

Representative Val L. Peterson proposes the following substitute bill:

HIGHER EDUCATION PERFORMANCE FUNDING

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Val L. Peterson

LONG TITLE

General Description:

This bill amends provisions related to higher education goals and funding based on an institution's performance.

Highlighted Provisions:

This bill:

- ▶ requires the Utah Board of Higher Education (board) to:
 - set five-year goals for the state system of higher education;
 - set five-year goals for each degree-granting institution and technical college that align with each system five-year goal;
 - establish a model for determining a degree-granting institution's or technical college's performance in meeting the goals the board sets; and
 - every five years, submit the goals and model to the Higher Education Appropriations Subcommittee and governor for comment;
- ▶ requires the Executive Appropriations Committee, the Higher Education Appropriations Subcommittee, and the Education Interim Committee to, every five years, prepare and consider legislation to adopt the goals and model the board submits;
- ▶ amends the distribution of the money in the Performance Funding Restricted



- 26 Account to degree-granting institutions and technical colleges;
- 27 ▶ permits the board to set aside unearned performance funding and allocate the
- 28 set-aside funds to a degree-granting institution or technical college that meets or
- 29 exceeds goals;
- 30 ▶ defines terms; and
- 31 ▶ makes technical and conforming changes.

32 **Money Appropriated in this Bill:**

33 None

34 **Other Special Clauses:**

35 None

36 **Utah Code Sections Affected:**

37 AMENDS:

- 38 **53B-1-301**, as last amended by Laws of Utah 2020, Chapters 365 and 403
- 39 **53B-7-702**, as last amended by Laws of Utah 2020, Chapter 365
- 40 **53B-7-703**, as last amended by Laws of Utah 2020, Chapter 365
- 41 **53B-7-705**, as last amended by Laws of Utah 2020, Chapter 365
- 42 **53B-7-706**, as last amended by Laws of Utah 2020, Chapter 365
- 43 **53E-1-201**, as last amended by Laws of Utah 2020, Chapters 51, 174, 254, 274, 321,
- 44 354, 365 and last amended by Coordination Clause, Laws of Utah 2020, Chapters
- 45 254, 274, and 321
- 46 **63I-2-253**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 13



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

49 Section 1. Section **53B-1-301** is amended to read:

50 **53B-1-301. Reports to and actions of the Higher Education Appropriations**
51 **Subcommittee.**

52 (1) In accordance with applicable provisions and Section **68-3-14**, the following
53 recurring reports are due to the Higher Education Appropriations Subcommittee:

- 54 (a) the reports described in Sections **34A-2-202.5**, **53B-17-804**, and **59-9-102.5** by the
- 55 Rocky Mountain Center for Occupational and Environmental Health;
- 56 (b) the report described in Section **53B-7-101** by the board on recommended

57 appropriations for higher education institutions, including the report described in Section
58 [53B-8-104](#) by the board on the effects of offering nonresident partial tuition scholarships;
59 (c) the report described in Section [53B-7-704](#) by the Department of Workforce
60 Services and the Governor's Office of Economic Development on targeted jobs;
61 (d) the reports described in Section [53B-7-705](#) by the board on performance;
62 (e) the report described in Section [53B-8-201](#) by the board on the Regents' Scholarship
63 Program;
64 (f) the report described in Section [53B-8-303](#) by the board regarding Access Utah
65 promise scholarships;
66 (g) the report described in Section [53B-8d-104](#) by the Division of Child and Family
67 Services on tuition waivers for wards of the state;
68 (h) the report described in Section [53B-12-107](#) by the Utah Higher Education
69 Assistance Authority;
70 (i) the report described in Section [53B-13a-104](#) by the board on the Success Stipend
71 Program;
72 (j) the report described in Section [53B-17-201](#) by the University of Utah regarding the
73 Miners' Hospital for Disabled Miners;
74 (k) the report described in Section [53B-26-103](#) by the Governor's Office of Economic
75 Development on high demand technical jobs projected to support economic growth;
76 (l) the report described in Section [53B-26-202](#) by the Medical Education Council on
77 projected demand for nursing professionals; and
78 (m) the report described in Section [53E-10-308](#) by the State Board of Education and
79 board on student participation in the concurrent enrollment program.

