

**Senator Howard A. Stephenson** proposes the following substitute bill:

**STUDENT-CENTERED LEARNING PILOT PROGRAM**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Howard A. Stephenson**

House Sponsor: Daniel McCay

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**LONG TITLE**

**General Description:**

This bill creates the Student-Centered Learning Pilot Program.

**Highlighted Provisions:**

This bill:

- ▶ defines terms;
- ▶ specifies eligibility requirements for participating in the pilot program and additional factors that may be considered;
- ▶ allows a school district or charter school to submit a proposal to the State Board of Education to participate in the Student-Centered Learning Pilot Program;
- ▶ requires the State Board of Education to establish an advisory committee that may make suggestions and recommendations regarding the selection of pilot schools;
- ▶ addresses the enrollment of students at a pilot school;
- ▶ provides that a student enrolled at a pilot school may not count as more than one pupil in average daily membership (ADM) unless the student intends to complete high school graduation requirements and exit high school early, in accordance with the student's education/occupation plan (SEOP); and
- ▶ requires the State Board of Education and pilot schools to make an annual report to the Education Interim Committee.



26 **Money Appropriated in this Bill:**

27 None

28 **Other Special Clauses:**

29 None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **53A-1-409**, as last amended by Laws of Utah 2013, Chapter 398

33 **53A-1a-508**, as repealed and reenacted by Laws of Utah 2014, Chapter 363

34 ENACTS:

35 **53A-15-1501**, Utah Code Annotated 1953

36 **53A-15-1502**, Utah Code Annotated 1953

37 **53A-15-1503**, Utah Code Annotated 1953

38 **53A-15-1504**, Utah Code Annotated 1953

39 **53A-15-1505**, Utah Code Annotated 1953

40 **53A-15-1506**, Utah Code Annotated 1953

41 **53A-15-1507**, Utah Code Annotated 1953

42 **53A-15-1508**, Utah Code Annotated 1953

43 **53A-15-1509**, Utah Code Annotated 1953

44 **53A-15-1510**, Utah Code Annotated 1953

45 **53A-15-1511**, Utah Code Annotated 1953



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

48 Section 1. Section **53A-1-409** is amended to read:

49 **53A-1-409. Competency-based education -- Recommendations -- Coordination.**

50 (1) As used in this section:

51 (a) "Competency" means a demonstrable acquisition of a specified knowledge, skill, or  
52 ability that has been organized into a hierarchical arrangement leading to higher levels of  
53 knowledge, skill, or ability.

54 (b) "Competency-based education" means an education approach that [~~requires a~~  
55 ~~student to acquire a competency~~];

56 (i) allows a student to advance and earn credit upon mastery of a competency; and

57           (ii) ~~includes a classroom structure and operation that [aid and facilitate the acquisition~~  
58 ~~of specified competencies on an individual basis wherein a student is allowed to master and~~  
59 ~~demonstrate competencies as fast as the student is able]~~ provides a student timely,  
60 differentiated support based on the student's individual learning needs.

61           (c) "Gain score" means the measured difference of a student's score at the beginning  
62 and end of a time period that may be aggregated at the class, grade, school, and school district  
63 levels.

64           (2) The State Board of Education shall:

65           (a) provide expertise to and consult with local school boards, school districts, and  
66 charter schools relating to competency-based education and progress-based assessments;

67           (b) before the beginning of the 2014 General Session of the Legislature, make  
68 recommendations to the Public Education Appropriations Subcommittee, including the amount  
69 and allocation of public education money, based upon both new public education money and  
70 the reallocation of money required to develop and implement:

71           (i) competency-based education and progress-based assessments;

72           (ii) (A) a weighted competency unit that distributes public education money based on  
73 student achievement resulting from competency-based program objectives, strategies, and  
74 standards; and

75           (B) a course-level funding formula that distributes funds to school districts and charter  
76 schools that establish competency-based education;

