

**EDUCATION - ACCREDITATION AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Lincoln Fillmore**

House Sponsor: \_\_\_\_\_

**LONG TITLE**

**General Description:**

This bill amends provisions relating to accreditation guidelines.

**Highlighted Provisions:**

This bill:

- ▶ repeals the requirement that the State Board of Education set accreditation guidelines;
- ▶ amends provisions related to State Board of Education accreditation; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

- 53A-1-402**, as last amended by Laws of Utah 2016, Chapter 236
- 53A-2-211**, as last amended by Laws of Utah 1993, Chapter 119
- 53A-6-303**, as enacted by Laws of Utah 1999, Chapter 108
- 53A-13-108.5**, as last amended by Laws of Utah 2015, Chapter 415
- 53B-2a-110**, as last amended by Laws of Utah 2016, Chapter 236
- 63N-10-315**, as renumbered and amended by Laws of Utah 2015, Chapter 283



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

Section 1. Section **53A-1-402** is amended to read:

**53A-1-402. Board to establish minimum standards for public schools.**

(1) The State Board of Education shall establish rules and minimum standards for the public schools that are consistent with this title, including rules and minimum standards governing the following:

- (a) (i) the qualification and certification of educators and ancillary personnel who provide direct student services;
- (ii) required school administrative and supervisory services; and
- (iii) the evaluation of instructional personnel;
- (b) (i) access to programs;
- (ii) attendance;
- (iii) competency levels;
- (iv) graduation requirements; and
- (v) discipline and control;
- (c) (i) ~~[school accreditation; (ii)]~~ the academic year;
- ~~[(iii)]~~ (ii) alternative and pilot programs;
- ~~[(iv)]~~ (iii) curriculum and instruction requirements;
- ~~[(v)]~~ (iv) school libraries; ~~[and]~~
- ~~[(vi)]~~ (v) services to ~~[(A)]~~ persons with a disability as defined by and covered under:
  - ~~[(F)]~~ (A) the Americans with Disabilities Act of 1990, 42 U.S.C. 12102;
  - ~~[(H)]~~ (B) the Rehabilitation Act of 1973, 29 U.S.C. 705(20)(A); and
  - ~~[(H)]~~ (C) the Individuals with Disabilities Education Act, 20 U.S.C. 1401(3); and
- ~~[(B)]~~ (vi) services to other special groups;
- (d) (i) state reimbursed bus routes;
- (ii) bus safety and operational requirements; and
- (iii) other transportation needs; and
- (e) (i) school productivity and cost effectiveness measures;
- (ii) federal programs;
- (iii) school budget formats; and

59 (iv) financial, statistical, and student accounting requirements.

60 (2) The board shall determine if:

61 (a) the minimum standards have been met; and

62 (b) required reports are properly submitted.

63 (3) The board may apply for, receive, administer, and distribute to eligible applicants  
64 funds made available through programs of the federal government.

65 (4) (a) An applied technology college within the Utah College of Applied Technology  
66 shall provide competency-based career and technical education courses that fulfill high school  
67 graduation requirements, as requested and authorized by the State Board of Education.

68 (b) A school district may grant a high school diploma to a student participating in  
69 courses described under Subsection (4)(a) that are provided by an applied technology college  
70 within the Utah College of Applied Technology.

71 Section 2. Section **53A-2-211** is amended to read:

72 **53A-2-211. Graduation credits.**

73 (1) A nonresident district shall accept credits toward graduation [~~that were awarded by~~  
74 ~~a school accredited or approved by the State Board of Education or~~] if the issuing school is:

75 (a) a Utah public school; or

76 (b) accredited or approved by a regional accrediting body recognized by the [U.S.]  
77 State Board of Education or the United States Department of Education.

78 (2) A nonresident district shall award a diploma to a nonresident student attending  
79 school within the district during the semester immediately preceding graduation if the student  
80 meets graduation requirements generally applicable to students in the school.

81 (3) A district may not require that a student attend school within the district for more  
82 than one semester prior to graduation in order to receive a diploma.

83 Section 3. Section **53A-6-303** is amended to read:

84 **53A-6-303. Nominations -- Appointment of commission members --**  
85 **Reappointments.**

86 (1) (a) The board shall adopt rules establishing procedures for nominating and  
87 appointing individuals to voting membership on UPPAC.

88 (b) Nomination petitions must be filed with the state superintendent prior to June 16 of  
89 the year of appointment.

90 (c) A nominee for appointment as a member of UPPAC as an educator must have been  
91 employed in the representative class in the Utah public school system, or a private school  
92 accredited by a regional accrediting body recognized by the board, during the three years  
93 immediately preceding the date of appointment.

94 (2) The state superintendent of public instruction shall appoint the members of the  
95 commission.

