

1 **EDUCATION AGENCY REPORT PROCESS AMENDMENTS**

2 2021 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Susan Pulsipher**

5 Senate Sponsor: Derrin R. Owens

6	Cosponsors:	Dan N. Johnson	V. Lowry Snow
7	Cheryl K. Acton	Marsha Judkins	Christine F. Watkins
8	Carl R. Albrecht	Karianne Lisonbee	
9	Stephen G. Handy	Jefferson Moss	

10

11 **LONG TITLE**

12 **General Description:**

13 This bill removes certain education reporting requirements and requires the State Board
14 of Education to establish a policy or procedures to evaluate the impact a report required
15 in a proposed rule may have on reporting requirements for local education agencies.

16 **Highlighted Provisions:**

17 This bill:

- 18 ▶ requires the State Board of Education (state board) to establish a policy or
19 procedures to evaluate the impact any report required in a rule proposed by the state
20 board may have on reporting requirements for a local education agency;
- 21 ▶ removes education reporting requirements related to:
 - 22 • the program evaluation of the dual language immersion program;
 - 23 • a local education agency's expenditure of early literacy program money;
 - 24 • the digital teaching and learning program;
 - 25 • instruction and preparation of students to become informed and responsible
 - 26 citizens; and
 - 27 • the state board's progress implementing certain employee evaluations;
- 28 ▶ repeals the Student Leadership Skills Development Program;

- 29 ▶ repeals provisions related to the appropriation for accommodation plans for students
- 30 with Section 504 accommodations; and
- 31 ▶ defines terms.

32 Money Appropriated in this Bill:

33 None

34 Other Special Clauses:

35 None

36 Utah Code Sections Affected:

37 AMENDS:

38 **53E-1-201**, as last amended by Laws of Utah 2020, Chapters 51, 174, 254, 274, 321,
39 354, 365 and last amended by Coordination Clause, Laws of Utah 2020, Chapters
40 254, 274, and 321

41 **53E-1-202**, as last amended by Laws of Utah 2020, Chapters 330 and 354

42 **53E-1-203**, as last amended by Laws of Utah 2020, Chapters 365 and 388

43 **53F-2-502**, as last amended by Laws of Utah 2020, Chapter 408

44 **53F-2-503**, as last amended by Laws of Utah 2020, Chapters 174 and 408

45 **53F-2-510**, as last amended by Laws of Utah 2020, Chapter 408

46 **53G-10-204**, as last amended by Laws of Utah 2020, Chapter 320

47 **53G-11-505**, as last amended by Laws of Utah 2019, Chapter 293

48 **63I-2-253**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 13

49 ENACTS:

50 **53E-1-205**, Utah Code Annotated 1953

51 REPEALS:

52 **53F-2-508**, as last amended by Laws of Utah 2020, Chapter 408

53 **53F-2-512**, as last amended by Laws of Utah 2020, Chapter 408

54

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

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

57 **53E-1-201. Reports to and action required of the Education Interim Committee.**

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

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

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

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

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

69 (e) the annual report of the Utah Board of Higher Education described in Section
70 53B-1-402;

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

73 (g) the State Superintendent's Annual Report by the state board described in Section
74 53E-1-203;

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

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

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

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

83 (l) the report described in Section 53F-4-407 by the state board on UPSTART;

84 (m) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board

85 related to grants for professional learning and grants for an elementary teacher preparation
86 assessment; and

87 (n) the report described in Section 53F-5-405 by the State Board of Education
88 regarding an evaluation of a partnership that receives a grant to improve educational outcomes
89 for students who are low income.

90 (2) In accordance with applicable provisions and Section 68-3-14, the following
91 occasional reports are due to the Education Interim Committee:

92 (a) the report described in Section 35A-15-303 by the School Readiness Board by
93 November 30, 2020, on benchmarks for certain preschool programs;

94 (b) the report described in Section 53B-28-402 by the Utah Board of Higher Education
95 on or before the Education Interim Committee's November 2021 meeting;

96 (c) the report described in Section 53E-3-519 by the state board regarding counseling
97 services in schools;

98 (d) the reports described in Section 53E-3-520 by the state board regarding cost centers
99 and implementing activity based costing;

100 (e) if required, the report described in Section 53E-4-309 by the state board explaining
101 the reasons for changing the grade level specification for the administration of specific
102 assessments;

103 (f) if required, the report described in Section 53E-5-210 by the state board of an
104 adjustment to the minimum level that demonstrates proficiency for each statewide assessment;

105 (g) in 2022 and in 2023, on or before November 30, the report described in Subsection
106 53E-10-309(7) related to the PRIME pilot program;

107 (h) the report described in Section 53E-10-702 by Utah Leading through Effective,
108 Actionable, and Dynamic Education;

109 [~~(i) the report described in Section 53F-2-502 by the state board on the program
110 evaluation of the dual language immersion program;~~]

111 [~~(j)~~] (i) if required, the report described in Section 53F-2-513 by the state board
112 evaluating the effects of salary bonuses on the recruitment and retention of effective teachers in

113 high poverty schools;

114 ~~[(k)]~~ (j) upon request, the report described in Section 53F-5-207 by the state board on
115 the Intergenerational Poverty Intervention Grants Program;

116 ~~[(h)]~~ (k) the report described in Section 53F-5-210 by the state board on the Educational
117 Improvement Opportunities Outside of the Regular School Day Grant Program;

118 ~~[(m)]~~ (l) the report described in Section 53G-7-503 by the state board regarding fees
119 that LEAs charge during the 2020-2021 school year;

120 ~~[(n)]~~ (m) the reports described in Section 53G-11-304 by the state board regarding
121 proposed rules and results related to educator exit surveys;

122 ~~[(o) upon request, the report described in Section 53G-11-505 by the state board on
123 progress in implementing employee evaluations;]~~

124 ~~[(p)]~~ (n) the report described in Section 62A-15-117 by the Division of Substance
125 Abuse and Mental Health, the State Board of Education, and the Department of Health
126 regarding recommendations related to Medicaid reimbursement for school-based health
127 services; and

128 ~~[(q)]~~ (o) the reports described in Section 63C-19-202 by the Higher Education Strategic
129 Planning Commission.

