

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 Teaching Self-Government Skills for Success, Classroom Communication, and Discipline Framework 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 conduct and behavior strategies;
- 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 - Teaching Self-Government Skills for Success, Classroom Communication, and Discipline Framework 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 (Effective 05/01/24), as enacted by Laws of Utah 2019, Chapter 505

53G-7-1304 (Effective 05/01/24), as last amended by Laws of Utah 2020, Chapter 408

63I-2-253 (Effective 05/01/24) (Superseded 07/01/24), as last amended by Laws of Utah 2023, Chapters 7, 21, 33, 142, 167, 168, 380, 383, and 467

63I-2-253 (Effective 07/01/24), as last amended by Laws of Utah 2023, Chapters 7, 21, 33, 142, 167, 168, 310, 380, 383, and 467

ENACTS:

53G-7-1307 (Effective 05/01/24), 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 (Effective 05/01/24). 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 53G-7-1304.
- (5) "School personnel" means an individual who:
 - (a) is employed by an LEA; and
 - (b) in an academic role, works directly with and supports students in a school.
- (6) "Statewide accountability system" means the statewide school accountability system described in Title 53E, Chapter 5, Part 2, School Accountability System.
- (7) "Teaching Self-Government Skills for Success, Classroom Communication, and Discipline Framework Pilot Program" or "pilot program" means the pilot program created in Section 53G-7-1307.
- ~~[(7)]~~ (8) "Teacher and student success plan" or "success plan" means a school performance and student academic achievement improvement plan described in Section 53G-7-1305.
- ~~[(8)]~~ (9) "Teacher and Student Success Program" or "program" means the Teacher and Student Success Program described in this part.

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

53G-7-1304 (Effective 05/01/24). Program requirements -- LEA governing board student success framework -- LEA distribution -- School allocation -- Reporting.

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

- (i) adopt an LEA governing board student success framework to provide guidelines and processes for a school within the LEA governing board's LEA to follow in developing a teacher and student success plan; and
- (ii) submit the adopted LEA governing board student success framework to the state board.

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

- (i) school personnel stipends for taking on additional responsibility outside of a typical work assignment;
- (ii) professional learning;
- (iii) additional school employees, including counselors, social workers, mental health workers, tutors, media specialists, information technology specialists, or other specialists;
- (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 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,

- 96 except as provided in Subsection (2)(c)(i), total 25% or less of the LEA
97 distribution; and
- 98 (ii) except as provided in Subsection (2)(b)(ii) and in accordance with Subsection (3),
99 for each school within the LEA governing board's LEA, an allocation that is equal
100 to the product of:
- 101 (A) the percentage of the school's prior year average daily membership compared
102 to the total prior year average daily membership for all schools in the LEA; and
103 (B) the remaining amount of the LEA governing board's LEA distribution after
104 subtracting the amounts described in Subsections (2)(a)(i) and (2)(b)(ii).
- 105 (b) (i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
106 Act, the state board shall make rules for an LEA governing board to calculate and
107 distribute a school allocation for a school in the school's first year of operation.
108 (ii) In accordance with Subsection (3) and the rules described in Subsection (2)(b)(i),
109 an LEA governing board shall distribute a school allocation for a school in the
110 school's first year of operation.
- 111 (c) Except as provided in Subsection (2)(d), the LEA governing board of a school
112 district may use up to 40% of an LEA distribution for the purposes described in
113 Subsection (2)(a)(i), if:
- 114 (i) the LEA governing board has:
- 115 (A) approved a board local levy for the maximum amount allowed under Section
116 53F-8-302; or
- 117 (B) after the LEA governing board has submitted an LEA governing board student
118 success framework to the state board, increased the board local levy described
119 in Section 53F-8-302 by at least .0001 per dollar of taxable value; and
- 120 (ii) the school district's average teacher salary is below the state average teacher
121 salary described in Subsection (2)(f).
- 122 (d) The LEA governing board of a school district in a county of the fourth, fifth, or sixth
123 class or the LEA governing board of a charter school may use up to 40% of an LEA
124 distribution for the purposes described in Subsection (2)(a)(i), if the LEA's average
125 teacher salary is below the state average teacher salary described in Subsection (2)(f).
- 126 (e) An LEA governing board shall annually report information as requested by the state
127 board for the state board to calculate a state average teacher salary.
- 128 (f) The state board shall use the information described in Subsection (2)(c)(ii) to
129 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;

(ii) how the expenditures relate to the school's success plan; and

(iii) how the school measures the success of the school's participation in the program; and

(b) post on the school's website:

(i) the school's approved success plan;

(ii) a description of the school's school allocation budgeted and actual expenditures and how the expenditures help the school accomplish the school's success plan; and

(iii) the school's current level of performance, as described in Section 53G-7-1306, according to the indicators described in Section 53E-5-205 or 53E-5-206.