77           (iii) a plan to assist students, teachers, schools, and districts that need remediation  
78 based upon Subsections (2)(b)(i) and (ii);

79           (iv) the reallocation of teaching resources from noncore electives into grades 1-3, 7-12  
80 math, and 7-12 English; and

81           (v) a teacher development program focused on achieving progress in core academics,  
82 including instruction in explicit, systematic, and intensive phonics for teachers in grades  
83 kindergarten through 3;

84           (c) assist school districts and charter schools to develop and implement:

85           (i) competency-based education; and

86           (ii) the use of gain scores; and

87           (d) develop and use monetary and nonmonetary incentives, tools, and rewards to

88 encourage school districts and charter schools to accomplish the items described under this  
89 section.

90 (3) A funding formula described in Subsection (2)(b)(ii)(B) shall:

91 (a) base the funding for a competency-based course on a proportionate amount of the  
92 weighted pupil unit;

93 (b) partially distribute funds based on initial enrollment;

94 (c) distribute remaining funds based on a student's successful completion of a course  
95 through demonstrated competency and subject mastery; and

96 (d) not be dependent on the amount of time a student is instructed in the course or the  
97 age of the student.

98 (4) A local school board or a charter school governing board may establish a  
99 competency-based education program.

100 (5) A local school board or charter school governing board that establishes a  
101 competency-based education program shall:

102 (a) establish assessments to accurately measure competency;

103 (b) provide the assessments to an enrolled student at no cost to the student;

104 (c) award credit to a student who demonstrates competency and subject mastery;

105 (d) submit the competency-based curriculum standards to the State Board of Education  
106 for review; and

107 (e) publish the competency-based curriculum standards on its website or by other  
108 electronic means readily accessible to the public.

109 (6) A local school board or charter school governing board may:

110 (a) on a random lottery-based basis, limit enrollment to courses that have been  
111 designated as competency-based courses;

112 (b) waive or adapt traditional attendance requirements;

113 (c) adjust class sizes to maximize the value of course instructors or course mentors;

114 (d) enroll students from any geographic location within the state; and

115 (e) provide proctored online competency-based assessments.

116 Section 2. Section **53A-1a-508** is amended to read:

117 **53A-1a-508. Charter agreement -- Content -- Modification.**

118 (1) A charter agreement:

- 119 (a) is a contract between the charter school applicant and the charter school authorizer;
- 120 (b) shall describe the rights and responsibilities of each party; and
- 121 (c) shall allow for the operation of the applicant's proposed charter school.
- 122 (2) A charter agreement shall include:
- 123 (a) the name of:
- 124 (i) the charter school; and
- 125 (ii) the charter school applicant;
- 126 (b) the mission statement and purpose of the charter school;
- 127 (c) the charter school's opening date;
- 128 (d) the grade levels and number of students the charter school will serve;
- 129 (e) a description of the structure of the charter school's governing board, including:
- 130 (i) the number of board members;
- 131 (ii) how members of the board are appointed; and
- 132 (iii) board members' terms of office;
- 133 (f) assurances that:
- 134 (i) the governing board shall comply with:
- 135 (A) the charter school's bylaws;
- 136 (B) the charter school's articles of incorporation; and
- 137 (C) applicable federal law, state law, and State Board of Education rules;
- 138 (ii) the governing board will meet all reporting requirements described in Section
- 139 [53A-1b-115](#); and
- 140 (iii) except as provided in Title 53A, Chapter 20b, Part 2, Charter School Credit
- 141 Enhancement Program, neither the authorizer nor the state, including an agency of the state, is
- 142 liable for the debts or financial obligations of the charter school or a person who operates the
- 143 charter school;
- 144 (g) which administrative rules the State Board of Education will waive for the charter
- 145 school;
- 146 (h) minimum financial standards for operating the charter school;
- 147 (i) minimum standards for student achievement; and
- 148 (j) signatures of the charter school authorizer and the charter school's governing board
- 149 members.