96 (3) Appointments begin July 1 and are for terms of three years and until a successor is  
97 appointed.

98 (4) Terms of office are staggered so that approximately 1/3 of UPPAC members are  
99 appointed annually.

100 (5) A member may not serve more than two terms.

101 Section 4. Section **53A-13-108.5** is amended to read:

102 **53A-13-108.5. Acceptance of credits and grades awarded by accredited schools.**

103 (1) (a) A public school shall accept credits and grades awarded to a student by a school  
104 [~~accredited or approved by the State Board of Education or~~], as issued by the school, without  
105 alterations, if the issuing school is:

106 (i) a Utah public school; or

107 (ii) accredited or recognized by [~~the Northwest Association of Accredited Schools as~~  
108 ~~issued by the school, without alterations~~] a regional accrediting body recognized by the board.

109 (b) Credits awarded for a core standards for Utah public schools course shall be applied  
110 to fulfilling core standards for Utah public schools requirements.

111 (2) Subsection (1) applies to credits awarded to a student who:

112 (a) transfers to a public school; or

113 (b) while enrolled in the public school, takes courses offered by another public or  
114 private school.

115 (3) Subsection (1) applies to:

116 (a) traditional classes in which an instructor is present in the classroom and the student  
117 is required to attend the class for a particular length of time;

118 (b) open entry/open exit classes in which the student has the flexibility to begin or end  
119 study at any time, progress through course material at his own pace, and demonstrate  
120 competency when knowledge and skills have been mastered;

121 (c) courses offered over the Internet; or

122 (d) distance learning courses.

123 Section 5. Section **53B-2a-110** is amended to read:

124 **53B-2a-110. Applied technology college board of directors' powers and duties.**

125 (1) An applied technology college board of directors shall:

126 (a) assist the applied technology college president in preparing a budget request for the  
127 applied technology college's annual operations to the board of trustees;

128 (b) after consulting with the board of trustees, other higher education institutions,  
129 school districts, and charter schools within the applied technology college's region, prepare a  
130 comprehensive strategic plan for delivering career and technical education within the region;

131 (c) consult with business, industry, the Department of Workforce Services, the  
132 Governor's Office of Economic Development, and the Governor's Office of Management and  
133 Budget on an ongoing basis to determine what workers and skills are needed for employment  
134 in Utah businesses and industries;

135 (d) develop programs based upon the information gathered in accordance with  
136 Subsection (1)(c), including expedited program approval and termination procedures to meet  
137 market needs;

138 (e) adopt an annual budget and fund balances;

139 (f) develop policies for the operation of career and technical education facilities under  
140 the applied technology college board of directors' jurisdiction;

141 (g) establish human resources and compensation policies for all employees in  
142 accordance with policies of the board of trustees;

143 (h) approve credentials for employees and assign employees to duties in accordance  
144 with board of trustees policies and accreditation guidelines;

145 (i) conduct annual program evaluations;

146 (j) appoint program advisory committees and other advisory groups to provide counsel,  
147 support, and recommendations for updating and improving the effectiveness of training  
148 programs and services;

149 (k) approve regulations, both regular and emergency, to be issued and executed by the  
150 applied technology college president;

151 (l) coordinate with local school boards, school districts, and charter schools to meet the

152 career and technical education needs of secondary students; and

153 (m) develop policies and procedures for the admission, classification, instruction, and  
154 examination of students in accordance with the;

155 (i) policies and accreditation guidelines of the board of trustees; and

156 (ii) policies of the State Board of Education.

157 (2) Subsection (1)(g) does not apply to an applied technology college president.

158 (3) An applied technology college board of directors may not exercise jurisdiction over  
159 career and technical education provided by a school district or charter school or provided by a  
160 higher education institution independently of an applied technology college.

161 (4) If a program advisory committee or other advisory group submits a printed  
162 recommendation to an applied technology college board of directors, the applied technology  
163 college board of directors shall acknowledge the recommendation with a printed response that  
164 explains the applied technology college board of directors' action regarding the  
165 recommendation and the reasons for the action.

166 Section 6. Section 63N-10-315 is amended to read:

167 **63N-10-315. Exemptions.**

168 This chapter does not apply to:

169 (1) any amateur contest or exhibition of unarmed combat conducted by or participated  
170 in exclusively by:

171 (a) a school accredited by a regional accrediting body recognized by the [Utah] State  
172 Board of Education;

173 (b) a college or university accredited by the United States Department of Education; or

174 (c) any association or organization of a school, college, or university described in  
175 Subsections (1)(a) and (b), when each participant in the contests or exhibitions is a bona fide  
176 student in the school, college, or university;

177 (2) any contest or exhibition of unarmed combat conducted in accordance with the  
178 standards and regulations of USA Boxing, Inc.; or

179 (3) a white-collar contest.