130 (3) In accordance with Section 53B-7-705, the Education Interim Committee shall
131 complete the review of the implementation of performance funding.

132 Section 2. Section 53E-1-202 is amended to read:

133 **53E-1-202. Reports to and action required of the Public Education**

134 **Appropriations Subcommittee.**

135 (1) In accordance with applicable provisions and Section 68-3-14, the following
136 recurring reports are due to the Public Education Appropriations Subcommittee:

137 (a) the State Superintendent's Annual Report by the state board described in Section
138 53E-1-203;

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

141 (c) the report by the STEM Action Center Board described in Section 9-22-109,
142 including the information described in Section 9-22-113 on the status of the computer science
143 initiative.

144 (2) ~~[(a)]~~ The one-time report by the state board regarding cost centers and
145 implementing activity based costing is due to the Public Education Appropriations
146 Subcommittee in accordance with Section 53E-3-520.

147 ~~[(b) The occasional report, described in Section 53F-2-502 by the state board on the~~
148 ~~program evaluation of the dual language immersion program, is due to the Public Education~~
149 ~~Appropriations Subcommittee and in accordance with Section 68-3-14.]~~

150 (3) In accordance with applicable provisions, the Public Education Appropriations
151 Subcommittee shall complete the following:

- 152 (a) the evaluation described in Section 53F-2-410 of funding for at-risk students; and
- 153 (b) if required, the study described in Section 53F-4-304 of scholarship payments.

154 Section 3. Section 53E-1-203 is amended to read:

155 **53E-1-203. State Superintendent's Annual Report.**

156 (1) The state board shall prepare and submit to the governor, the Education Interim
157 Committee, and the Public Education Appropriations Subcommittee, by January 15 of each
158 year, an annual written report known as the State Superintendent's Annual Report that includes:

- 159 (a) the operations, activities, programs, and services of the state board;
- 160 (b) subject to Subsection (4)(b), all reports listed in Subsection (4)(a); and
- 161 (c) data on the general condition of the schools with recommendations considered
162 desirable for specific programs, including:

- 163 (i) a complete statement of fund balances;
- 164 (ii) a complete statement of revenues by fund and source;
- 165 (iii) a complete statement of adjusted expenditures by fund, the status of bonded
166 indebtedness, the cost of new school plants, and school levies;
- 167 (iv) a complete statement of state funds allocated to each school district and charter
168 school by source, including supplemental appropriations, and a complete statement of

169 expenditures by each school district and charter school, including supplemental appropriations,
170 by function and object as outlined in the United States Department of Education publication
171 "Financial Accounting for Local and State School Systems";

172 (v) a statement that includes data on:

173 (A) fall enrollments;

174 (B) average membership;

175 (C) high school graduates;

176 (D) licensed and classified employees, including data reported by school districts on
177 educator ratings described in Section 53G-11-511;

178 (E) pupil-teacher ratios;

179 (F) average class sizes;

180 (G) average salaries;

181 (H) applicable private school data; and

182 (I) data from statewide assessments described in Section 53E-4-301 for each school
183 and school district;

184 (vi) statistical information regarding incidents of delinquent activity in the schools or at
185 school-related activities; and

186 (vii) other statistical and financial information about the school system that the state
187 superintendent considers pertinent.

188 (2) (a) For the purposes of Subsection (1)(c)(v):

189 (i) the pupil-teacher ratio for a school shall be calculated by dividing the number of
190 students enrolled in a school by the number of full-time equivalent teachers assigned to the
191 school, including regular classroom teachers, school-based specialists, and special education
192 teachers;

193 (ii) the pupil-teacher ratio for a school district shall be the median pupil-teacher ratio of
194 the schools within a school district;

195 (iii) the pupil-teacher ratio for charter schools aggregated shall be the median
196 pupil-teacher ratio of charter schools in the state; and

197 (iv) the pupil-teacher ratio for the state's public schools aggregated shall be the median
198 pupil-teacher ratio of public schools in the state.

199 (b) The report shall:

200 (i) include the pupil-teacher ratio for:

201 (A) each school district;

202 (B) the charter schools aggregated; and

203 (C) the state's public schools aggregated; and

204 (ii) identify a website where pupil-teacher ratios for each school in the state may be
205 accessed.

206 (3) For each operation, activity, program, or service provided by the state board, the
207 annual report shall include:

208 (a) a description of the operation, activity, program, or service;

209 (b) data and metrics:

210 (i) selected and used by the state board to measure progress, performance,
211 effectiveness, and scope of the operation, activity, program, or service, including summary
212 data; and

213 (ii) that are consistent and comparable for each state operation, activity, program, or
214 service;

215 (c) budget data, including the amount and source of funding, expenses, and allocation
216 of full-time employees for the operation, activity, program, or service;

217 (d) historical data from previous years for comparison with data reported under
218 Subsections (3)(b) and (c);

219 (e) goals, challenges, and achievements related to the operation, activity, program, or
220 service;

221 (f) relevant federal and state statutory references and requirements;

222 (g) contact information of officials knowledgeable and responsible for each operation,
223 activity, program, or service; and

224 (h) other information determined by the state board that:

225 (i) may be needed, useful, or of historical significance; or
226 (ii) promotes accountability and transparency for each operation, activity, program, or
227 service with the public and elected officials.

