

Senator Lincoln Fillmore proposes the following substitute bill:

REPORTING REQUIREMENTS FOR LOCAL EDUCATION

AGENCIES

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Susan Pulsipher

Senate Sponsor: Lincoln Fillmore

LONG TITLE

General Description:

This bill requires the State Board of Education (state board) to review reports required in statute and rule.

Highlighted Provisions:

This bill:

► requires the State Board of Education (state board) to:

• work with local education agencies to develop a process to review required reports;

• in reviewing required reports, take into consideration several factors, including the time and cost to complete a required report, and whether the information, accountability, or transparency the required report provides could be obtained or achieved by other means;

• work with the Office of the State Auditor (state auditor) to create procedures for a comprehensive list of required reports, coordinate reporting, review reporting requirements, and develop oversight policies;

• work with the state auditor and the state treasurer to consolidate state education program action plans and adopt a platform to manage consolidated action plans;



- 26 • report to the Education Interim Committee on the state board’s process to
- 27 consolidate state education program action plans; and
- 28 • establish rules and minimum standards that require LEAs to submit financial,
- 29 statistical, and student accounting information to the state board in a format that
- 30 is compatible with requirements for submitting information for posting on the
- 31 Utah Public Finance Website;
- 32 ▶ permits the state board to make recommendations to the Legislature for legislation
- 33 related to required reports; and
- 34 ▶ defines terms.

35 **Money Appropriated in this Bill:**

36 None

37 **Other Special Clauses:**

38 None

39 **Utah Code Sections Affected:**

40 AMENDS:

41 **53E-3-501**, as last amended by Laws of Utah 2020, Chapter 400

42 ENACTS:

43 **53E-3-523**, Utah Code Annotated 1953



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

46 Section 1. Section **53E-3-501** is amended to read:

47 **53E-3-501. State board to establish miscellaneous minimum standards for public**
48 **schools.**

49 (1) The state board shall establish rules and minimum standards for the public schools
50 that are consistent with this public education code, including rules and minimum standards
51 governing the following:

52 (a) (i) the qualification and certification of educators and ancillary personnel who
53 provide direct student services;

54 (ii) required school administrative and supervisory services; and

55 (iii) the evaluation of instructional personnel;

56 (b) (i) access to programs;

- 57 (ii) attendance;
- 58 (iii) competency levels;
- 59 (iv) graduation requirements; and
- 60 (v) discipline and control;
- 61 (c) (i) school accreditation;
- 62 (ii) the academic year;
- 63 (iii) alternative and pilot programs;
- 64 (iv) curriculum and instruction requirements;
- 65 (v) school libraries; and
- 66 (vi) services to:
 - 67 (A) persons with a disability as defined by and covered under:
 - 68 (I) the Americans with Disabilities Act of 1990, 42 U.S.C. Sec. 12102;
 - 69 (II) the Rehabilitation Act of 1973, 29 U.S.C. Sec. 705(20)(A); and
 - 70 (III) the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1401(3); and
 - 71 (B) other special groups;
- 72 (d) (i) state reimbursed bus routes;
- 73 (ii) bus safety and operational requirements; and
- 74 (iii) other transportation needs;
- 75 (e) (i) school productivity and cost effectiveness measures;
- 76 (ii) federal programs;
- 77 (iii) school budget formats; and
- 78 (iv) financial, statistical, and student accounting requirements; and
- 79 (f) data collection and reporting by LEAs.
- 80 (2) The state board shall determine if:
 - 81 (a) the minimum standards have been met; and
 - 82 (b) required reports are properly submitted.
- 83 (3) The state board may apply for, receive, administer, and distribute to eligible
- 84 applicants funds made available through programs of the federal government.
- 85 (4) (a) A technical college listed in Section [53B-2a-105](#) shall provide
- 86 competency-based career and technical education courses that fulfill high school graduation
- 87 requirements, as requested and authorized by the state board.

88 (b) A school district may grant a high school diploma to a student participating in a
89 course described in Subsection (4)(a) that is provided by a technical college listed in Section
90 [53B-2a-105](#).

91 (5) (a) As used in this Subsection (5), "generally accepted accounting principles"
92 means a common framework of accounting rules and standards for financial reporting
93 promulgated by either the Financial Accounting Standards Board or the Governmental
94 Accounting Standards Board, as applicable to the reporting entity.

