

## SB0014S02 compared with SB0014S01

~~{deleted text}~~ shows text that was in SB0014S01 but was deleted in SB0014S02.

Inserted text shows text that was not in SB0014S01 but was inserted into SB0014S02.

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~~{Senator Ann Millner}~~ Representative Val L. Peterson proposes the following substitute bill:

### EDUCATION REPORTING REQUIREMENTS

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ann Millner**

House Sponsor: Val L. Peterson

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#### LONG TITLE

##### General Description:

This bill amends provisions related to education reports.

##### Highlighted Provisions:

This bill:

- ▶ aligns reports and reporting dates of certain reports by the Rocky Mountain Center for Occupational and Environmental Health;
- ▶ repeals certain reports and related provisions;
- ▶ creates indexes of reports to and actions required of:
  - the Higher Education Appropriations Subcommittee;
  - the Education Interim Committee; and
  - the Public Education Appropriations Subcommittee;

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- ▶ reenacts and amends the State Superintendent's Annual Report, including requiring other certain existing reports be included in the annual report;
- ▶ amends provisions by assigning reports and appropriations recommendations to specified legislative education committees;
- ▶ repeals and reenacts provisions requiring the State Board of Education to create a strategic plan; and
- ▶ makes technical corrections.

### **Money Appropriated in this Bill:**

None

### **Other Special Clauses:**

None

### **Utah Code Sections Affected:**

#### **AMENDS:**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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**53E-4-202**, as renumbered and amended by Laws of Utah 2018, Chapter 1  
**53E-4-309**, as renumbered and amended by Laws of Utah 2018, Chapter 1  
**53E-5-310**, as renumbered and amended by Laws of Utah 2018, Chapter 1  
**53E-8-204**, as renumbered and amended by Laws of Utah 2018, Chapter 1  
**53E-10-308**, as renumbered and amended by Laws of Utah 2018, Chapter 1  
**53E-10-702**, as enacted by Laws of Utah 2018, Chapter 341  
**53E-10-703**, as enacted by Laws of Utah 2018, Chapter 341  
**53F-2-309**, as renumbered and amended by Laws of Utah 2018, Chapter 2  
**53F-2-503**, as last amended by Laws of Utah 2018, Chapters 300, 456 and renumbered  
and amended by Laws of Utah 2018, Chapter 2  
**53F-2-508**, as renumbered and amended by Laws of Utah 2018, Chapter 2  
**53F-2-510**, as renumbered and amended by Laws of Utah 2018, Chapter 2  
**53F-2-512**, as renumbered and amended by Laws of Utah 2018, Chapter 2  
**53F-4-203**, as enacted by Laws of Utah 2018, Chapter 2  
**53F-4-407**, as renumbered and amended by Laws of Utah 2018, Chapter 2  
**53F-5-204**, as renumbered and amended by Laws of Utah 2018, Chapter 2  
**53F-5-307**, as renumbered and amended by Laws of Utah 2018, Chapter 2  
**53F-5-405**, as renumbered and amended by Laws of Utah 2018, Chapter 2  
**53F-5-506**, as renumbered and amended by Laws of Utah 2018, Chapter 2  
**53G-4-403**, as renumbered and amended by Laws of Utah 2018, Chapter 3  
**53G-4-404**, as renumbered and amended by Laws of Utah 2018, Chapter 3  
**53G-5-411**, as enacted by Laws of Utah 2018, Chapter 3  
**53G-6-707**, as renumbered and amended by Laws of Utah 2018, Chapter 3  
**53G-8-207**, as renumbered and amended by Laws of Utah 2018, Chapter 3  
**53G-9-702**, as last amended by Laws of Utah 2018, Chapter 414 and renumbered and  
amended by Laws of Utah 2018, Chapter 3  
**53G-9-703**, as renumbered and amended by Laws of Utah 2018, Chapter 3  
**53G-9-802**, as renumbered and amended by Laws of Utah 2018, Chapter 3  
**53G-10-204**, as renumbered and amended by Laws of Utah 2018, Chapter 3  
**53G-11-511**, as renumbered and amended by Laws of Utah 2018, Chapter 3  
**59-9-102.5**, as last amended by Laws of Utah 2011, Chapter 342

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**63I-2-253**, as last amended by Laws of Utah 2018, Chapters 107, 281, 382, 415, and 456

ENACTS:

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

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

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

REPEALS AND REENACTS:

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

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

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

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

(1) As used in this section:

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

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

(i) cash;

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

(iii) given exclusively for the purpose of:

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

(I) safety and ergonomics;

(II) industrial hygiene;

(III) occupational health nursing; and

(IV) occupational medicine;

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

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

(c) "Self-insured employer" is a self-insured employer as defined in Section 34A-2-201.5 that is required to pay the assessment imposed under Section 34A-2-202.

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(2) (a) A self-insured employer may offset against the assessment imposed under Section 34A-2-202 an amount equal to the lesser of:

(i) the total of qualified donations made by the self-insured employer in the calendar year for which the assessment is calculated; and

(ii) .10% of the self-insured employer's total calculated premium calculated under Subsection 34A-2-202(1)(d) for the calendar year for which the assessment is calculated.

(b) The offset provided under this Subsection (2) shall be allocated in proportion to the percentages provided in Subsection 59-9-101(2)(c).

(3) An occupational health and safety center shall:

(a) provide a self-insured employer a receipt for any qualified donation made by the self-insured employer to the occupational health and safety center;

(b) expend money received by a qualified donation:

(i) for the purposes described in Subsection (1)(b)(iii); and

(ii) in a manner that can be audited to ensure that the money is expended for the purposes described in Subsection (1)(b)(iii); and

(c) in conjunction with the report required by Section 59-9-102.5, report to ~~the Legislature through~~ the Office of the Legislative Fiscal Analyst for review by the Higher Education Appropriations Subcommittee by no later than ~~July 1~~ August 15 of each year:

(i) the qualified donations received by the occupational health and safety center in the previous calendar year; and

(ii) the expenditures during the previous calendar year of qualified donations received by the occupational health and safety center.

Section 2. Section **53B-1-107** is amended to read:

### **53B-1-107. Annual report of board activities.**

The board shall submit an annual report of its activities to the governor and to the ~~Legislature~~ Education Interim Committee and shall provide copies to all institutions in the state system of higher education.