228 (4) (a) Except as provided in Subsection (4)(b), the annual report shall also include:
229 (i) the report described in Section 53E-3-507 by the state board on career and technical
230 education needs and program access;
231 (ii) through October 1, 2022, the report described in Section 53E-3-515 by the state
232 board on the Hospitality and Tourism Management Career and Technical Education Pilot
233 Program;
234 (iii) beginning on July 1, 2023, the report described in Section 53E-3-516 by the state
235 board on certain incidents that occur on school grounds;
236 (iv) the report described in Section 53E-4-202 by the state board on the development
237 and implementation of the core standards for Utah public schools;
238 (v) the report described in Section 53E-5-310 by the state board on school turnaround
239 and leadership development;
240 (vi) the report described in Section 53E-10-308 by the state board and Utah Board of
241 Higher Education on student participation in the concurrent enrollment program;
242 [~~(vii) the report described in Section 53F-2-503 by the state board on early literacy;~~]
243 [~~(viii)~~ (vii) the report described in Section 53F-5-506 by the state board on
244 information related to competency-based education; and
245 [~~(ix)~~ (viii) the report described in Section 53G-9-802 by the state board on dropout
246 prevention and recovery services~~;~~ and].
247 [~~(x) the report described in Section 53G-10-204 by the state board on methods used,
248 and the results being achieved, to instruct and prepare students to become informed and
249 responsible citizens.~~]

250 (b) The Education Interim Committee or the Public Education Appropriations
251 Subcommittee may request a report described in Subsection (4)(a) to be reported separately
252 from the State Superintendent's Annual Report.

253 (5) The annual report shall be designed to provide clear, accurate, and accessible
254 information to the public, the governor, and the Legislature.

255 (6) The state board shall:

256 (a) submit the annual report in accordance with Section 68-3-14; and

257 (b) make the annual report, and previous annual reports, accessible to the public by
258 placing a link to the reports on the state board's website.

259 (7) (a) Upon request of the Education Interim Committee or Public Education
260 Appropriations Subcommittee, the state board shall present the State Superintendent's Annual
261 Report to either committee.

262 (b) After submitting the State Superintendent's Annual Report in accordance with this
263 section, the state board may supplement the report at a later time with updated data,
264 information, or other materials as necessary or upon request by the governor, the Education
265 Interim Committee, or the Public Education Appropriations Subcommittee.

266 Section 4. Section 53E-1-205 is enacted to read:

267 **53E-1-205. Reporting impact analysis.**

268 (1) As used in this section, "proposed report" means a report that:

269 (a) an LEA is required to prepare or submit to the state board;

270 (b) a rule proposed by the state board requires; and

271 (c) is not required by federal law, Utah Code, or another state entity.

272 (2) The state board shall establish a policy or procedures to evaluate the impact a
273 proposed report may have on reporting requirements for an LEA.

274 (3) The impact described in Subsection (2) may include:

275 (a) the estimated cost to an LEA associated with the proposed report;

276 (b) the estimated time an LEA administrator will spend preparing the proposed report;

277 and

278 (c) any disproportionate impact the proposed report may have on an LEA because of
279 the LEA's size, location, or other factors.

280 Section 5. Section 53F-2-502 is amended to read:

281 **53F-2-502. Dual language immersion.**

282 (1) As used in this section:

283 (a) "Dual language immersion" means an instructional setting in which a student
284 receives a portion of instruction in English and a portion of instruction exclusively in a partner
285 language.

286 (b) "Local education agency" or "LEA" means a school district or a charter school.

287 (c) "Participating LEA" means an LEA selected by the state board to receive a grant
288 described in this section.

289 (d) "Partner language" means a language other than English in which instruction is
290 provided in dual language immersion.

291 (2) The state board shall:

292 (a) establish a dual language immersion program;

293 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
294 make rules that establish:

295 (i) a grant program for an LEA to receive funding for dual language immersion;

296 (ii) the required qualifications for an LEA to be a participating LEA;

297 (iii) subject to this section, requirements of a participating LEA;

298 (iv) a proficiency assessment for each partner language; and

299 (v) a progression of how a school in a participating LEA adds grade levels in which the
300 school offers dual language immersion; and

301 (c) subject to legislative appropriations:

302 (i) select participating LEAs; and

303 (ii) award to a participating LEA a grant to support dual language immersion in the
304 LEA[~~;~~and].

305 [~~(d) report to a legislative committee on the results of a proficiency assessment~~
306 ~~described in Subsection (2)(b)(iv) upon request.~~]

307 (3) A participating LEA shall:

308 (a) establish in a school a full-day dual language immersion instructional model that

309 provides at least 50% of instruction exclusively in a partner language;

310 (b) in accordance with the state board rules described in Subsection (2)(b), add grades
311 in which dual language immersion is provided in a school; and

312 (c) annually administer to each student in grades 3 through 8 who participates in dual
313 language immersion an assessment described in Subsection (2)(b)(iv).

314 (4) The state board shall:

315 (a) provide support to a participating LEA, including by:

316 (i) offering professional learning for dual language immersion educators;

317 (ii) developing curriculum related to dual language immersion; or

318 (iii) providing instructional support for a partner language;

319 (b) conduct a program evaluation of the dual language immersion program established
320 under Subsection (2)(a); and

321 (c) on or before November 1, 2019, report to the Education Interim Committee and the
322 Public Education Appropriations Subcommittee on the results of the program evaluation
323 described in Subsection (4)(b).

324 (5) The state board may, in accordance with Title 63G, Chapter 6a, Utah Procurement
325 Code, contract with a third party to conduct the program evaluation described in Subsection
326 (4)(b).