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

53G-7-1307 (Effective 05/01/24). Teaching Self-Government Skills for Success, Classroom Communication, and Discipline Framework Pilot Program.

(1) Beginning May 1, 2025, there is created within the Teacher and Student Success Program, a three-year pilot program known as the Teaching Self-Government Skills for Success, Classroom Communication, and Discipline Framework Pilot Program to:

(a) train school faculty and students in personal self-government communication and problem solving practices;

(b) improve:

(i) classroom discipline;

(ii) teacher and student mental health; and

(iii) classroom management.

(2) The state board shall create a training course that an LEA or school shall use if the LEA or school chooses to participate in the pilot program.

(3) (a) The state board shall ensure the training course described in Subsection (2) contains the following:

(i) effective classroom management;

(ii) appropriate approaches to student behavior and discipline consistent with federal and state law; and

(iii) effective tools to de-escalate behavior.

(b) The state board shall ensure the training described in Subsection (3)(a) is consistent with the following principles:

(i) personal self-government;

(ii) accepting consequences;

(iii) respecting boundaries;

(iv) accepting criticism;

(v) disagreeing appropriately; and

(vi) following instructions.

(4) An LEA with a participating school:

(a) shall ensure that each teacher in the participating school annually receives the materials of the course described in Subsection (3); and

(b) may not provide the training course outside of the LEA or the participating school.

(5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board shall make rules establishing:

(a) how an LEA provides to a teacher at a participating school the following stipends upon completion of different modules consistent with Subsection (3):

(i) \$100 for completion and implementation of one module;

(ii) \$300 for completion and implementation of two modules;

(iii) \$300 for completion and implementation of three modules; and

(iv) \$1,000 for completion of an action plan project that requires a teacher to:

(A) create a school or classroom plan that follows the pilot program's training course; and

(B) submit research, evidence, and a reflection paper regarding the results of the project; and

(b) a reporting requirement for a participating LEA including:

(i) metrics of success for the pilot program; and

(ii) other information the state board determines.

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

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

Section 4. Section **63I-2-253** is amended to read:

63I-2-253 (Effective 05/01/24) (Superseded 07/01/24). Repeal dates: Titles 53 through 53G.

(1) Section 53-1-118 is repealed on July 1, 2024.

(2) Section 53-1-120 is repealed on July 1, 2024.

(3) Section 53-7-109 is repealed on July 1, 2024.

(4) Section 53-22-104 is repealed December 31, 2023.

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

(6) Section 53B-7-707 regarding performance metrics for technical colleges is repealed July 1, 2023.

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

(8) The following provisions, regarding the Regents' scholarship program, are repealed on July 1, 2023:

(a) in Subsection 53B-8-105(12), the language that states, "or any scholarship established under Sections 53B-8-202 through 53B-8-205";

(b) Section 53B-8-202;

(c) Section 53B-8-203;

(d) Section 53B-8-204; and

(e) Section 53B-8-205.

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

(10) Subsection 53E-1-201(1)(s) regarding the report by the Educational Interpretation and Translation Services Procurement Advisory Council is repealed July 1, 2024.

(11) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee evaluation and recommendations, is repealed January 1, 2024.

(12) Section 53F-2-209, regarding local education agency budgetary flexibility, is repealed July 1, 2024.