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

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

(1) As used in this section:

(a) "Borrower" means:

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

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

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

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

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

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

(i) is located in Utah; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

### Part 3. Reports

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

(1) As used in this section:

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

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

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

(B) a technical college.

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

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

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

(i) employee compensation;

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

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

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

(v) enrollment growth.

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

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

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

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

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

(b) The appropriations recommended by the board shall be made with the dual

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objective of:

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

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

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

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

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

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

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

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

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

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

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institutional work programs.

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

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

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

### **53B-7-706. Performance metrics for higher education institutions --**

#### **Determination of performance.**

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

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

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

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

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

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

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

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

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

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

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

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(a) performance; and

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

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

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

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

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

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

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

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

(i) completions, measured by certificates awarded;

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

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

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

(iii) secondary completions, measured by:

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

(B) certificates awarded to secondary students; and

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

(iv) placements, measured by:

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

(B) placements for underserved students; and

(C) placements from high impact programs; and

(v) institutional efficiency, measured by the number of technical college graduates per

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900 membership hours.

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

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

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

(i) performance; and

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

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

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

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

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

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

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

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

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

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

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authorized by this section.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(A) improve workplace health and safety; and

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

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

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

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

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

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

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

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

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

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

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

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

(a) aerospace and defense;

(b) energy and natural resources;



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- (c) financial services;
- (d) life sciences;
- (e) outdoor products;
- (f) software development and information technology; and
- (g) any other strategic industry cluster designated by the Governor's Office of

Economic Development.

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

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

(a) a program of instruction that:

(i) is responsive to the workforce needs of a strategic industry cluster described in

Subsection (1):

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

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

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

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

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

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

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

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

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

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

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

(A) an institution of higher education; or

(B) a college described in Subsection 53B-26-102(10)(b), (c), or (d);

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

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

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

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

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

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

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

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

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

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

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

(b) may not use the money for administration.

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

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

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

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

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

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

(i) the State Board of Regents;

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

(iii) the Higher Education Appropriations Subcommittee.

(2) To receive funding under this section, on or before January 5, an eligible program shall submit to the [~~Legislature~~] Higher Education Appropriations Subcommittee, through the

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budget process for the State Board of Regents or the Utah System of Technical Colleges, as applicable, a proposal that describes:

- (a) a program of instruction offered by the eligible program that is responsive to a projection described in Subsection (1)(a);
  - (b) the following information about the eligible program:
    - (i) expected student enrollment;
    - (ii) attainment rates;
    - (iii) job placement rates; and
    - (iv) passage rates for exams required for licensure for a nursing profession;
  - (c) the instructional cost per full-time equivalent student enrolled in the eligible program;
  - (d) financial or in-kind contributions to the eligible program from:
    - (i) the health care industry; or
    - (ii) an institution; and
  - (e) a funding request, including justification for the request.
- (3) The ~~[Legislature]~~ Higher Education Appropriations Subcommittee shall:
- (a) review a proposal submitted under this section using the following criteria:
    - (i) the proposal:
      - (A) contains the elements described in Subsection (2);
      - (B) expands the capacity to meet the projected demand described in Subsection (1)(a);
    - (ii) the program of instruction described in the proposal:
      - (A) is cost effective;
      - (B) has support from the health care industry or an institution; and
      - (C) has high passage rates on exams required for licensure for a nursing profession;
  - (b) determine the extent to which to fund the proposal; and
  - (c) ~~[appropriate]~~ make an appropriation recommendation to the Legislature on the amount of money determined under Subsection (3)(b) to the eligible program's institution.
- (4) An institution that receives funding under this section shall use the funding to increase the number of students enrolled in the eligible program for which the institution

## SB0014S02 compared with SB0014S01

receives funding.

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

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

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

[Reserved]

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

(a) the prioritized list of data research described in Section 35A-14-302 and the report on research described in Section 35A-14-304 by the Utah Data Research Center;

(b) the report described in Section 53B-1-103 by the State Board of Regents on career and technical education issues and addressing workforce needs;

(c) the report described in Section 53B-1-107 by the State Board of Regents on the activities of the State Board of Regents;

(d) the report described in Section 53B-2a-104 by the Utah System of Technical Colleges Board of Trustees on career and technical education issues;

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

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

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

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

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

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

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

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

## SB0014S02 compared with SB0014S01

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

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

~~(f)~~(D) early childhood teacher training;

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

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

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

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

(b) if required, the report described in Section 53E-5-210 by the state board of an adjustment to the minimum level that demonstrates proficiency for each statewide assessment;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

and

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

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

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

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

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

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

(c) data on the general condition of the schools with recommendations considered desirable for specific programs, including:

(i) a complete statement of fund balances;

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

(iii) a complete statement of adjusted expenditures by fund, the status of bonded indebtedness, the cost of new school plants, and school levies;

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

(v) a statement that includes data on:

(A) fall enrollments;

(B) average membership;

(C) high school graduates;

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

(E) pupil-teacher ratios;

(F) average class sizes;

(G) average salaries;

(H) applicable private school data; and

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

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

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

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

(i) the pupil-teacher ratio for a school shall be calculated by dividing the number of students enrolled in a school by the number of full-time equivalent teachers assigned to the

## SB0014S02 compared with SB0014S01

school, including regular classroom teachers, school-based specialists, and special education teachers;

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

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

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

(b) The report shall:

(i) include the pupil-teacher ratio for:

(A) each school district;

(B) the charter schools aggregated; and

(C) the state's public schools aggregated; and

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

(3) For each operation, activity, program, or service provided by the state board, the annual report shall include:

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

(b) data and metrics:

(i) selected and used by the state board to measure progress, performance, effectiveness, and scope of the operation, activity, program, or service, including summary data; and

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~{x} the report described in Section 53F-4-203 by the state board and the independent evaluator on an evaluation of early interactive reading software;~~

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

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

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

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- ~~(B) the home-based technology high quality school readiness program;~~
- ~~(C) the Intergenerational Poverty School Readiness Scholarship Program; and~~
- ~~(D) early childhood teacher training;~~
- ~~(xiii) the report described in Section 53F-5-405 by an independent evaluator of a partnership that receives a grant to improve educational outcomes for students who are low income;~~
- ~~(xiv) viii) the report described in Section 53F-5-506 by the state board on information related to competency-based education;~~
  - ~~(xv) ix) the report described in Section 53G-9-802 by the state board on dropout prevention and recovery services; and~~
  - ~~(xvi) x) the report described in Section 53G-10-204 by the state board on methods used, and the results being achieved, to instruct and prepare students to become informed and responsible citizens.~~

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

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

(6) The state board shall:

- (a) submit the annual report in accordance with Section 68-3-14; and
- (b) make the annual report, and previous annual reports, accessible to the public by placing a link to the reports on the state board's website.

