

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 [53E-3-401](#)(4), which allows the Board to make rules to execute the
8 Board's duties and responsibilities under the Utah Constitution and state law; and

9 (c) Section [53F-2-510](#), Digital Teaching and Learning Grant Program, which
10 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 Grant
13 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 [53F-2-510](#); and

22 (b) required to perform the duties described in R277-922-5.

23 (2) "LEA plan" has the same meaning as that term is defined in Section [53F-2-510](#).

24 (3) "Master plan" means Utah's Master Plan: Essential Elements for Technology-
25 Powered Learning incorporated by reference in R277-922-3.

26 (4) "Program" has the same meaning as that term is defined in Section [53F-2-510](#).

27 (5) "Participating LEA" means an LEA that:

- 28 (a) has an LEA plan approved by the Board; and
29 (b) receives a grant under the program.

30 **R277-922-3. Incorporation of Utah's Master Plan by Reference.**

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

- 33 (a) the application process for an LEA to receive a grant under the program; and
34 (b) a more detailed description of the requirements of an LEA plan.

35 (2) A copy of the Master Plan is located at:

- 36 (a) <https://www.uen.org/digital-learning/taskforce.shtml>; and
37 (b) the Utah State Board of Education, 250 East 500 South, Salt Lake City, Utah
38 84111.

39 **R277-922-4. LEA Planning Grants.**

40 (1) An LEA may apply for a planning grant in lieu of preparing an LEA plan and
41 receiving a Digital Teaching and Learning Grant as described in this rule.

42 (2) A planning grant awarded under Subsection (1) shall be in the amount of
43 \$5,000.

44 (3) In order to qualify for a planning grant, an LEA shall:

45 (a) send an LEA representative to a pre-grant submission training conducted by the
46 Superintendent; and

47 (b) complete the readiness assessment required in Section [53F-2-510](#).

48 (4)(a) If an LEA receives a planning grant, the LEA shall submit an LEA plan as set
49 forth in Section R277-922-8 for the subsequent school year.

50 (b) An LEA that fails to submit an LEA plan in the subsequent year shall reimburse
51 funds awarded under Subsection (2) to the program.

52 **R277-922-5. Digital Teaching and Learning Advisory Committee Duties.**

53 (1) The advisory committee shall include the following individuals who will serve as
54 non-voting chairs:

55 (a) the Deputy Superintendent of Instructional Services or designee; and

56 (b) the Director of the Utah Education and Telehealth Network or designee.

57 (2) In addition to the chairs described in Subsection (1), the Board shall appoint
58 ~~[five]~~ six members to the advisory committee as follows:

59 (a) the Digital Teaching and Learning Coordinator;

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

62 (c) one member who represents a charter school with expertise in digital teaching
63 and learning; ~~[and]~~

64 (d) two members that have earned a national certification in education technology,
65 that may include a certification from the Certified Education Technology Leader from the
66 Consortium for School Networking (CoSN)~~[.];~~ and

67 (e) one member who represents the Utah School Superintendents Association.

68 (3) The advisory committee shall:

69 (a) oversee review of an LEA plan to determine whether the LEA plan meets the
70 criteria described in Section R277-922-8;

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

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

75 (d) perform other duties as directed by:

76 (i) the Board; or

77 (ii) the Superintendent.

78 (4) The advisory committee may select additional LEA plan reviewers to assist the
79 advisory committee with the work described in Subsection (3).

80 (5) The advisory committee, or the Superintendent on behalf of the advisory
81 committee, shall present the advisory committee's recommendations on whether to
82 approve or deny each LEA plan to the Board for the Board's approval.

83 **R277-922-6. Board Approval or Denial of LEA Plans.**

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

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

88 **R277-922-7. Pre-LEA Plan Submission Requirements.**

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

91 (a) have an LEA representative participate in a pre-grant submission training
92 conducted by the Superintendent;

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

95 (i) a representative group of school leadership from schools participating in the
96 program;

97 (ii)(A) the school district superintendent; ~~[or]~~

98 (B) charter school executive director; or

99 (C) the school district superintendent's or charter school executive director's
100 designee;

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

102 (iv) the LEA's curriculum director; and

103 (c) complete the readiness assessment required in Section [53F-2-510](#).

104 (2) A member of an LEA's local school board or charter school governing board and
105 other staff identified by the LEA may participate in:

- 106 (a) a pre-grant submission training conducted by the Superintendent as described
107 in Subsection (1)(a); or
108 (b) a leadership and change management training conducted by the
109 Superintendent as described in Subsections (1)(b).

110 **R277-922-8. LEA Plan Requirements.**

111 (1) An LEA shall develop a five year LEA plan in cooperation with educators,
112 paraeducators, and parents,

113 (2) An LEA plan shall include:

114 (a) an LEA's results on the readiness assessment required in Section [53F-2-510](#);

115 (b) a statement of purpose that describes the outcomes, and metrics of success an
116 LEA will accomplish by implementing the program, including the following outcomes:

117 (i) a 5% increase in an LEA's growth or proficiency on the statewide accountability
118 metrics by the end of the fifth year of the LEA's implementation of the program; or

119 (ii) a ~~[schoolLevel]~~ learning outcome:

120 (A) selected by the LEA;

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

122 (C) approved by the advisory committee;

123 (c) long-term, intermediate, and direct outcomes as defined in the Master Plan and
124 identified in an LEA's five year plan;

125 (d) an implementation process structured to yield an LEA's ~~[schoolLevel]~~ learning
126 outcomes;

127 (e) a plan for infrastructure needs and refreshment cycle;

128 (f) a description of necessary high quality digital primary instructional materials, as
129 defined in Section R277-469-2, in relation to the outcomes provided for in Subsection