95 (b) Subject to Subsections (5)(c) and (d), the state board shall ensure that the rules and
96 standards described in Subsections (1)(e) and (f) allow for an LEA to make adjustments to the
97 LEA's general entry ledger, in accordance with generally accepted accounting principles, to
98 accurately reflect the LEA's use of funds for allowable costs and activities:

- 99 (i) during a fiscal year; and
- 100 (ii) at the close of a fiscal year.

101 (c) If the state board determines under Subsection (2) that an LEA has not met the
102 minimum standards described in Subsection (1)(e) or (f) or has not properly submitted a
103 required report, the state board shall allow the LEA an opportunity to cure the relevant defect
104 through an adjustment described in Subsection (5)(b).

105 (d) An LEA may not, in an adjustment described in Subsection (5)(b), reflect the use of
106 restricted federal or state funds for a cost or activity that is not an allowable cost or activity for
107 the restricted funds.

108 (e) The state board shall ensure that, on or before January 1, 2023, the rules and
109 minimum standards described in Subsection (1)(e)(iv) require that the format for submitting
110 financial, statistical, and student accounting information is compatible with the requirements
111 for submitting information for posting on the Utah Public Finance Website under Sections
112 [63A-1-205](#) and [63A-1-206](#).

113 Section 2. Section **53E-3-523** is enacted to read:

114 **53E-3-523. State board to review reporting requirements.**

115 (1) As used in this section:

116 (a) "Action plan" means a plan that an LEA or a school is required to create for a state
117 education program.

118 (b) "Required report" means a report that state statute, federal statute, state board rule,

119 or other agency rule requires an LEA or the state board to make.

120 (2) (a) The state board shall work with LEAs to develop a process to review required
121 reports.

122 (b) The process described in Subsection (2)(a) shall include the following
123 considerations for each required report:

124 (i) (A) the required report's purpose; and

125 (B) the required report's effectiveness in accomplishing the required report's purpose;

126 (ii) which entity requires the required report;

127 (iii) which entity created the report requirements;

128 (iv) which entity or individual reviews the required report;

129 (v) whether the information in the required report is otherwise available or could be
130 obtained another way;

131 (vi) whether the required report is the least burdensome way to collect the information
132 in the required report;

133 (vii) whether accountability or transparency could be achieved through a means other
134 than the required report;

135 (viii) whether and how the Utah Schools Information Management System affects the
136 required report;

137 (ix) the estimated time and cost required to complete the required report for:

138 (A) an LEA; or

139 (B) for the state board; and

140 (x) the amount of appropriated program funding available for program purposes after
141 program money is expended for completing a required report for the program.

142 (3) After reviewing required reports as described in Subsection (2), the state board may
143 make recommendations for legislation to the Legislature.

144 (4) The state board shall, with input from the Office of the State Auditor, create
145 procedures to:

146 (a) create a comprehensive list of all required reports;

147 (b) coordinate data collection among the state board's departments;

148 (c) ensure that all required reports are appropriate and equitable for all LEAs; and

149 (d) establish oversight of external data collection tools to streamline data requests to

150 LEAs to reduce report redundancy.

151 (5) The state board shall, with input from the Office of the State Auditor:

152 (a) publish the list described in Subsection (4)(a) in a manner that:

153 (i) facilitates state board and legislative oversight of required reports; and

154 (ii) creates transparency regarding required reports;

155 (b) regularly review required reports to ensure the required reports are necessary and

156 appropriate for an LEA based on the LEA's risk for low performance; and

157 (c) develop policies for the use of research tools and survey tools the state board uses

158 to collect information from LEAs.

159 (6) The state board shall:

160 (a) develop a process to:

161 (i) consolidate action plans; and

162 (ii) align submission deadlines for action plans; and

163 (b) on or before the date of the Education Interim Committee's November 2023

164 meeting, report to the Education Interim Committee on the process described in Subsection

165 (6)(a).

166 (7) (a) The state board shall, in conjunction with the state treasurer and the Office of
167 the State Auditor, adopt an appropriate and cost-effective platform to manage the consolidated
168 action plans described in Subsection (6).

169 (b) The platform the state board adopts under Subsection (7)(a) shall include tools to:

170 (i) organize and integrate action plan requirements;

171 (ii) develop a consolidated needs assessment;

172 (iii) file an action plan reviewer's findings and recommendations;

173 (iv) provide a single path for LEAs and schools to:

174 (A) complete an action plan's requirements; and

175 (B) share information contained in an action plan; and

176 (v) manage a comprehensive, systemic approach to action plans that includes planning,
177 implementation, and monitoring.