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

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

Section 18. Section **53E-2-202** is repealed and reenacted to read:

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

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The state board shall:

- (1) create, maintain, and review on a regular basis a statewide, comprehensive multi-year strategic plan that includes long-term goals for improved student outcomes; and
- (2) report annually to the Education Interim Committee on or before the committee's November meeting on the strategic plan described in Subsection (1), including progress toward achieving long-term goals.

Section 19. Section **53E-3-301** is amended to read:

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

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

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

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

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

- (a) core standards for Utah public schools and graduation requirements;
- (b) a process to select model instructional materials that best correlate with the core standards for Utah public schools and graduation requirements that are supported by generally accepted scientific standards of evidence;
- (c) professional development programs for teachers, superintendents, and principals;
- (d) model remediation programs;
- (e) a model method for creating individual student learning targets, and a method of measuring an individual student's performance toward those targets;
- (f) progress-based assessments for ongoing performance evaluations of school districts and schools;
- (g) incentives to achieve the desired outcome of individual student progress in core academics that do not create disincentives for setting high goals for the students;
- (h) an annual report card for school and school district performance, measuring

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learning and reporting progress-based assessments;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~[(E) pupil-teacher ratios;]~~

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~~[(F) average class sizes;]~~

~~[(G) average salaries;]~~

~~[(H) applicable private school data; and]~~

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

~~[(vii) statistical information regarding incidents of delinquent activity in the schools or at school-related activities with separate categories for:]~~

~~[(A) alcohol and drug abuse;]~~

~~[(B) weapon possession;]~~

~~[(C) assaults; and]~~

~~[(D) arson;]~~

~~[(viii) information about:]~~

~~[(A) the development and implementation of the strategy of focusing on core academics;]~~

~~[(B) the development and implementation of competency-based education and progress-based assessments; and]~~

~~[(C) the results being achieved under Subsections (3)(d)(viii)(A) and (B), as measured by individual progress-based assessments and a comparison of Utah students' progress with the progress of students in other states using standardized norm-referenced tests as benchmarks; and]~~

~~[(ix) other statistical and financial information about the school system that the state superintendent considers pertinent;]~~

~~[(e)] (d) collecting and organizing education data into an automated decision support system to facilitate school district and school improvement planning, accountability reporting, performance recognition, and the evaluation of educational policy and program effectiveness to include:~~

~~(i) data that are:~~

~~(A) comparable across schools and school districts;~~

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

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

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

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

(B) interpret the data visually; and

(C) draw conclusions that are statistically valid; and

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

(A) require the state superintendent to:

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

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

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

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

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

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

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

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

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

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

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

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teachers;]

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

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

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

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

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

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

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

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

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

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

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

The State Board of Education:

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

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

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

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

(5) shall require that before a minor student may participate in clinical experiences as part of a health care occupation program at a high school or other institution to which the

## SB0014S02 compared with SB0014S01

student has been referred, the student's parent or legal guardian has:

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

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

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

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

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

(i) at technical colleges; and

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

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

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

(1) As used in this section:

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

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

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

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

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



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- (i) hospitality soft skills;
- (ii) operational areas of the hospitality industry;
- (iii) sales and marketing; and
- (iv) safety and security; and
- (b) the leadership and managerial responsibilities, knowledge, and skills required by an

entry-level leader in hospitality and tourism management, including:

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

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

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

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

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

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

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

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

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

(b) any recommended changes to the pilot program.

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

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

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(1) As used in this section:

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

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

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

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

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

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

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

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

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

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

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

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

(2) Beginning on July 1, 2020, the State Board of Education, in collaboration with school districts, charter schools, and law enforcement agencies, shall develop an annual report

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regarding the following incidents that occur on school grounds while school is in session or during a school-sponsored activity:

- (a) arrests of a minor;
- (b) other law enforcement activities; and
- (c) disciplinary actions.

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

- (a) the number of arrests of a minor, including the reason why the minor was arrested;
- (b) the number of other law enforcement activities, including the following information

for each incident:

- (i) the reason for the other law enforcement activity; and
- (ii) the type of other law enforcement activity used;
- (c) the number of disciplinary actions imposed, including:
  - (i) the reason for the disciplinary action; and
  - (ii) the type of disciplinary action; and
- (d) the number of SROs employed.

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

- (a) age;
- (b) grade level;
- (c) race;
- (d) sex; and
- (e) disability status.

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

- (a) Chapter 9, Part 3, Student Data Protection Act;
- (b) Chapter 9, Part 2, Student Privacy; and
- (c) the Family Education Rights and Privacy Act, 20 U.S.C. Secs. 1232g and 1232h.

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

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

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[to the Education Interim Committee before November 1 of each year] in accordance with Section 53E-1-203 for incidents that occurred during the previous school year.

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

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

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

- (i) communicate effectively, both verbally and through written communication;
- (ii) apply mathematics; and
- (iii) access, analyze, and apply information.

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

- (i) a particular curriculum or instructional material; or
- (ii) a model curriculum or instructional material.

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

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

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

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

- (a) English, including explicit phonics, spelling, grammar, reading, writing, vocabulary, speech, and listening; and
- (b) mathematics, including basic computational skills.

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

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

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

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

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

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

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

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

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

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

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

(ii) conflicts with Utah law;

(iii) requires Utah student data to be included in a national or multi-state database;

(iv) requires records of teacher performance to be included in a national or multi-state database; or

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

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

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committee and the recommendations of a standards review committee established under Section 53E-4-203.