150 (3) [A] (a) Except as provided in Subsection (3)(b), a charter agreement may not be  
151 modified except by mutual agreement between the charter school authorizer and the governing  
152 board of the charter school.

153 (b) (i) Subject to Subsection (3)(c), at the request of the governing body of a charter  
154 school that is selected to participate in the Student-Centered Learning Pilot Program created in  
155 Section 53A-15-1503, the chartering entity shall attach an addendum to the school's charter  
156 indicating the charter is modified to be consistent with the requirements of the  
157 Student-Centered Learning Pilot Program and describing those modifications.

158 (ii) A chartering entity shall make the modifications described in Subsection (3)(b)(i)  
159 without requiring the charter school to participate in a charter amendment process.

160 (c) (i) If an increase in a charter school's enrollment capacity is required to participate  
161 in the Student-Centered Learning Pilot Program, the charter school shall submit a request for  
162 an increase in enrollment capacity to the State Board of Education.

163 (ii) The State Board of Education may approve an increase in enrollment capacity for  
164 the charter school subject to the availability of sufficient funds appropriated under Section  
165 53A-1a-513.

166 Section 3. Section 53A-15-1501 is enacted to read:

167 **Part 15. Student-Centered Learning Pilot Program**

168 **53A-15-1501. Title.**

169 This part is known as the "Student-Centered Learning Pilot Program."

170 Section 4. Section 53A-15-1502 is enacted to read:

171 **53A-15-1502. Definitions.**

172 As used in this part:

173 (1) "Blended learning" means a formal education program in which a student learns:

174 (a) at least in part, through online delivery of content and instruction with some  
175 element of student control over time, place, path, or pace; and

176 (b) at least in part, at a supervised brick-and-mortar location away from home.

177 (2) "Board" means the State Board of Education.

178 (3) "Competency-based education" means the same as that term is defined in Section  
179 53A-1-409.

180 (4) "Data-driven instruction" means instruction in which quantifiable data is:

181 (a) obtained by frequently assessing a student's attainment of observable and  
182 measurable goals set to determine whether the student is making academic progress, staying the  
183 same academically, or regressing academically; and

184 (b) used to guide the instructor in determining:

185 (i) the student's next step after mastering a concept; or

186 (ii) necessary interventions or modifications to instructional methods to provide the  
187 student with a better understanding of academic concepts.

188 (5) "Extended school year schedule" means a school calendar and schedule that operate  
189 beyond a traditional school calendar and provide year-round instruction.

190 (6) "Extended work schedule" means a work schedule that includes additional hours of  
191 instruction time beyond a traditional school calendar to accommodate year-round instruction.

192 (7) "Pilot program" means the Student-Centered Learning Pilot Program.

193 (8) "Pilot school" means a school that participates in the Student-Centered Learning  
194 Pilot Program.

195 (9) "STEM" means science, technology, engineering, and mathematics.

196 Section 5. Section **53A-15-1503** is enacted to read:

197 **53A-15-1503. Student-Centered Learning Pilot Program established.**

198 (1) The Student-Centered Learning Pilot Program is created to develop and implement  
199 educational models that:

200 (a) deliver instruction through blended learning;

201 (b) use an extended school year schedule;

202 (c) use data-driven instruction; and

203 (d) use competency-based education.

204 (2) The State Board of Education shall:

205 (a) select schools to participate in the pilot program based on a competitive application  
206 process;

207 (b) provide guidance to a school district or charter school that is developing a proposal  
208 described in Section [53A-15-1504](#);

209 (c) subject to legislative appropriations, select up to three pilot schools and award  
210 grants on or before July 1, 2016, as provided in Section [53A-1-1504](#); and

211 (d) make rules, in accordance with Title 63G, Chapter 3, Utah Administrative

212 Rulemaking Act, and this part, that establish procedures and requirements for a school district  
213 or charter school to participate in the pilot program and for selecting pilot schools.