80 (2) In accordance with applicable provisions and Section [68-3-14](#), the following
81 occasional reports are due to the Higher Education Appropriations Subcommittee:

82 (a) upon request, the information described in Section [53B-8a-111](#) submitted by the
83 Utah Educational Savings Plan;

84 (b) as described in Section [53B-26-103](#), a proposal by an eligible partnership related to
85 workforce needs for technical jobs projected to support economic growth;

86 (c) a proposal described in Section [53B-26-202](#) by an eligible program to respond to
87 projected demand for nursing professionals;

88 (d) a report in 2023 from Utah Valley University and the Utah Fire Prevention Board
89 on the fire and rescue training program described in Section 53B-29-202; and

90 (e) the reports described in Section 63C-19-202 by the Higher Education Strategic
91 Planning Commission on the commission's progress.

92 (3) In accordance with applicable provisions, the Higher Education Appropriations
93 Subcommittee shall complete the following:

94 (a) as required by Section 53B-7-703, the review of performance funding described in
95 Section 53B-7-703;

96 ~~[(b) the review described in Section 53B-7-705 of the implementation of performance~~
97 ~~funding;]~~

98 ~~[(e)]~~ (b) an appropriation recommendation described in Section 53B-26-103 to fund a
99 proposal responding to workforce needs of a strategic industry cluster;

100 ~~[(d)]~~ (c) an appropriation recommendation described in Section 53B-26-202 to fund a
101 proposal responding to projected demand for nursing professionals; and

102 ~~[(e)]~~ (d) review of the report described in Section 63B-10-301 by the University of
103 Utah on the status of a bond and bond payments specified in Section 63B-10-301.

104 Section 2. Section 53B-7-702 is amended to read:

105 **53B-7-702. Definitions.**

106 As used in this part:

107 (1) "Account" means the Performance Funding Restricted Account created in Section
108 53B-7-703.

109 (2) "Estimated revenue growth from targeted jobs" means the estimated increase in
110 individual income tax revenue generated by individuals employed in targeted jobs, determined
111 by the Department of Workforce Services in accordance with Section 53B-7-704.

112 (3) "Full new performance funding amount" means the maximum amount of new
113 performance funding that a degree-granting institution or technical college may qualify for in a
114 fiscal year, determined by the Legislature in accordance with Section 53B-7-705.

115 (4) "Full-time" means the number of credit hours the board determines is full-time
116 enrollment for a student.

117 (5) "GOED" means the Governor's Office of Economic Development created in
118 Section 63N-1-201.

119 (6) "Job" means an occupation determined by the Department of Workforce Services.

120 (7) "Membership hour" means 60 minutes of scheduled instruction provided by a
121 technical college to a student enrolled in the technical college.

122 (8) "New performance funding" means the difference between the total amount of
123 money in the account and the amount of money appropriated from the account for performance
124 funding in the current fiscal year.

125 (9) "Performance" means total performance across the metrics described in [?:] Sections
126 53B-7-706 and 53B-7-707.

127 [~~(a) Section 53B-7-706 for a degree-granting institution; or~~]

128 [~~(b) Section 53B-7-707 for a technical college.~~]

129 (10) "Research university" means the University of Utah or Utah State University.

130 (11) "Targeted job" means a job designated by the Department of Workforce Services
131 or GOED in accordance with Section 53B-7-704.

132 (12) "Technical college" means:

133 (a) the same as that term is defined in Section 53B-1-101.5;

134 (b) Salt Lake Community College's School of Applied Technology established in
135 Section 53B-16-209;

136 (c) a USU regional institution as that term is defined in Section 53B-16-207; and

137 (d) Snow College Richfield campus established in Section 53B-16-205.

138 [~~(12)~~] (13) "Technical college graduate" means an individual who:

139 (a) has earned a certificate from an accredited program at a technical college; and

140 (b) is no longer enrolled in the technical college.

141 Section 3. Section **53B-7-703** is amended to read:

142 **53B-7-703. Performance Funding Restricted Account -- Creation -- Deposits into**
143 **account -- Legislative review.**

144 (1) There is created within the Education Fund a restricted account known as the
145 "Performance Funding Restricted Account."

146 (2) Money in the account shall be:

147 (a) used for performance funding for:

148 (i) degree-granting institutions; and

149 (ii) technical colleges; and

150 (b) appropriated by the Legislature in accordance with Section [53B-7-705](#).

151 (3) (a) Money in the account shall earn interest.