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

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

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

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

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

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

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

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

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

### **53E-8-204. Authority of the State Board of Education -- Rulemaking -- Superintendent -- Advisory Council.**

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

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

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

(3) The superintendent shall:

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

- (i) demonstrated competency as an expert educator of deaf persons; and
- (ii) knowledge of school management and the instruction of deaf persons;

(b) subject to the approval of the board, appoint an associate superintendent to

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administer the Utah School for the Blind based on:

- (i) demonstrated competency as an expert educator of blind persons; and
- (ii) knowledge of school management and the instruction of blind persons, including an

understanding of the unique needs and education of deafblind persons.

(4) (a) The board shall:

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

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

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

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

(i) two members who are blind;

(ii) two members who are deaf; and

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

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

(6) (a) [~~On or before the November interim meeting each year, the~~] The board shall submit a report [to the Education Interim Committee] in accordance with Section ~~53E-1-203~~53E-1-201 on the Utah Schools for the Deaf and the Blind.

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

(i) a financial report;

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

(iii) a report on activities to involve parents and constituency and advocacy groups in the governance of the school; and

(iv) a report on student achievement, including:

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

(B) graduation rates; and

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

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Section 27. Section **53E-10-308** is amended to read:

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

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

- (1) data on the higher education tuition not charged due to the hours of higher education credit granted through concurrent enrollment;
- (2) tuition or fees charged under Section 53E-10-305;
- (3) an accounting of the money appropriated for concurrent enrollment; and
- (4) a justification of the distribution method described in Subsections 53F-2-409(3)(d) and (e).

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

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

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

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

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

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



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### Reporting -- Annual conference.

- (1) The ULEAD director shall:
  - (a) (i) hold a doctorate degree in education or an equivalent degree; and
  - (ii) have demonstrated experience in research and dissemination of best practices in education; and
  - (b) (i) be a full-time employee; and
  - (ii) report to the state superintendent of public instruction.
- (2) The state superintendent shall:
  - (a) evaluate the director's performance annually;
  - (b) report on the director's performance to the selection committee; and
  - (c) provide space for the director and the director's staff.
- (3) The director may hire staff, using only money specifically appropriated to ULEAD.
- (4) The director shall perform the following duties and functions:
  - (a) gather current research on innovative and effective practices in K-12 education for use by policymakers and practitioners;
  - (b) facilitate collaboration between LEAs, higher education researchers, and practitioners by:
    - (i) sharing innovative and effective practices shown to improve student learning;
    - (ii) identifying experts in specific areas of practice; and
    - (iii) maintaining a research clearinghouse and directory of researchers; and
    - (c) analyze barriers to replication or adaption of innovative and successful practices studied by ULEAD or contributed to the ULEAD research clearinghouse.
- (5) The director shall:
  - (a) prioritize reports and other research based on recommendations of the steering committee in accordance with Subsection 53E-10-707(5), and after consulting with individuals described in Subsection 53E-10-707(6);
  - (b) identify Utah LEAs, or schools outside the public school system, that are:
    - (i) innovative in specific areas of practice; and
    - (ii) more effective or efficient than comparable LEAs in improving student learning;
    - (c) establish criteria for innovative practice reports to be performed by participating institutions and included in the research clearinghouse, including report templates;

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

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

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

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

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

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

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

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

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

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

(g) include:

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

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

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

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

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

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

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

(10) The director shall:

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

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

(11) The director shall:

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

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

~~[(f) to the Education Interim Committee and the Public Education Appropriations Subcommittee; and]~~

~~[(ii) in accordance with Section 68-3-14;]~~ submit the report in accordance with Section ~~53E-1-203;~~ 53E-1-201 and 53E-1-202;

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

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

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

(a) Utah education leaders; and

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

Section 30. Section **53F-2-309** is amended to read:

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

(1) As used in this section:

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

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

(i) a school district;

(ii) a charter school; or

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

(2) (a) ~~[On or before February 1, 2017, the]~~ The board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules establishing a distribution formula to allocate money appropriated to the board for Special Education -- Intensive Services that allocate to an LEA:

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

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

(b) ~~[Beginning with the 2017-18 school year, the]~~ The board shall allocate money

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appropriated to the board for Special Education -- Intensive Services in accordance with rules described in Subsection (2)(a).

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

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

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

(1) As used in this section:

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

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

(c) "Program money" means:

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

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

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

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

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

(i) core instruction in:

(A) phonological awareness;

(B) phonics;

(C) fluency;

(D) comprehension;

(E) vocabulary;

(F) oral language; and

(G) writing;

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

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(iii) professional development for classroom teachers, literacy coaches, and interventionists in kindergarten through grade 3;

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

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

(A) is based upon student learning gains as measured by benchmark assessments administered pursuant to Section 53E-4-307; and

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

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

(A) are measurable;

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

(C) include specific strategies for improving outcomes; and

(vii) if a school uses interactive literacy software, the use of interactive literacy software, including early interactive reading software described in Section 53F-4-203.

(b) A local education board shall approve a plan described in Subsection (4)(a) in a public meeting before submitting the plan to the board.

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

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

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

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

(i) the Base Level Program;

(ii) the Guarantee Program; and

(iii) the Low Income Students Program.

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

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

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- (a) 8% to the Base Level Program;
- (b) 46% to the Guarantee Program; and
- (c) 46% to the Low Income Students Program.

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

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

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

(A) each existing charter school's prior year fall enrollment in grades kindergarten through grade 3; and

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

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

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

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

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

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

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with this section.

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

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

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

(ii) not less than \$0.

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

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

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

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

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

(i) evidence-based intervention curriculum;

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

(iii) focused literacy interventions that may include:

(A) the use of reading specialists or paraprofessionals;

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- (B) tutoring;
- (C) before or after school programs;
- (D) summer school programs; or
- (E) the use of interactive computer software programs for literacy instruction and

assessments for students.

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

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

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

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

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

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

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

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

(15) (a) The board shall:

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

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



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

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

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

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

(a) includes information on:

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

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

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

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

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

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

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

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

(1) For purposes of this section:

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

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

(2) There is created the Student Leadership Skills Development Program to develop student behaviors and skills that enhance a school's learning environment and are vital for

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success in a career, including:

- (a) communication skills;
- (b) teamwork skills;
- (c) interpersonal skills;
- (d) initiative and self-motivation;
- (e) goal setting skills;
- (f) problem solving skills; and
- (g) creativity.