214 Section 6. Section **53A-15-1504** is enacted to read:

215 **53A-15-1504. School district or charter school proposal.**

216 (1) On or before April 1, 2016, a school district or charter school may submit a  
217 proposal to the board to participate in the pilot program.

218 (2) In a proposal to participate in the pilot program, a school district or charter school  
219 shall describe:

220 (a) the blended learning model that the school district or charter school plans to  
221 implement;

222 (b) a plan for hardware and facility readiness;

223 (c) a plan for professional development and professional learning communities related  
224 to the pilot program; and

225 (d) any other elements of the program required by the board rules described in  
226 Subsection [53A-15-1503\(2\)\(e\)](#).

227 Section 7. Section **53A-15-1505** is enacted to read:

228 **53A-15-1505. Eligibility requirements to participate in the Student-Centered**  
229 **Learning Pilot Program -- Additional considerations.**

230 (1) To be eligible to participate in the pilot program, a pilot school shall:

231 (a) deliver instruction through blended learning;

232 (b) provide instruction to students through an extended school year schedule;

233 (c) use data-driven instruction;

234 (d) use competency-based education;

235 (e) integrate blended learning, data-driven instruction, and competency-based  
236 education to make individualized or personalized instruction core to the instructional model;

237 (f) develop and implement a professional development plan that addresses the  
238 individual professional development needs of each teacher and includes training in:

239 (i) delivering instruction within a blended learning model;

240 (ii) using data-driven instruction;

241 (iii) delivering differentiated instruction; and

242 (iv) using online content and digital tools;



243 (g) develop and implement a plan for assisting parents in engaging in their students'  
244 education, which complies with the following:

245 (i) the technology tools employed by the school shall be utilized to create transparency  
246 and collaboration in the education process and enable parents to be partners in their students'  
247 education in real time; and

248 (ii) parents shall have access through technology to real-time student data and  
249 instructional content in order to monitor and stay informed about their students' progress as  
250 they assist their students with learning;

251 (h) allow a student and a teacher at the pilot school to decide if the teacher or student  
252 participates in the pilot program;

253 (i) subject to appropriations, begin operating as a pilot school by the 2016-17 school  
254 year; and

255 (j) share with other school districts and charter schools and leaders across the state the  
256 school's experience in implementing the pilot program, the impacts of the program, and any  
257 policy considerations.

258 (2) In selecting applicants to participate in the pilot program, the State Board of  
259 Education shall give additional consideration to an applicant that:

260 (a) utilizes blended learning and an extended school year to increase student  
261 enrollment, generating additional money to increase teacher compensation, thereby allowing  
262 teachers to be compensated for a full 12 months of instruction;

263 (b) requires students to take a course of study leading to an associate's degree or a  
264 technical skills certification upon high school graduation;

265 (c) has a STEM focused mission and curriculum;

266 (d) encourages students to utilize BYOD "bring your own device" as part of the  
267 school's technology device policy;

268 (e) proposes to establish the pilot program throughout a complete kindergarten through  
269 grade 12 feeder system;

270 (f) provides an expanded benefits package to employees that includes paid vacation  
271 and holidays;

272 (g) is a Title I school; or

273 (h) establishes sustainable, scalable programs that can be replicated.

274 Section 8. Section **53A-15-1506** is enacted to read:

275 **53A-15-1506. Selection of pilot program participants -- Advisory committee.**

276 (1) The board shall establish an advisory committee to review proposals submitted by  
277 school districts and charter schools to participate in the pilot program.

278 (2) The advisory committee may offer suggestions and recommendations to the board  
279 on the selection of pilot schools.

280 (3) The advisory committee shall include representatives of stakeholders, including the  
281 following legislators who shall serve as nonvoting members:

282 (a) the chair of the House Education Standing Committee;

283 (b) the chair of the Senate Education Standing Committee;

284 (c) the Senate chair of the Public Education Appropriations Subcommittee; and

285 (d) the House chair of the Public Education Appropriations Subcommittee.

