

**SCHOOL DROPOUT RECOVERY AMENDMENTS**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Francis D. Gibson**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill amends provisions regarding a school's responsibility to attempt to recover students who have dropped out of school.

**Highlighted Provisions:**

This bill:

- ▶ defines terms; and
- ▶ amends, repeals, and reenacts provisions regarding a school's responsibility to attempt to recover students who have dropped out of school, including provisions regarding:

- enrollment options;
- funding; and
- reporting.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

**53A-15-1701**, Utah Code Annotated 1953

**53A-15-1702**, Utah Code Annotated 1953



28 [53A-15-1703](#), Utah Code Annotated 1953

29 REPEALS:

30 [53A-17a-172](#), as enacted by Laws of Utah 2015, Chapter 472

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

33 Section 1. Section [53A-15-1701](#) is enacted to read:

34 **Part 17. Dropout Recovery**

35 **53A-15-1701. Title.**

36 This part is known as "Dropout Recovery."

37 Section 2. Section [53A-15-1702](#) is enacted to read:

38 **53A-15-1702. Definitions.**

39 As used in this part:

40 (1) "Attainment goal" means:

41 (a) for a designated student younger than 18 years old:

42 (i) earning a high school diploma;

43 (ii) earning a Utah High School Completion Diploma, as defined in State Board of

44 Education rule; or

45 (iii) earning an industry-based certificate that is likely to result in job placement; or

46 (b) for a designated student 18 years old or older, earning a high school diploma in

47 accordance with Section [53A-12-101](#).

48 (2) "Cohort" means a group of students, defined by the year in which the group enters

49 grade 9.

50 (3) "Designated student" means a student:

51 (a) who has withdrawn from a secondary school prior to earning a diploma;

52 (b) who has been dropped from average daily membership; and

53 (c) whose cohort has not yet graduated.

54 (4) "Local education agency" or "LEA" means a school district or charter school that

55 serves students in grade 9, 10, 11, or 12.

56 (5) "Nontraditional program" means a program, as defined in rules made by the State

57 Board of Education under Subsection [53A-1-402\(1\)\(e\)](#), in which a student receives instruction

58 through:

- 59 (a) distance learning;
- 60 (b) online learning;
- 61 (c) blended learning; or
- 62 (d) competency-based learning.

- 63 (6) "Third party" means:
- 64 (a) a private provider; or
- 65 (b) an LEA that does not meet the criteria described in Subsection [53A-15-1703\(3\)](#).

66 Section 3. Section **53A-15-1703** is enacted to read:

67 **53A-15-1703. Dropout recovery -- Flexible enrollment options -- Contracting --**  
68 **Reporting.**

69 (1) (a) Subject to Subsection (1)(b), an LEA shall provide dropout recovery services to  
70 a designated student, including:

- 71 (i) contacting, recruiting, and attempting to recover a designated student;
- 72 (ii) developing a learning plan, in consultation with a designated student, to identify:
- 73 (A) barriers to regular school attendance;
- 74 (B) an attainment goal; and
- 75 (C) a means for achieving the attainment goal through enrollment in one or more of the  
76 programs described in Subsection (2);

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

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

81 (b) An LEA shall provide the dropout recovery services described in Subsection (1)(a):

- 82 (i) throughout the calendar year; and
- 83 (ii) for each designated student who became a designated student while enrolled in the

84 LEA.

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

- 86 (i) are tailored to a designated student's learning plan developed under Subsection  
87 (1)(a)(ii); and

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

- 89 (A) enrollment in the LEA in a traditional program;

- 90 (B) enrollment in the LEA in a nontraditional program;  
91 (C) enrollment in a program offered by a private provider that has entered into a  
92 contract with the LEA to provide educational services; or  
93 (D) enrollment in a program offered by another LEA.  
94 (b) A designated student may enroll in:  
95 (i) a program offered by the LEA under Subsection (2)(a), in accordance with this Title  
96 53A, State System of Public Education, rules established by the State Board of Education, and  
97 policies established by the LEA;  
98 (ii) the Electronic High School, in accordance with Part 10, Electronic High School  
99 Act; or  
100 (iii) the Statewide Online Education Program, in accordance with Part 12, Statewide  
101 Online Education Program Act.  
102 (c) An LEA shall make the LEA's best effort to accommodate a designated student's  
103 choice of enrollment under Subsection (2)(b).  
104 (3) (a) Beginning with the 2017-18 school year and except as provided in Subsection  
105 (3)(b), an LEA shall enter into a contract with a third party to provide the dropout recovery  
106 services described in Subsection (1)(a) for any school year in which the LEA's graduation rate,  
107 as annually calculated by the State Board of Education for federal accountability and reporting  
108 purposes:  
109 (i) is lower than the statewide graduation rate, as annually calculated by the State  
110 Board of Education; and  
111 (ii) has not increased by at least 1% on average over the previous three school years.  
112 (b) An LEA that is in the LEA's first three years of operation is not subject to the  
113 requirement described in Subsection (3)(a).  
114 (4) An LEA described in Subsection (3) shall ensure that:  
115 (a) a third party with whom the LEA enters into a contract under Subsection (3) has a  
116 demonstrated record of effectiveness engaging with and recovering designated students; and  
117 (b) a contract with a third party requires the third party to:  
118 (i) provide the services described in Subsection (1)(a); and  
119 (ii) regularly report progress to the LEA.  
120 (5) An LEA shall annually submit a report to the State Board of Education on dropout

121 recovery services provided under this section, including:

122 (a) the methods the LEA or third party uses to contact, recruit, and attempt to recover  
123 designated students under Subsection (1)(a)(i);

124 (b) the number of designated students who enroll in a program described in Subsection  
125 (2) as a result of the efforts described in Subsection (5)(a);

126 (c) the number of designated students who reach the designated students' attainment  
127 goal identified under Subsection (1)(a)(ii)(B); and

128 (d) funding allocated to provide dropout recovery services.

129 (6) The State Board of Education shall:

130 (a) ensure that an LEA described in Subsection (3) contracts with a third party to  
131 provide dropout recovery services in accordance with Subsections (3) and (4); and

132 (b) on or before October 30, 2017, and each year thereafter, report to the Education  
133 Interim Committee on the provisions of this section, including a summary of the reports  
134 submitted under Subsection (5).

135 **Section 4. Repealer.**

136 This bill repeals:

137 Section **53A-17a-172, Use of minimum school program funds for dropout recovery**  
138 **services.**