

Senator David G. Buxton proposes the following substitute bill:

PUBLIC SCHOOL DISCIPLINE AND CONDUCT PLANS

AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David G. Buxton

House Sponsor: Douglas R. Welton

LONG TITLE

General Description:

This bill creates within the Teacher and Student Success Program, the Strategic Tiered Engagement for Positive Schooling Pilot Program (pilot program) to address school discipline and conduct issues.

Highlighted Provisions:

This bill:

- ▶ creates a pilot program to support schools within a local education agency (LEA) in implementing multi-tiered systems of support;
- ▶ allows the pilot program to be part of an LEA governing board's teacher and student success program framework;
- ▶ defines terms; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2025:

- ▶ to State Board of Education - State Board and Administrative Operations - Strategic Tiered Engagement for Positive Schooling Pilot Program as a one-time appropriation:



26 • from the Public Education Economic Stabilization Restricted Account,
27 One-time, \$150,000

28 **Other Special Clauses:**

29 This bill provides a special effective date.

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53G-7-1301**, as enacted by Laws of Utah 2019, Chapter 505

33 **53G-7-1304**, as last amended by Laws of Utah 2020, Chapter 408

34 **63I-1-253 (Superseded 07/01/24)**, as last amended by Laws of Utah 2023, Chapters 30,
35 52, 133, 161, 367, and 494

36 **63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25)**, as last amended by Laws of Utah 2023,
37 Chapters 30, 52, 133, 161, 310, 367, and 494

38 **63I-1-253 (Contingently Effective 01/01/25)**, as last amended by Laws of Utah 2023,
39 Chapters 30, 52, 133, 161, 187, 310, 367, and 494

40 ENACTS:

41 **53G-7-1307**, Utah Code Annotated 1953



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

44 Section 1. Section **53G-7-1301** is amended to read:

45 **53G-7-1301. Definitions.**

46 As used in this part:

47 (1) "LEA distribution" means the money distributed by the state board to an LEA as
48 described in Section **53G-7-1303**.

49 (2) "LEA governing board student success framework" means an LEA governing board
50 student success framework described in Section **53G-7-1304**.

51 (3) "Principal" means the chief administrator at a school, including:

52 (a) a school principal;

53 (b) a charter school director; or

54 (c) the superintendent of the Utah Schools for the Deaf and the Blind.

55 (4) "School allocation" means the amount of money allocated to a school or the Utah
56 Schools for the Deaf and the Blind by an LEA governing board, as described in Section

57 [53G-7-1304](#).

58 (5) "School personnel" means an individual who:

59 (a) is employed by an LEA; and

60 (b) in an academic role, works directly with and supports students in a school.

61 (6) "Statewide accountability system" means the statewide school accountability
62 system described in Title 53E, Chapter 5, Part 2, School Accountability System.

63 (7) "Strategic Tiered Engagement for Positive Schooling Pilot Program" or "pilot
64 program" means the pilot program created in Section [53G-7-1307](#).

65 [~~(7)~~] (8) "Teacher and student success plan" or "success plan" means a school
66 performance and student academic achievement improvement plan described in Section
67 [53G-7-1305](#).

68 [~~(8)~~] (9) "Teacher and Student Success Program" or "program" means the Teacher and
69 Student Success Program described in this part.

70 Section 2. Section **53G-7-1304** is amended to read:

71 **53G-7-1304. Program requirements -- LEA governing board student success**
72 **framework -- LEA distribution -- School allocation -- Reporting.**

73 (1) (a) To receive an LEA distribution, an LEA governing board shall:

74 (i) adopt an LEA governing board student success framework to provide guidelines and
75 processes for a school within the LEA governing board's LEA to follow in developing a teacher
76 and student success plan; and

77 (ii) submit the adopted LEA governing board student success framework to the state
78 board.