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

(b) The board may award a grant of:

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

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

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

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

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

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

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

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

(6) The board shall make the following information related to the grants described in Subsection (3) publicly available on the board's website:

(a) reimbursement procedures that clearly define how a school may spend grant money and how the board will reimburse the school;

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

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

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

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

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

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

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

(i) evidence that the grant money was used for the purpose of purchasing or developing the school's own student leadership skills development program; and

(ii) a report on the effectiveness and impact of the school's student leadership skills development program on student behavior and academic results as measured by:

(A) a reduction in truancy;

(B) assessments of academic achievement;

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

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

(8) After participating in the program for two years, a school may not receive additional grant money in subsequent years if the school fails to demonstrate an improvement in student behavior and academic achievement as measured by the data reported under Subsection (7)(b).

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

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

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

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

(1) As used in this section:

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

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

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

(i) is completed by an LEA analyzing an LEA's readiness to incorporate comprehensive

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digital teaching and learning; and

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

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

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

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

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

(i) a school district;

(ii) a charter school; or

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

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

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

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

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

(i) the board;

(ii) UETN;

(iii) LEAs; and

(iv) the Governor's Education Excellence Commission.

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

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

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

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

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

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

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

(a) a statement of purpose that describes the objectives or goals the board will accomplish by implementing a digital teaching and learning program;

(b) a forecast for fundamental components needed to implement a digital teaching and learning program, including a forecast for:

- (i) student and teacher devices;
- (ii) Wi-Fi and wireless compatible technology;
- (iii) curriculum software;
- (iv) assessment solutions;
- (v) technical support;
- (vi) change management of LEAs;
- (vii) high quality professional learning;
- (viii) Internet delivery and capacity; and

(ix) security and privacy of users;

(c) a determination of the requirements for:

- (i) statewide technology infrastructure; and
- (ii) local LEA technology infrastructure;

(d) standards for high quality professional learning related to implementing and maintaining a digital teaching and learning program;

(e) a statewide technical support plan that will guide the implementation and maintenance of a digital teaching and learning program, including standards and competency

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requirements for technical support personnel;

(f) (i) a grant program for LEAs; or

(ii) a distribution formula to fund LEA digital teaching and learning programs;

(g) in consultation with UETN, an inventory of the state public education system's current technology resources and other items and a plan to integrate those resources into a digital teaching and learning program;

(h) an ongoing evaluation process that is overseen by the board;

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

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

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

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

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

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

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

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

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

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

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

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

~~[(8)]~~ (6) There is created the Digital Teaching and Learning Grant Program to improve

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educational outcomes in public schools by effectively incorporating comprehensive digital teaching and learning technology.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) a proposal for leadership training and management restructuring, if necessary, for

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successful implementation;

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

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

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

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

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

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

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

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

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

(b) Each school within the LEA shall:

(i) complete an implementation assessment; and

(ii) submit a compilation report that meets the requirements described in Subsections ~~[(14)]~~ (12)(a)(ii)(A) and (B).

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

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

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

(b) reduction of funds; or



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(c) other interventions to assist the LEA.

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

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

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

(c) report on the information described in Subsections ~~[(17)]~~ (15)(a) and (b) to the board.

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

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

(ii) an LEA.

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

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

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

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

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

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

(d) If UETN negotiates or enters into an agreement as described in Subsection ~~[(18)]~~

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

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

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

(1) As used in this section:

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

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

(i) a school district;

(ii) a charter school; or

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(c) The State Board of Education and the independent evaluator selected under Subsection (3)(a) shall ~~[report annually]~~ submit a report on the results of the evaluation ~~[to the Education Interim Committee and the governor]~~ in accordance with Section ~~53E-1-203~~53E-1-201.

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

(a) acquire an analytical software program that:

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

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

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

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

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

(1) The State Board of Education shall make a report on UPSTART ~~[to the Education Interim Committee by November 30 each year]~~ in accordance with Section ~~53E-1-203~~53E-1-201.

(2) The report shall:

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

(b) include the following information:

(i) the number of families:

(A) volunteering to participate in the program;

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- (B) selected to participate in the program;
- (C) requesting computers; and
- (D) furnished computers;
- (ii) the frequency of use of the instructional software;
- (iii) obstacles encountered with software usage, hardware, or providing technical assistance to families;
- (iv) student performance on pre-kindergarten and post-kindergarten assessments conducted by school districts and charter schools for students who participated in the home-based educational technology program and those who did not participate in the program; and
- (v) as available, the evaluation of the program conducted pursuant to Section 53F-4-406.

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

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

- (1) As used in this section:
  - (a) "College and career counseling" means:
    - (i) nurturing college and career aspirations;
    - (ii) assisting students in planning an academic program that connects to college and career goals;
    - (iii) providing early and ongoing exposure to information necessary to make informed decisions when selecting a college and career;
    - (iv) promoting participation in college and career assessments;
    - (v) providing financial aid information; and
    - (vi) increasing understanding about college admission processes.
  - (b) "LEA" or "local education agency" means a school district or charter school.
- (2) There is created the Strengthening College and Career Readiness Program, a grant program for LEAs, to improve students' college and career readiness through enhancing the skill level of school counselors to provide college and career counseling.
- (3) The State Board of Education shall:
  - (a) on or before August 1, 2015, collaborate with the State Board of Regents, and business, community, and education stakeholders to develop a certificate for school counselors

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that:

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

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

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

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

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

(ii) criteria for awarding grants; and

(iii) reporting requirements for grantees.

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

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

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

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

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

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

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

(a) the Student Access to High Quality School Readiness Programs Grant Program described in Section 53F-5-303;

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

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

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

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

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

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

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

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

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

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

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

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

(a) design an evaluation methodology that:

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

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

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

(C) attainment of a high school diploma or other completion certificate, as determined by following the student longitudinally; and

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

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

(4) To assist the independent evaluator selected under Subsection (2) in completing the

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evaluation required under Subsection (3):

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

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

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

(5) The board and the department shall [~~report annually, on or before November 1, to the Education Interim Committee~~] submit a report in accordance with Section ~~53E-1-203~~53E-1-201 on the results of an evaluation conducted under this section.

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

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

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

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

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

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

(ii) meet regularly and communicate authentically; and

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

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

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



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and

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

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

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

(b) [~~annually submits the report to the Education Interim Committee~~] submits the report in accordance with Section ~~53E-1-203~~53E-1-201.