152 (b) All interest earned on account money shall be deposited into the account.

153 (4) (a) Except as provided in Subsection (4)(b)(~~(i)~~), the Division of Finance shall
154 deposit into the account an amount equal to ~~[(i) 14% of the estimated revenue growth from~~
155 ~~targeted jobs upon appropriation by the Legislature for the fiscal year beginning on July 1,~~
156 ~~2018; and (ii)]~~ 20% of the estimated revenue growth from targeted jobs upon appropriation by
157 the Legislature for a fiscal year beginning on or after July 1, 2019.

158 (b) (i) As used in this Subsection (4)(b), "total higher education appropriations" means,
159 for the current fiscal year, the total state funded appropriations to:

160 (A) the board;

161 (B) degree-granting institutions; and

162 (C) technical colleges.

163 (ii) If a deposit described in Subsection (4)(a) would exceed 10% of total higher
164 education appropriations, upon appropriation by the Legislature, the Division of Finance shall
165 deposit into the account an amount equal to 10% of total higher education appropriations.

166 (c) The Legislature may appropriate money to the account.

167 (5) (a) As used in this Subsection (5):

168 (i) "Base budget" means the same as that term is defined in legislative rule.

169 (ii) "Remaining available ongoing Education Fund revenue" means the difference
170 between:

171 (A) the estimated ongoing Education Fund and Uniform School Fund revenue
172 available for the Legislature to appropriate in the next fiscal year; and

173 (B) the amount of ongoing appropriations from the Education Fund and Uniform
174 School Fund for the current year plus ongoing appropriations required under Sections
175 [53F-9-201](#) and [53F-9-204](#) for the next fiscal year.

176 (b) Except as described in Subsection (5)(c), for a fiscal year beginning on or after July
177 1, 2023, when preparing the Higher Education Base Budget, the Office of the Legislative Fiscal
178 Analyst shall:

179 (i) include in the base budget the lesser of the amount described in Subsection (4) or
180 the remaining available ongoing Education Fund revenue; and

181 (ii) appropriate the funds described in Subsection (5)(b)(i) to the Utah Board of Higher
182 Education to distribute to institutions as described in Section 53B-7-705.

183 (c) In a fiscal year beginning on or after July 1, 2023, in which the remaining available
184 ongoing Education Fund revenue is less than zero, when preparing the base budget, the Office
185 of the Legislative Fiscal Analyst shall include in the base budget an amount equal to the
186 difference in the amount described in Subsection (4) for the current year and the amount
187 described in Subsection (4) for the prior year, adjusted for any base budget reductions as
188 directed by the Executive Appropriations Committee.

189 ~~[(5)]~~ (6) During the interim following a legislative general session in which an amount
190 described in Subsection (4)(b) is deposited into the account, the Higher Education
191 Appropriations Subcommittee shall review performance funding described in this part and
192 make recommendations to the Legislature about:

193 (a) the performance levels required for degree-granting institutions and technical
194 colleges to receive performance funding as described in Section 53B-7-705;

195 (b) the performance metrics described in Sections 53B-7-706 and 53B-7-707; and

196 (c) the amount of individual income tax revenue dedicated to higher education
197 performance funding.

198 Section 4. Section 53B-7-705 is amended to read:

199 **53B-7-705. Determination of full new performance funding amount -- Role of**
200 **appropriations subcommittee -- Program review.**

201 (1) In accordance with this section, and based on money deposited into the account, the
202 Legislature shall, as part of the higher education appropriations budget process, annually
203 determine the full new performance funding amount for each:

204 (a) degree-granting institution; and

205 (b) technical college.

206 (2) (a) ~~[The]~~ Before January 1, 2024, the Legislature shall annually allocate:

207 ~~[(a)]~~ (i) 90% of the money in the account to degree-granting institutions; and

208 ~~[(b)]~~ (ii) 10% of the money in the account to technical colleges.

209 (b) After January 1, 2024, the Legislature shall annually allocate:

210 (i) 85% of the money in the account to degree-granting institutions; and

211 (ii) 15% of the money in the account to technical colleges.

212 (3) (a) The Legislature shall determine a degree-granting institution's full new
213 performance funding amount based on the degree-granting institution's prior year share of:
214 (i) full-time equivalent enrollment in all degree-granting institutions; and
215 (ii) the total state-funded appropriated budget for all degree-granting institutions.
216 (b) In determining a degree-granting institution's full new performance funding
217 amount, the Legislature shall give equal weight to the factors described in Subsections (3)(a)(i)
218 and (ii).