79 (b) An LEA governing board may include in the LEA governing board's student
80 success framework any means reasonably designed to improve school performance or student
81 academic achievement, including:

82 (i) school personnel stipends for taking on additional responsibility outside of a typical
83 work assignment;

84 (ii) professional learning;

85 (iii) additional school employees, including counselors, social workers, mental health
86 workers, tutors, media specialists, information technology specialists, or other specialists;

87 (iv) technology;

- 88 (v) before- or after-school programs;
- 89 (vi) summer school programs;
- 90 (vii) community support programs or partnerships;
- 91 (viii) early childhood education;
- 92 (ix) class size reduction strategies;
- 93 (x) augmentation of existing programs;
- 94 (xi) the pilot program for multi-tiered systems of support described in Section
- 95 53G-7-1307; or
- 96 [~~(xi)~~] (xii) other means.
- 97 (c) An LEA governing board student success framework may not support the use of
- 98 program money:
 - 99 (i) to supplant funding for existing public education programs;
 - 100 (ii) for district administration costs; or
 - 101 (iii) for capital expenditures.
- 102 (2) (a) An LEA governing board shall use an LEA distribution as follows:
 - 103 (i) for increases to base salary and salary driven benefits for school personnel that,
 - 104 except as provided in Subsection (2)(c)(i), total 25% or less of the LEA distribution; and
 - 105 (ii) except as provided in Subsection (2)(b)(ii) and in accordance with Subsection (3),
 - 106 for each school within the LEA governing board's LEA, an allocation that is equal to the
 - 107 product of:
 - 108 (A) the percentage of the school's prior year average daily membership compared to the
 - 109 total prior year average daily membership for all schools in the LEA; and
 - 110 (B) the remaining amount of the LEA governing board's LEA distribution after
 - 111 subtracting the amounts described in Subsections (2)(a)(i) and (2)(b)(ii).
 - 112 (b) (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 - 113 the state board shall make rules for an LEA governing board to calculate and distribute a school
 - 114 allocation for a school in the school's first year of operation.
 - 115 (ii) In accordance with Subsection (3) and the rules described in Subsection (2)(b)(i),
 - 116 an LEA governing board shall distribute a school allocation for a school in the school's first
 - 117 year of operation.
- 118 (c) Except as provided in Subsection (2)(d), the LEA governing board of a school

119 district may use up to 40% of an LEA distribution for the purposes described in Subsection
120 (2)(a)(i), if:

121 (i) the LEA governing board has:

122 (A) approved a board local levy for the maximum amount allowed under Section
123 [53F-8-302](#); or

124 (B) after the LEA governing board has submitted an LEA governing board student
125 success framework to the state board, increased the board local levy described in Section
126 [53F-8-302](#) by at least .0001 per dollar of taxable value; and

127 (ii) the school district's average teacher salary is below the state average teacher salary
128 described in Subsection (2)(f).

129 (d) The LEA governing board of a school district in a county of the fourth, fifth, or
130 sixth class or the LEA governing board of a charter school may use up to 40% of an LEA
131 distribution for the purposes described in Subsection (2)(a)(i), if the LEA's average teacher
132 salary is below the state average teacher salary described in Subsection (2)(f).

133 (e) An LEA governing board shall annually report information as requested by the state
134 board for the state board to calculate a state average teacher salary.

135 (f) The state board shall use the information described in Subsection (2)(c)(ii) to
136 calculate a state average teacher salary amount and a state average teacher benefit amount.

137 (3) An LEA governing board shall allocate a school allocation to a school with a
138 teacher and student success plan that is approved as described in Section [53G-7-1305](#).

139 (4) (a) Except as provided in Subsection (4)(b), a school shall use a school allocation to
140 implement the school's success plan.

141 (b) A school may use up to 5% of the school's school allocation to fund school
142 personnel retention at the principal's discretion, not including uniform salary increases.

143 (c) A school may not use a school allocation for:

144 (i) capital expenditures; or

145 (ii) a purpose that is not supported by the LEA governing board student success
146 framework for the school's LEA.

