

1 **AMERICAN INDIAN AND ALASKAN NATIVE EDUCATION**

2 **AMENDMENTS**

3 2020 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: David P. Hinkins**

6 House Sponsor: Christine F. Watkins

7 Cosponsor:

8 Jani Iwamoto

9

10 **LONG TITLE**

11 **General Description:**

12 This bill makes an ongoing program providing grants targeted to address the needs of
13 American Indian and Alaskan Native students.

14 **Highlighted Provisions:**

15 This bill:

16 ▶ replaces two pilot programs with an ongoing program administered by the State
17 Board of Education consisting of a grant program to school districts and charter
18 schools to be used to fund stipends, recruitment, retention, and professional
19 development of teachers who teach in American Indian and Alaskan Native
20 concentrated schools; and

21 ▶ makes technical corrections.

22 **Money Appropriated in this Bill:**

23 This bill appropriates in fiscal year 2021:

24 ▶ to State Board of Education -- General System Support, as an ongoing
25 appropriation:

26 • from Education Fund, \$250,000.

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53F-5-602**, as last amended by Laws of Utah 2019, Chapters 186 and 246

32 **53F-5-603**, as last amended by Laws of Utah 2019, Chapter 186

33 **53F-5-604**, as last amended by Laws of Utah 2019, Chapter 246

34 **63I-1-253**, as last amended by Laws of Utah 2019, Chapters 90, 136, 166, 173, 246,

35 325, 344 and last amended by Coordination Clause, Laws of Utah 2019, Chapter

36 246



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

39 Section 1. Section **53F-5-602** is amended to read:

40 **53F-5-602. Program created.**

41 (1) (a) In addition to the state plan adopted under Laws of Utah 2015, Chapter 53,
42 Section 7, beginning with fiscal year ~~[2016-2017]~~ 2020-2021, there is created a [~~five-year~~
43 ~~pilot~~] program administered by the state board to provide grants targeted to address the needs
44 of American Indian and Alaskan Native students.

45 (b) The [~~pilot~~] program shall consist of a grant program to school districts and charter
46 schools to be used to fund stipends, recruitment, retention, and professional development of
47 teachers who teach in American Indian and Alaskan Native concentrated schools.

48 [~~(2) (a) Beginning with fiscal year 2017-2018, there is created a four-year pilot~~
49 ~~program administered by the state board to provide grants targeted to address the needs of~~
50 ~~American Indian and Alaskan Native students.]~~

51 [~~(b) The pilot program shall consist of a grant program to school districts and charter~~
52 ~~schools to be used to fund stipends, recruitment, retention, and professional development of~~
53 ~~teachers who teach in American Indian and Alaskan Native concentrated schools.]~~

54 (c) In determining grant recipients [~~under this Subsection (2)~~] for at least two-thirds of
55 the money appropriated to the program, the state board shall give priority to American Indian
56 and Alaskan Native concentrated schools located in a county of the fourth, fifth, or sixth class

57 with significant populations of American Indians and Alaskan Natives.

58 [~~(3)~~] (2) Up to 3% of the money appropriated to [a] the grant program under this part
59 may be used by the state board for costs in implementing the [~~pilot~~] program.

60 Section 2. Section **53F-5-603** is amended to read:

61 **53F-5-603. Grant program to school districts and charter schools.**

62 (1) From money appropriated to the grant program, the state board shall distribute
63 grant money on a competitive basis to a school district or charter school that applies for a grant
64 and:

65 (a) (i) has within the school district one or more American Indian and Alaskan Native
66 concentrated schools; or

67 (ii) is an American Indian and Alaskan Native concentrated school; and

68 (b) has a program to fund stipends, recruitment, retention, and professional
69 development of teachers who teach at American Indian and Alaskan Native concentrated
70 schools.

71 (2) The grant money distributed under this section may only be expended to fund a
72 program described in Subsection (1)(b).

73 (3) (a) If a school district or charter school obtains a grant under this section, by no
74 later than two years from the date the school district or charter school obtains the grant, the
75 state board shall review the implementation of the program described in Subsection (1)(b) to
76 determine whether:

77 (i) the program is effective in addressing the need to retain teachers at American Indian
78 and Alaskan Native concentrated schools; and

79 (ii) the money is being spent for a purpose not covered by the program described in
80 Subsection (1)(b).

81 (b) If the state board determines that the program is not effective or that the money is
82 being spent for a purpose not covered by the program described in Subsection (1)(b), the state
83 board may terminate the grant money being distributed to [~~the~~] a school district or charter
84 school.