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

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

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

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

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

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

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

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

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

(ii) suggested changes to the statute.

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

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

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

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

(2) (a) A school district shall forward statistical reports for the preceding school year, containing items required by law or by the State Board of Education, to the state superintendent

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on or before November 1 of each year.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) A charter school shall forward the accounting report required under Section

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51-2a-201 to the state superintendent on or before October 15 of each year.

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

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

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

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

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

(2) A school district or charter school may:

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

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

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

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

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

(b) The affidavit shall include the following assurances:

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

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

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

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

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

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

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

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

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

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

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

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

(i) sponsored by the same agency; and

(ii) enrolled in a school in a foreign country; and

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(c) is enrolled in the school for one year or less.

Section 45. Section **53G-8-207** is amended to read:

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

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

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

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

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

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

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

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

(i) directly and regularly reward or recognize appropriate behavior;

(ii) impose immediate and direct consequences on students who fail to comply with district or school standards of conduct; and

(iii) keep the students in school, or otherwise continue student learning with appropriate supervision or accountability;

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

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

(d) publish a report that incorporates the research findings, provides model plans with

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suggested resource pools, and makes recommendations for local school boards and school personnel; and

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

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

Section 46. Section **53G-9-702** is amended to read:

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

(1) As used in the section:

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

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

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

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

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

(f) "Secondary grades":

(i) means grades 7 through 12; and

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

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

(2) In collaboration with the public education suicide prevention coordinator, a school district or charter school, in the secondary grades of the school district or charter school, shall implement a youth suicide prevention program, which, in collaboration with the training, programs, and initiatives described in Section 53G-9-607, shall include programs and training to address:

(a) bullying and cyberbullying, as those terms are defined in Section 53G-9-601;

(b) prevention of youth suicide;

(c) youth suicide intervention;

(d) postvention for family, students, and faculty;

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- (e) underage drinking of alcohol;
- (f) methods of strengthening the family; and
- (g) methods of strengthening a youth's relationships in the school and community.

(3) The board shall:

- (a) designate a public education suicide prevention coordinator; and
- (b) in collaboration with the Department of Health and the state suicide prevention

coordinator, develop model programs to provide to school districts and charter schools:

- (i) program training; and
- (ii) resources regarding the required components described in Subsection (2)(b).

(4) The public education suicide prevention coordinator shall:

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

(5) A public school suicide prevention program may allow school personnel to ask a student questions related to youth suicide prevention, intervention, or postvention.

(6) (a) Subject to legislative appropriation, the board may distribute money to a school district or charter school to be used to implement evidence-based practices and programs, or emerging best practices and programs, for preventing suicide in the school district or charter school.

(b) The board shall distribute money under Subsection (6)(a) so that each school that enrolls students in grade 7 or a higher grade receives an allocation of at least \$1,000.

(c) (i) A school shall use money allocated to the school under Subsection (6)(b) to implement evidence-based practices and programs, or emerging best practices and programs, for preventing suicide.

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

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

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on:]

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

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

~~[(iii) the public education suicide prevention coordinator's model program for training and resources related to youth suicide prevention, intervention, and postvention;]~~

~~[(iv) data measuring the effectiveness of youth suicide programs;]~~

~~[(v) funds appropriated to each school district and charter school for youth suicide prevention programs; and]~~

~~[(vi) five-year trends of youth suicides per school, school district, and charter school.]~~

~~[(b) School districts and charter schools shall provide to the board information that is necessary for the board's report to the Legislature's Education Interim Committee as required in Subsection (7)(a).]~~

Section 47. Section **53G-9-703** is amended to read:

### **53G-9-703. Parent education -- Mental health -- Bullying -- Safety.**

(1) (a) Except as provided in Subsection ~~[(4)]~~ (3), a school district shall offer a seminar for parents of students in the school district that:

- (i) is offered at no cost to parents;
- (ii) begins at or after 6 p.m.;
- (iii) is held in at least one school located in the school district; and
- (iv) covers the topics described in Subsection (2).

(b) (i) A school district shall annually offer one parent seminar for each 11,000 students enrolled in the school district.

(ii) Notwithstanding Subsection (1)(b)(i), a school district may not be required to offer more than three seminars.

(c) A school district may:

- (i) develop its own curriculum for the seminar described in Subsection (1)(a); or
- (ii) use the curriculum developed by the State Board of Education under Subsection (2).

(d) A school district shall notify each charter school located in the attendance



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boundaries of the school district of the date and time of a parent seminar, so the charter school may inform parents of the seminar.

(2) The State Board of Education shall:

(a) develop a curriculum for the parent seminar described in Subsection (1) that includes information on:

(i) substance abuse, including illegal drugs and prescription drugs and prevention;

(ii) bullying;

(iii) mental health, depression, suicide awareness, and suicide prevention, including education on limiting access to fatal means;

(iv) Internet safety, including pornography addiction; and

(v) the School Safety and Crisis Line established in Section 53E-10-502; and

(b) provide the curriculum, including resources and training, to school districts upon request.

~~[(3) The State Board of Education shall report to the Legislature's Education Interim Committee, by the October 2015 meeting, on:]~~

~~[(a) the progress of implementation of the parent seminar;]~~

~~[(b) the number of parent seminars conducted in each school district;]~~

~~[(c) the estimated attendance reported by each school district;]~~

~~[(d) a recommendation of whether to continue the parent seminar program; and]~~

~~[(e) if a local school board has opted out of providing the parent seminar, as described in Subsection (4), the reasons why a local school board opted out.]~~

~~[(4)]~~ (3) (a) A school district is not required to offer the parent seminar if the local school board determines that the topics described in Subsection (2) are not of significant interest or value to families in the school district.

(b) If a local school board chooses not to offer the parent seminar, the local school board shall notify the State Board of Education and provide the reasons why the local school board chose not to offer the parent seminar.