147 (5) A school that receives a school allocation shall annually:

148 (a) submit to the school's LEA governing board a description of:

149 (i) the budgeted and actual expenditures of the school's school allocation;

150 (ii) how the expenditures relate to the school's success plan; and
151 (iii) how the school measures the success of the school's participation in the program;
152 and

153 (b) post on the school's website:

154 (i) the school's approved success plan;

155 (ii) a description of the school's school allocation budgeted and actual expenditures and
156 how the expenditures help the school accomplish the school's success plan; and

157 (iii) the school's current level of performance, as described in Section 53G-7-1306,
158 according to the indicators described in Section 53E-5-205 or 53E-5-206.

159 Section 3. Section 53G-7-1307 is enacted to read:

160 **53G-7-1307. Strategic Tiered Engagement for Positive Schooling Pilot Program.**

161 (1) As used in this section:

162 (a) "Evidence-based" means a program, policy, or initiative that is grounded in
163 empirical data and scientifically supported.

164 (b) "Microcredential" means a short, competency-based recognition that allows an
165 educator to demonstrate mastery in a particular area.

166 (c) "Multi-tiered systems of support" means a proactive and preventative framework
167 that integrates data and instruction to maximize student achievement and support a student's
168 behavior needs.

169 (2) There is created within the Teacher and Student Success Program, a three-year pilot
170 program known as the Strategic Tiered Engagement for Positive Schooling Pilot Program to
171 provide funding to LEAs and schools to design and implement school-wide systems of
172 proactive, evidence-based supports to improve student behavior and reduce discipline incidents
173 using multi-tiered systems of support.

174 (3) The board shall develop a microcredential with courses to train teachers in
175 implementing multi-tiered systems of support in schools that includes:

176 (a) an introduction to multi-tiered systems of support including:

177 (i) overview and definitions;

178 (ii) core principles and values;

179 (iii) differences from traditional approaches; and

180 (iv) research foundations;

- 181 (b) Tier 1 supports including:
- 182 (i) high-quality core instruction;
- 183 (ii) screening;
- 184 (iii) data-based decision making;
- 185 (iv) evidence-based interventions; and
- 186 (v) progress monitoring;
- 187 (c) Tier 2 supports including:
- 188 (i) targeted group interventions;
- 189 (ii) formation of intervention teams;
- 190 (iii) additional screening and data collection;
- 191 (iv) regular progress monitoring; and
- 192 (v) adaptation of interventions based on response;
- 193 (d) Tier 3 supports including:
- 194 (i) intensive, personalized interventions;
- 195 (ii) comprehensive evaluations and problem analysis;
- 196 (iii) individualized action plans;
- 197 (iv) frequent progress monitoring; and
- 198 (v) consideration of specialized placements;
- 199 (e) implementation planning needs including:
- 200 (i) leadership and staff buy-in;
- 201 (ii) infrastructure and capacity building;
- 202 (iii) layered professional development; and
- 203 (iv) gradual rollout sequence; and
- 204 (f) other topics including:
- 205 (i) multi-tiered systems of support for academics, behavior, and mental health needs;
- 206 (ii) parental involvement; and
- 207 (iii) evidence-based interventions and approaches.
- 208 (4) A school shall:
- 209 (a) specify intended use of the pilot program in the school's teacher and student success
- 210 plan described in Section [53G-7-1305](#);
- 211 (b) once the teacher and student success plan is approved, disseminate information to

212 teachers regarding the microcredential described in Subsection (3); and

213 (c) use funds awarded for the teacher and student success plan to develop and

214 implement a multi-tiered system of support within the school.

215 (5) A teacher at a participating school shall receive stipends upon completion of

216 modules within the microcredential courses as follows:

217 (a) \$100 for completion of the introduction module;

218 (b) \$300 each for completion of Tier 1, Tier 2, and Tier 3 modules; and

219 (c) \$1000 for completion of an action plan project module that requires a teacher to:

220 (i) create a school or classroom plan that follows the multi-tiered system of support

221 outlined in the teacher and student success plan;

222 (ii) address certain identified behaviors the teacher will address; and

223 (iii) submit research, evidence, and a reflection paper regarding the results of the

224 project.

