

MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Angie Stallings, Associate Superintendent
Policy and Communication

DATE: March 17-18, 2016

ACTION: R277-922 *Digital Teaching and Learning Grant Program* (New)

Background:

The purpose of this new rule is to establish an application and grant review committee and process and to give direction to LEAs participating in the Digital Teaching and Learning Program.

This new rule provides standards and procedures for:

- The Digital Teaching and Learning Advisory Committee.
- Board approval or denial of LEA plans.
- Pre-LEA plan submission and LEA plan requirements.
- Distribution of grant money to participating LEAs.
- Prohibited uses of grant money.

Board Strategic Plan:

This item supports the following imperative and strategies in the Board's Strategic Plan:

- Oversight – Monitor, review, and provide general supervision to all public education institutions and other entities for which the State Board has responsibility.

Anticipated Action:

It is proposed that the Law and Licensing Committee consider approving R277-922 on first reading and, if approved by the Committee, the Board consider approving R277-922 on second reading.

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1 **R277. Education, Administration.**

2 **R277-922. Digital Teaching and Learning Grant Program.**

3 **R277-922-1. 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;

7 (b) Subsection 53A-1-401(3), which allows the Board to adopt rules in
8 accordance with its responsibilities; and

9 (c) Title 53A, Chapter 1, Part 14, Digital Teaching and Learning Grant
10 Program, which requires the Board to:

11 (i) establish a qualifying grant program; and

12 (ii) adopt rules related to administration of the Digital Teaching and Learning
13 Grant Program.

14 (2) The purpose of this rule is to:

15 (a) establish an application and grant review committee and process;

16 (b) give direction to LEAs participating in the Digital Teaching and Learning
17 Program.

18 **R277-922-2. Definitions.**

19 (1) “Advisory committee” means the Digital Teaching and Learning Advisory
20 Committee:

21 (a) established by the Board as required in Section 53A-1-1406; and

22 (b) required to perform the duties described in R277-922-4.

23 (2) “LEA plan” has the same meaning as that term is defined in Section 53A-
24 1-1402.

25 (3) “Master plan” means Utah’s Master Plan: Essential Elements for
26 Technology-Powered Learning incorporated by reference in R277-922-3.

27 (4) “Program” has the same meaning as that term is defined in Section 53A-1-
28 1402.

29 (5) “Participating LEA” means an LEA that:

30 (a) has an LEA plan approved by the Board; and

31 (b) receives a grant under the program.

32 **R277-922-3. Incorporation of Utah’s Master Plan by Reference.**

33 (1) This rule incorporates by reference Utah's Master Plan: Essential
34 Elements for Technology-Powered Learning, October 9, 2015, which establishes:

35 (a) the application process for an LEA to receive a grant under the program;
36 and

37 (b) a more detailed description of the requirements of an LEA plan.

38 (2) A copy of the ~~[manual]~~Master Plan is located at:

39 (a) <http://www.schools.utah.gov/edtech/>; and

40 (b) the Utah State Office of Education - 250 East 500 South, Salt Lake City,
41 Utah 84111.

42 **R277-922-4. Digital Teaching and Learning Advisory Committee Duties.**

43 (1) The advisory committee shall include ~~[five members selected by the Board~~
44 ~~that include]~~the following individuals who will serve as non-voting chairs:

45 ~~[(a) the Digital Teaching and Learning Director;~~

46 ~~— (b) one member who represents a district; and~~

47 ~~— (c) one member who represents a charter school.]~~

48 (a) the Deputy Superintendent of Instructional Services; and

49 (b) the Director of the Utah Education and Telehealth Network.

50 ~~[(2) The Digital Teaching and Learning Director shall serve as the chair of the~~
51 ~~advisory committee.]~~

52 (2) The Board shall appoint five members to the advisory committee as
53 follows:

54 (a) the Digital Teaching and Learning Director;

55 (b) one member who represents a school district with expertise in digital
56 teaching and learning;

57 (c) one member who represents a charter school with expertise in digital
58 teaching and learning; and

59 (d) two members that have earned a national certification in education
60 technology, that may include a certification from the Certified Education Technology
61 Leader from the Consortium for School Networking (CoSN).

62 (3) The advisory committee shall:

63 (a) review an LEA plan to determine whether the LEA plan meets the criteria
64 described in Section R277-922-7;

65 (b) make a recommendation to the Superintendent and the Board on whether
66 the Board should approve or deny an LEA plan;

67 (c) make recommendations to an LEA on how the LEA may improve the
68 LEA's plan; and

69 (d) perform other duties as directed by:

70 (i) the Board; or

71 (ii) the Superintendent.