219 (4) (a) The Legislature shall determine a technical college's full new performance
220 funding amount based on the technical college's prior year share of:
221 (i) (A) before January 1, 2024, membership hours for all technical colleges; and
222 (B) after January 1, 2024, full-time equivalent enrollment for all technical colleges; and
223 (ii) the total state-funded appropriated budget for all technical colleges.
224 (b) In determining a technical college's full new performance funding amount, the
225 Legislature shall give equal weight to the factors described in Subsections (4)(a)(i) and (ii).

226 (5) Annually, at least 30 days before the first day of the legislative general session the
227 board shall submit a report to the Higher Education Appropriations Subcommittee on each
228 degree-granting institution's and each technical college's performance.

229 (6) (a) In accordance with this Subsection (6), and based on the report described in
230 Subsection (5), the Legislature shall determine for each degree-granting institution and each
231 technical college:

232 (i) the portion of the full new performance funding amount earned; and
233 (ii) the amount of new performance funding to recommend that the Legislature
234 appropriate, from the account, to the degree-granting institution or technical college.

235 (b) (i) This Subsection (6)(b) applies before January 1, 2024.

236 [(†)] (ii) A degree-granting institution earns the full new performance funding amount
237 if the degree-granting institution has a positive change in performance of at least 1% compared
238 to the degree-granting institution's average performance over the previous five years.

239 [(†)] (iii) (A) Except as provided in Subsection (6)(b)[(†)](iii)(B), a technical college
240 earns the full new performance funding amount if the technical college has a positive change in
241 the technical college's performance of at least 5% compared to the technical college's average
242 performance over the previous five years.

243 (B) A technical college's change in performance may be compared to the technical
244 college's average performance over fewer than five years in accordance with Subsection
245 [53B-7-707\(3\)\(b\)](#).

246 (c) After January 1, 2024, a degree-granting institution or technical college earns the
247 full new performance funding amount if the degree-granting institution or technical college
248 meets the annual performance goals the board sets under Subsection [53B-7-706\(1\)\(a\)\(ii\)](#).

249 ~~[(e)]~~ (d) ~~[A]~~ Before January 1, 2024, degree-granting institution or technical college
250 that has a positive change in performance that is less than a change described in Subsection
251 (6)(b) is eligible to receive a prorated amount of the full new performance funding amount.

252 ~~[(d)]~~ (e) ~~[A]~~ Before January 1, 2024, a degree-granting or technical college that has a
253 negative change, or no change, in performance over a time period described in Subsection
254 (6)(b) is not eligible to receive new performance funding.

255 (f) After January 1, 2024, a degree-granting institution or technical college that does
256 not meet the goals the board sets under Subsection [53B-7-706\(1\)\(a\)\(ii\)](#):

257 (i) is not eligible to receive the full new performance funding amount; and

258 (ii) is eligible to receive a prorated amount of the full new performance funding
259 amount for performance that is greater than zero as measured by the model the board
260 establishes under Subsection [53B-7-706\(1\)\(a\)\(i\)\(B\)](#).

261 (g) (i) After January 1, 2024, if a degree-granting institution or technical college does
262 not earn the full new performance funding amount as described in Subsection (6)(c), the board
263 shall:

264 (A) set aside the unearned new performance funding; and

265 (B) at the end of a five-year period for which the board sets goals under Subsection
266 [53B-7-706\(1\)\(a\)\(ii\)](#), allocate the funds set aside under Subsection (6)(g)(i)(A) to a
267 degree-granting institution or technical college that meets the degree-granting institution's or
268 technical college's five-year goals described in Subsection [53B-7-706\(1\)\(a\)\(ii\)\(B\)](#).

269 (ii) The board may reallocate the funds described in Subsection (6)(g)(i)(A) on a
270 one-time basis to a degree-granting institution or technical college that exceeds the
271 degree-granting institution's or technical college's annual performance goals until the board
272 evaluates performance of five-year goals as described Subsection [53B-7-706\(5\)](#).

273 (7) An appropriation described in this section is ongoing.

274 (8) Notwithstanding Section 53B-7-703 and Subsections (6) and (7), the Legislature
275 may, by majority vote, appropriate or refrain from appropriating money for performance
276 funding as circumstances require in a particular year.

