

H.B. 386 Application Overview

The following is intended to explain the provisions of H.B. 386 for interested teachers and Local Education Agencies (LEAs). It is not intended to replace reading of the full bill and related rule.

Full document: <https://le.utah.gov/~2022/bills/static/HB0386.html>

Related rule: R277-918

Types of Innovation Programs

Under H.B. 386, LEAs may approve alternative classroom schedules or alternative curriculum.

Alternative Classroom Schedule means a classroom schedule that is different than the schedule followed by other classrooms in the applicable school or LEA.

Proposals may include options for different requirements of provisions for length of attendance for in-person, virtual, or hybrid instruction.

Alternative Curriculum means curriculum in one or more subject areas that is based on standards that are different than the standards adopted by the state board and applicable to the regular curriculum offered in the subject area(s) in the applicable school or LEA. In elementary school this includes English, mathematics, science, or history and social science. An innovation program application that proposes an alternative curriculum may include a proposal for a different curriculum or an innovative delivery of curriculum.

Innovative program proposals may include an alternative schedule or alternative curriculum, or proposals may include both.

Grant Funding

An LEA governing board may approve a grant of *up to* \$5,000 per class for the school year if the request is included in the innovation application and the LEA determines the grant is needed to cover innovation program costs and help fulfill the goals and purpose of the proposed innovation.

Applicants

Any Utah K-12 public-school teacher may submit an innovation program application to the LEA governing board for the LEA of the class or school in which the teacher proposes to implement an innovation program. In most cases this means a teacher would submit the application to their school district or charter school board for approval.

Timeline

- Applications must be submitted no less than 90 days before the beginning of student registration for the school year in which the innovation program is proposed.
- The LEA governing board should approve or deny an application within 60 days of submission.

Application Components

An innovation program application shall include:

- The name and a summary of the credentials of each teacher and other staff member who will be teaching or working in the class
- The name of each student whose parent has submitted a consent form consenting to the student becoming a participating student
- A description of the alternative curriculum or alternative classroom schedule
- A description of how, when, and where the opportunity class instruction will take place and whether the instruction will include in-person, virtual, or hybrid components
- Any other innovative curriculum or classroom schedule adjustments intended to be incorporated to enhance the learning, performance, and educational experience of participating students
- Criteria for measuring student learning and performance
- An explanation of the assessment of the innovation program
- If the innovation application includes a proposed alternative curriculum, a description of:
 - the alternative curriculum and the instructional materials to be used
 - the outcomes the class using the alternative curriculum is designed to achieve
- any additional funding needed to cover innovation program costs; and
- participating students' proposed access to or use of the transportation services, playground facilities, cafeteria facilities, after-school or extra-curricular activities, special education services, and other facilities, activities, or services normally provided by the applicable school or LEA.

Parent Consent

A minimum of 20 parents must give signed, written consent for their child to participate in the proposed program. These names are to be included with the innovation program application.

Parent consent forms must include:

- Name and summary of teacher credentials or other staff members involved
- Explanation that the class is experimental in nature and may not receive approval to continue beyond the school year in for which the innovation program is approved
- A description of the alternative curriculum and alternative classroom schedule
- A description of how, when, and where the class instruction will take place and whether it is in-person, virtual, or hybrid
- If the innovation application has a proposed alternative curriculum, there must be a description of:
 - The alternative curriculum and instructional materials to be used in the class
 - The outcomes the curriculum is designed to achieve
- A statement with parent signature that they understand the consent form, the experimental nature of the class, and they grant permission for their child to be included in the class

Monitoring

After approval, the LEA and teacher should establish an agreement about the measurement of student learning and performance outcomes for the approved innovation program.

A measurement agreement should include:

- The required steps and processes expected for performance measures, including
 - The type of data to be collected
 - The frequency of the data collection
 - The methodology of performance measures
 - How the data will be shared
 - Relevant data protection procedures consistent with state and federal law
- Relevant timeframes and deadlines

- An establishment of relevant baseline data
- General data collection responsibilities of all parties
- Any other relevant evidence needed to effectively measure student learning and performance outcomes resulting from the innovation program

Submitting to Utah State Board of Education

Once approved, the LEA should share the innovation program components, monitoring information, and grant amount with the ULEAD Director. The ULEAD Director will forward information to the finance department to complete funding. For further funding information, refer to H.B. 386 Section [53g-10-608](#).

Renewal

Innovation program implementation and any related grant funding is for one year. A program may be renewed for another school if the teacher requests a renewal, submits the request with written parent consent of at least 20 prospective participants, and the LEA governing board approves the renewal.

Support

ULEAD Education may support the development of effective monitoring and evaluation of proposed programs, as requested by an applicant or approving LEA. This may be done at any point in the application process. Contact ulead@schools.utah.gov with questions or to request support.