

HB0042S01 compared with HB0042

~~text~~ shows text that was in HB0042 but was deleted in HB0042S01.

inserted text shows text that was not in HB0042 but was inserted into HB0042S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Susan Pulsipher proposes the following substitute bill:

EDUCATION AGENCY REPORT PROCESS AMENDMENTS

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Susan Pulsipher

Senate Sponsor:

~~LONG TITLE~~

~~Committee Note:~~

~~— The Education Interim Committee recommended this bill.~~

~~— Legislative Vote: 16 voting for — 0 voting against — 3 absent~~

~~Derrin R. Owens~~

Cosponsors:

Cheryl K. Acton

Carl R. Albrecht

Stephen G. Handy

Dan N. Johnson

Marsha Judkins

Karianne Lisonbee

Jefferson Moss

V. Lowry Snow

Christine F. Watkins

LONG TITLE

HB0042S01 compared with HB0042

General Description:

This bill removes certain education reporting requirements and requires the State Board of Education to establish a policy or procedures to evaluate the impact a report required in a proposed rule may have on reporting requirements for local education agencies.

Highlighted Provisions:

This bill:

- ▶ requires the State Board of Education (state board) to establish a policy or procedures to evaluate the impact any report required in a rule proposed by the state board may have on reporting requirements for a local education agency;
- ▶ removes education reporting requirements related to:
 - the program evaluation of the dual language immersion program;
 - a local education agency's expenditure of early literacy program money;
 - the digital teaching and learning program;
 - instruction and preparation of students to become informed and responsible citizens; and
 - the state board's progress implementing certain employee evaluations;
- ▶ repeals the Student Leadership Skills Development Program;
- ▶ repeals provisions related to the appropriation for accommodation plans for students with Section 504 accommodations; and
- ▶ defines terms.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53E-1-201, as last amended by Laws of Utah 2020, Chapters 51, 174, 254, 274, 321, 354, 365 and last amended by Coordination Clause, Laws of Utah 2020, Chapters 254, 274, and 321

53E-1-202, as last amended by Laws of Utah 2020, Chapters 330 and 354

53E-1-203, as last amended by Laws of Utah 2020, Chapters 365 and 388

HB0042S01 compared with HB0042

53F-2-502, as last amended by Laws of Utah 2020, Chapter 408

53F-2-503, as last amended by Laws of Utah 2020, Chapters 174 and 408

53F-2-510, as last amended by Laws of Utah 2020, Chapter 408

53G-10-204, as last amended by Laws of Utah 2020, Chapter 320

53G-11-505, as last amended by Laws of Utah 2019, Chapter 293

63I-2-253, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 13

ENACTS:

53E-1-205, Utah Code Annotated 1953

REPEALS:

53F-2-508, as last amended by Laws of Utah 2020, Chapter 408

53F-2-512, as last amended by Laws of Utah 2020, Chapter 408

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

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

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

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

(a) the report described in Section 9-22-109 by the STEM Action Center Board, including the information described in Section 9-22-113 on the status of the computer science initiative and Section 9-22-114 on the Computing Partnerships Grants Program;

(b) 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;

(c) the report described in Section 35A-15-303 by the State Board of Education on preschool programs;

(d) the report described in Section 53B-1-402 by the Utah Board of Higher Education on career and technical education issues and addressing workforce needs;

(e) the annual report of the Utah Board of Higher Education described in Section 53B-1-402;

(f) the reports described in Section 53B-28-401 by the Utah Board of Higher Education regarding activities related to campus safety;

(g) the State Superintendent's Annual Report by the state board described in Section

HB0042S01 compared with HB0042

53E-1-203;

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

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

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

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

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

(m) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board related to grants for professional learning and grants for an elementary teacher preparation assessment; and

(n) the report described in Section 53F-5-405 by the State Board of Education regarding an evaluation of a partnership that receives a grant to improve educational outcomes for students who are low income.

