

R277-922 received final approval by the Utah State Board of Education on October 7, 2021. R277-922 was published in the November 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 8, 2021.

## **R277. Education, Administration.**

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

#### **R277-922-1. Authority and Purpose.**

(1) This rule is authorized by:

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

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

(c) Section 53F-2-510, Digital Teaching and Learning Grant Program, which requires the Board to:

(i) establish a qualifying grant program; and

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

(2) The purpose of this rule is to:

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

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

#### **R277-922-2. Definitions.**

(1) "Advisory committee" means the Digital Teaching and Learning Advisory Committee:

(a) established by the Board as required in Section 53F-2-510; and

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

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

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

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

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

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

(b) receives a grant under the program.

R277-922 received final approval by the Utah State Board of Education on October 7, 2021. R277-922 was published in the November 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 8, 2021.

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

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

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

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

(a) ~~[[https://www.uen.org/digital-learning/downloads/Utah\\_Essential\\_Elements\\_Technology\\_Powered\\_Learning.pdf#a=](https://www.uen.org/digital-learning/downloads/Utah_Essential_Elements_Technology_Powered_Learning.pdf#a=)]~~  
~~<https://www.schools.utah.gov/curr/digital?mid=4332&tid=4>~~; and

(b) the Utah State Board of Education, 250 East 500 South, Salt Lake City, Utah 84111.

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

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

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

(3) ~~[In order to]~~ To qualify for a planning grant, an LEA shall:

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

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

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

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

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

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

R277-922 received final approval by the Utah State Board of Education on October 7, 2021. R277-922 was published in the November 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 8, 2021.

- (a) the Deputy Superintendent of Instructional Services or designee; and
- (b) the Director of the Utah Education and Telehealth Network or designee.

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

- (a) the Digital Teaching and Learning Coordinator;
- (b) one member who represents a school district with expertise in digital teaching and learning;
- (c) one member who represents a charter school with expertise in digital teaching and learning;~~and~~
- (d) two members that have earned a national certification in education technology, that may include a certification from the Certified Education Technology Leader from the Consortium for School Networking (CoSN)~~;~~and
- (e) one member who represents the Utah School Superintendents Association.

(3) The advisory committee shall:

- (a) oversee review of an LEA plan to determine whether the LEA plan meets the criteria described in Section R277-922-8;
  - (b) make a recommendation to the Superintendent and the Board on whether the Board should approve or deny an LEA plan;
  - (c) make recommendations to an LEA on how the LEA may improve the LEA's plan;
- and
- (d) perform other duties as directed by:
    - (i) the Board; or
    - (ii) the Superintendent.

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

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

R277-922 received final approval by the Utah State Board of Education on October 7, 2021. R277-922 was published in the November 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 8, 2021.

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

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

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

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

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

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

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

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

(ii)(A) the school district superintendent;~~or~~

      (B) charter school executive director; or

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

(iii) the LEA's technology director; and

(iv) the LEA's curriculum director; and

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

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

(a) a pre-grant submission training conducted by the Superintendent as described in Subsection (1)(a); or

(b) a leadership and change management training conducted by the Superintendent as described in Subsection[s] (1)(b).

R277-922 received final approval by the Utah State Board of Education on October 7, 2021. R277-922 was published in the November 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 8, 2021.

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

(1) An LEA shall develop a five[-]\_year LEA plan in cooperation with educators, paraeducators, and parents,

(2) An LEA plan shall include:

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

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

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

(ii) a [~~school level~~]learning outcome:

(A) selected by the LEA;

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

(C) approved by the advisory committee;

(c) long-term, intermediate, and direct outcomes as defined in the Master Plan and identified in an LEA's five[-]\_year plan;

(d) an implementation process structured to yield an LEA's [~~school level~~]learning outcomes;

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

(f) a description of necessary high quality digital primary instructional materials, as defined in Section R277-469-2, in relation to the outcomes provided for in Subsection R277-922-8(b)(i) including:

(i) providing special education students with appropriate software;

(ii) the recommended usage requirements of the software provider; and

(iii) the best practices recommended by the software or hardware provider;

(g) a detailed plan for student engagement in personalized learning;

(h) technical support standards for implementation and maintenance of the program that removes technical support burdens from the classroom teacher;

R277-922 received final approval by the Utah State Board of Education on October 7, 2021. R277-922 was published in the November 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 8, 2021.

(i) proposed security policies, including security audits, student data privacy as referenced in R277-487, and remediation of identified lapses;

(j) a disclosure by an LEA of the LEA's current technology expenditures;

(k) the LEA's overall financial plan, including use of additional LEA non-grant funds, to be utilized to adequately fund the LEA plan;

(l) a description of how an LEA will provide high quality professional learning for educators, administrators, and support staff participating in the program, including ongoing periodic coaching;

(m) a plan for digital citizenship curricula and implementation; and

(n) a plan for how an LEA will monitor student and teacher usage of the program technology.

(2) An LEA's approved LEA plan is valid for five years, and may be required to be reapproved by the advisory committee and the Board after five years of implementation.

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

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

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

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

(i) October 1 headcount in the prior year at charter schools statewide, divided by October 1 headcount in the prior year in public schools statewide; and

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

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

R277-922 received final approval by the Utah State Board of Education on October 7, 2021. R277-922 was published in the November 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 8, 2021.

(c) A new LEA or new charter school satellite campus shall be funded based on the new LEA or new charter school satellite campus's projected October 1 headcount.

(3) The Superintendent shall distribute grant money to the Utah Schools for the Deaf and the Blind in an amount equal to the product of:

(a) October 1 headcount in the prior year at the Utah Schools for the Deaf and the Blind, divided by October 1 headcount in the prior year in public schools statewide; and

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

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

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

(b) the Superintendent shall distribute the remaining 90% of the funds to the participating LEAs on a per-student basis, based on the October 1 headcount in the prior year.

(5)(a) If an LEA's plan is not approved during year one of the program, the advisory committee and the Digital Teaching and Learning Coordinator shall provide additional supports to help the LEA become a qualifying LEA.

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

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

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

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

R277-922 received final approval by the Utah State Board of Education on October 7, 2021. R277-922 was published in the November 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 8, 2021.

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

A participating LEA may not use grant money:

- (1) to fund nontechnology programs;
- (2) to purchase mobile telephones;
- (3) to fund voice or data plans for mobile telephones; or
- (4) to pay indirect costs charged by the LEA.

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

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

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

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

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

- (a) a participating LEA's implementation of the program in accordance with the participating LEA's LEA plan;
- (b) a participating LEA's progress toward meeting the ~~[school-level]~~learning outcomes in the participating LEA's LEA plan.

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

- (a) shall:



R277-922 received final approval by the Utah State Board of Education on October 7, 2021. R277-922 was published in the November 1, 2021, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of December 8, 2021.

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

**KEY: digital teaching and learning, grant programs**

**Date of Last Change: 2021~~[January 9, 2019]~~**

**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53F-2-510**