Section 48. Section **53G-9-802** is amended to read:

**53G-9-802. Dropout prevention and recovery -- Flexible enrollment options -- Contracting -- Reporting.**

(1) (a) Subject to Subsection (1)(b), an LEA shall provide dropout prevention and

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recovery services to a designated student, including:

- (i) engaging with or attempting to recover a designated student;
- (ii) developing a learning plan, in consultation with a designated student, to identify:
  - (A) barriers to regular school attendance and achievement;
  - (B) an attainment goal; and
  - (C) a means for achieving the attainment goal through enrollment in one or more of the

programs described in Subsection (2);

(iii) monitoring a designated student's progress toward reaching the designated student's attainment goal; and

(iv) providing tiered interventions for a designated student who is not making progress toward reaching the student's attainment goal.

(b) An LEA shall provide the dropout prevention and recovery services described in Subsection (1)(a):

- (i) throughout the calendar year; and
- (ii) except as provided in Subsection (1)(c)(i), for each designated student who

becomes a designated student while enrolled in the LEA.

(c) (i) A designated student's school district of residence shall provide dropout recovery services if the designated student:

- (A) was enrolled in a charter school that does not include grade 12; and
- (B) becomes a designated student in the summer after the student completes academic instruction at the charter school through the maximum grade level the charter school is eligible to serve under the charter school's charter agreement as described in Section 53G-5-303.

(ii) In accordance with Subsection (1)(c)(iii), a charter school that does not include grade 12 shall notify each of the charter school's student's district of residence, as determined under Section 53G-6-302, when the student completes academic instruction at the charter school as described in Subsection (1)(c)(i)(B).

(iii) The notification described in Subsection (1)(c)(ii) shall include the student's name, contact information, and student identification number.

(2) (a) An LEA shall provide flexible enrollment options for a designated student that:

(i) are tailored to the designated student's learning plan developed under Subsection (1)(a)(ii); and

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(ii) include two or more of the following:

(A) enrollment in the LEA in a traditional program;

(B) enrollment in the LEA in a nontraditional program;

(C) enrollment in a program offered by a private provider that has entered into a contract with the LEA to provide educational services; or

(D) enrollment in a program offered by another LEA.

(b) A designated student may enroll in:

(i) a program offered by the LEA under Subsection (2)(a), in accordance with this public education code, rules established by the State Board of Education, and policies established by the LEA;

(ii) the Electronic High School, in accordance with Title 53E, Chapter 10, Part 6, Electronic High School; or

(iii) the Statewide Online Education Program, in accordance with Title 53F, Chapter 4, Part 5, Statewide Online Education Program.

(c) An LEA shall make the LEA's best effort to accommodate a designated student's choice of enrollment under Subsection (2)(b).

(3) Beginning with the 2017-18 school year and except as provided in Subsection (4), an LEA shall enter into a contract with a third party to provide the dropout prevention and recovery services described in Subsection (1)(a) for any school year in which the LEA meets the following criteria:

(a) the LEA's graduation rate is lower than the statewide graduation rate; and

(b) (i) the LEA's graduation rate has not increased by at least 1% on average over the previous three school years; or

(ii) during the previous calendar year, at least 10% of the LEA's designated students have not:

(A) reached the students' attainment goals; or

(B) made a year's worth of progress toward the students' attainment goals.

(4) An LEA that is in the LEA's first three years of operation is not subject to the requirement described in Subsection (3).

(5) An LEA described in Subsection (3) shall ensure that:

(a) a third party with whom the LEA enters into a contract under Subsection (3) has a

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demonstrated record of effectiveness engaging with and recovering designated students; and

(b) a contract with a third party requires the third party to:

- (i) provide the services described in Subsection (1)(a); and
- (ii) regularly report progress to the LEA.

(6) An LEA shall annually submit a report to the State Board of Education on dropout prevention and recovery services provided under this section, including:

(a) the methods the LEA or third party uses to engage with or attempt to recover designated students under Subsection (1)(a)(i);

(b) the number of designated students who enroll in a program described in Subsection (2) as a result of the efforts described in Subsection (6)(a);

(c) the number of designated students who reach the designated students' attainment goals identified under Subsection (1)(a)(ii)(B); and

(d) funding allocated to provide dropout prevention and recovery services.

(7) The State Board of Education shall:

(a) ensure that an LEA described in Subsection (3) contracts with a third party to provide dropout prevention and recovery services in accordance with Subsections (3) and (5); and

(b) ~~[on or before October 30, 2017, and each year thereafter, report to the Education Interim Committee]~~ report on the provisions of this section in accordance with Section 53E-1-203, including a summary of the reports submitted under Subsection (6).

Section 49. Section **53G-10-204** is amended to read:

**53G-10-204. Civic and character education -- Definitions -- Legislative finding -- Elements -- Reporting requirements.**

(1) As used in this section:

(a) "Character education" means reaffirming values and qualities of character which promote an upright and desirable citizenry.

(b) "Civic education" means the cultivation of informed, responsible participation in political life by competent citizens committed to the fundamental values and principles of representative democracy in Utah and the United States.

(c) "Values" means time-established principles or standards of worth.

(2) The Legislature recognizes that:

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(a) Civic and character education are fundamental elements of the public education system's core mission as originally intended and established under Article X of the Utah Constitution;

(b) Civic and character education are fundamental elements of the constitutional responsibility of public education and shall be a continuing emphasis and focus in public schools;

(c) the cultivation of a continuing understanding and appreciation of a constitutional republic and principles of representative democracy in Utah and the United States among succeeding generations of educated and responsible citizens is important to the nation and state;

(d) the primary responsibility for the education of children within the state resides with their parents or guardians and that the role of state and local governments is to support and assist parents in fulfilling that responsibility;

(e) public schools fulfill a vital purpose in the preparation of succeeding generations of informed and responsible citizens who are deeply attached to essential democratic values and institutions; and

(f) the happiness and security of American society relies upon the public virtue of its citizens which requires a united commitment to a moral social order where self-interests are willingly subordinated to the greater common good.

(3) Through an integrated curriculum, students shall be taught in connection with regular school work:

(a) honesty, integrity, morality, civility, duty, honor, service, and obedience to law;

(b) respect for and an understanding of the Declaration of Independence and the constitutions of the United States and of the state of Utah;

(c) Utah history, including territorial and preterritorial development to the present;

(d) the essentials and benefits of the free enterprise system;

(e) respect for parents, home, and family;

(f) the dignity and necessity of honest labor; and

(g) other skills, habits, and qualities of character which will promote an upright and desirable citizenry and better prepare students to recognize and accept responsibility for preserving and defending the blessings of liberty inherited from prior generations and secured

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by the constitution.