- 85 (4) The state board may make rules providing:
86 (a) criteria for evaluating grant applications; and
87 (b) procedures for:
88 (i) a school district to apply to the state board to receive grant money under this
89 section; and
90 (ii) the review of the use of grant money described in Subsection (3).
91 (5) The grant money is intended to supplement and not replace existing money
92 supporting American Indian and Alaskan Native concentrated schools, except that the grant
93 money is intended to replace grants awarded under pilot programs supporting American Indian
94 and Alaskan Native concentrated schools that have ended.

95 Section 3. Section **53F-5-604** is amended to read:

96 **53F-5-604. Liaison -- Reporting -- Meeting.**

97 (1) Subject to budget constraints, the superintendent of public instruction appointed
98 under Section **53E-3-301** shall appoint an individual as the American Indian-Alaskan Native
99 Public Education Liaison.

100 (2) The liaison shall:

- 101 (a) work under the direction of the superintendent in the development and
102 implementation of the state plan; and
103 (b) annually report to the Native American Legislative Liaison Committee created
104 under Section **36-22-1** [~~during the term of a pilot program under this part~~] regarding:
105 (i) what entities receive a grant under this part;
106 (ii) the effectiveness of the expenditures of grant money; and
107 (iii) recommendations, if any, for additional legislative action.

108 (3) The Native American Legislative Liaison Committee shall annually schedule at
109 least one meeting at which education is discussed with selected stakeholders.

110 Section 4. Section **63I-1-253** is amended to read:

111 **63I-1-253. Repeal dates, Titles 53 through 53G.**

112 The following provisions are repealed on the following dates:

- 113 (1) Subsection 53-6-203(1)(b)(ii), regarding being 19 years old at certification, is
114 repealed July 1, 2022.
- 115 (2) Subsection 53-13-104(6), regarding being 19 years old at certification, is repealed
116 July 1, 2022.
- 117 (3) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.
- 118 (4) Section 53B-18-1501 is repealed July 1, 2021.
- 119 (5) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.
- 120 (6) Section 53B-24-402, Rural residency training program, is repealed July 1, 2020.
- 121 (7) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money
122 from the Land Exchange Distribution Account to the Geological Survey for test wells, other
123 hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020.
- 124 (8) Section 53E-3-515 is repealed January 1, 2023.
- 125 (9) In relation to a standards review committee, on January 1, 2023:
126 (a) in Subsection 53E-4-202(8), the language that states "by a standards review
127 committee and the recommendations of a standards review committee established under
128 Section 53E-4-203" is repealed; and
129 (b) Section 53E-4-203 is repealed.
- 130 (10) In relation to the SafeUT and School Safety Commission, on January 1, 2023:
131 (a) Subsection 53B-17-1201(1) is repealed;
132 (b) Section 53B-17-1203 is repealed;
133 (c) Subsection 53B-17-1204(2) is repealed;
134 (d) Subsection 53B-17-1204(4)(a), the language that states "in accordance with the
135 method described in Subsection (4)(c)" is repealed; and
136 (e) Subsection 53B-17-1204(4)(c) is repealed.
- 137 (11) Section 53F-2-514 is repealed July 1, 2020.
- 138 (12) Section 53F-5-203 is repealed July 1, 2024.
- 139 (13) Section 53F-5-212 is repealed July 1, 2024.
- 140 (14) Section 53F-5-213 is repealed July 1, 2023.

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

143 ~~[(16)]~~ (15) Section 53F-6-201 is repealed July 1, 2019.

144 ~~[(17)]~~ (16) Section 53F-9-501 is repealed January 1, 2023.

145 ~~[(18)]~~ (17) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
146 Commission, are repealed January 1, 2025.

147 ~~[(19)]~~ (18) Subsection 53G-8-211(4), regarding referrals of a minor to court for a class
148 C misdemeanor, is repealed July 1, 2020.

149 Section 5. **Appropriation.**

150 The following sums of money are appropriated for the fiscal year beginning July 1,
151 2020 and ending June 30, 2021. These are additions to amounts previously appropriated for
152 fiscal year 2021. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures
153 Act, the Legislature appropriates the following sums of money from the funds or accounts
154 indicated for the use and support of the government of the state of Utah.

155 ITEM 1

156 To State Board of Education -- General System Support

157 From Education Fund

\$250,000

158 Schedule of Programs:

159 Teaching and Learning

\$250,000

160 It is the intent of the Legislature that the State Board of Education spend this funding on
161 the Teacher Retention Grant Program made ongoing by this bill.