

HB0437S01 compared with HB0437

~~text~~ shows text that was in HB0437 but was deleted in HB0437S01.

inserted text shows text that was not in HB0437 but was inserted into HB0437S01.

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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: _____

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; ~~text~~

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- ▶ 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:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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

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

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

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

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

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

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

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

53E-10-701. Definitions.

As used in this part:

- (1) "Director" means the director of ULEAD appointed under this part.
- (2) "Director Selection Committee" or "selection committee" means the committee created in Section 53E-10-704 that appoints the director.
- (3) "Local education agency" or "LEA" means a public:
 - (a) school district;
 - (b) school; or
 - (c) charter school.
- (4) "Participating institution" means a public or private research institution that enters into an arrangement with the director to provide research and other services described in this

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part.

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

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

(a) advises the director;

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

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

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

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

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

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

(1) gather and explain current education research in an electronic research clearinghouse for use by practitioners;

(2) initiate and disseminate research reports on innovative and successful practices by Utah LEAs, and guided by the steering committee, practitioners, and policymakers;

(3) promote statewide innovation and collaboration by:

(a) identifying experts in areas of practice;

(b) conducting conferences, webinars, and online forums for practitioners; and

(c) facilitating direct collaboration between schools; and

(4) (a) report to the Education Interim Committee and policymakers on innovative and successful K-12 practices in Utah and other states, prioritizing practices in Utah; and

(b) in the report, propose policy changes to remove barriers to implementation of successful practices.

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

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

(1) The ULEAD director shall:

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- (a) (i) hold a doctorate degree in education or an equivalent degree; and
 - (ii) have demonstrated experience in research and dissemination of best practices in education; and
 - (b) (i) be a full-time employee; [~~and~~]
 - (ii) report to the state superintendent[~~;~~]; and
 - (iii) provide a report to the selection committee, at least twice per year, on the status of the ULEAD program.
- (2) The state superintendent shall:
- (a) evaluate the director's performance annually;
 - (b) report on the director's performance to the selection committee; and
 - (c) provide space for the director and the director's staff.
- (3) The director may:
- (a) hire staff, using only money specifically appropriated to ULEAD[~~;~~]; and
 - (b) with approval from the superintendent, utilize state board staff.
- (4) The director shall perform the following duties and functions:
- (a) gather current research on innovative and effective practices in K-12 education for use by policymakers and practitioners;
 - (b) facilitate collaboration between LEAs, higher education researchers, and practitioners by:
 - (i) sharing innovative and effective practices in Utah shown to improve student learning;
 - (ii) identifying experts in Utah in specific areas of practice; and
 - (iii) maintaining a research clearinghouse and directory of researchers; and
 - (c) analyze barriers to replication or adaption of innovative and successful practices studied by ULEAD or contributed to the ULEAD research clearinghouse.
- (5) The director shall:
- (a) prioritize reports and other research based on recommendations of the steering committee in accordance with Subsection 53E-10-707(5), and after consulting with individuals described in Subsection 53E-10-707(6);
 - (b) identify Utah LEAs, or schools outside the public school system, that are:
 - (i) innovative in specific areas of practice; and

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

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

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

(e) (i) disseminate each innovative practice report to the state board for dissemination to LEAs and school leaders; and

(ii) publish innovative practice reports on the ULEAD website.

(6) In an innovative practice report, a participating institution shall:

(a) include or reference a review of research regarding the practice in which the subject LEA has demonstrated success;

(b) identify through academically acceptable, evidence-based research methods the causes of the LEA's successful practice;

(c) identify opportunities for LEAs to adopt or customize innovative or best practices;

(d) address limitations to successful replication or adaptation of the successful practice by other LEAs, which may include barriers arising from federal or state law, state or LEA policy, socioeconomic conditions, or funding limitations;

(e) include practical templates for successful replication and adaptation of successful practices~~†~~, following criteria established by the director;

(f) identify experts in the successful practice that is the subject of the innovative practice report, including teachers or administrators at the subject LEA; and

(g) include:

(i) an executive summary describing the innovative practice report; and

(ii) a video component or other elements designed to ensure that an innovative practice report is readily understandable by practitioners.

(7) The director may, if requested by an LEA leader or policymaker, conduct an evidence-based review of a possible innovation in an area of practice.

(8) The director may also accept innovative practice reports from trained practitioners that meet the criteria set by the director.

(9) The director or a participating institution, to enable successful replication or

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adaption of successful practices, may recommend to:

- (a) the Legislature, amendments to state law; or
- (b) the state board, revisions to state board rule, made in accordance with Title 63G,

Chapter 3, Utah Administrative Rulemaking Act, or policy.

(10) (a) The director shall:

~~[(a)]~~ (i) report on the activities of ULEAD annually to the state board; and

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

request.

