

**Representative Jefferson Moss** proposes the following substitute bill:

**EDUCATION RESEARCH AND INNOVATION AMENDMENTS**

2022 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jefferson Moss**

Senate Sponsor: Ann Millner

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to the Utah Leading through Effective, Actionable, and Dynamic Education program.

**Highlighted Provisions:**

This bill:

- ▶ changes the chair of the Utah Leading through Effective, Actionable, and Dynamic Education (ULEAD) steering committee to two co-chairs;
- ▶ amends the membership of the ULEAD director selection committee and the ULEAD steering committee;
- ▶ amends the duties of the ULEAD director, steering committee, and director selection committee;
- ▶ adds requirements for certain research and reports;
- ▶ requires the State Board of Education (state board) to provide a means for the steering committee to meet remotely;
- ▶ permits the ULEAD director to utilize state board staff under certain circumstances;
- ▶ defines terms; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53E-10-701**, as last amended by Laws of Utah 2019, Chapter 186

32 **53E-10-702**, as last amended by Laws of Utah 2019, Chapter 324

33 **53E-10-703**, as last amended by Laws of Utah 2020, Chapter 408

34 **53E-10-704**, as last amended by Laws of Utah 2020, Chapter 365

35 **53E-10-706**, as last amended by Laws of Utah 2019, Chapter 186

36 **53E-10-707**, as last amended by Laws of Utah 2019, Chapter 186



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

39 Section 1. Section **53E-10-701** is amended to read:

40 **53E-10-701. Definitions.**

41 As used in this part:

42 (1) "Director" means the director of ULEAD appointed under this part.

43 (2) "Director Selection Committee" or "selection committee" means the committee  
44 created in Section **53E-10-704** that appoints the director.

45 (3) "Local education agency" or "LEA" means a public:

46 (a) school district;

47 (b) school; or

48 (c) charter school.

49 (4) "Participating institution" means a public or private research institution that enters  
50 into an arrangement with the director to provide research and other services described in this  
51 part.

52 (5) "Research clearinghouse" means a collection of information maintained and  
53 distributed by ULEAD in accordance with Section **53E-10-706**.

54 (6) "Steering committee" means the committee that:

55 (a) advises the director;

56 (b) sets research priorities as described in this part; and

57 (c) is created in Section 53E-10-707.

58 (7) "ULEAD" means Utah Leading through Effective, Actionable, and Dynamic  
59 Education through the efforts of the director, participating institutions, and the steering  
60 committee as described in this part.

61 Section 2. Section 53E-10-702 is amended to read:

62 **53E-10-702. ULEAD established -- Duties -- Funding.**

63 There is created the Utah Leading through Effective, Actionable, and Dynamic  
64 Education, a collaborative effort in research and innovation between the director, participating  
65 institutions, and education leaders to:

- 66 (1) gather and explain current education research in an electronic research  
67 clearinghouse for use by practitioners;
- 68 (2) initiate and disseminate research reports on innovative and successful practices by  
69 Utah LEAs, and guided by the steering committee, practitioners, and policymakers;
- 70 (3) promote statewide innovation and collaboration by:
  - 71 (a) identifying experts in areas of practice;
  - 72 (b) conducting conferences, webinars, and online forums for practitioners; and
  - 73 (c) facilitating direct collaboration between schools; and
- 74 (4) (a) report to the Education Interim Committee and policymakers on innovative and  
75 successful K-12 practices in Utah and other states, prioritizing practices in Utah; and
- 76 (b) in the report, propose policy changes to remove barriers to implementation of  
77 successful practices.

78 Section 3. Section 53E-10-703 is amended to read:

79 **53E-10-703. ULEAD director -- Qualification and employment -- Duties --**  
80 **Reporting -- Annual conference.**

- 81 (1) The ULEAD director shall:
  - 82 (a) (i) hold a doctorate degree in education or an equivalent degree; and
  - 83 (ii) have demonstrated experience in research and dissemination of best practices in  
84 education; and
  - 85 (b) (i) be a full-time employee; [~~and~~]
  - 86 (ii) report to the state superintendent[-:]; and
  - 87 (iii) provide a report to the selection committee, at least twice per year, on the status of

88 the ULEAD program.

89 (2) The state superintendent shall:

90 (a) evaluate the director's performance annually;

91 (b) report on the director's performance to the selection committee; and

92 (c) provide space for the director and the director's staff.

93 (3) The director may:

94 (a) hire staff, using only money specifically appropriated to ULEAD[-]; and

95 (b) with approval from the superintendent, utilize state board staff.