72 (4) The advisory committee, or the Superintendent on behalf of the advisory
73 committee, shall present the advisory committee's recommendations on whether to
74 approve or deny each LEA plan to the Board for the Board's approval.

75 **R277-922-5. Board Approval or Denial of LEA Plans.**

76 (1) The Board will either approve or deny each LEA plan submitted by the
77 advisory committee.

78 (2) If the Board denies an LEA's plan, the LEA may amend and re-submit the
79 LEA's plan to the advisory committee until the Board approves the LEA plan.

80 **R277-922-6. Pre-LEA Plan Submission Requirements.**

81 (1) Before an LEA submits an LEA plan to the advisory committee for
82 approval by the Board, an LEA shall:

83 (a) send an LEA representative to a pre-grant submission training conducted
84 by the Superintendent;

85 (b) require the following individuals to participate in a leadership and change
86 management training conducted by the Superintendent:

87 (i) the principal of each school participating in the program;

88 (ii) the school district superintendent or charter school executive director; and

89 (iii) the LEA's technology director; and

90 (c) complete the readiness assessment required in Section 53A-1-1405.

91 (2) A member of an LEA's local school board or charter school governing
92 board may participate in:

- 93 (a) a pre-grant submission training conducted by the Superintendent as
94 described in Subsection (1)(a); or
95 (b) a leadership and change management training conducted by the
96 Superintendent as described in Subsections (1)(b).

97 **R277-922-7. LEA Plan Requirements.**

98 (1) An LEA shall develop an LEA plan in cooperation with educators,
99 paraeducators, and parents,

100 (2) An LEA plan shall include:

101 (a) an LEA's results on the readiness assessment required in Section 53A-1-
102 1405;

103 (b) a statement of purpose that describes the learning objectives, goals,
104 measurable outcomes, and metrics of success an LEA will accomplish by
105 implementing the program, including the following outcomes:

106 (i) a 5% increase on each schools performance on SAGE using a baseline of
107 the school's 2015-16 SAGE proficiency scores by the end of the [second]third year
108 of the LEA's implementation of the program; or

109 (ii) a school level outcome:

110 (A) selected by the LEA;

111 (B) included in the LEA's plan; and

112 (C) approved by the advisory committee;

113 (c) ~~design criteria that enable an LEA to improve school level outcomes~~long-
114 term, intermediate, and direct outcomes as defined in the Master Plan and identified
115 by an LEA that may include:

116 (i) student achievement on statewide assessments;

117 (ii) cost savings and improved efficiency relating to instructional materials,
118 facilities, and maintenance;

119 (iii) attendance;

120 (iv) discipline incidents;

121 (v) parental involvement;

122 (vi) citizen involvement;

123 (vii) graduation rates;

124 (viii) student enrollment in higher education;
125 (ix) dropout rates;
126 (x) student technology proficiency for college and career readiness;
127 (xi) teacher satisfaction and engagement; or
128 (xii) other school level outcomes approved by the advisory committee or the
129 Board;
130 (d) an implementation process structured to yield an LEA's school level
131 outcomes;
132 (e) a plan for infrastructure acquisition;
133 (f) a process for procurement and distribution of the goods and services an
134 LEA intends to use as part of an LEA's implementation of the program;
135 (g) a description of necessary high quality digital instructional materials;
136 (h) a detailed plan for student engagement in personalized learning;
137 (i) technical support standards for implementation and maintenance of the
138 program that:
139 (i) include support for hardware and Internet access; and
140 (ii) remove technical support burdens from the classroom teacher;
141 (j) proposed security policies, including security audits, student data privacy,
142 and remediation of identified lapses;
143 (k) an inventory of an LEA's current technology resources, including software,
144 and a description of how an LEA will integrate those resources into the LEA's
145 implementation of the program;
146 (l) a disclosure by an LEA of the LEA's current technology expenditures;
147 (m) the LEA's overall financial plan, including use of additional LEA non-grant
148 funds, to be utilized to adequately fund the LEA plan;
149 (n) a description of how an LEA will:
150 (i) provide high quality professional learning for educators, administrators, and
151 support staff participating in the program, including ongoing periodic coaching; and
152 (ii) provide special education students with appropriate software;
153 (o) except as provided in Subsection (3), an assurance that an LEA will
154 implement the program in an entire school at a time and not introduce the program
155 into schools in a partial manner;

156 (p) a plan for digital citizenship curricula and implementation;
157 (q) a plan for how an LEA will ensure that schools use software programs with
158 fidelity in accordance with:

159 (i) the recommended usage requirements of the software provider; and
160 (ii) the best practices recommended by the software or hardware provider;

161 and

162 (r) a plan for how an LEA will monitor student and teacher usage of the
163 program technology[; and

164 ~~(s) any other criteria or requirement established by the Board or the~~
165 ~~Superintendent].~~

166 (2)(a) An LEA shall include the LEA's proposed implementation of the
167 program over multiple years in the LEA plan.