327 Section 6. Section **53F-2-503** is amended to read:

328 **53F-2-503. Early Literacy Program -- Literacy proficiency plan.**

329 (1) As used in this section:

330 (a) "Program" means the Early Literacy Program.

331 (b) "Program money" means:

332 (i) school district revenue allocated to the program from other money available to the
333 school district, except money provided by the state, for the purpose of receiving state funds
334 under this section; and

335 (ii) money appropriated by the Legislature to the program.

336 (2) The Early Literacy Program consists of program money and is created to

337 supplement other school resources for early literacy.

338 (3) Subject to future budget constraints, the Legislature may annually appropriate
339 money to the Early Literacy Program.

340 (4) An LEA governing board of a school district or a charter school that serves students
341 in any of grades kindergarten through grade 3 shall submit, in accordance with Section
342 [53G-7-218](#), a plan to the state board for literacy proficiency improvement that incorporates the
343 following components:

344 (a) core instruction in:

345 (i) phonological awareness;

346 (ii) phonics;

347 (iii) fluency;

348 (iv) comprehension;

349 (v) vocabulary;

350 (vi) oral language; and

351 (vii) writing;

352 (b) intervention strategies that are aligned to student needs;

353 (c) professional development for classroom teachers, literacy coaches, and
354 interventionists in kindergarten through grade 3;

355 (d) assessments that support adjustments to core and intervention instruction;

356 (e) a growth goal for the school district or charter school that:

357 (i) is based upon student learning gains as measured by benchmark assessments
358 administered pursuant to Section [53E-4-307](#); and

359 (ii) includes a target of at least 60% of all students in grades 1 through 3 meeting the
360 growth goal;

361 (f) at least one goal that is specific to the school district or charter school that:

362 (i) is measurable;

363 (ii) addresses current performance gaps in student literacy based on data; and

364 (iii) includes specific strategies for improving outcomes; and

365 (g) if a school uses interactive literacy software, the use of interactive literacy software,
366 including early interactive reading software described in Section 53F-4-203.

367 (5) (a) There are created within the Early Literacy Program three funding programs:

368 (i) the Base Level Program;

369 (ii) the Guarantee Program; and

370 (iii) the Low Income Students Program.

371 (b) The state board may use up to \$7,500,000 from an appropriation described in
372 Subsection (3) for computer-assisted instructional learning and assessment programs.

373 (6) Money appropriated to the state board for the Early Literacy Program and not used
374 by the state board for computer-assisted instructional learning and assessments described in
375 Subsection (5)(b) shall be allocated to the three funding programs as follows:

376 (a) 8% to the Base Level Program;

377 (b) 46% to the Guarantee Program; and

378 (c) 46% to the Low Income Students Program.

379 (7) (a) For a school district or charter school to participate in the Base Level Program,
380 the LEA governing board shall submit a plan described in Subsection (4) and shall receive
381 approval of the plan from the state board.

382 (b) (i) The local school board of a school district qualifying for Base Level Program
383 funds and the charter school governing boards of qualifying elementary charter schools
384 combined shall receive a base amount.

385 (ii) The base amount for the qualifying elementary charter schools combined shall be
386 allocated among each charter school in an amount proportionate to:

387 (A) each existing charter school's prior year fall enrollment in grades kindergarten
388 through grade 3; and

389 (B) each new charter school's estimated fall enrollment in grades kindergarten through
390 grade 3.

391 (8) (a) A local school board that applies for program money in excess of the Base Level
392 Program funds may choose to first participate in the Guarantee Program or the Low Income

393 Students Program.

394 (b) A school district shall fully participate in either the Guarantee Program or the Low
395 Income Students Program before the local school board may elect for the school district to
396 either fully or partially participate in the other program.

397 (c) For a school district to fully participate in the Guarantee Program, the local school
398 board shall allocate to the program money available to the school district, except money
399 provided by the state, equal to the amount of revenue that would be generated by a tax rate of
400 .000056.

401 (d) For a school district to fully participate in the Low Income Students Program, the
402 local school board shall allocate to the program money available to the school district, except
403 money provided by the state, equal to the amount of revenue that would be generated by a tax
404 rate of .000065.

405 (e) (i) The state board shall verify that a local school board allocates the money
406 required in accordance with Subsections (8)(c) and (d) before the state board distributes funds
407 in accordance with this section.

408 (ii) The State Tax Commission shall provide the state board the information the state
409 board needs in order to comply with Subsection (8)(e)(i).

410 (9) (a) Except as provided in Subsection (9)(c), the local school board of a school
411 district that fully participates in the Guarantee Program shall receive state funds in an amount
412 that is:

413 (i) equal to the difference between \$21 multiplied by the school district's total WPUs
414 and the revenue the local school board is required to allocate under Subsection (8)(c) for the
415 school district to fully participate in the Guarantee Program; and

416 (ii) not less than \$0.

417 (b) Except as provided in Subsection (9)(c), an elementary charter school shall receive
418 under the Guarantee Program an amount equal to \$21 times the elementary charter school's
419 total WPUs.

420 (c) The state board may adjust the \$21 guarantee amount described in Subsections

421 (9)(a) and (b) to account for actual appropriations and money used by the state board for
422 computer-assisted instructional learning and assessments.

423 (10) The state board shall distribute Low Income Students Program funds in an amount
424 proportionate to the number of students in each school district or charter school who qualify for
425 free or reduced price school lunch multiplied by two.

426 (11) A school district that partially participates in the Guarantee Program or Low
427 Income Students Program shall receive program funds based on the amount of school district
428 revenue allocated to the program as a percentage of the amount of revenue that could have been
429 allocated if the school district had fully participated in the program.

