

1 **R277. Education, Administration.**

2 **R277-923. American Indian and Alaska~~[n]~~ Native Education State Plan Programs.**

3 **R277-923-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3, which vests general control and  
6 supervision over public education in the Board; and

7 (b) Section 53F-5-603, which provides that the Board may make rules related to the  
8 programs; and

9 (c) Subsection 53E-3-401(4), which allows the Board to make rules to execute the  
10 Board's duties and responsibilities under the Utah Constitution and state law.

11 (2) The purpose of this rule is to provide:

12 (a) for implementation of the American Indian and Alaska Native education state  
13 plan through locally developed LEA plans in accordance with 53F-5-604;

14 ~~[(a)]~~(b) criteria for evaluating grant applications; and

15 ~~[(b)]~~(c) procedures for:

16 (i) a school district to apply to the Board to receive grant money; and

17 (ii) the review of the use of grant money.

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19 **R277-923-2. Definitions.**

20 (1) "American Indian and Alaska~~[n]~~ Native concentrated school" has the same  
21 meaning as that term is defined in Section 53F-5-601.

22 (2) "Program site" means the school where an LEA plans to use grant money and  
23 implement the LEA's program.

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25 **R277-923-3. Grant Application.**

26 (1) An LEA may apply for a grant described in Section 53F-5-603 by submitting an  
27 application to the Superintendent on or before the last Friday in May.

28 (2) The Superintendent shall develop a grant application and make the grant  
29 application available to LEAs that meet the eligibility as an American Indian and Alaska[~~n~~]  
30 Native concentrated school.

31 (3) An LEA applying for a grant shall include in the application:

32 (a) a description of how the proposed program aligns with the American Indian  
33 and Alaska Native education state plan described in Section 53F-5-605;

34 (b) identification of the specific academic needs of American Indian and Alaska  
35 Native students the program is designed to address;

36 (c) a description of the evidence-based strategies or data supporting the  
37 proposed program;

38 (d) a plan for measuring student outcomes and program effectiveness;

39 (e) a description of how the LEA will coordinate with existing programs and  
40 resources identified in the state plan; and

41 (f) a description of any consultation with tribal leaders or stakeholders in  
42 developing the proposal.

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#### 44 **R277-923-4. Procedure and Criteria for Awarding a Grant.**

45 (1) The Superintendent shall award:

46 (a) one American Indian and Alaska[~~n~~] Native Education State Plan Program grant  
47 to an LEA to serve one or more program sites for the five-year program created in  
48 Subsection 53F-5-602(1); and

49 (b) one grant to an LEA to serve one or more program sites for the four-year program  
50 created in Subsection 53F-5-602(2).

51 ~~(3)~~(2) The Superintendent shall award a grant described in Subsection (1) to an  
52 LEA based on the following criteria:

53 (a) up to 20 points will be awarded based on the percentage of American Indian and  
54 Alaska[~~n~~] Native students enrolled in the program sites;

55 (b) up to 15 points will be awarded based on the educator recruiting and retention  
56 needs of the program sites;

57 (c) up to 15 points will be awarded based on the strength of the LEA's program  
58 design plan, including consideration of the state plan and use of evidence-based  
59 strategies;

60 (d) up to 10 points will be awarded based on the LEA's plan to objectively evaluate  
61 ~~[the success of the LEA's program design plan; and]~~ program effectiveness, including use  
62 of data and measurable outcomes informed by the state plan;

63 (e) up to 10 points will be awarded based on the strength of the LEA's proposed  
64 budget and how many educators the LEA plans to serve.

65 (f) up to 10 points will be awarded based on the LEA's plan to recruit, retain, and  
66 support highly qualified teachers consistent with the state plan;

67 (g) up to 10 points will be awarded based on the LEA's coordination with existing  
68 programs and efficient use of available resources; and

69 (h) up to 10 points will be awarded based on the extent of consultation with tribal  
70 leaders and stakeholders.

71 (3) The Superintendent shall ensure that grants awarded under this rule:

72 (a) support the purposes of the program described in Section 53F-5-602 by  
73 addressing the identified academic and educator workforce needs of American Indian  
74 and Alaska Native students;

75 (b) reflect and consider the goals, priorities, and outcomes of the American  
76 Indian and Alaska Native education state plan described in Section 53F-5-605 through  
77 the LEA's locally developed plan; and

78 (c) are awarded in accordance with Subsection 53F-5-602(1)(c), including  
79 prioritizing American Indian and Alaska Native concentrated schools located in  
80 qualifying counties for at least two-thirds of the available funds.

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82 **R277-923-5. American Indian and Alaska Native Education State Plan.**

83 (1) In accordance with Section 53F-5-605, the Board shall adopt an American  
84 Indian and Alaska Native education state plan.

85 (2) In developing the state plan, the Board shall:

86 (a) engage in meaningful consultation with tribal leaders and stakeholders; and

87 (b) present the proposed state plan to the Native American Legislative Liaison

88 Committee, in accordance with Section 53F-5-605.

89 (3) The Superintendent shall:

90 (a) support the development of the state plan and its implementation through

91 locally developed LEA plans;

92 (b) ensure that grant application materials and evaluation criteria support LEAs in  
93 incorporating the state plan into locally developed plans; and

94 (c) provide guidance to LEAs to support implementation of the state plan through  
95 LEA-developed programs and plans.

96 (4) An LEA receiving a grant under this rule shall implement program activities  
97 through the LEA's locally developed plan that consider the goals and priorities of the  
98 state plan, while allowing the LEA to determine the specific design and implementation  
99 based on local needs.

100 (5) The Superintendent shall require an LEA receiving a grant to:

101 (a) collect and report data on student outcomes and program effectiveness; and

102 (b) participate in any statewide evaluation or reporting required to measure  
103 implementation of the state plan.

104 (6) The Superintendent may establish reporting requirements to support  
105 consistency with the state plan described in Subsection 53F-5-604(2).

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108 **KEY: Native Americans, Alaska[~~n~~] Natives, grant programs, teacher retention**

109 **Date of Enactment or Last Substantive Amendment: March 11, 2021**

110 **Notice of Continuation: July 12, 2021**

111 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53F-5-603; 53E-3-**  
112 **401(4)**

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