

1 **SCHOOL DROPOUT PREVENTION AMENDMENTS**

2 2022 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Karen M. Peterson**

5 Senate Sponsor: Michael K. McKell

7 **LONG TITLE**

8 **General Description:**

9 This bill makes changes to provisions related to school dropout prevention.

10 **Highlighted Provisions:**

11 This bill:

12 ▶ requires a local education agency that meets certain criteria to provide dropout
13 prevention and recovery services by either:

- 14 • contracting with a third party; or
15 • creating a dropout prevention and recovery plan;
16 ▶ defines terms; and
17 ▶ makes technical and conforming changes.

18 **Money Appropriated in this Bill:**

19 None

20 **Other Special Clauses:**

21 None

22 **Utah Code Sections Affected:**

23 AMENDS:

24 **53G-9-802**, as last amended by Laws of Utah 2020, Chapter 137

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

27 Section 1. Section **53G-9-802** is amended to read:



28 **53G-9-802. Dropout prevention and recovery -- Flexible enrollment options --**
29 **Contracting -- Reporting.**

30 (1) (a) Subject to Subsection (1)(b), an LEA shall provide dropout prevention and
31 recovery services to a designated student, including:

32 (i) engaging with or attempting to recover a designated student;
33 (ii) developing a learning plan, in consultation with a designated student, to identify:

34 (A) barriers to regular school attendance and achievement;

35 (B) an attainment goal; and

36 (C) a means for achieving the attainment goal through enrollment in one or more of the
37 programs described in Subsection (2);

38 (iii) monitoring a designated student's progress toward reaching the designated
39 student's attainment goal; and

40 (iv) providing tiered interventions for a designated student who is not making progress
41 toward reaching the student's attainment goal.

42 (b) An LEA shall provide the dropout prevention and recovery services described in
43 Subsection (1)(a):

44 (i) throughout the calendar year; and

45 (ii) except as provided in Subsection (1)(c)(i), for each designated student who
46 becomes a designated student while enrolled in the LEA.

47 (c) (i) A designated student's school district of residence shall provide dropout recovery
48 services if the designated student:

49 (A) was enrolled in a charter school that does not include grade 12; and

50 (B) becomes a designated student in the summer after the student completes academic
51 instruction at the charter school through the maximum grade level the charter school is eligible
52 to serve under the charter school's charter agreement as described in Section [53G-5-303](#).

53 (ii) In accordance with Subsection (1)(c)(iii), a charter school that does not include
54 grade 12 shall notify each of the charter school's student's district of residence, as determined
55 under Section [53G-6-302](#), when the student completes academic instruction at the charter
56 school as described in Subsection (1)(c)(i)(B).

57 (iii) The notification described in Subsection (1)(c)(ii) shall include the student's name,
58 contact information, and student identification number.

59 (2) (a) An LEA shall provide flexible enrollment options for a designated student that:

60 (i) are tailored to the designated student's learning plan developed under Subsection

61 (1)(a)(ii); and

62 (ii) include two or more of the following:

63 (A) enrollment in the LEA in a traditional program;

64 (B) enrollment in the LEA in a nontraditional program;

65 (C) enrollment in a program offered by a private provider that has entered into a

66 contract with the LEA to provide educational services; or

67 (D) enrollment in a program offered by another LEA.

68 (b) A designated student may enroll in:

69 (i) a program offered by the LEA under Subsection (2)(a), in accordance with this

70 public education code, rules established by the state board, and policies established by the

71 LEA; or

72 (ii) the Statewide Online Education Program, in accordance with Title 53F, Chapter 4,

73 Part 5, Statewide Online Education Program.

74 (c) An LEA shall make the LEA's best effort to accommodate a designated student's

75 choice of enrollment under Subsection (2)(b).

76 (3) Beginning with the 2017-18 school year and except as provided in Subsection [(4)]

77 (5), an LEA shall [~~enter into a contract with a third party to~~] provide the dropout prevention

78 and recovery services described in Subsection (1)(a)₂ for any school year in which the LEA

79 meets the following criteria:

80 (a) the LEA's graduation rate is lower than the statewide graduation rate; and

81 (b) (i) the LEA's graduation rate has not increased by at least 1% on average over the

82 previous three school years; or

83 (ii) during the previous calendar year, at least 10% of the LEA's designated students

84 have not:

85 (A) reached the students' attainment goals; or

86 (B) made a year's worth of progress toward the students' attainment goals.

87 (4) To provide the dropout and recovery services described in Subsection (1)(a), an

88 LEA may:

89 (a) contract with a third party; or

90 (b) create a dropout prevention and recovery services plan.

91 [~~(4)~~] (5) An LEA is not subject to the requirement described in Subsection (3) if:

92 (a) the LEA is in the LEA's first three years of operation;

93 (b) the LEA's average graduation rate for the previous three years is higher than the

94 average statewide graduation rate for the previous three years;

95 (c) the LEA is a special school as that term is used in 34 C.F.R. 300.115; or

96 (d) the quotient of the total number of an LEA's graduating students plus 10, divided by

97 the total number of students in an LEA's graduating class, is equal to or greater than the

98 statewide graduation rate.

99 [~~(5)~~] (6) [~~An~~] If an LEA described in Subsection (3) contracts with a third party, the

100 LEA shall ensure that:

101 (a) a third party with whom the LEA enters into a contract under Subsection [~~(3)~~] (4)

102 has a demonstrated record of effectiveness engaging with and recovering designated students;

103 and

104 (b) a contract with a third party requires the third party to:

105 (i) provide the services described in Subsection (1)(a); and

106 (ii) regularly report progress to the LEA.

107 [~~(6)~~] (7) An LEA shall annually submit a report to the state board on dropout

108 prevention and recovery services provided under this section, including:

109 (a) the methods the LEA or third party uses to engage with or attempt to recover

110 designated students under Subsection (1)(a)(i);

111 (b) the number of designated students who enroll in a program described in Subsection

112 (2) as a result of the efforts described in Subsection [~~(6)(a)~~] (7)(a);

113 (c) the number of designated students who reach the designated students' attainment

114 goals identified under Subsection (1)(a)(ii)(B); and

115 (d) funding allocated to provide dropout prevention and recovery services.

116 [~~(7)~~] (8) The state board shall:

117 (a) ensure that an LEA described in Subsection (3) contracts with a third party or

118 creates a dropout prevention and recovery services plan to provide dropout prevention and

119 recovery services in accordance with Subsections (3) [~~and (5)~~], (4), and (6); and

120 (b) report on the provisions of this section in accordance with Section 53E-1-203,

121 including a summary of the reports submitted under Subsection [~~(6)~~] (7).