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

(a) the report described in Section 35A-15-303 by the School Readiness Board by November 30, 2020, on benchmarks for certain preschool programs;

(b) the report described in Section 53B-28-402 by the Utah Board of Higher Education on or before the Education Interim Committee's November 2021 meeting;

(c) the report described in Section 53E-3-519 by the state board regarding counseling services in schools;

(d) the reports described in Section 53E-3-520 by the state board regarding cost centers and implementing activity based costing;

(e) 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;

(f) 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;

HB0042S01 compared with HB0042

(g) in 2022 and in 2023, on or before November 30, the report described in Subsection 53E-10-309(7) related to the PRIME pilot program;

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

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

~~[(j)]~~ (i) 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;

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

~~[(l)]~~ (k) 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;

~~[(m)]~~ (l) the report described in Section 53G-7-503 by the state board regarding fees that LEAs charge during the 2020-2021 school year;

~~[(n)]~~ (m) the reports described in Section 53G-11-304 by the state board regarding proposed rules and results related to educator exit surveys;

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

~~[(p)]~~ (n) the report described in Section 62A-15-117 by the Division of Substance Abuse and Mental Health, the State Board of Education, and the Department of Health regarding recommendations related to Medicaid reimbursement for school-based health services; and

~~[(q)]~~ (o) 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 2. Section **53E-1-202** is amended 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

HB0042S01 compared with HB0042

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

(c) the report by the STEM Action Center Board described in Section 9-22-109, including the information described in Section 9-22-113 on the status of the computer science initiative.

(2) ~~[(a)]~~ The one-time report by the state board regarding cost centers and implementing activity based costing is due to the Public Education Appropriations Subcommittee in accordance with Section 53E-3-520.

~~[(b) 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; and

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

Section 3. Section 53E-1-203 is amended 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;

(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;

HB0042S01 compared with HB0042

(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 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

HB0042S01 compared with HB0042

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;

(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:

HB0042S01 compared with HB0042

(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, 2023, 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-10-308 by the state board and Utah Board of Higher Education on student participation in the concurrent enrollment program;

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

~~[(viii)]~~ [(vii)] the report described in Section 53F-5-506 by the state board on information related to competency-based education; and

~~[(ix)]~~ [(viii)] the report described in Section 53G-9-802 by the state board on dropout prevention and recovery services~~]; and~~.

~~[(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

HB0042S01 compared with HB0042

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 ~~{3}~~4. Section **53E-1-205** is enacted to read:

53E-1-205. Reporting impact analysis.

(1) As used in this section, "proposed report" means a report that:

(a) an LEA is required to prepare or submit to the state board;

(b) a rule proposed by the state board requires; and

(c) is not required by federal law, Utah Code, or another state entity.

(2) The state board shall establish a policy or procedures to evaluate the impact a proposed report may have on reporting requirements for an LEA.

(3) The impact described in Subsection (2) may include:

(a) the estimated cost to an LEA associated with the proposed report;

(b) the estimated time an LEA administrator will spend preparing the proposed report;

and

(c) any disproportionate impact the proposed report may have on an LEA because of the LEA's size, location, or other factors.

Section ~~{4}~~5. Section **53F-2-502** is amended to read:

53F-2-502. Dual language immersion.

(1) As used in this section:

(a) "Dual language immersion" means an instructional setting in which a student receives a portion of instruction in English and a portion of instruction exclusively in a partner language.

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

(c) "Participating LEA" means an LEA selected by the state board to receive a grant described in this section.

(d) "Partner language" means a language other than English in which instruction is provided in dual language immersion.

HB0042S01 compared with HB0042

(2) The state board shall:

(a) establish a dual language immersion program;

(b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,

make rules that establish:

(i) a grant program for an LEA to receive funding for dual language immersion;

(ii) the required qualifications for an LEA to be a participating LEA;

(iii) subject to this section, requirements of a participating LEA;

(iv) a proficiency assessment for each partner language; and

(v) a progression of how a school in a participating LEA adds grade levels in which the school offers dual language immersion; and

(c) subject to legislative appropriations:

(i) select participating LEAs; and

(ii) award to a participating LEA a grant to support dual language immersion in the LEA[~~;~~and].