225 (6) The board may designate at least one staff position to provide oversight and

226 technical support for the pilot program and its implementation.

227 (7) Upon request of the Education Interim Committee, an LEA with schools

228 implementing the pilot program shall report to the Education Interim Committee on the pilot

229 program's progress and outcomes.

230 Section 4. Section **63I-1-253 (Superseded 07/01/24)** is amended to read:

231 **63I-1-253 (Superseded 07/01/24). Repeal dates: Titles 53 through 53G.**

232 (1) Section **53-2a-105**, which creates the Emergency Management Administration
233 Council, is repealed July 1, 2027.

234 (2) Sections **53-2a-1103** and **53-2a-1104**, which create the Search and Rescue Advisory
235 Board, are repealed July 1, 2027.

236 (3) Section **53-5-703**, which creates the Concealed Firearm Review Board, is repealed
237 July 1, 2024.

238 (4) Section **53B-6-105.5**, which creates the Technology Initiative Advisory Board, is
239 repealed July 1, 2024.

240 (5) Section **53B-7-709**, regarding five-year performance goals for the Utah System of
241 Higher Education is repealed July 1, 2027.

242 (6) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed

243 July 1, 2028.

244 (7) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

245 (8) Section [53B-17-1203](#), which creates the SafeUT and School Safety Commission, is
246 repealed January 1, 2025.

247 (9) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

248 (10) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure
249 Research Center, is repealed on July 1, 2028.

250 (11) Subsection [53C-3-203\(4\)\(b\)\(vii\)](#), which provides for the distribution of money
251 from the Land Exchange Distribution Account to the Geological Survey for test wells and other
252 hydrologic studies in the West Desert, is repealed July 1, 2030.

253 (12) Subsections [53E-3-503\(5\)](#) and (6), which create coordinating councils for youth in
254 custody, are repealed July 1, 2027.

255 (13) In relation to a standards review committee, on January 1, 2028:

256 (a) in Subsection [53E-4-202\(8\)](#), the language "by a standards review committee and the
257 recommendations of a standards review committee established under Section [53E-4-203](#)" is
258 repealed; and

259 (b) Section [53E-4-203](#) is repealed.

260 (14) Section [53E-4-402](#), which creates the State Instructional Materials Commission, is
261 repealed July 1, 2027.

262 (15) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is
263 repealed July 1, 2033.

264 (16) Section [53F-2-420](#), which creates the Intensive Services Special Education Pilot
265 Program, is repealed July 1, 2024.

266 (17) Section [53F-5-213](#) is repealed July 1, 2023.

267 (18) Section [53F-5-214](#), in relation to a grant for professional learning, is repealed July
268 1, 2025.

269 (19) Section [53F-5-215](#), in relation to an elementary teacher preparation grant, is
270 repealed July 1, 2025.

271 (20) Section [53F-5-219](#), which creates the Local Innovations Civics Education Pilot
272 Program, is repealed on July 1, 2025.

273 (21) Section [53F-5-222](#), Strategic Tiered Engagement for Positive Schooling Pilot

274 Program, is repealed July 1, 2027.

275 [~~(21)~~] (22) Subsection 53F-9-203(7), which creates the Charter School Revolving
276 Account Committee, is repealed July 1, 2024.

277 [~~(22)~~] (23) Subsections 53G-4-608(2)(b) and (4)(b), related to the Utah Seismic Safety
278 Commission, are repealed January 1, 2025.

279 [~~(23)~~] (24) Section 53G-9-212, Drinking water quality in schools, is repealed July 1,
280 2027.

281 [~~(24)~~] (25) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed
282 July 1, 2027.

283 Section 5. Section 63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25) is amended to read:
284 63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25). Repeal dates: Titles 53 through
285 53G.

286 (1) Section 53-2a-105, which creates the Emergency Management Administration
287 Council, is repealed July 1, 2027.

288 (2) Sections 53-2a-1103 and 53-2a-1104, which create the Search and Rescue Advisory
289 Board, are repealed July 1, 2027.

