

GUIDE TO EDUCATION FLEXIBILITY IN UTAH

EMPOWERING LOCAL INNOVATION FOR SCHOOL SYSTEMS



Utah State Board of Education

schools.utah.gov

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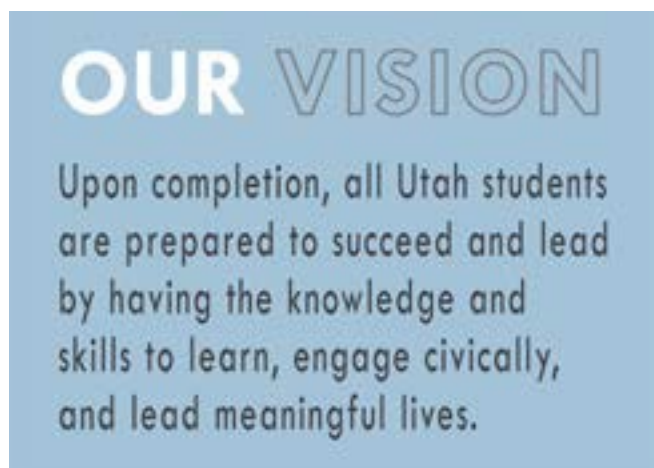
PREFACE

In recent years, Utah education leaders at both the local and state levels have steadily improved educational opportunities for students, advancing next generation learning models and other innovative strategies. These innovations include personalizing learning, encouraging students to demonstrate mastery of concepts and skills through a variety of means, and broadening the learning environment by expanding the classroom beyond the four walls of school buildings.

Local education agencies (LEAs) are making exciting progress toward helping all students acquire the characteristics important to the well-rounded Utah graduate described in the [Utah Talent MAP](#). (For more information, see Part I and Appendix A.) LEAs can use this guide to further their important work.

This guide is designed to empower LEAs to embed the Talent MAP elements within their unique learning models by taking full advantage of existing flexibility and opportunities to personalize learning for Utah students through competency-based education (CBE) and other innovative approaches.

1. PURPOSE



Utah is a national leader in next generation learning, including Personalized Competency-Based Learning (PCBL), and the articulation of the specific competencies next generation learners need for success. The Utah State Board of Education (USBE) sees PCBL as an essential innovation to deliver on its mission to create equitable conditions that empower all Utah students to be prepared and succeed upon completion of their K-12 education. The purpose for this guide is to bring clarity and transparency to the flexibilities available to local school boards and leaders as they seek to best serve their local school communities.

This guide includes the following:

- ▶ Information on flexibility schools can take advantage of, opportunities to request additional flexibility through waiver of USBE rules, and examples of innovative practices already happening across the state.
- ▶ Ideas for using existing flexibility to advance Utah's journey towards personalized competency-based teaching and learning for all students.
- ▶ Time-sensitive information on recent USBE action to help schools meet the needs of students, families, and communities during the COVID-19 pandemic, including rule waivers which may be used to personalize learning (see Appendix F).

2. TIPS FOR ADDRESSING FREQUENTLY ASKED QUESTIONS

The FAQs below address common questions LEAs encounter and link to more information in relevant sections of this guide.

What does “flexibility” mean and why it is relevant to my Local Education Agency (LEA)?

Laws and policies are generally focused on establishing rules; however, they often also create meaningful space for local decision making.

LEA and school leaders can take advantage of several programs created specifically to offer flexibility in the design and implementation of instruction, student supports, and other services, such as the CBE Grant Program, Work Based Learning Program, and demonstration of competency as a basis for awarding course credit. Even where flexibility isn’t explicit in a state-administered program or practice, the Utah Legislature and USBE have established a process through which an LEA or school can seek exemption from a broad array of state requirements (in the form of a waiver of USBE Administrative Rule).

TIP See Sections I and II for background on USBE’s rulemaking authority, vision regarding PCBL, and highlights of existing flexibility LEAs can take advantage of today.

How can we begin working toward a personalized, competency-based learning system (PCBL)?

There are several ways an LEA can begin to design and implement PCBL without the need for state approval.

For example:

LEAs administering competency-based learning programs, as well as those offering online learning and blended learning programs (collectively described as learner validated programs), benefit from special funding mechanisms designed specifically to support the use of these personalized learning approaches.

TIP See Competency-Based Education and Other Learner Validated Programs in Section III.

LEAs may apply for the CBE Grants Program to partner with state-supported technical assistance providers, receive funding to support planning efforts, and qualify for additional grants that support implementation and expansion of personalized learning and competency-based education initiatives.

TIP See Career and Technical Education in Section III.

An LEA and its local board have the authority to design and implement a work-based learning (WBL) program that combines structured learning and authentic work experiences implemented through industry and education partnerships. In doing so, the LEA can prioritize WBL experiences that allow for credit to be earned for demonstrated mastery and establish rigorous competency-based criteria for awarding WBL credit, including credit toward core high school graduation requirements.

TIP See Work-Based Learning Programs in Section III.

We’re not sure if we are ready to design a competency-based model, but we know our students will benefit from greater personalization. Where should we begin?

LEAs could first consider whether they are taking full advantage of the ability to define their LEA’s student credit policy. This could include allowing the demonstration of competency as a basis for awarding course credit, permitting students to earn credit from a non-accredited source, maximizing the use of the Statewide Online Education Program (SOEP) (including for early graduation), and treating each student’s plan for College and Career Readiness/SEOP as a personalized learning plan.

