

Senator David G. Buxton proposes the following substitute bill:

PUBLIC SCHOOL DISCIPLINE AND CONDUCT PLANS

AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: David G. Buxton

House Sponsor: Douglas R. Welton

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

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

Money Appropriated in this Bill:

This bill appropriates in fiscal year 2025:

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



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

Other Special Clauses:

This bill provides a special effective date.

Utah Code Sections Affected:**AMENDS:**

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

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

63I-1-253 (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapters 30, 52, 133, 161, 367, and 494

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

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

ENACTS:

53G-7-1307, Utah Code Annotated 1953

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

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

53G-7-1301. Definitions.

As used in this part:

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

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

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

(a) a school principal;

(b) a charter school director; or

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

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

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

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

59 (a) is employed by an LEA; and

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

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

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

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

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

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

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

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

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

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

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

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

84 (ii) professional learning;

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

87 (iv) technology;

- (v) before- or after-school programs;
- (vi) summer school programs;
- (vii) community support programs or partnerships;
- (viii) early childhood education;
- (ix) class size reduction strategies;
- (x) augmentation of existing programs;
- (xi) the pilot program for multi-tiered systems of support described in Section

53G-7-1307; or

~~[(xi)]~~ (xii) other means.

(c) An LEA governing board student success framework may not support the use of program money:

- (i) to supplant funding for existing public education programs;
- (ii) for district administration costs; or
- (iii) for capital expenditures.

(2) (a) An LEA governing board shall use an LEA distribution as follows:

- (i) for increases to base salary and salary driven benefits for school personnel that, except as provided in Subsection (2)(c)(i), total 25% or less of the LEA distribution; and
- (ii) except as provided in Subsection (2)(b)(ii) and in accordance with Subsection (3), for each school within the LEA governing board's LEA, an allocation that is equal to the product of:

(A) the percentage of the school's prior year average daily membership compared to the total prior year average daily membership for all schools in the LEA; and

(B) the remaining amount of the LEA governing board's LEA distribution after subtracting the amounts described in Subsections (2)(a)(i) and (2)(b)(ii).

(b) (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules for an LEA governing board to calculate and distribute a school allocation for a school in the school's first year of operation.

(ii) In accordance with Subsection (3) and the rules described in Subsection (2)(b)(i), an LEA governing board shall distribute a school allocation for a school in the school's first year of operation.

(c) Except as provided in Subsection (2)(d), the LEA governing board of a school

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

(i) the LEA governing board has:

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

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

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

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

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

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

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

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

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

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

(i) capital expenditures; or

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

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

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

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

150 (ii) how the expenditures relate to the school's success plan; and
151 (iii) how the school measures the success of the school's participation in the program;
152 and
153 (b) post on the school's website:
154 (i) the school's approved success plan;
155 (ii) a description of the school's school allocation budgeted and actual expenditures and
156 how the expenditures help the school accomplish the school's success plan; and
157 (iii) the school's current level of performance, as described in Section 53G-7-1306,
158 according to the indicators described in Section 53E-5-205 or 53E-5-206.

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

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

161 (1) As used in this section:

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

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

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

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

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

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

177 (i) overview and definitions;

178 (ii) core principles and values;

179 (iii) differences from traditional approaches; and

180 (iv) research foundations;

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

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

213 (c) use funds awarded for the teacher and student success plan to develop and
214 implement a multi-tiered system of support within the school.

215 (5) A teacher at a participating school shall receive stipends upon completion of
216 modules within the microcredential courses as follows:

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

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

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

220 (i) create a school or classroom plan that follows the multi-tiered system of support
221 outlined in the teacher and student success plan;

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

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

225 (6) The board may designate at least one staff position to provide oversight and
226 technical support for the pilot program and its implementation.

227 (7) Upon request of the Education Interim Committee, an LEA with schools
228 implementing the pilot program shall report to the Education Interim Committee on the pilot
229 program's progress and outcomes.

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

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

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

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

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

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

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

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

July 1, 2028.

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

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

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

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

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

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

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

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

(b) Section 53E-4-203 is repealed.

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

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

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

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

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

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

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

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

Program, is repealed July 1, 2027.

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

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

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

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

Section 5. Section 63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25) is amended to read:

63I-1-253 (Eff 07/01/24) (Cont Sup 01/01/25). Repeal dates: Titles 53 through 53G.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

repealed; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Section 7. **FY 2025 Appropriation.**

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

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

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

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

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

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

406 Schedule of Programs:

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

408 Section 8. **Effective date.**

409 This bill takes effect on May 1, 2024.