~~[(d) report to a legislative committee on the results of a proficiency assessment described in Subsection (2)(b)(iv) upon request.]~~

(3) A participating LEA shall:

(a) establish in a school a full-day dual language immersion instructional model that provides at least 50% of instruction exclusively in a partner language;

(b) in accordance with the state board rules described in Subsection (2)(b), add grades in which dual language immersion is provided in a school; and

(c) annually administer to each student in grades 3 through 8 who participates in dual language immersion an assessment described in Subsection (2)(b)(iv).

(4) The state board shall:

(a) provide support to a participating LEA, including by:

(i) offering professional learning for dual language immersion educators;

(ii) developing curriculum related to dual language immersion; or

(iii) providing instructional support for a partner language;

(b) conduct a program evaluation of the dual language immersion program established under Subsection (2)(a); and

(c) on or before November 1, 2019, report to the Education Interim Committee and the

HB0042S01 compared with HB0042

Public Education Appropriations Subcommittee on the results of the program evaluation described in Subsection (4)(b).

(5) The state board may, in accordance with Title 63G, Chapter 6a, Utah Procurement Code, contract with a third party to conduct the program evaluation described in Subsection (4)(b).

Section 6. Section 53F-2-503 is amended to read:

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

(1) As used in this section:

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

(b) "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) An LEA governing board of a school district or a charter school that serves students in any of grades kindergarten through grade 3 shall submit, in accordance with Section 53G-7-218, a plan to the state board for literacy proficiency improvement that incorporates the following components:

(a) core instruction in:

(i) phonological awareness;

(ii) phonics;

(iii) fluency;

(iv) comprehension;

(v) vocabulary;

(vi) oral language; and

(vii) writing;

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

HB0042S01 compared with HB0042

- (c) professional development for classroom teachers, literacy coaches, and interventionists in kindergarten through grade 3;
 - (d) assessments that support adjustments to core and intervention instruction;
 - (e) a growth goal for the school district or charter school that:
 - (i) is based upon student learning gains as measured by benchmark assessments administered pursuant to Section 53E-4-307; and
 - (ii) includes a target of at least 60% of all students in grades 1 through 3 meeting the growth goal;
 - (f) at least one goal that is specific to the school district or charter school that:
 - (i) is measurable;
 - (ii) addresses current performance gaps in student literacy based on data; and
 - (iii) includes specific strategies for improving outcomes; and
 - (g) if a school uses interactive literacy software, the use of interactive literacy software, including early interactive reading software described in Section 53F-4-203.
- (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 state 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 state board for the Early Literacy Program and not used by the state board for computer-assisted instructional learning and assessments described in Subsection (5)(b) shall be allocated to the three funding programs as follows:
- (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 LEA governing board shall submit a plan described in Subsection (4) and shall receive approval of the plan from the state board.
- (b) (i) The local school board of a school district qualifying for Base Level Program funds and the charter school governing boards of qualifying elementary charter schools

HB0042S01 compared with HB0042

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 state board shall verify that a local school board allocates the money required in accordance with Subsections (8)(c) and (d) before the state board distributes funds in accordance with this section.

(ii) The State Tax Commission shall provide the state board the information the state 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

HB0042S01 compared with HB0042

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 WPU's.

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

(10) The state 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) An LEA governing 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;

(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) An LEA governing 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

HB0042S01 compared with HB0042

be used to augment existing programs.

~~[(13)(a) An LEA governing board shall annually submit a report to the state board accounting for the expenditure of program money in accordance with the LEA governing board's plan described in Subsection (4).]~~

~~[(b)]~~ (13) If an LEA governing board uses program money in a manner that is inconsistent with Subsection (12), the school district or charter school is liable for reimbursing the state board for the amount of program money improperly used, up to the amount of program money received from the state board.

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

(b) (i) The rules under Subsection (14)(a) shall require each LEA governing board to annually report progress in meeting goals described in Subsections (4)(e) and (f), 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 Subsections (4)(e) or (f), the LEA governing board shall prepare a new plan that corrects deficiencies.

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

(15) The state 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.

(16) The state board shall make an annual report 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); and

(iv) the specific strategies or interventions used by school districts or charter schools

HB0042S01 compared with HB0042

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 (16)(a)(iv) to improve literacy proficiency for additional students.

