

1                                   **EDUCATION REPORTING AMENDMENTS**

2   2023 GENERAL SESSION

3   STATE OF UTAH

4                                   **Chief Sponsor: Susan Pulsipher**

5                                   Senate Sponsor: Lincoln Fillmore

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7 **LONG TITLE**

8 **General Description:**

9           This bill repeals requirements regarding the disposal of textbooks.

10 **Highlighted Provisions:**

11           This bill:

12           ▶ amends a reporting requirement for the Digital Teaching and Learning Grant

13 Program; and

14           ▶ repeals a section that requires:

15                   • local education agencies to notify all other local education agencies before  
16 disposing of undamaged textbooks; and

17                   • the State Board of Education to make rules regarding the disposal of textbooks.

18 **Money Appropriated in this Bill:**

19           None

20 **Other Special Clauses:**

21           None

22 **Utah Code Sections Affected:**

23 AMENDS:

24           **53F-2-510**, as last amended by Laws of Utah 2022, Chapter 408

25 REPEALS:

26           **53G-7-606**, as last amended by Laws of Utah 2019, Chapters 223, 293

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27  
28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **53F-2-510** is amended to read:

30 **53F-2-510. Digital Teaching and Learning Grant Program.**

31 (1) As used in this section:

32 (a) "Advisory committee" means the committee established by the state board under  
33 Subsection [~~(7)(b)~~] (6)(b).

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

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

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

40 (c) "High quality professional learning" means the professional learning standards  
41 described in Section [53G-11-303](#).

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

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

49 (f) "Program" means the Digital Teaching and Learning Grant Program created and  
50 described in Subsections (5) through (10).

51 (g) "Utah Education and Telehealth Network" or "UETN" means the Utah Education  
52 and Telehealth Network created in Section [53B-17-105](#).

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

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

57 (i) the state board;

58 (ii) UETN;

59 (iii) LEAs; and

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

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

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

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

67 (i) student and teacher devices;

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

69 (iii) curriculum software;

70 (iv) assessment solutions;

71 (v) technical support;

72 (vi) change management of LEAs;

73 (vii) high quality professional learning;

74 (viii) Internet delivery and capacity; and

75 (ix) security and privacy of users;

76 (c) a determination of the requirements for:

77 (i) statewide technology infrastructure; and

78 (ii) local LEA technology infrastructure;

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

81 (e) a statewide technical support plan that will guide the implementation and

82 maintenance of a digital teaching and learning program, including standards and competency

83 requirements for technical support personnel;

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

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

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

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

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

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

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

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

96 (4) UETN shall:

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

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

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

105 (5) There is created the Digital Teaching and Learning Grant Program to improve  
106 educational outcomes in public schools by effectively incorporating comprehensive digital  
107 teaching and learning technology.

108 (6) The state board shall:

109 (a) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,

110 adopt rules for the administration of the program, including rules requiring:

111 (i) an LEA to complete a digital readiness assessment the first time an LEA applies for  
112 the grant;

113 (ii) [~~an LEA plan to include~~] measures to ensure that the LEA monitors and  
114 implements technology with best practices[~~; including the recommended use for effectiveness~~];  
115 and

116 (iii) [~~an LEA plan to include~~] robust goals for learning outcomes and appropriate  
117 measurements of goal achievement; [~~and~~]

118 [~~(iv) an LEA to demonstrate that the LEA plan can be fully funded by grant funds or a~~  
119 ~~combination of grant and local funds~~];

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

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

123 (7) (a) The state board shall, subject to legislative appropriations, award a grant to an  
124 LEA:

125 (i) that submits an LEA plan that meets the requirements described in Subsection (8);  
126 and

127 (ii) for which the LEA's leadership and management members have completed a digital  
128 teaching and learning leadership and implementation training as provided in Subsection (7)(b).

129 (b) The state board or its designee shall provide the training described in Subsection  
130 (7)(a)(ii).

131 (8) The state board shall establish requirements of an LEA plan that shall include:

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

134 (b) [~~a proposal to provide~~] high quality professional learning for educators in the use of  
135 digital teaching and learning technology;

136 (c) [~~a proposal for~~] leadership training and management restructuring, if necessary, for

137 successful implementation;

138 (d) [~~clearly identified~~] targets for improved student achievement, student learning, and  
139 college readiness through digital teaching and learning; and

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

143 (9) The state board or the state board's designee shall establish an interactive dashboard  
144 available to each LEA that is awarded a grant for the LEA to track and report the LEA's  
145 long-term, intermediate, and direct outcomes in real time and for the LEA to use to create  
146 customized reports.

147 (10) (a) There is no federal funding, federal requirement, federal education agreement,  
148 or national program included or related to this state adopted program.

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

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

154 (a) support each LEA that receives a grant as part of the program to complete an  
155 implementation assessment for each year that the LEA participates;

156 (b) report the findings of an implementation assessment to the state board; and

157 (c) submit to the state board recommendations to resolve issues that an implementation  
158 assessment raises.

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

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

163 (a) nonrenewal of, or time period extensions for, the LEA's grant;

164 (b) reduction of funds; or

165 (c) other interventions to assist the LEA.

166 (14) (a) To implement an LEA plan, a contract, in accordance with Title 63G, Chapter  
167 6a, Utah Procurement Code, or other agreement with one or more providers of technology  
168 powered learning solutions and one or more providers of wireless networking solutions may be  
169 entered into by:

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

172 (ii) an LEA.

173 (b) A contract or agreement entered into under Subsection (14)(a) may be a contract or  
174 agreement that:

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

177 (ii) UETN enters into with a provider and pays for the provider's services and is  
178 reimbursed for payments by an LEA that benefits from the services;

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

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

183 (c) If an LEA does not reimburse UETN in a reasonable time for services received  
184 under a contract or agreement described in Subsection (14)(b), the state board shall pay the  
185 balance due to UETN from the LEA's funds received under Chapter 2, State Funding --  
186 Minimum School Program.

187 (d) If UETN negotiates or enters into an agreement as described in Subsection  
188 (14)(b)(ii) or (14)(b)(iii), and UETN enters into an additional agreement with an LEA that is  
189 associated with the agreement described in Subsection (14)(b)(ii) or (14)(b)(iii), the associated  
190 agreement may be treated by UETN and the LEA as a cooperative procurement, as that term is

191 defined in Section [63G-6a-103](#), regardless of whether the associated agreement satisfies the  
192 requirements of Section [63G-6a-2105](#).

193           Section 2. **Repealer.**

194           This bill repeals:

195           Section [53G-7-606](#), **Disposal of textbooks.**