(4) Local school boards and school administrators may provide training, direction, and encouragement, as needed, to accomplish the intent and requirements of this section and to effectively emphasize civic and character education in the course of regular instruction in the public schools.

(5) Civic and character education in public schools are:

(a) not intended to be separate programs in need of special funding or added specialists to be accomplished; and

(b) core principles which reflect the shared values of the citizens of Utah and the founding principles upon which representative democracy in the United States and the state of Utah are based.

(6) To assist the Commission on Civic and Character Education in fulfilling the commission's duties under Section 67-1a-11, by ~~December 30~~ January 15 of each year, each school district and the State Charter School Board shall submit to the lieutenant governor and the commission a report summarizing how civic and character education are achieved in the school district or charter schools through an integrated school curriculum and in the regular course of school work as provided in this section.

(7) ~~[Each year, the State Board of Education]~~ In accordance with Section 53E-1-203, the state board shall report to the Education Interim Committee~~[, on or before the October meeting,]~~ the methods used, and the results being achieved, to instruct and prepare students to become informed and responsible citizens through an integrated curriculum taught in connection with regular school work as required in this section.

Section 50. Section **53G-11-511** is amended to read:

### **53G-11-511. Report of performance levels.**

(1) A school district shall report to the State Board of Education the number and percent of educators in each of the four levels of performance assigned under Section 53G-11-508.

(2) The data reported under Subsection (1) shall be separately reported for the following educator classifications:

(a) administrators;

(b) teachers, including separately reported data for provisional teachers and career

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teachers; and

(c) other classifications or demographics of educators as determined by the State Board of Education.

(3) The state superintendent shall include the data reported by school districts under this section in the [~~state superintendent's annual report of the public school system~~] State Superintendent's Annual Report required by Section [~~53E-3-304~~] 53E-1-203.

(4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education shall make rules to ensure the privacy and protection of individual evaluation data.

Section 51. Section **59-9-102.5** is amended to read:

### **59-9-102.5. Offset for occupational health and safety related donations.**

(1) As used in this section:

(a) "Occupational health and safety center" means the Rocky Mountain Center for Occupational and Environmental Health created in Title 53B, Chapter 17, Part 8, Rocky Mountain Center for Occupational and Environmental Health.

(b) "Qualified donation" means a donation that is:

(i) cash;

(ii) given directly to an occupational health and safety center; and

(iii) given exclusively for the purpose of:

(A) supporting graduate level education and training in fields of:

(I) safety and ergonomics;

(II) industrial hygiene;

(III) occupational health nursing; and

(IV) occupational medicine;

(B) providing continuing education programs for employers designed to promote workplace safety; and

(C) paying reasonable administrative, personnel, equipment, and overhead costs of the occupational health and safety center.

(c) "Workers' compensation insurer" means an admitted insurer writing workers' compensation insurance in this state that is required to pay the premium assessment imposed under Subsection 59-9-101(2).

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(2) (a) A workers' compensation insurer may offset against the premium assessment imposed under Subsection 59-9-101(2) an amount equal to the lesser of:

(i) the total of qualified donations made by the workers' compensation insurer in the calendar year for which the premium assessment is calculated; and

(ii) .10% of the workers' compensation insurer's total workers' compensation premium income as defined in Subsection 59-9-101(2)(b) in the calendar year for which the premium assessment is calculated.

(b) The offset provided under this Subsection (2) shall be allocated in proportion to the percentages provided in Subsection 59-9-101(2)(c).

(3) An occupational health and safety center shall:

(a) provide a workers' compensation insurer a receipt for any qualified donation made by the workers' compensation insurer to the occupational health and safety center;

(b) expend money received by a qualified donation:

(i) for the purposes described in Subsection (1)(b)(iii); and

(ii) in a manner that can be audited to ensure that the money is expended for the purposes described in Subsection (1)(b)(iii); and

(c) in conjunction with the report required by Section 34A-2-202.5, report to [~~the Legislature through~~] the Office of the Legislative Fiscal Analyst for review by the Higher Education Appropriations Subcommittee by no later than [~~July 1~~] August 15 of each year:

(i) the qualified donations received by the occupational health and safety center in the previous calendar year; and

(ii) the expenditures during the previous calendar year of qualified donations received by the occupational health and safety center.

Section 52. Section **63I-2-253** is amended to read:

### **63I-2-253. Repeal dates -- Titles 53 through 53G.**

(1) Section 53A-24-602 is repealed July 1, 2018.

(2) (a) Subsections 53B-2a-103(2) and (4) are repealed July 1, 2019.

(b) When repealing Subsections 53B-2a-103(2) and (4), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

(3) (a) Subsection 53B-2a-108(5) is repealed July 1, 2022.



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(b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

(4) (a) Subsection 53B-7-705(6)(b)(ii)(A), the language that states "Except as provided in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

(b) Subsection 53B-7-705(6)(b)(ii)(B) is repealed July 1, 2021.

(5) (a) Subsection 53B-7-707[~~(4)~~] (3)(a)(ii), the language that states "Except as provided in Subsection [~~(4)~~] (3)(b)," is repealed July 1, 2021.

(b) Subsection 53B-7-707[~~(4)~~] (3)(b) is repealed July 1, 2021.

(6) (a) The following sections are repealed on July 1, 2023:

(i) Section 53B-8-202;

(ii) Section 53B-8-203;

(iii) Section 53B-8-204; and

(iv) Section 53B-8-205.

(b) (i) Subsection 53B-8-201(2) is repealed on July 1, 2023.

(ii) When repealing Subsection 53B-8-201(2), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

(7) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is repealed July 1, 2023.

(8) Subsection 53E-5-306(3)(b)(ii)(B) is repealed July 1, 2020.

(9) Section 53E-5-307 is repealed July 1, 2020.

(10) Subsections 53F-2-205(4) and (5), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(11) Subsection 53F-2-301(1) is repealed July 1, 2023.

(12) Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(13) Section 53F-4-204 is repealed July 1, 2019.

(14) Section 53F-6-202 is repealed July 1, 2020.

(15) Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

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(16) Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(17) Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(18) Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(19) On July 1, 2023, when making changes in this section, the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections identified in this section are complete sentences and accurately reflect the office's perception of the Legislature's intent.