277 ~~[(9) On or before November 1, 2020, the Education Interim Committee, the Higher
278 Education Appropriations Subcommittee, and the governor shall review the implementation of
279 performance funding described in this part.]~~

280 Section 5. Section 53B-7-706 is amended to read:

281 **53B-7-706. Performance metrics for degree-granting institutions --**

282 **Determination of performance.**

283 (1) (a) (i) (A) The board shall establish a model for determining a degree-granting
284 institution's performance.

285 (B) Beginning in March 2021, the board shall establish a model for determining
286 degree-granting institution's or technical college's performance.

287 (ii) Beginning in May 2021, the board shall:

288 (A) set a five-year goal for the Utah System of Higher Education for each metric
289 described in Subsection (2)(a)(ii);

290 (B) adopt five-year goals for each degree-granting institution and technical college that
291 align with each goal described in Subsection (1)(a)(ii)(A); and

292 (C) ensure the goals the board adopts for each degree-granting institution and technical
293 college described in Subsection (1)(a)(ii)(B) are sufficiently rigorous to meet the goals
294 described in Subsection (1)(a)(ii)(A); and

295 (b) (i) The board shall submit a draft of the model described in this section to the
296 Higher Education Appropriations Subcommittee and the governor for comments and
297 recommendations.

298 (ii) Beginning in 2021, and every five years thereafter, the board shall:

299 (A) submit the model described in Subsection (1)(a)(i) and the goals described in
300 Subsection (1)(a)(ii) to the Higher Education Appropriations Subcommittee and to the
301 governor for comments and recommendations; and

302 (B) consider the comments and recommendations described in Subsection
303 (1)(b)(ii)(A), and make any necessary changes to the model described in Subsection (1)(a)(i)
304 and the goals described in Subsection (1)(a)(ii).

305 (c) Beginning in 2021, and every five years thereafter, the Executive Appropriations
306 Committee, Higher Education Appropriations Subcommittee, and the Education Interim
307 Committee shall prepare and jointly meet to consider legislation for introduction at the
308 following general legislative session to adopt the goals described in Subsection (1)(a)(ii).

309 (2) (a) (i) The model described in Subsection (1)(a)(i)(A) shall include metrics,
310 including:

311 [(i)] (A) completion, measured by degrees and certificates awarded;

312 [(ii)] (B) completion by underserved students, measured by degrees and certificates
313 awarded to underserved students;

314 [(iii)] (C) responsiveness to workforce needs, measured by degrees and certificates
315 awarded in high market demand fields;

316 [(iv)] (D) institutional efficiency, measured by degrees and certificates awarded per
317 full-time equivalent student; and

318 [(v)] (E) for a research university, research, measured by total research expenditures.

319 (ii) Beginning in 2021, the board shall set the goals and establish the performance
320 model described in Subsection (1)(a)(i)(B) for the following metrics:

321 (A) access;

322 (B) timely completion; and

323 (C) high-yield awards.

324 (b) (i) Subject to Subsection [(2)(e)] (2)(b)(ii), the board shall determine the relative
325 weights of the metrics described in Subsection (2)(a)(i).

326 [(e)] (ii) The board shall assign the responsiveness to workforce needs metric described
327 in Subsection [(2)(a)(iii)] (2)(a)(i)(C) a weight of at least 25% when determining a
328 degree-granting institution's performance.

329 (c) Beginning in 2021, the board shall determine and establish in board policy, the
330 definitions, measures, and relative weights of the metrics described in Subsection (2)(a)(ii)
331 based on each degree-granting institution's and each technical college's mission.

332 (3) (a) For each degree-granting institution, the board shall annually determine the
333 degree-granting institution's:

334 [(a)] (i) performance; and

335 [(b)] (ii) change in performance compared to the degree-granting institution's average

336 performance over the previous five years.

337 (b) Beginning in 2022, for each degree-granting institution and technical college, the
338 board shall annually:

339 (i) adopt annual performance goals for each metric described in Subsection (2)(a)(ii)
340 that will advance the degree-granting institution or technical college toward achievement of the
341 five-year goals described in Subsection (1)(a)(ii);

342 (ii) evaluate performance in meeting the goals described in Subsection (3)(b)(i); and

343 (iii) include a degree-granting institution's or technical college's performance under this
344 section in the evaluation described in Subsection 53B-1-402(2)(i)(iii).