430 (12) (a) An LEA governing board shall use program money for early literacy
431 interventions and supports in kindergarten through grade 3 that have proven to significantly
432 increase the percentage of students who are proficient in literacy, including:

- 433 (i) evidence-based intervention curriculum;
- 434 (ii) literacy assessments that identify student learning needs and monitor learning
435 progress; or
- 436 (iii) focused literacy interventions that may include:
 - 437 (A) the use of reading specialists or paraprofessionals;
 - 438 (B) tutoring;
 - 439 (C) before or after school programs;
 - 440 (D) summer school programs; or
 - 441 (E) the use of interactive computer software programs for literacy instruction and
442 assessments for students.

443 (b) An LEA governing board may use program money for portable technology devices
444 used to administer literacy assessments.

445 (c) Program money may not be used to supplant funds for existing programs, but may
446 be used to augment existing programs.

447 ~~[(13) (a) An LEA governing board shall annually submit a report to the state board~~
448 ~~accounting for the expenditure of program money in accordance with the LEA governing~~

449 ~~board's plan described in Subsection (4).]~~

450 ~~[(b)]~~ (13) If an LEA governing board uses program money in a manner that is
451 inconsistent with Subsection (12), the school district or charter school is liable for reimbursing
452 the state board for the amount of program money improperly used, up to the amount of
453 program money received from the state board.

454 (14) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
455 the state board shall make rules to implement the program.

456 (b) (i) The rules under Subsection (14)(a) shall require each LEA governing board to
457 annually report progress in meeting goals described in Subsections (4)(e) and (f), including the
458 strategies the school district or charter school uses to address the goals.

459 (ii) If a school district or charter school does not meet or exceed the school district's or
460 charter school's goals described in Subsections (4)(e) or (f), the LEA governing board shall
461 prepare a new plan that corrects deficiencies.

462 (iii) The new plan described in Subsection (14)(b)(ii) shall be approved by the state
463 board before the LEA governing board receives an allocation for the next year.

464 (15) The state board may use up to 3% of the funds appropriated by the Legislature to
465 carry out the provisions of this section for administration of the program.

466 (16) The state board shall make an annual report in accordance with Section [53E-1-203](#)
467 that:

468 (a) includes information on:

469 (i) student learning gains in early literacy for the past school year and the five-year
470 trend;

471 (ii) the percentage of grade 3 students who are proficient in English language arts in the
472 past school year and the five-year trend;

473 (iii) the progress of school districts and charter schools in meeting goals described in a
474 plan described in Subsection (4); and

475 (iv) the specific strategies or interventions used by school districts or charter schools
476 that have significantly improved early grade literacy proficiency; and

477 (b) may include recommendations on how to increase the percentage of grade 3
478 students who are proficient in English language arts, including how to use a strategy or
479 intervention described in Subsection (16)(a)(iv) to improve literacy proficiency for additional
480 students.

481 (17) The report described in Subsection (16) shall include information provided
482 through the digital reporting platform described in Subsection 53G-7-218(5)(a).

483 Section 7. Section 53F-2-510 is amended to read:

484 **53F-2-510. Digital Teaching and Learning Grant Program.**

485 (1) As used in this section:

486 (a) "Advisory committee" means the committee established by the state board under
487 Subsection (7)(b).

488 (b) "Digital readiness assessment" means an assessment provided by the state board
489 that:

490 (i) is completed by an LEA analyzing an LEA's readiness to incorporate comprehensive
491 digital teaching and learning; and

492 (ii) informs the preparation of an LEA's plan for incorporating comprehensive digital
493 teaching and learning.

494 (c) "High quality professional learning" means the professional learning standards
495 described in Section 53G-11-303.

496 (d) "Implementation assessment" means an assessment that analyzes an LEA's
497 implementation of an LEA plan, including identifying areas for improvement, obstacles to
498 implementation, progress toward the achievement of stated goals, and recommendations going
499 forward.

500 (e) "LEA plan" means an LEA's plan to implement a digital teaching and learning
501 program that meets the requirements of this section and requirements set forth by the state
502 board and the advisory committee.

503 (f) "Program" means the Digital Teaching and Learning Grant Program created and
504 described in Subsections (6) through (11).

505 (g) "Utah Education and Telehealth Network" or "UETN" means the Utah Education
506 and Telehealth Network created in Section 53B-17-105.

507 (2) (a) The state board shall establish a digital teaching and learning task force to
508 develop a funding proposal to present to the Legislature for digital teaching and learning in
509 elementary and secondary schools.

510 (b) The digital teaching and learning task force shall include representatives of:

511 (i) the state board;

512 (ii) UETN;

513 (iii) LEAs; and

514 (iv) the Governor's Education Excellence Commission.

515 (3) As funding allows, the state board shall develop a master plan for a statewide
516 digital teaching and learning program, including the following:

517 (a) a statement of purpose that describes the objectives or goals the state board will
518 accomplish by implementing a digital teaching and learning program;

519 (b) a forecast for fundamental components needed to implement a digital teaching and
520 learning program, including a forecast for:

521 (i) student and teacher devices;

522 (ii) Wi-Fi and wireless compatible technology;

523 (iii) curriculum software;

524 (iv) assessment solutions;

525 (v) technical support;

526 (vi) change management of LEAs;

527 (vii) high quality professional learning;

528 (viii) Internet delivery and capacity; and

529 (ix) security and privacy of users;

530 (c) a determination of the requirements for:

531 (i) statewide technology infrastructure; and

532 (ii) local LEA technology infrastructure;

533 (d) standards for high quality professional learning related to implementing and
534 maintaining a digital teaching and learning program;

535 (e) a statewide technical support plan that will guide the implementation and
536 maintenance of a digital teaching and learning program, including standards and competency
537 requirements for technical support personnel;

538 (f) (i) a grant program for LEAs; or

539 (ii) a distribution formula to fund LEA digital teaching and learning programs;

540 (g) in consultation with UETN, an inventory of the state public education system's
541 current technology resources and other items and a plan to integrate those resources into a
542 digital teaching and learning program;

543 (h) an ongoing evaluation process that is overseen by the state board;

544 (i) proposed rules that incorporate the principles of the master plan into the state's
545 public education system as a whole; and

546 (j) a plan to ensure long-term sustainability that:

547 (i) accounts for the financial impacts of a digital teaching and learning program; and

548 (ii) facilitates the redirection of LEA savings that arise from implementing a digital
549 teaching and learning program.