- 232 (13) Subsection 53F-2-314(4), relating to a one-time expenditure between the at-risk WPU
233 add-on funding and previous at-risk funding, is repealed January 1, 2024.
- 234 (14) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is repealed
235 July 1, 2024.
- 236 (15) Section 53F-5-221, regarding a management of energy and water pilot program, is
237 repealed July 1, 2028.
- 238 (16) Section 53F-9-401 is repealed on July 1, 2024.
- 239 (17) Section 53F-9-403 is repealed on July 1, 2024.
- 240 (18) Section 53F-5-222 is repealed July 1, 2028.
- 241 ~~[(18)]~~ (19) On July 1, 2023, when making changes in this section, the Office of Legislative
242 Research and General Counsel shall, in addition to the office's authority under Section
243 36-12-12, make corrections necessary to ensure that sections and subsections identified
244 in this section are complete sentences and accurately reflect the office's perception of the
245 Legislature's intent.
- 246 Section 5. Section **63I-2-253** is amended to read:
- 247 **63I-2-253 (Effective 07/01/24). Repeal dates: Titles 53 through 53G.**
- 248 (1) Subsection 53-1-104(1)(b), regarding the Air Ambulance Committee, is repealed July 1,
249 2024.
- 250 (2) Section 53-1-118 is repealed on July 1, 2024.
- 251 (3) Section 53-1-120 is repealed on July 1, 2024.
- 252 (4) Section 53-2d-107, regarding the Air Ambulance Committee, is repealed July 1, 2024.
- 253 (5) In relation to the Air Ambulance Committee, on July 1, 2024, Subsection 53-2d-702(1)(a)
254 is amended to read:
- 255 "(a) provide the patient or the patient's representative with the following information
256 before contacting an air medical transport provider:
- 257 (i) which health insurers in the state the air medical transport provider contracts with;
258 (ii) if sufficient data is available, the average charge for air medical transport services for a
259 patient who is uninsured or out of network; and
260 (iii) whether the air medical transport provider balance bills a patient for any charge not paid
261 by the patient's health insurer; and".
- 262 (6) Section 53-7-109 is repealed on July 1, 2024.
- 263 (7) Section 53-22-104 is repealed December 31, 2023.
- 264 (8) Section 53B-6-105.7 is repealed July 1, 2024.
- 265 (9) Section 53B-7-707 regarding performance metrics for technical colleges is repealed July

- 266 1, 2023.
- 267 (10) Section 53B-8-114 is repealed July 1, 2024.
- 268 (11) The following provisions, regarding the Regents' scholarship program, are repealed on
269 July 1, 2023:
- 270 (a) in Subsection 53B-8-105(12), the language that states, "or any scholarship
271 established under Sections 53B-8-202 through 53B-8-205";
- 272 (b) Section 53B-8-202;
- 273 (c) Section 53B-8-203;
- 274 (d) Section 53B-8-204; and
- 275 (e) Section 53B-8-205.
- 276 (12) Section 53B-10-101 is repealed on July 1, 2027.
- 277 (13) Subsection 53E-1-201(1)(s) regarding the report by the Educational Interpretation and
278 Translation Services Procurement Advisory Council is repealed July 1, 2024.
- 279 (14) Section 53E-1-202.2, regarding a Public Education Appropriations Subcommittee
280 evaluation and recommendations, is repealed January 1, 2024.
- 281 (15) Section 53F-2-209, regarding local education agency budgetary flexibility, is repealed
282 July 1, 2024.
- 283 (16) Subsection 53F-2-314(4), relating to a one-time expenditure between the at-risk WPU
284 add-on funding and previous at-risk funding, is repealed January 1, 2024.
- 285 (17) Section 53F-2-524, regarding teacher bonuses for extra work assignments, is repealed
286 July 1, 2024.
- 287 (18) Section 53F-5-221, regarding a management of energy and water pilot program, is
288 repealed July 1, 2028.
- 289 (19) Section 53F-9-401 is repealed on July 1, 2024.
- 290 (20) Section 53F-9-403 is repealed on July 1, 2024.
- 291 (21) Section 53F-5-222 is repealed July 1, 2028.
- 292 [~~(21)~~] (22) On July 1, 2023, when making changes in this section, the Office of Legislative
293 Research and General Counsel shall, in addition to the office's authority under Section
294 36-12-12, make corrections necessary to ensure that sections and subsections identified
295 in this section are complete sentences and accurately reflect the office's perception of the
296 Legislature's intent.
- 297 **Section 6. FY 2025 Appropriation.**
- 298 The following sums of money are appropriated for the fiscal year beginning July 1,
299 2024, and ending June 30, 2025. These are additions to amounts previously appropriated

300 for fiscal year 2025.

301 Subsection 6(a) **Operating and Capital Budgets**

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

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

306 From Public Education Economic Stabilization

307 Restricted Account, One-time \$150,000

308 Schedule of Programs:

309 Teaching Self-Government Skills for Success, Classroom

310 Communication, and Discipline Framework Pilot Program \$150,000

311 Section 7. **Effective date.**

312 This bill takes effect on May 1, 2024.