345 (4) (a) The board shall use the model described in [~~this section~~] Subsection (1)(a)(i)(A)
346 to make the report described in Section 53B-7-705 for determining a degree-granting
347 institution's performance funding for a fiscal year beginning on or after July 1, 2018[-], but
348 before July 1, 2024.

349 (b) For a fiscal year beginning on or after July 1, 2024, the board shall use the model
350 described in Subsection (2)(a)(i)(B) to make the report described in Section 53B-7-705 for
351 determining a degree-granting institution's or technical college's performance funding.

352 (5) At the end of each five-year period for which the board sets goals under Subsection
353 (1)(a)(ii):

354 (a) the board shall:

355 (i) review the Utah System of Higher Education's performance in meeting the goals the
356 board sets under Subsection (1)(a)(ii)(A);

357 (ii) review each degree-granting institution's and each technical college's performance
358 in meeting the goals the board sets under Subsection (1)(a)(ii)(B); and

359 (iii) allocate any funds not allocated under Subsection 53B-7-705(6)(g) to each
360 degree-granting institution and each technical college that meets or exceeds the goals the board
361 sets under Subsection (1)(a)(ii)(B); and

362 (b) the Legislature may appropriate additional funds for the board to allocate to each
363 degree-granting institution and each technical college that meets or exceeds goals as described
364 in Subsection (5)(a)(iii).

365 (6) In year two or three of each five-year period for which the board sets goals under
366 Subsection (1)(a)(ii), the following committees and the governor shall hold a joint open

367 meeting to review the goals the board sets under Subsection (1)(a)(ii):

368 (a) the Executive Appropriations Committee;

369 (b) the Higher Education Appropriations Subcommittee; and

370 (c) the Education Interim Committee.

371 Section 6. Section **53E-1-201** is amended to read:

372 **53E-1-201. Reports to and action required of the Education Interim Committee.**

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

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

378 (b) the prioritized list of data research described in Section **35A-14-302** and the report
379 on research described in Section **35A-14-304** by the Utah Data Research Center;

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

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

384 (e) the annual report of the Utah Board of Higher Education described in Section
385 **53B-1-402**;

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

388 (g) the State Superintendent's Annual Report by the state board described in Section
389 **53E-1-203**;

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

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

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

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

- 398 (l) the report described in Section 53F-4-407 by the state board on UPSTART;
- 399 (m) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board
400 related to grants for professional learning and grants for an elementary teacher preparation
401 assessment; and
- 402 (n) the report described in Section 53F-5-405 by the State Board of Education
403 regarding an evaluation of a partnership that receives a grant to improve educational outcomes
404 for students who are low income.
- 405 (2) In accordance with applicable provisions and Section 68-3-14, the following
406 occasional reports are due to the Education Interim Committee:
- 407 (a) the report described in Section 35A-15-303 by the School Readiness Board by
408 November 30, 2020, on benchmarks for certain preschool programs;
- 409 (b) the report described in Section 53B-28-402 by the Utah Board of Higher Education
410 on or before the Education Interim Committee's November 2021 meeting;
- 411 (c) the report described in Section 53E-3-519 by the state board regarding counseling
412 services in schools;
- 413 (d) the reports described in Section 53E-3-520 by the state board regarding cost centers
414 and implementing activity based costing;
- 415 (e) if required, the report described in Section 53E-4-309 by the state board explaining
416 the reasons for changing the grade level specification for the administration of specific
417 assessments;
- 418 (f) if required, the report described in Section 53E-5-210 by the state board of an
419 adjustment to the minimum level that demonstrates proficiency for each statewide assessment;
- 420 (g) in 2022 and in 2023, on or before November 30, the report described in Subsection
421 53E-10-309(7) related to the PRIME pilot program;
- 422 (h) the report described in Section 53E-10-702 by Utah Leading through Effective,
423 Actionable, and Dynamic Education;
- 424 (i) the report described in Section 53F-2-502 by the state board on the program
425 evaluation of the dual language immersion program;
- 426 (j) if required, the report described in Section 53F-2-513 by the state board evaluating
427 the effects of salary bonuses on the recruitment and retention of effective teachers in high
428 poverty schools;

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

431 (l) the report described in Section 53F-5-210 by the state board on the Educational
432 Improvement Opportunities Outside of the Regular School Day Grant Program;

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

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

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

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

442 (q) the reports described in Section 63C-19-202 by the Higher Education Strategic
443 Planning Commission.