550 (4) UETN shall:

551 (a) in consultation with the state board, conduct an inventory of the state public
552 education system's current technology resources and other items as determined by UETN,
553 including software;

554 (b) perform an engineering study to determine the technology infrastructure needs of
555 the public education system to implement a digital teaching and learning program, including
556 the infrastructure needed for the state board, UETN, and LEAs; and

557 (c) as funding allows, provide infrastructure and technology support for school districts
558 and charter schools.

559 (5) Beginning July 1, 2016, and ending July 1, 2021, each LEA, including each school
560 within an LEA, shall annually complete a digital readiness assessment.

561 (6) There is created the Digital Teaching and Learning Grant Program to improve
562 educational outcomes in public schools by effectively incorporating comprehensive digital
563 teaching and learning technology.

564 (7) The state board shall:

565 (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
566 adopt rules for the administration of the program, including rules requiring:

567 (i) an LEA plan to include measures to ensure that the LEA monitors and implements
568 technology with best practices, including the recommended use for effectiveness;

569 (ii) an LEA plan to include robust goals for learning outcomes and appropriate
570 measurements of goal achievement; and

571 (iii) an LEA to demonstrate that the LEA plan can be fully funded by grant funds or a
572 combination of grant and local funds~~;~~ and;

573 ~~[(iv) an LEA to report on funds from expenses previous to the implementation of the~~
574 ~~LEA plan that the LEA has redirected after implementation;]~~

575 (b) establish an advisory committee to make recommendations on the program and
576 LEA plan requirements and report to the state board; and

577 (c) in accordance with this section, approve LEA plans and award grants.

578 (8) (a) The state board shall, subject to legislative appropriations, award a grant to an
579 LEA:

580 (i) that submits an LEA plan that meets the requirements described in Subsection (9);
581 and

582 (ii) for which the LEA's leadership and management members have completed a digital
583 teaching and learning leadership and implementation training as provided in Subsection (8)(b).

584 (b) The state board or its designee shall provide the training described in Subsection
585 (8)(a)(ii).

586 (9) The state board shall establish requirements of an LEA plan that shall include:

587 (a) the results of the LEA's digital readiness assessment and a proposal to remedy an
588 obstacle to implementation or other issues identified in the assessment;

589 (b) a proposal to provide high quality professional learning for educators in the use of
590 digital teaching and learning technology;

591 (c) a proposal for leadership training and management restructuring, if necessary, for
592 successful implementation;

593 (d) clearly identified targets for improved student achievement, student learning, and
594 college readiness through digital teaching and learning; and

595 (e) any other requirement established by the state board in rule made in accordance
596 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, including an application
597 process and metrics to analyze the quality of a proposed LEA plan.

598 (10) The state board or the state board's designee shall establish an interactive
599 dashboard available to each LEA that is awarded a grant for the LEA to track and report the
600 LEA's long-term, intermediate, and direct outcomes in ~~[realtime]~~ real time and for the LEA to
601 use to create customized reports.

602 (11) (a) There is no federal funding, federal requirement, federal education agreement,
603 or national program included or related to this state adopted program.

604 (b) Any inclusion of federal funding, federal requirement, federal education agreement,
605 or national program shall require separate express approval as provided in Title 53E, Chapter 3,
606 Part 8, Implementing Federal or National Education Programs.

607 (12) ~~[(a)]~~ An LEA that receives a grant as part of the program shall:

608 ~~[(i)]~~ (a) ~~[subject to Subsection (12)(b), complete]~~ complete an implementation
609 assessment for each year that the LEA is expending grant money; and

610 ~~[(ii)-(A)]~~ (b) (i) report the findings of the implementation assessment to the state board;
611 and

612 ~~[(B)]~~ (ii) submit to the state board a plan to resolve issues raised in the implementation
613 assessment.

614 ~~[(b) Each school within the LEA shall:]~~

615 ~~[(i) complete an implementation assessment; and]~~

616 ~~[(ii) submit a compilation report that meets the requirements described in Subsections~~

617 ~~(12)(a)(ii)(A) and (B).]~~

618 (13) The state board or the state board's designee shall review an implementation
619 assessment and review each participating LEA's progress from the previous year, as applicable.

620 (14) The state board shall establish interventions for an LEA that does not make
621 progress on implementation of the LEA's implementation plan, including:

- 622 (a) nonrenewal of, or time period extensions for, the LEA's grant;
- 623 (b) reduction of funds; or
- 624 (c) other interventions to assist the LEA.

625 (15) In accordance with Title 63G, Chapter 6a, Utah Procurement Code, the state board
626 shall contract with an independent evaluator to:

- 627 (a) annually evaluate statewide direct and intermediate outcomes beginning the first
628 year that grants are awarded, including baseline data collection for long-term outcomes;
- 629 (b) in the fourth year after a grant is awarded, and each year thereafter, evaluate
630 statewide long-term outcomes; and
- 631 (c) report on the information described in Subsections (15)(a) and (b) to the state
632 board.