(17) The report described in Subsection (16) shall include information provided through the digital reporting platform described in Subsection 53G-7-218(5)(a).

Section ~~53~~7. 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 state board under Subsection (7)(b).

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

(i) is completed by an LEA analyzing an LEA's readiness to incorporate comprehensive digital teaching and learning; and

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

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

(d) "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.

(e) "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 state board and the advisory committee.

(f) "Program" means the Digital Teaching and Learning Grant Program created and described in Subsections (6) through (11).

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

HB0042S01 compared with HB0042

(2) (a) The state 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 state board;

(ii) UETN;

(iii) LEAs; and

(iv) the Governor's Education Excellence Commission.

(3) As funding allows, the state 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 state 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 requirements for technical support personnel;

HB0042S01 compared with HB0042

- (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 state 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.
- (4) UETN shall:
- (a) in consultation with the state 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 state board, UETN, and LEAs; and
 - (c) as funding allows, provide infrastructure and technology support for school districts and charter schools.
- (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.
- (6) There is created the Digital Teaching and Learning Grant Program to improve educational outcomes in public schools by effectively incorporating comprehensive digital teaching and learning technology.
- (7) The state 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;

HB0042S01 compared with HB0042

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

(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 state board; and

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

(8) (a) The state 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 (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 (8)(b).

(b) The state board or its designee shall provide the training described in Subsection (8)(a)(ii).

(9) The state 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 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 state board in rule made 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.

(10) The state board or the state 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

HB0042S01 compared with HB0042

LEA's long-term, intermediate, and direct outcomes in [~~realtime~~] real time and for the LEA to use to create customized reports.

(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.

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

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

~~[(ii)(A)]~~ (b) (i) report the findings of the implementation assessment to the state board; and

~~[(B)]~~ (ii) submit to the state 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 (12)(a)(ii)(A) and (B):]~~

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

(14) The state 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

(c) other interventions to assist the LEA.

(15) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the state 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

HB0042S01 compared with HB0042

(c) report on the information described in Subsections (15)(a) and (b) to the state board.

(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 state board, the state board's designee, or an LEA; or

(ii) an LEA.

(b) A contract or agreement entered into under Subsection (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 (16)(b), the state 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 (16)(b)(ii) or (16)(b)(iii), and UETN enters into an additional agreement with an LEA that is associated with the agreement described in Subsection (16)(b)(ii) or (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 8. Section 53G-10-204 is amended to read:

53G-10-204. Civic and character education -- Definitions -- Legislative finding --

HB0042S01 compared with HB0042

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) "Civics engagement pilot program" means the pilot program described in Subsection ~~[(7)]~~[(6)].

(d) "Civics engagement project" means the civics engagement project described in Subsection ~~[(7)]~~[(6)], which a student enrolled in a participating LEA may complete.

(e) "Participating LEA" means an LEA that meets the eligibility criteria, and is selected by the state board, to participate in the civics engagement pilot program.

(f) "Values" means time-established principles or standards of worth.

(2) The Legislature recognizes that:

(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 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

HB0042S01 compared with HB0042

(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 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) In accordance with Section 53E-1-203, the state board shall report to the Education Interim Committee 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.]~~

~~[(7)]~~ (6) (a) In accordance with this section, subject to appropriations by the Legislature

HB0042S01 compared with HB0042

for this purpose, beginning with the 2020-21 school year, the state board shall administer a three-year civics engagement pilot program to assess the benefits of, and methods for, implementing a requirement to complete a civics engagement project as a condition for receiving a high school diploma.

(b) The state board shall:

(i) make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

(A) to create a civics engagement project that complies with core standards for Utah public education for social studies and prepares students for lifelong civic motivation and participation through applied learning of civics content;

(B) to establish eligibility requirements for participating LEAs;

(C) to create an application process for LEAs to apply to participate in the pilot program; and

(D) for a report that a participating LEA is required to submit to the state board at the end of the pilot program;

(ii) select participating LEAs:

(A) from diverse geographic areas within the state; and

(B) with a range of student population sizes; and

(iii) subject to appropriations by the Legislature for this purpose, in cooperation with school districts, charter schools, and interested private and nonprofit entities, provide training that prepares teachers in a participating LEA to assist students to successfully complete the civics engagement project.