290 (3) Section 53-2d-703 is repealed July 1, 2027.

291 (4) Section 53-5-703, which creates the Concealed Firearm Review Board, is repealed
292 July 1, 2024.

293 (5) Section 53B-6-105.5, which creates the Technology Initiative Advisory Board, is
294 repealed July 1, 2024.

295 (6) Section 53B-7-709, regarding five-year performance goals for the Utah System of
296 Higher Education is repealed July 1, 2027.

297 (7) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed
298 July 1, 2028.

299 (8) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

300 (9) Section 53B-17-1203, which creates the SafeUT and School Safety Commission, is
301 repealed January 1, 2025.

302 (10) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

303 (11) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure
304 Research Center, is repealed on July 1, 2028.

305 (12) Subsection [53C-3-203\(4\)\(b\)\(vii\)](#), which provides for the distribution of money
306 from the Land Exchange Distribution Account to the Geological Survey for test wells and other
307 hydrologic studies in the West Desert, is repealed July 1, 2030.

308 (13) Subsections [53E-3-503\(5\)](#) and (6), which create coordinating councils for youth in
309 custody, are repealed July 1, 2027.

310 (14) In relation to a standards review committee, on January 1, 2028:

311 (a) in Subsection [53E-4-202\(8\)](#), the language "by a standards review committee and the
312 recommendations of a standards review committee established under Section [53E-4-203](#)" is
313 repealed; and

314 (b) Section [53E-4-203](#) is repealed.

315 (15) Section [53E-4-402](#), which creates the State Instructional Materials Commission, is
316 repealed July 1, 2027.

317 (16) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is
318 repealed July 1, 2033.

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320 Program, is repealed July 1, 2024.

321 (18) Section [53F-5-213](#) is repealed July 1, 2023.

322 (19) Section [53F-5-214](#), in relation to a grant for professional learning, is repealed July
323 1, 2025.

324 (20) Section [53F-5-215](#), in relation to an elementary teacher preparation grant, is
325 repealed July 1, 2025.

326 (21) Section [53F-5-219](#), which creates the Local Innovations Civics Education Pilot
327 Program, is repealed on July 1, 2025.

328 (22) Section [53F-5-222](#), Strategic Tiered Engagement for Positive Schooling Pilot
329 Program, is repealed July 1, 2027.

330 [~~(22)~~] (23) Subsection [53F-9-203\(7\)](#), which creates the Charter School Revolving
331 Account Committee, is repealed July 1, 2024.

332 [~~(23)~~] (24) Subsections [53G-4-608\(2\)\(b\)](#) and (4)(b), related to the Utah Seismic Safety
333 Commission, are repealed January 1, 2025.

334 [~~(24)~~] (25) Section [53G-9-212](#), Drinking water quality in schools, is repealed July 1,
335 2027.

336 [~~(25)~~] (26) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed
337 July 1, 2027.

338 Section 6. Section **63I-1-253 (Contingently Effective 01/01/25)** is amended to read:

339 **63I-1-253 (Contingently Effective 01/01/25). Repeal dates: Titles 53 through 53G.**

340 (1) Section **53-2a-105**, which creates the Emergency Management Administration
341 Council, is repealed July 1, 2027.

342 (2) Sections **53-2a-1103** and **53-2a-1104**, which create the Search and Rescue Advisory
343 Board, are repealed July 1, 2027.

344 (3) Section **53-2d-703** is repealed July 1, 2027.

345 (4) Section **53-5-703**, which creates the Concealed Firearm Review Board, is repealed
346 July 1, 2024.

347 (5) Section **53B-6-105.5**, which creates the Technology Initiative Advisory Board, is
348 repealed July 1, 2024.

349 (6) Section **53B-7-709**, regarding five-year performance goals for the Utah System of
350 Higher Education is repealed July 1, 2027.

