

59 (1) Except as provided in Subsection (4), the state board shall:

60 (a) annually designate a school as a low performing school; and

61 (b) conduct a needs assessment for a low performing school by thoroughly analyzing
62 the root causes of the low performing school's low performance.

63 (2) The state board may use up to 5% of the appropriation provided under this part to
64 hire or contract with one or more individuals to conduct a needs assessment described in
65 Subsection (1)(b).

66 (3) A school that was designated as a low performing school based on 2015-2016
67 school year performance that is not in the lowest performing 3% of schools statewide following
68 the 2016-2017 school year is exempt from the provisions of this part.

69 (4) (a) The state board is not required to designate as a low performing school a school
70 for which the state board is not required to assign an overall rating in accordance with Section
71 53E-5-204.

72 (b) The requirement to designate a school as a low-performing school described in
73 Subsection (1) does not apply in ~~H~~→ [relation-to] the school year immediately following ~~←H~~ the
73a 2020-2021 ~~H~~→ [and] or ~~←H~~ 2021-2022 school ~~H~~→ [years] year ~~←H~~ .

74 Section 2. Section **53F-2-209** is enacted to read:

75 **53F-2-209. Use of data to determine funding in fiscal years 2021 and 2022.**

76 (1) For fiscal years 2021 and 2022, if data necessary for programmatic funding
77 distributions to LEAs is inconsistent due to adjustments related to effects of the COVID-19
78 emergency, the state board may use the analogous data from fiscal year 2020 or the 2019-2020
79 school year, at the state board's discretion to execute programmatic funding distributions to
80 LEAs.

81 (2) The state board shall report to the Public Education Appropriations Subcommittee
82 before September 30, 2021, on instances in which the board used fiscal year 2020 data under
83 Subsection (1).

84 Section 3. Section **53F-2-304** is amended to read:

85 **53F-2-304. Necessarily existent small schools -- Computing additional weighted**
86 **pupil units -- Consolidation of small schools.**

87 (1) As used in this section, "necessarily existent small schools funding balance" means
88 the difference between:

89 (a) the amount appropriated for the necessarily existent small schools program in a

369	<u>Statewide Online Education Program</u>	<u>(4,610,700)</u>
370	<u>Student Support Services</u>	<u>700,000</u>

371 The Legislature intends that the State Board of Education;
 372 (1) report to the Public Education Appropriations Subcommittee, on or before
 373 September 30, 2021, regarding how school-level data included in the Annual Financial Reports
 374 (AFRs) and Annual Program Reports (APRs) will be reported in a public-facing format; and
 375 (b) (i) develop a fee for service schedule for certifying the special education programs
 376 of residential treatment centers; and
 377 (ii) report the schedule to the Public Education Appropriations Subcommittee on or
 378 before October 1, 2021.

379	<u>ITEM 18 To State Board of Education - General System Support</u>	
380	<u>From Education Fund</u>	<u>78,500</u>
381	<u>From Education Fund, One-time</u>	<u>7,864,900</u>
382	<u>Schedule of Programs:</u>	
383	<u>Teaching and Learning</u>	<u>926,500</u>
384	<u>Assessment and Accountability</u>	<u>7,016,900</u>

385 (1) The Legislature intends that the Utah State Board of Education use any revenue or
 386 nonlapsing balances generated from the licensing of Readiness Improvement Success
 387 Empowerment (RISE) questions to develop additional assessment questions for all state
 388 assessments, provide professional learning for Utah educators, and for risk mitigation
 389 expenditures.

390 (2) The Legislature intends that, of the appropriations provided to State Board of
 391 Education - Teaching and Learning, \$225,000 be used to implement the provisions of
 392 American Indian and Alaskan Native Education, S.B. 124, Chapter 269, Laws of Utah 2020,
 393 General Session.

394 (3) The Legislature intends that, of the appropriations provided by this item, \$800,000
 395 one-time be used to implement the provisions of Concurrent Enrollment Certificate Pilot
 396 Program, H.B. 336, Chapter 321, Laws of Utah 2020, General Session.

396a **H→ (4) The Legislature intends that, of the appropriations provided by this item,**
 396b **\$7,016,900 be used:**
 396c **(a) in fiscal years 2022, 2023, and 2024; and**
 396d **(b) to contract for professional learning related to improving student achievement. ←H**

397	<u>ITEM 19 To State Board of Education - State Charter School Board</u>	
398	<u>From Education Fund</u>	<u>1,600</u>
399	<u>Schedule of Programs:</u>	