633 (16) (a) To implement an LEA plan, a contract, in accordance with Title 63G, Chapter
634 6a, Utah Procurement Code, or other agreement with one or more providers of technology
635 powered learning solutions and one or more providers of wireless networking solutions may be
636 entered into by:

637 (i) UETN, in cooperation with or on behalf of, as applicable, the state board, the state
638 board's designee, or an LEA; or

639 (ii) an LEA.

640 (b) A contract or agreement entered into under Subsection (16)(a) may be a contract or
641 agreement that:

642 (i) UETN enters into with a provider and payment for services is directly appropriated
643 by the Legislature, as funds are available, to UETN;

644 (ii) UETN enters into with a provider and pays for the provider's services and is

645 reimbursed for payments by an LEA that benefits from the services;

646 (iii) UETN negotiates the terms of on behalf of an LEA that enters into the contract or
647 agreement directly with the provider and the LEA pays directly for the provider's services; or

648 (iv) an LEA enters into directly, pays a provider, and receives preapproved
649 reimbursement from a UETN fund established for this purpose.

650 (c) If an LEA does not reimburse UETN in a reasonable time for services received
651 under a contract or agreement described in Subsection (16)(b), the state board shall pay the
652 balance due to UETN from the LEA's funds received under Title 53F, Chapter 2, State Funding
653 -- Minimum School Program.

654 (d) If UETN negotiates or enters into an agreement as described in Subsection
655 (16)(b)(ii) or (16)(b)(iii), and UETN enters into an additional agreement with an LEA that is
656 associated with the agreement described in Subsection (16)(b)(ii) or (16)(b)(iii), the associated
657 agreement may be treated by UETN and the LEA as a cooperative procurement, as that term is
658 defined in Section 63G-6a-103, regardless of whether the associated agreement satisfies the
659 requirements of Section 63G-6a-2105.

660 Section 8. Section 53G-10-204 is amended to read:

661 **53G-10-204. Civic and character education -- Definitions -- Legislative finding --**
662 **Elements -- Reporting requirements.**

663 (1) As used in this section:

664 (a) "Character education" means reaffirming values and qualities of character which
665 promote an upright and desirable citizenry.

666 (b) "Civic education" means the cultivation of informed, responsible participation in
667 political life by competent citizens committed to the fundamental values and principles of
668 representative democracy in Utah and the United States.

669 (c) "Civics engagement pilot program" means the pilot program described in
670 Subsection ~~(7)~~ (6).

671 (d) "Civics engagement project" means the civics engagement project described in
672 Subsection ~~(7)~~ (6), which a student enrolled in a participating LEA may complete.

673 (e) "Participating LEA" means an LEA that meets the eligibility criteria, and is selected
674 by the state board, to participate in the civics engagement pilot program.

675 (f) "Values" means time-established principles or standards of worth.

676 (2) The Legislature recognizes that:

677 (a) Civic and character education are fundamental elements of the public education
678 system's core mission as originally intended and established under Article X of the Utah
679 Constitution;

680 (b) Civic and character education are fundamental elements of the constitutional
681 responsibility of public education and shall be a continuing emphasis and focus in public
682 schools;

683 (c) the cultivation of a continuing understanding and appreciation of a constitutional
684 republic and principles of representative democracy in Utah and the United States among
685 succeeding generations of educated and responsible citizens is important to the nation and
686 state;

687 (d) the primary responsibility for the education of children within the state resides with
688 their parents and that the role of state and local governments is to support and assist parents in
689 fulfilling that responsibility;

690 (e) public schools fulfill a vital purpose in the preparation of succeeding generations of
691 informed and responsible citizens who are deeply attached to essential democratic values and
692 institutions; and

693 (f) the happiness and security of American society relies upon the public virtue of its
694 citizens which requires a united commitment to a moral social order where self-interests are
695 willingly subordinated to the greater common good.

696 (3) Through an integrated curriculum, students shall be taught in connection with
697 regular school work:

698 (a) honesty, integrity, morality, civility, duty, honor, service, and obedience to law;

699 (b) respect for and an understanding of the Declaration of Independence and the
700 constitutions of the United States and of the state of Utah;

701 (c) Utah history, including territorial and preterritorial development to the present;
702 (d) the essentials and benefits of the free enterprise system;
703 (e) respect for parents, home, and family;
704 (f) the dignity and necessity of honest labor; and
705 (g) other skills, habits, and qualities of character which will promote an upright and
706 desirable citizenry and better prepare students to recognize and accept responsibility for
707 preserving and defending the blessings of liberty inherited from prior generations and secured
708 by the constitution.

709 (4) Local school boards and school administrators may provide training, direction, and
710 encouragement, as needed, to accomplish the intent and requirements of this section and to
711 effectively emphasize civic and character education in the course of regular instruction in the
712 public schools.

713 (5) Civic and character education in public schools are:

714 (a) not intended to be separate programs in need of special funding or added specialists
715 to be accomplished; and

716 (b) core principles which reflect the shared values of the citizens of Utah and the
717 founding principles upon which representative democracy in the United States and the state of
718 Utah are based.

719 [~~(6) In accordance with Section 53E-1-203, the state board shall report to the Education~~
720 ~~Interim Committee the methods used, and the results being achieved, to instruct and prepare~~
721 ~~students to become informed and responsible citizens through an integrated curriculum taught~~
722 ~~in connection with regular school work as required in this section.]~~

723 [(7)] (6) (a) In accordance with this section, subject to appropriations by the Legislature
724 for this purpose, beginning with the 2020-21 school year, the state board shall administer a
725 three-year civics engagement pilot program to assess the benefits of, and methods for,
726 implementing a requirement to complete a civics engagement project as a condition for
727 receiving a high school diploma.