444 [~~(3) In accordance with Section 53B-7-705, the Education Interim Committee shall~~
445 ~~complete the review of the implementation of performance funding.]~~

446 Section 7. Section 63I-2-253 is amended to read:

447 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

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

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

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

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

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

457 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and
458 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
459 necessary changes to subsection numbering and cross references.

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

461 (6) (a) Subsection [53B-7-705\(6\)\(b\)\(~~\(ii\)~~\(iii\)\(A\)](#), the language that states "Except as
462 provided in Subsection (6)(b)(~~(ii)~~(iii)(B)," is repealed July 1, 2021.

463 (b) Subsection [53B-7-705\(6\)\(b\)\(~~\(ii\)~~\(iii\)\(B\)](#), regarding comparing a technical college's
464 change in performance with the technical college's average performance, is repealed July 1,
465 2021.

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

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

470 (8) Section [53B-7-707](#) regarding performance metrics for technical colleges is repealed
471 July 1, 2023.

472 [~~(8)~~] (9) Section [53B-8-114](#) is repealed July 1, 2024.

473 [~~(9)~~] (10) (a) The following sections, regarding the Regents' scholarship program, are
474 repealed on July 1, 2023:

475 (i) Section [53B-8-202](#);

476 (ii) Section [53B-8-203](#);

477 (iii) Section [53B-8-204](#); and

478 (iv) Section [53B-8-205](#).

479 (b) (i) Subsection [53B-8-201\(2\)](#), regarding the Regents' scholarship program for
480 students who graduate from high school before fiscal year 2019, is repealed on July 1, 2023.

481 (ii) When repealing Subsection [53B-8-201\(2\)](#), the Office of Legislative Research and
482 General Counsel shall, in addition to its authority under Subsection [36-12-12\(3\)](#), make
483 necessary changes to subsection numbering and cross references.

484 [~~(10)~~] (11) Section [53B-10-101](#) is repealed on July 1, 2027.

485 [~~(11)~~] (12) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project,
486 is repealed July 1, 2023.

487 [~~(12)~~] (13) Section [53E-3-519](#) regarding school counselor services is repealed July 1,
488 2020.

489 [~~(13)~~] (14) Section [53E-3-520](#) is repealed July 1, 2021.

490 [~~(14)~~] (15) Subsection [53E-5-306\(3\)\(b\)\(ii\)\(B\)](#), related to improving school

491 performance and continued funding relating to the School Recognition and Reward Program, is
492 repealed July 1, 2020.

493 ~~[(15)]~~ (16) Section 53E-5-307 is repealed July 1, 2020.

494 ~~[(16)]~~ (17) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed
495 July 1, 2024.

496 ~~[(17)]~~ (18) In Subsections 53F-2-205(4) and (5), regarding the State Board of
497 Education's duties if contributions from the minimum basic tax rate are overestimated or
498 underestimated, the language that states "or 53F-2-301.5, as applicable" is repealed July 1,
499 2023.

500 ~~[(18)]~~ (19) Subsection 53F-2-301(1), relating to the years the section is not in effect, is
501 repealed July 1, 2023.

502 ~~[(19)]~~ (20) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as
503 applicable" is repealed July 1, 2023.

504 ~~[(20)]~~ (21) Section 53F-4-207 is repealed July 1, 2022.

505 ~~[(21)]~~ (22) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as
506 applicable" is repealed July 1, 2023.

507 ~~[(22)]~~ (23) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
508 applicable" is repealed July 1, 2023.

509 ~~[(23)]~~ (24) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
510 applicable" is repealed July 1, 2023.

511 ~~[(24)]~~ (25) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5,
512 as applicable" is repealed July 1, 2023.

513 ~~[(25)]~~ (26) Subsections 53G-10-204(1)(c) through (e), and Subsection 53G-10-204(7),
514 related to the civics engagement pilot program, are repealed on July 1, 2023.

515 ~~[(26)]~~ (27) On July 1, 2023, when making changes in this section, the Office of
516 Legislative Research and General Counsel shall, in addition to the office's authority under
517 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections
518 identified in this section are complete sentences and accurately reflect the office's perception of
519 the Legislature's intent.