July 1, 2023.

2488 (19) On July 1, 2023, when making changes in this section, the Office of Legislative

2489 Research and General Counsel shall, in addition to the office's authority under Subsection

2490 36-12-12(3), make corrections necessary to ensure that sections and subsections identified in

2491 this section are complete sentences and accurately reflect the office's perception of the

2492 Legislature's intent.