130 R277-922-8(b)(i) including:

131 (i) providing special education students with appropriate software;

- 132 (ii) the recommended usage requirements of the software provider; and
133 (iii) the best practices recommended by the software or hardware provider;
134 (g) a detailed plan for student engagement in personalized learning;
135 (h) technical support standards for implementation and maintenance of the program
136 that removes technical support burdens from the classroom teacher;
137 (i) proposed security policies, including security audits, student data privacy as
138 referenced in R277-487, and remediation of identified lapses;
139 (j) a disclosure by an LEA of the LEA's current technology expenditures;
140 (k) the LEA's overall financial plan, including use of additional LEA non-grant funds,
141 to be utilized to adequately fund the LEA plan;
142 (l) a description of how an LEA will provide high quality professional learning for
143 educators, administrators, and support staff participating in the program, including ongoing
144 periodic coaching;
145 (m) a plan for digital citizenship curricula and implementation; and
146 (n) a plan for how an LEA will monitor student and teacher usage of the program
147 technology.
148 (2) An LEA's approved LEA plan is valid for five years, and may be required to be
149 reapproved by the advisory committee and the Board after five years of implementation.
150 (3) An LEA is not required to implement the program in kindergarten through grade
151 4.

152 **R277-922-9. Distribution of Grant Money to Participating LEAs.**

- 153 (1) If an LEA's plan is approved by the Board, the Superintendent shall distribute
154 grant money to the participating LEA as described in this section.
155 (2)(a) The amount available to distribute to participating charter schools is an
156 amount equal to the product of:

- 157 (i) October 1 headcount in the prior year at charter schools statewide, divided by
158 October 1 headcount in the prior year in public schools statewide; and
- 159 (ii) the total amount available for distribution under the program.
- 160 (b) The Superintendent shall distribute to participating charter schools the amount
161 available for distribution to participating charter schools in proportion to each participating
162 charter school's enrollment as a percentage of the total enrollment in participating charter
163 schools in the prior year.
- 164 (c) A new LEA or new charter school satellite campus shall be funded based on the
165 new LEA or new charter school satellite campus's projected October 1 headcount.
- 166 (3) The Superintendent shall distribute grant money to the Utah Schools for the
167 Deaf and the Blind in an amount equal to the product of:
- 168 (a) October 1 headcount in the prior year at the Utah Schools for the Deaf and the
169 Blind, divided by October 1 headcount in the prior year in public schools statewide; and
- 170 (b) the total amount available for distribution under this section.
- 171 (4) Of the funds available for distribution under the program after the allocation of
172 funds for the Utah Schools for the Deaf and the Blind and participating charter schools, the
173 Superintendent shall distribute grant money to participating LEAs that are school districts as
174 follows:
- 175 (a) the Superintendent shall distribute 10 percent of the total funding available for
176 participating LEAs that are school districts to the participating LEAs as a base amount on
177 an equal basis; and
- 178 (b) the Superintendent shall distribute the remaining 90% of the funds to the
179 participating LEAs on a per-student basis, based on the October 1 headcount in the prior
180 year.
- 181 (5)(a) If an LEA's plan is not approved during year one of the program, the advisory
182 committee and the Digital Teaching and Learning Coordinator shall provide additional
183 supports to help the LEA become a qualifying LEA.

184 (b) The Superintendent shall redistribute the funds an LEA would have been eligible
185 to receive, in accordance with the distribution formulas described in this section, to other
186 qualifying LEAs if the LEA's plan is not approved:

187 (i) after additional support described in Subsection (5)(a) is given; and

188 (ii) by no later than December 31 of the school year for which the grant is being
189 awarded.

190 (6) A non-qualifying LEA may reapply for grant money in subsequent years based
191 on the LEA's plan being approved by the Board.

192 **R277-922-10. Prohibited Uses of Grant Money.**

193 A participating LEA may not use grant money:

194 (1) to fund nontechnology programs;

195 (2) to purchase mobile telephones;

196 (3) to fund voice or data plans for mobile telephones; or

197 (4) to pay indirect costs charged by the LEA.

198 **R277-922-11. Participating LEA Reporting Requirements.**

199 Beginning with the school year after a participating LEA's first year implementation of
200 an LEA plan, a participating LEA shall annually review and report how the participating LEA
201 made progress toward implementation.[:

202 ~~—— (1) review how the participating LEA:~~

203 ~~—— (a) redirected funds through the participating LEA's implementation of the LEA plan;~~
204 and

205 ~~—— (b) made progress toward implementation; and~~

206 ~~—— (2) on or before October 1, report the potential savings identified in Subsection (1)~~
207 ~~to the Superintendent.]~~

208 **R277-922-12. Evaluation of LEA Program Implementation.**

209 (1) An evaluation conducted by the independent evaluator described in Section
210 [53F-2-510](#) shall include a review of:

211 (a) a participating LEA's implementation of the program in accordance with the
212 participating LEA's LEA plan;

213 (b) a participating LEA's progress toward meeting the ~~[school level]~~ learning
214 outcomes in the participating LEA's LEA plan.

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

218 (a) shall:

219 (i) provide assistance to the participating LEA; and

220 (ii) recommend changes to the LEA's LEA plan; or

221 (b) after at least two findings of failure to meet the requirements of the participating
222 LEA's LEA plan, may recommend that the Board terminate the participating LEA's grant
223 money.

224

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

226 **Date of Enactment of Last Substantive Amendment: October 11, 2016**

227 **Notice of Continuation:**

228 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; [53E-3-401\(4\)](#);**

229 **[53F-2-510](#)**