351 (7) Title 53B, Chapter 8a, Part 3, Education Savings Incentive Program, is repealed
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353 (8) Title 53B, Chapter 17, Part 11, USTAR Researchers, is repealed July 1, 2028.

354 (9) Section **53B-17-1203**, which creates the SafeUT and School Safety Commission, is
355 repealed January 1, 2025.

356 (10) Title 53B, Chapter 18, Part 16, USTAR Researchers, is repealed July 1, 2028.

357 (11) Title 53B, Chapter 18, Part 18, Electrification of Transportation Infrastructure
358 Research Center, is repealed on July 1, 2028.

359 (12) Subsection **53C-3-203(4)(b)(vii)**, which provides for the distribution of money
360 from the Land Exchange Distribution Account to the Geological Survey for test wells and other
361 hydrologic studies in the West Desert, is repealed July 1, 2030.

362 (13) Subsections **53E-3-503(5)** and **(6)**, which create coordinating councils for youth in
363 custody, are repealed July 1, 2027.

364 (14) In relation to a standards review committee, on January 1, 2028:

365 (a) in Subsection **53E-4-202(8)**, the language "by a standards review committee and the
366 recommendations of a standards review committee established under Section **53E-4-203**" is

367 repealed; and

368 (b) Section [53E-4-203](#) is repealed.

369 (15) Section [53E-4-402](#), which creates the State Instructional Materials Commission, is
370 repealed July 1, 2027.

371 (16) Title 53E, Chapter 6, Part 5, Utah Professional Practices Advisory Commission, is
372 repealed July 1, 2033.

373 (17) Section [53F-2-420](#), which creates the Intensive Services Special Education Pilot
374 Program, is repealed July 1, 2024.

375 (18) Section [53F-5-213](#) is repealed July 1, 2023.

376 (19) Section [53F-5-214](#), in relation to a grant for professional learning, is repealed July
377 1, 2025.

378 (20) Section [53F-5-215](#), in relation to an elementary teacher preparation grant, is
379 repealed July 1, 2025.

380 (21) Section [53F-5-219](#), which creates the Local Innovations Civics Education Pilot
381 Program, is repealed on July 1, 2025.

382 (22) Section [53F-5-222](#), Strategic Tiered Engagement for Positive Schooling Pilot
383 Program, is repealed July 1, 2027.

384 [~~22~~] (23) (a) Subsection [53F-9-201.1\(2\)\(b\)\(ii\)](#), in relation to the use of funds from a
385 loss in enrollment for certain fiscal years, is repealed on July 1, 2030.

386 (b) On July 1, 2030, the Office of Legislative Research and General Counsel shall
387 renumber the remaining subsections accordingly.

388 [~~23~~] (24) Subsection [53F-9-203\(7\)](#), which creates the Charter School Revolving
389 Account Committee, is repealed July 1, 2024.

390 [~~24~~] (25) Subsections [53G-4-608\(2\)\(b\)](#) and (4)(b), related to the Utah Seismic Safety
391 Commission, are repealed January 1, 2025.

392 [~~25~~] (26) Section [53G-9-212](#), Drinking water quality in schools, is repealed July 1,
393 2027.

394 [~~26~~] (27) Title 53G, Chapter 10, Part 6, Education Innovation Program, is repealed
395 July 1, 2027.

396 Section 7. **FY 2025 Appropriation.**

397 The following sums of money are appropriated for the fiscal year beginning July 1,

398 2024, and ending June 30, 2025. These are additions to amounts previously appropriated for
399 fiscal year 2025.

400 Subsection 7(a). **Operating and Capital Budgets.**

401 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
402 Legislature appropriates the following sums of money from the funds or accounts indicated for
403 the use and support of the government of the state of Utah.

404 ITEM 1 To State Board of Education - State Board and Administrative Operations

405 From Public Education Economic Stabilization Restricted \$150,000
406 Account, One-time

406 Schedule of Programs:

407 Strategic Tiered Engagement for \$150,000
408 Positive Schooling Pilot Program

408 Section 8. **Effective date.**

409 This bill takes effect on May 1, 2024.