96 (4) The director shall perform the following duties and functions:

97 (a) gather current research on innovative and effective practices in K-12 education for  
98 use by policymakers and practitioners;

99 (b) facilitate collaboration between LEAs, higher education researchers, and  
100 practitioners by:

101 (i) sharing innovative and effective practices in Utah shown to improve student  
102 learning;

103 (ii) identifying experts in Utah in specific areas of practice; and

104 (iii) maintaining a research clearinghouse and directory of researchers; and

105 (c) analyze barriers to replication or adaption of innovative and successful practices  
106 studied by ULEAD or contributed to the ULEAD research clearinghouse.

107 (5) The director shall:

108 (a) prioritize reports and other research based on recommendations of the steering  
109 committee in accordance with Subsection 53E-10-707(5), and after consulting with individuals  
110 described in Subsection 53E-10-707(6);

111 (b) identify Utah LEAs, or schools outside the public school system, that are:

112 (i) innovative in specific areas of practice; and

113 (ii) more effective or efficient than comparable LEAs in improving student learning,  
114 especially for students performing below proficiency;

115 (c) establish criteria for innovative practice reports to be performed by participating  
116 institutions and included in the research clearinghouse, including report templates;

117 (d) arrange with participating institutions to generate innovative practice reports on  
118 effective and innovative K-12 education practices; and

- 119 (e) (i) disseminate each innovative practice report to the state board for dissemination  
120 to LEAs and school leaders; and
- 121 (ii) publish innovative practice reports on the ULEAD website.
- 122 (6) In an innovative practice report, a participating institution shall:
- 123 (a) include or reference a review of research regarding the practice in which the subject  
124 LEA has demonstrated success;
- 125 (b) identify through academically acceptable, evidence-based research methods the  
126 causes of the LEA's successful practice;
- 127 (c) identify opportunities for LEAs to adopt or customize innovative or best practices;
- 128 (d) address limitations to successful replication or adaptation of the successful practice  
129 by other LEAs, which may include barriers arising from federal or state law, state or LEA  
130 policy, socioeconomic conditions, or funding limitations;
- 131 (e) include practical templates for successful replication and adaptation of successful  
132 practices, following criteria established by the director;
- 133 (f) identify experts in the successful practice that is the subject of the innovative  
134 practice report, including teachers or administrators at the subject LEA; and
- 135 (g) include:
- 136 (i) an executive summary describing the innovative practice report; and
- 137 (ii) a video component or other elements designed to ensure that an innovative practice  
138 report is readily understandable by practitioners.
- 139 (7) The director may, if requested by an LEA leader or policymaker, conduct an  
140 evidence-based review of a possible innovation in an area of practice.
- 141 (8) The director may also accept innovative practice reports from trained practitioners  
142 that meet the criteria set by the director.
- 143 (9) The director or a participating institution, to enable successful replication or  
144 adaption of successful practices, may recommend to:
- 145 (a) the Legislature, amendments to state law; or
- 146 (b) the state board, revisions to state board rule, made in accordance with Title 63G,  
147 Chapter 3, Utah Administrative Rulemaking Act, or policy.
- 148 (10) (a) The director shall:
- 149 [~~a~~] (i) report on the activities of ULEAD annually to the state board; and

150 ~~[(b)]~~ (ii) provide reports or other information to the state board upon state board  
151 request.

152 (b) The report described in Subsection (10)(a)(i) shall include:

153 (i) examples identified for innovative practice reports; and

154 (ii) the current status of ULEAD's relationship with participating institutions.

155 (11) The director shall:

156 (a) prepare an annual report on ULEAD research and other activities;

157 (b) submit the report in accordance with ~~[Section]~~ Sections 53E-1-201 and 53E-1-202;

158 (c) publish the annual report on the ULEAD website; and

159 (d) disseminate the report to the state board for dissemination to LEAs and school  
160 leaders through electronic channels.

161 (12) The director shall facilitate and conduct an annual conference on successful and  
162 innovative K-12 education practices in Utah, featuring:

163 (a) Utah education leaders; and

164 (b) practitioners and researchers, chosen by the director, to discuss the subjects of LEA  
165 and other ULEAD activities, or other innovative and successful education practices.

166 Section 4. Section 53E-10-704 is amended to read:

167 **53E-10-704. Director Selection Committee -- Membership -- Powers and duties --**  
168 **Compensation.**

169 (1) There is created the Director Selection Committee to appoint the director.