286 Section 9. Section **53A-15-1507** is enacted to read:

287 **53A-15-1507. Implementation funding.**

288 (1) In the 2016 General Session, the board shall submit recommendations to the  
289 Legislature for funding the implementation of the pilot program, including the cost of:

290 (a) equipment for the delivery of instruction;

291 (b) digital content; and

292 (c) assessments.

293 (2) Subject to legislative appropriations, the board may make grants to school districts  
294 and charter schools participating in the pilot program for up to three years, with the amount of a  
295 grant decreasing each year.

296 Section 10. Section **53A-15-1508** is enacted to read:

297 **53A-15-1508. Enrollment of students in a pilot school -- Selection of pilot school**  
298 **teachers.**

299 (1) Section [53A-1a-506](#) shall govern the eligibility of students for enrollment at a  
300 charter school that is a pilot school.

301 (2) (a) A local school board shall adopt rules governing the enrollment of students at a  
302 district school that is a pilot school.

303 (b) The rules adopted under Subsection (2)(a) shall include policies and procedures to  
304 ensure that decisions regarding enrollment requests are administered fairly without prejudice to

305 any student or class of student, except as provided in Subsection (2)(c).

306 (c) Policies for enrolling students in a pilot school may include:

307 (i) giving priority to a student who:

308 (A) resides within the attendance boundaries of a pilot school; or

309 (B) resides within the school district in which the pilot school is located; or

310 (ii) limiting enrollment based on the capacity of a program, class, grade level, or the  
311 pilot school.

312 (3) A school district shall solicit applications for teaching positions for a pilot school  
313 and hire teachers from a list of interested and qualified applicants.

314 (4) A pilot school may not require a student or teacher to participate in the pilot  
315 program.

316 Section 11. Section **53A-15-1509** is enacted to read:

317 **53A-15-1509. Student enrolled in a pilot school may not count as more than one**  
318 **ADM -- Exception.**

319 (1) The course credits of a pilot school student shall be included in the school district's  
320 or charter school's calculation of average daily membership, except as provided in Subsection  
321 (2).

322 (2) A student enrolled in a pilot school may not count as more than one pupil in  
323 average daily membership (ADM), unless the student intends to complete high school  
324 graduation requirements early, and exit high school early, in accordance with the student's  
325 education/occupation plan (SEOP).

326 Section 12. Section **53A-15-1510** is enacted to read:

327 **53A-15-1510. Flexibility in complying with a school district or charter school**  
328 **policy.**

329 A local school board or charter school governing board shall grant flexibility to a pilot  
330 school in complying with a school district or charter school policy that prohibits the pilot  
331 school from meeting the requirements of the pilot program.

332 Section 13. Section **53A-15-1511** is enacted to read:

333 **53A-15-1511. Report to Legislature.**

334 After one full school year of the pilot program, the board and the pilot schools shall  
335 make an annual report to the Legislature that:

- 336           (1) compares the academic performance of students participating in the pilot program  
337 with students in other schools that have demographic characteristics that are similar to those of  
338 the pilot program students; and
- 339           (2) describes the extent to which the pilot schools:
- 340           (a) use online content and digital tools as integral elements of instruction and learning;  
341           (b) maximize engagement and achievement by addressing the needs of each student  
342 through personalized instruction;
- 343           (c) advance students upon mastery of competencies;  
344           (d) create a culture that supports individualized learning across students, teachers,  
345 school district and charter school leadership, and parents;
- 346           (e) improve system structure and policy to allow for efficiencies in teacher practice,  
347 scheduling, staffing, and use of space;
- 348           (f) allocate time, resources, and places in a way that provides maximum flexibility for a  
349 student-centered learning environment;
- 350           (g) provide teachers the opportunity to receive a competitive compensation based on an  
351 extended work schedule;
- 352           (h) establish sustainable, scalable programs that can be replicated;  
353           (i) improve student learning outcomes;  
354           (j) better prepare students for college and the workforce; and  
355           (k) close achievement gaps.