(c) A participating LEA shall submit a report to the state board in accordance with the rules described in Subsection ~~[(7)]~~ [(6)](b)(i)(D).

Section ~~[(6)]~~ 9. Section **53G-11-505** is amended to read:

53G-11-505. State board rules -- Reporting to Legislature.

~~[(1)]~~ Subject to Sections 53G-11-506, 53G-11-507, 53G-11-508, 53G-11-509, 53G-11-510, and 53G-11-511, rules adopted by the state board under Section 53G-11-504 shall:

~~[(a)]~~ (1) provide general guidelines, requirements, and procedures for the development and implementation of employee evaluations;

HB0042S01 compared with HB0042

~~[(b)]~~ (2) establish required components and allow for optional components of employee evaluations;

~~[(c)]~~ (3) require school districts to choose valid and reliable methods and tools to implement the evaluations; and

~~[(d)]~~ (4) establish a timeline for school districts to implement employee evaluations.

~~[(2) The state board shall report to the Education Interim Committee, as requested, on progress in implementing employee evaluations in accordance with this section and Sections 53G-11-504, 53G-11-506, 53G-11-507, 53G-11-508, 53G-11-509, 53G-11-510, and 53G-11-511.]~~

Section 10. Section 63I-2-253 is amended to read:

63I-2-253. Repeal dates -- Titles 53 through 53G.

(1) (a) Section 53-2a-217, regarding procurement during an epidemic or pandemic emergency, is repealed on December 31, 2021.

(b) When repealing Section 53-2a-217, the Office of Legislative Research and General Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

(2) Section 53B-2a-103 is repealed July 1, 2021.

(3) Section 53B-2a-104 is repealed July 1, 2021.

(4) (a) Subsection 53B-2a-108(5), regarding exceptions to the composition of a technical college board of trustees, is repealed July 1, 2022.

(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.

(5) Section 53B-6-105.7 is repealed July 1, 2024.

(6) (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), regarding comparing a technical college's change in performance with the technical college's average performance, is repealed July 1, 2021.

(7) (a) Subsection 53B-7-707(3)(a)(ii), the language that states "Except as provided in Subsection (3)(b)," is repealed July 1, 2021.

HB0042S01 compared with HB0042

(b) Subsection 53B-7-707(3)(b), regarding performance data of a technical college during a fiscal year before fiscal year 2020, is repealed July 1, 2021.

(8) Section 53B-8-114 is repealed July 1, 2024.

(9) (a) The following sections, regarding the Regents' scholarship program, 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), regarding the Regents' scholarship program for students who graduate from high school before fiscal year 2019, 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.

(10) Section 53B-10-101 is repealed on July 1, 2027.

(11) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is repealed July 1, 2023.

(12) Section 53E-3-519 regarding school counselor services is repealed July 1, 2020.

(13) Section 53E-3-520 is repealed July 1, 2021.

(14) Subsection 53E-5-306(3)(b)(ii)(B), related to improving school performance and continued funding relating to the School Recognition and Reward Program, is repealed July 1, 2020.

(15) Section 53E-5-307 is repealed July 1, 2020.

(16) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed July 1, 2024.

(17) In Subsections 53F-2-205(4) and (5), regarding the State Board of Education's duties if contributions from the minimum basic tax rate are overestimated or underestimated, the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(18) Subsection 53F-2-301(1), relating to the years the section is not in effect, is repealed July 1, 2023.

(19) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as

HB0042S01 compared with HB0042

applicable" is repealed July 1, 2023.

(20) Section 53F-4-207 is repealed July 1, 2022.

(21) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(22) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(23) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(24) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

(25) Subsections 53G-10-204(1)(c) through (e), and Subsection 53G-10-204[~~(7)~~](6), related to the civics engagement pilot program, are repealed on July 1, 2023.

(26) 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.

Section ~~{7}~~11. **Repealer.**

This bill repeals:

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

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