170 (2) The selection committee shall consist of the following ~~[nine]~~ five members each  
171 appointed for two-year ~~[staggered terms, with the initial terms of the members described in~~  
172 ~~Subsections (2)(a), (b), and (c) to be three years]~~ terms:

173 (a) one member of the office of the governor, who is the chair of the selection  
174 committee and appointed by the governor;

175 (b) one member of the House of Representatives, appointed by the speaker of the  
176 House of Representatives;

177 (c) one member of the Senate, appointed by the president of the Senate;

178 (d) one member of the state board, appointed by the chair of the state board; and

179 ~~[(e) one member of the Utah Board of Higher Education, appointed by the chair of the~~  
180 ~~Utah Board of Higher Education;]~~

- 181           ~~[(f)]~~ (e) one member appointed by the state superintendent[;].
- 182           ~~[(g) one member of the State Charter School Board, appointed by the chair of the State~~
- 183 ~~Charter School Board;]~~
- 184           ~~[(h) one member of the Utah School Boards Association recognized in Section~~
- 185 ~~53G-4-502, appointed by the association executive director; and]~~
- 186           ~~[(i) one member of a state association that represents school superintendents, appointed~~
- 187 ~~by the association executive director.]~~
- 188           (3) (a) A member of the selection committee may be appointed for more than one term.
- 189           (b) If a midterm vacancy occurs on the selection committee, the appointing individual,
- 190 as described in Subsection (2), for the vacant position shall appoint an individual for the
- 191 remainder of the term.
- 192           (4) A majority of the members shall constitute a quorum for the transaction of selection
- 193 committee business.
- 194           (5) (a) The selection committee shall select and appoint a director for a four-year term.
- 195           (b) The director may be appointed for more than one term.
- 196           (6) (a) In addition to the meetings required under Subsections (6)(b) and (c), the
- 197 selection committee shall hold at least one meeting each year.
- 198           (b) In a year in which the director is appointed, the selection committee shall:
- 199           (i) solicit applications for the director position to be submitted no later than June 1;
- 200           (ii) hold at least two meetings to discuss candidates for the open director position; and
- 201           (iii) select and appoint by majority vote a candidate to fill the director position to begin
- 202 employment no later than August 1.
- 203           ~~[(b)]~~ (c) Notwithstanding Subsection ~~[(6)(a)]~~ (6)(b), if a midterm vacancy in the
- 204 director position occurs, the selection committee shall:
- 205           (i) no later than 25 business days after the day on which the position is vacated, solicit
- 206 applications for the director position;
- 207           (ii) hold at least two meetings to discuss candidates for the vacant position; and
- 208           (iii) no later than 60 business days after the day on which the position is vacated, select
- 209 a candidate to fill the director position for the remainder of the term.
- 210           (7) (a) The selection committee:
- 211           (i) may remove a director before the completion of the director's term only by a

212 majority vote of the selection committee; and

213 (ii) is the only person empowered to remove the director.

214 (b) The chair shall hold a meeting to consider removing the director upon request of  
215 two or more selection committee members.

216 (8) A member of the selection committee may not receive compensation except a  
217 member who is a legislator shall receive compensation for travel and other expense  
218 reimbursements in accordance with Section 36-2-2.

219 (9) The selection committee shall:

220 (a) establish criteria for evaluation of the ULEAD program, including the degree of  
221 participation by participating institutions and practitioners; [~~and~~]

222 (b) evaluate the effectiveness of ULEAD every four years for purposes of continuing  
223 the program[-]; and

224 (c) meet with the superintendent at least annually to discuss the progress of ULEAD  
225 projects and processes as described in this part.

226 (10) The selection committee shall hold a meeting described in this section in  
227 accordance with Title 52, Chapter 4, Open and Public Meetings Act.

228 Section 5. Section 53E-10-706 is amended to read:

229 **53E-10-706. Electronic resources -- Research clearinghouse.**

230 (1) The state board shall publish a ULEAD website containing information provided by  
231 the director as described in this part.