728 (b) The state board shall:

- 729 (i) make rules in accordance with Title 63G, Chapter 3, Utah Administrative
- 730 Rulemaking Act:
- 731 (A) to create a civics engagement project that complies with core standards for Utah
- 732 public education for social studies and prepares students for lifelong civic motivation and
- 733 participation through applied learning of civics content;
- 734 (B) to establish eligibility requirements for participating LEAs;
- 735 (C) to create an application process for LEAs to apply to participate in the pilot
- 736 program; and
- 737 (D) for a report that a participating LEA is required to submit to the state board at the
- 738 end of the pilot program;
- 739 (ii) select participating LEAs:
- 740 (A) from diverse geographic areas within the state; and
- 741 (B) with a range of student population sizes; and
- 742 (iii) subject to appropriations by the Legislature for this purpose, in cooperation with
- 743 school districts, charter schools, and interested private and nonprofit entities, provide training
- 744 that prepares teachers in a participating LEA to assist students to successfully complete the
- 745 civics engagement project.

746 (c) A participating LEA shall submit a report to the state board in accordance with the

747 rules described in Subsection ~~[(7)]~~ (6)(b)(i)(D).

748 Section 9. Section **53G-11-505** is amended to read:

749 **53G-11-505. State board rules -- Reporting to Legislature.**

750 ~~[(1)]~~ Subject to Sections [53G-11-506](#), [53G-11-507](#), [53G-11-508](#), [53G-11-509](#),

751 [53G-11-510](#), and [53G-11-511](#), rules adopted by the state board under Section [53G-11-504](#)

752 shall:

753 ~~[(a)]~~ (1) provide general guidelines, requirements, and procedures for the development

754 and implementation of employee evaluations;

755 ~~[(b)]~~ (2) establish required components and allow for optional components of

756 employee evaluations;

757 [(e)] (3) require school districts to choose valid and reliable methods and tools to
758 implement the evaluations; and

759 [(d)] (4) establish a timeline for school districts to implement employee evaluations.

760 ~~[(2) The state board shall report to the Education Interim Committee, as requested, on~~
761 ~~progress in implementing employee evaluations in accordance with this section and Sections~~
762 ~~53G-11-504, 53G-11-506, 53G-11-507, 53G-11-508, 53G-11-509, 53G-11-510, and~~
763 ~~53G-11-511.]~~

764 Section 10. Section **63I-2-253** is amended to read:

765 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

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

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

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

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

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

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

778 (5) Section **53B-6-105.7** is repealed July 1, 2024.

779 (6) (a) Subsection **53B-7-705(6)(b)(ii)(A)**, the language that states "Except as provided
780 in Subsection (6)(b)(ii)(B)," is repealed July 1, 2021.

781 (b) Subsection **53B-7-705(6)(b)(ii)(B)**, regarding comparing a technical college's
782 change in performance with the technical college's average performance, is repealed July 1,
783 2021.

784 (7) (a) Subsection **53B-7-707(3)(a)(ii)**, the language that states "Except as provided in

785 Subsection (3)(b)," is repealed July 1, 2021.

786 (b) Subsection 53B-7-707(3)(b), regarding performance data of a technical college
787 during a fiscal year before fiscal year 2020, is repealed July 1, 2021.

788 (8) Section 53B-8-114 is repealed July 1, 2024.

789 (9) (a) The following sections, regarding the Regents' scholarship program, are
790 repealed on July 1, 2023:

791 (i) Section 53B-8-202;

792 (ii) Section 53B-8-203;

793 (iii) Section 53B-8-204; and

794 (iv) Section 53B-8-205.

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

797 (ii) When repealing Subsection 53B-8-201(2), the Office of Legislative Research and
798 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
799 necessary changes to subsection numbering and cross references.

800 (10) Section 53B-10-101 is repealed on July 1, 2027.

801 (11) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is
802 repealed July 1, 2023.

803 (12) Section 53E-3-519 regarding school counselor services is repealed July 1, 2020.

804 (13) Section 53E-3-520 is repealed July 1, 2021.

805 (14) Subsection 53E-5-306(3)(b)(ii)(B), related to improving school performance and
806 continued funding relating to the School Recognition and Reward Program, is repealed July 1,
807 2020.

808 (15) Section 53E-5-307 is repealed July 1, 2020.

809 (16) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed July 1,
810 2024.

811 (17) In Subsections 53F-2-205(4) and (5), regarding the State Board of Education's
812 duties if contributions from the minimum basic tax rate are overestimated or underestimated,

813 the language that states "or 53F-2-301.5, as applicable" is repealed July 1, 2023.

814 (18) Subsection 53F-2-301(1), relating to the years the section is not in effect, is
815 repealed July 1, 2023.

816 (19) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as
817 applicable" is repealed July 1, 2023.

818 (20) Section 53F-4-207 is repealed July 1, 2022.

819 (21) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as
820 applicable" is repealed July 1, 2023.

821 (22) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
822 applicable" is repealed July 1, 2023.

823 (23) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
824 applicable" is repealed July 1, 2023.

825 (24) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5, as
826 applicable" is repealed July 1, 2023.

827 (25) Subsections 53G-10-204(1)(c) through (e), and Subsection 53G-10-204~~(7)~~(6),
828 related to the civics engagement pilot program, are repealed on July 1, 2023.

829 (26) On July 1, 2023, when making changes in this section, the Office of Legislative
830 Research and General Counsel shall, in addition to the office's authority under Subsection
831 36-12-12(3), make corrections necessary to ensure that sections and subsections identified in
832 this section are complete sentences and accurately reflect the office's perception of the
833 Legislature's intent.

834 Section 11. **Repealer.**

835 This bill repeals:

836 Section 53F-2-508, **Student Leadership Skills Development Program.**

837 Section 53F-2-512, **Appropriation for accommodation plans for students with**

838 **Section 504 accommodations.**