168 (b) An LEA must demonstrate the financial ability to fully fund the LEA plan
169 using both grant and non-grant funds.

170 (3) (a) An LEA is not required to implement the program an entire school at
171 a time in an elementary school.

172 (b) An LEA is not required to implement the program in kindergarten through
173 grade 4.

174 **R277-922-8. Distribution of Grant Money to Participating LEAs.**

175 (1) If an LEA's plan is approved by the Board, the Superintendent shall
176 distribute grant money to the participating LEA as described in this section.

177 (2) (a) The amount available to distribute to participating charter schools is an
178 amount equal to the product of:

179 (i) ADM plus growth in the prior year at charter schools statewide, divided by
180 ADM plus growth in the prior year in public schools statewide; and

181 (ii) the total amount available for distribution under the program.

182 (b) The Superintendent shall distribute to participating charter schools the
183 amount available for distribution to participating charter schools in proportion to each
184 participating charter school's enrollment as a percentage of the total enrollment in
185 participating charter schools.

186 (3) The Superintendent shall distribute grant money to the Utah Schools for

187 the Deaf and the Blind in an amount equal to the product of:

188 (a) ADM plus growth in the prior year at the Utah Schools for the Deaf and the
189 Blind, divided by ADM plus growth in the prior year in public schools statewide; and

190 (b) the total amount available for distribution under this section.

191 (4) Of the funds available for distribution under the program after the
192 allocation of funds for the Utah Schools for the Deaf and the Blind and participating
193 charter schools, the Superintendent shall distribute grant money to participating
194 LEAs that are school districts as follows:

195 (a) the Superintendent shall distribute 10 percent of the total funding available
196 for participating LEAs that are school districts to the participating LEAs as a base
197 amount on an equal basis; and

198 (b) the superintendent shall distribute the remaining 90% of the funds to the
199 participating LEAs on a per-student basis.

200 (5) (a) Subject to the provisions of Subsections (5)(b) and (c), each LEA has
201 an opportunity to receive an amount of money equal to the amount of money that the
202 LEA would receive in year one of the program if the LEA's plan had been approved
203 in year one as described in Section R277-922-5.

204 (b) If an LEA's plan is not approved during year one of the program, the
205 Superintendent shall deposit the LEA's allocation of program money described in
206 Subsection (5)(a) into a separate account that is non-lapsing.

207 (c) The Superintendent shall award an LEA the LEA's allocation of the year
208 one program money in a subsequent year of the program if:

209 (i) the LEA's plan was not approved during year one of the program; and

210 (ii) in the subsequent year, the LEA plan is approved by the Board.

211 **R277-922-9. Prohibited Uses of Grant Money.**

212 A participating LEA may not use grant money:

213 (1) to fund nontechnology programs;

214 (2) to purchase mobile telephones; or

215 (3) to fund voice or data plans for mobile telephones.

216 **R277-922-10. Participating LEA Reporting Requirements.**

217 Beginning with the school year after a participating LEA's first year
218 implementation of an LEA plan, a participating LEA shall annually:

- 219 (1) review how the participating LEA:
220 (a) redirected funds through the participating LEA's implementation of the
221 LEA plan; and
222 (b) made progress toward implementation; and
223 (2) on or before October 1, report the potential savings identified in
224 Subsection (1) to the Superintendent.

225 **R277-922-11. Evaluation of LEA Program Implementation.**

226 (1) An evaluation conducted by the independent evaluator described in
227 Section 53A-1-140~~8~~7 shall include a review of:

- 228 (a) a participating LEA's implementation of the program in accordance with
229 the participating LEA's LEA plan;
230 (b) a participating LEA's progress toward meeting the school level outcomes
231 in the participating LEA's LEA plan.

232 (2) After an evaluation described in Subsection (1), if the Superintendent
233 determines that a participating LEA is not meeting the requirements of the
234 participating LEA's LEA plan the Superintendent:

- 235 (a) shall:
236 (i) provide assistance to the participating LEA; and
237 (ii) recommend changes to the LEA's LEA plan; or
238 (b) after at least two findings of failure to meet the requirements of the
239 participating LEA's LEA plan, may recommend that the Board terminate the
240 participating LEA's grant money.

241 **KEY: digital teaching and learning, grant program**

242 **Date of Enactment of Last Substantive Amendment: 2016**

243 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401(3);**

244 **Title 53A, Chapter 1, Part 14.**