232 (2) The director shall within two years of appointment:

233 (a) develop and maintain a research clearinghouse publicly available through the  
234 website described in Subsection (1); and

235 (b) include in the research clearinghouse:

236 (i) research on K-12 education, including peer-reviewed research;

237 (ii) information on K-12 education innovation and best practices;

238 (iii) an index and explanation of academic, state, federal, or other K-12 education  
239 research repositories;

240 (iv) K-12 education research and policy briefs generated by Utah public and private  
241 institutions of higher education, including participating institutions, categorized and searchable  
242 by topic;



243 (v) access points to and explanation of currently available K-12 education data,  
244 including data managed by the Utah Data Research Center created in Section 35A-14-201 and  
245 data maintained by the state board;

246 (vi) other K-12 education information as determined by the director, including  
247 information regarding efforts by institutions or other individuals to promote innovative and  
248 effective education practices in Utah; and

249 (vii) each innovative practice report prepared by ULEAD, categorized and searchable  
250 by topic, location of the studied LEA, and socioeconomic and demographic profile.

251 (3) The director shall publish:

252 (a) as identified in ULEAD research and reports, an electronic directory of:

253 (i) K-12 education experts [identified in ULEAD research and reports]; and

254 (ii) LEAs described in Subsection 53E-10-703(5)(b); and

255 (b) a monthly report to LEAs, via electronic channels provided by the state board,  
256 highlighting ULEAD activities and soliciting proposals from education practitioners for  
257 ULEAD research and reports.

258 (4) The director may provide electronic seminars or forums for professional learning  
259 regarding subjects of ULEAD research and reports to K-12 practitioners.

260 Section 6. Section 53E-10-707 is amended to read:

261 **53E-10-707. ULEAD Steering Committee.**

262 (1) (a) There is created the ULEAD Steering Committee.

263 (b) The ~~[director is the chair]~~ member described in Subsection (2)(b) and the member  
264 described in Subsection (2)(e) are the co-chairs of the steering committee.

265 (2) The steering committee shall consist of the following members each appointed for a  
266 term of ~~[one year]~~ two years:

267 (a) the director;

268 (b) one member of the state board appointed by the chair of the state board;

269 (c) the state superintendent or the state superintendent's designee;

270 (d) the staff director of the State Charter School Board or the director's designee;

271 (e) one member appointed by the office of the governor;

272 (f) one member, appointed by the director, who is a superintendent of a school district;

273 (g) one member, appointed by the director, of a local school board;

274 (h) two principals or other public school leaders of public schools that are not charter  
275 schools, appointed by the director;

276 (i) [~~two principals~~] one principal or other public school [~~leaders~~] leader of charter  
277 schools, appointed by the director;

278 (j) two educators who hold a current license under Chapter 6, Education Professional  
279 Licensure, nominated by LEA leaders and appointed by the director; and

280 (k) [~~two members~~] one member representing citizens or business, nominated by the  
281 members of the public and appointed by the director.

282 (3) (a) A member of the steering committee may be appointed for more than one term.

283 (b) If a midterm vacancy occurs on the steering committee, the appointing individual,  
284 as described in Subsection (2), for the vacant position shall appoint an individual for the  
285 remainder of the term.

286 (4) (a) The steering committee shall hold a meeting at least [~~semi-annually in January~~  
287 ~~and July or~~] quarterly on dates [~~otherwise~~] chosen by the co-chairs, in consultation with the  
288 director.

289 (b) The state board shall provide physical space for the steering committee to meet, or  
290 a means to participate in a meeting remotely.

291 (5) The steering committee shall:

292 (a) discuss prospective and current ULEAD projects and findings;

293 (b) consult with and make recommendations to the director to prioritize ULEAD  
294 reports and areas of focused research;

295 (c) facilitate connections between the director and Utah's political, business, education  
296 technology, and academic communities; [~~and~~]

297 (d) make recommendations to improve gathering, retaining, and disseminating  
298 education data and research and evaluation findings for use by participating institutions and  
299 other education policy researchers, including data managed by the Utah Data Research Center  
300 created in Section [35A-14-201](#)[-]; and

301 (e) annually vote on and establish steering committee priorities for ULEAD.

302 (6) In order to determine research priorities for ULEAD, the director shall consult with:

303 (a) members of the Legislature responsible for public education;

304 (b) members of Utah professional education associations, including principals and

305 LEA governing board members; and

306 (c) policy-research centers based in Utah.

307 (7) The state board or state superintendent may request that the director arrange with a  
308 participating institution to prepare a report on a specific LEA or area of practice meeting the  
309 criteria established in this part.

310 (8) A member of the steering committee may not receive compensation except a  
311 member who is a legislator shall receive compensation for travel and other expense  
312 reimbursements in accordance with Section 36-2-2.

313 (9) The steering committee shall hold a meeting described in this section in accordance  
314 with Title 52, Chapter 4, Open and Public Meetings Act.