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

(i) examples identified for innovative practice reports; and

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

(11) The director shall:

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

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

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

(d) disseminate the report to the state board for dissemination to LEAs and school

leaders through electronic channels.

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

(a) Utah education leaders; and

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

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

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

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

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

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

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

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

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

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

~~[(f)] (e) one member appointed by the state superintendent[;].~~

~~[(g) one member of the State Charter School Board, appointed by the chair of the State Charter School Board;]~~

~~[(h) one member of the Utah School Boards Association recognized in Section 53G-4-502, appointed by the association executive director; and]~~

~~[(i) one member of a state association that represents school superintendents, appointed by the association executive director.]~~

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

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

(4) A majority of the members shall constitute a quorum for the transaction of selection committee business.

(5) (a) The selection committee shall select and appoint a director for a four-year term.

(b) The director may be appointed for more than one term.

(6) (a) In addition to the meetings required under Subsections (6)(b) and (c), the selection committee shall hold at least one meeting each year.

(b) In a year in which the director is appointed, the selection committee shall:

(i) solicit applications for the director position to be submitted no later than June 1;

(ii) hold at least two meetings to discuss candidates for the open director position; and

(iii) select and appoint by majority vote a candidate to fill the director position to begin employment no later than August 1.

~~[(b)] (c)~~ Notwithstanding Subsection ~~[(6)(a)] (6)(b)~~, if a midterm vacancy in the director position occurs, the selection committee shall:

(i) no later than 25 business days after the day on which the position is vacated, solicit

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applications for the director position;

(ii) hold at least two meetings to discuss candidates for the vacant position; and

(iii) no later than 60 business days after the day on which the position is vacated, select a candidate to fill the director position for the remainder of the term.

(7) (a) The selection committee:

(i) may remove a director before the completion of the director's term only by a majority vote of the selection committee; and

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

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

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

(9) The selection committee shall:

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

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

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

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

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

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

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

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

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

(b) include in the research clearinghouse:

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

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- (ii) information on K-12 education innovation and best practices;
- (iii) an index and explanation of academic, state, federal, or other K-12 education research repositories;
- (iv) K-12 education research and policy briefs generated by Utah public and private institutions of higher education, including participating institutions, categorized and searchable by topic;
- (v) access points to and explanation of currently available K-12 education data, including data managed by the Utah Data Research Center created in Section 35A-14-201 and data maintained by the state board;
- (vi) other K-12 education information as determined by the director, including information regarding efforts by institutions or other individuals to promote innovative and effective education practices in Utah; and
- (vii) each innovative practice report prepared by ULEAD, categorized and searchable by topic, location of the studied LEA, and socioeconomic and demographic profile.

(3) The director shall publish:

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

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

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

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

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

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

53E-10-707. ULEAD Steering Committee.

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

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

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

(a) the director;

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- (b) one member of the state board appointed by the chair of the state board;
 - (c) the state superintendent or the state superintendent's designee;
 - (d) the staff director of the State Charter School Board or the director's designee;
 - (e) one member appointed by the office of the governor;
 - (f) one member, appointed by the director, who is a superintendent of a school district;
 - (g) one member, appointed by the director, of a local school board;
 - (h) two principals or other public school leaders of public schools that are not charter schools, appointed by the director;
 - (i) [~~two principals~~] one principal or other public school [~~leaders~~] leader of charter schools, appointed by the director;
 - (j) two educators who hold a current license under Chapter 6, Education Professional Licensure, nominated by LEA leaders and appointed by the director; ~~{}~~ and ~~{}~~
 - (k) [~~two members~~] one member representing citizens or business, nominated by the members of the public and appointed by the director ~~{}~~. ~~{}, and~~
- ~~{~~ (l) two professors from participating institutions.
- ~~}~~
- (3) (a) A member of the steering committee may be appointed for more than one term.
 - (b) If a midterm vacancy occurs on the steering committee, the appointing individual, as described in Subsection (2), for the vacant position shall appoint an individual for the remainder of the term.
- (4) (a) The steering committee shall hold a meeting at least [~~semi-annually in January and July or~~] quarterly on dates [~~otherwise~~] chosen by the co-chairs, in consultation with the director.
 - (b) The state board shall provide physical space for the steering committee to meet, or a means to participate in a meeting remotely.
- (5) The steering committee shall:
 - (a) discuss prospective and current ULEAD projects and findings;
 - (b) consult with and make recommendations to the director to prioritize ULEAD reports and areas of focused research;
 - (c) facilitate connections between the director and Utah's political, business, education technology, and academic communities; [~~and~~]
 - (d) make recommendations to improve gathering, retaining, and disseminating

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education data and research and evaluation findings for use by participating institutions and other education policy researchers, including data managed by the Utah Data Research Center created in Section 35A-14-201[-]; and

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

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

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

(b) members of Utah professional education associations, including principals and LEA governing board members; and

(c) policy-research centers based in Utah.

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

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

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