

30 (2) "Cohort" means all district schools and charter schools identified as low performing
31 schools based on school accountability results from the same school year.

32 [~~2~~] (3) "Educator" means the same as that term is defined in Section 53E-6-102.

33 [~~3~~] (4) "Final remedial year" means the second or third school year following the
34 initial remedial year, as determined by the state board.

35 [~~4~~] (5) "Independent school turnaround expert" or "turnaround expert" means a
36 person identified by the state board under Section 53E-5-305.

37 [~~5~~] (6) "Initial remedial year" means the school year a district school or charter school
38 is designated as a low performing school under Section 53E-5-302.

39 [~~6~~] (7) "LEA governing board" means a local school board or charter school
40 governing board.

41 [~~7~~] (8) "Low performing school" means a district school or charter school that has
42 been designated a low performing school by the state board because the school is:

43 (a) for two consecutive school years in the lowest performing 3% of schools statewide
44 according to the percentage of possible points earned under the school accountability system;
45 and

46 (b) a low performing school according to other outcome-based measures as may be
47 defined in rules made by the state board.

48 [~~8~~] (9) "School accountability system" means the school accountability system
49 established in Part 2, School Accountability System.

50 [~~9~~] (10) "School grade" or "grade" means the letter grade assigned to a school as the
51 school's overall rating under the school accountability system.

52 [~~10~~] (11) "School turnaround committee" means a committee established under:

53 (a) for a district school, Section 53E-5-303; or

54 (b) for a charter school, Section 53E-5-304.

55 [~~11~~] (12) "School turnaround plan" means a plan described in:

56 (a) for a district school, Section 53E-5-303; or

57 (b) for a charter school, Section 53E-5-304.

58 Section 2. Section **53E-5-306** is amended to read:

59 **53E-5-306. Implications for failing to improve school performance.**

60 (1) As used in this section, "high performing charter school" means a charter school
61 that:

62 (a) satisfies all requirements of state law and state board rules;

63 (b) meets or exceeds standards for student achievement established by the charter
64 school's charter school authorizer; and

65 (c) has received at least a B grade under the school accountability system in the
66 previous two school years.

67 (2) (a) The state board shall make rules establishing:

68 (i) the final remedial year for a cohort;

69 ~~[(i)]~~ (ii) exit criteria for a low performing school;

70 ~~[(ii)]~~ (iii) criteria for granting a school an extension as described in Subsection (3); and

71 ~~[(iii)]~~ (iv) implications for a low performing school that does not meet exit criteria after
72 the school's final remedial year or the last school year of the extension period described in
73 Subsection (3).

74 (b) In establishing exit criteria for a low performing school identified based on school
75 accountability results from the 2018-19 school year and later, the state board shall:

76 (i) determine for each low performing school the number of points awarded under the
77 school accountability system ~~[in the final remedial year]~~ that represent a substantive ~~[and~~
78 ~~statistically significant]~~ improvement over the number of points awarded under the school
79 accountability system in the school year immediately preceding the initial remedial year; and

80 (ii) establish a method to ~~[estimate the exit criteria after a low performing school's first~~
81 ~~remedial year to]~~ provide a target for each low performing school~~[- and]~~;

82 ~~[(iii) use generally accepted statistical practices.]~~

83 (c) The state board shall through a competitively awarded contract engage a third party
84 with expertise in school accountability and assessments to verify the exit criteria adopted under
85 ~~[this Subsection]~~ Subsections (2)(a)(i) and (ii).

86 (3) (a) A low performing school may petition the state board for an extension to
87 continue school improvement efforts for up to two years if the low performing school does not
88 meet the exit criteria established by the state board as described in Subsection (2).

89 (b) A school that has been granted an extension under this Subsection (3) is eligible
90 for:

91 (i) continued funding under Section 53E-5-305; and

92 (ii) (A) the school teacher recruitment and retention incentive under Section
93 53E-5-308; or

94 (B) the School Recognition and Reward Program under Section 53E-5-307.

95 (4) If a low performing school does not meet exit criteria after the school's final
96 remedial year or the last school year of the extension period, the state board may intervene by:

97 (a) restructuring a district school, which may include:

98 (i) contract management;

99 (ii) conversion to a charter school; or

100 (iii) state takeover;

101 (b) restructuring a charter school by:

102 (i) terminating a school's charter agreement;

103 (ii) closing a charter school; or

104 (iii) transferring operation and control of the charter school to:

105 (A) a high performing charter school; or

106 (B) the school district in which the charter school is located; or

107 (c) other appropriate action as determined by the state board.