TIP See Credit Accumulation for High School Graduation in Section II.

2. TIPS FOR ADDRESSING FREQUENTLY ASKED QUESTIONS, *CONTINUED*

Other initial steps to consider:

LEAs could use [Utah's Transition Action Guide for Students with Disabilities and Team Members](#) to implement a process for developing plans to ensure students with disabilities experience a successful transition from school to adult life. Additional information on School to Post-School Transitions is available on the [Special Education Services website](#).

LEAs could also develop their own Portrait of a Graduate using the State's model (Talent MAP).

TIP See the [USB E Portrait of a Graduate](#) (Utah Talent MAP) and examples of locally designed and adopted Portraits by Juab School District and Iron County School District

 **The COVID-19 pandemic has disrupted education. However, this disruption can also be an opportunity to spur innovation. What actions could LEAs take to open the doors to innovation?** 

The USBE immediately took action in response to the COVID-19 pandemic to address the emerging needs of students, educators, and administrators. Over the course of three meetings held on March 19, April 2, and April 16, the USBE approved 23 measures (including waivers, extensions of deadlines, and requests for flexibility from the Legislature) to give education leaders—including the State Superintendent—much-needed flexibility to respond. One example of these immediate actions included approval of a blanket waiver of the 180-school day and 990-hour requirements of [Administrative Rule R277-419-4 Minimum School Days](#), which was in response to temporary school closures and the desire to take advantage of online learning to minimize learning loss. This waiver was valid through June 30, 2020, in order to give district and charter schools more flexibility to deal with the COVID-19 pandemic. In addition, [R277-419](#) was revised to address calculation of MSP and requirements for schools to still provide services through the end of the school year.

TIPS See Appendix C for USBE's COVID-19 related actions and links.

As LEAs plan for the return to school, they can consider making online learning and/or other learner validated models—such as blended learning and CBE—a central part of their new vision, using the flexibility and resources already at their disposal.

TIPS See *Seat Time: Instructional Hours and School Days* in Section II. See also *Program Types: Learner Validated and Attendance Validated* in Section III.

Additional Recommended Reading: Dr. Clayton Christensen's book *The Innovator's Dilemma* as well as research, blogs, books and more from Dr. Christensen, Michael B. Horn, Heather Staker and others at the [Christensen Institute](#).

 **Concerns regarding compliance can stifle the desire to innovate. In what instances should we consider a waiver request?** 

Whether an LEA is ready to try CBE or just beginning to make personalized learning a more central component of its work, the ability to seek a waiver from USBE rules can be a valuable tool. There are only a few areas for which waivers may not be granted, and the process for requesting a waiver is straightforward.

TIPS See *Flexibility Through Waivers* in Section II.

I. Introduction

1. ASPIRATIONS FOR STUDENT SUCCESS

Today's youth will face a world that looks dramatically different than that of their parents. To succeed, they will need to develop skills for lifelong learning. With this end goal in mind, USBE led an extensive stakeholder engagement process in 2018 to identify the ideal characteristics of a Utah graduate. These characteristics formed the basis for the USBE's Portrait of a Graduate, called the [Utah Talent MAP](#)¹. MAP stands for:



Mastery is the ability to demonstrate depth of knowledge and skill proficiency.

Autonomy is having the self-confidence and motivation to think and act independently.

Purpose guides life decisions, influences behavior, shapes goals, offers a sense of direction, and creates meaning.

The USBE encourages all schools and districts to develop their own Portrait of a Graduate (See *Appendix A* for Utah's Talent Map and a district example).

“The Portrait of a Graduate is about creating a holistic view of what we expect from students in Utah,” said Board Member Laura Belnap, who chaired the task force that developed the documents. “We want to empower parents, teachers, and students to be a voice in their community and go through a similar process. If our Portrait of a Graduate works for you, use it! But we encourage you to go through your own journey toward discovering the unique values and characteristics within your own communities.” USBE News Release, May 2, 2019

Utah's [Portrait of a Graduate](#) has kickstarted a statewide conversation about how schools are meeting the needs of the whole child. Many districts, including several CBE Program participants, are working to design their own Portrait of a Graduate. As demonstrated at the 2020 Utah Governor's Education Summit, the need to expand our vision of student success to a broader set of competencies has become a statewide goal and an ongoing focus of USBE.

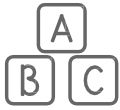
At the State level, the USBE's Strategic Plan (2019) identifies four goals, presented on the following page. The final goal is to ensure each student and educator has access to personalized learning experiences through which instructional practices are adapted to the needs of individual students and groups of students. This is being achieved, in part, through the State's promotion of new school system models for personalized teaching and learning coupled with support for a common learning management system to help LEAs utilize web-based resources, lessons, and more.² [USBE's Strategic Plan](#) includes specific strategies districts are using to meet state-wide targets on metrics such as: 3rd-grade literacy; proficiency in English language arts, math, and science; and high school graduation.

¹Utah State Board of Education. Portrait of a Graduate. <https://schools.utah.gov/portraitgraduate>

²Utah State Board of Education. Strategic Direction. schools.utah.gov/file/174006b1-6ad5-44f2-8e1d-81079c6df543; Utah State Board of Education. Strategic Direction Overview. [www.schools.utah.gov/file/7b8c4d05-a6c5-4499-8f1e-81e6d10b6caa](https://schools.utah.gov/file/7b8c4d05-a6c5-4499-8f1e-81e6d10b6caa)

I. Introduction

USBE: STRATEGIC PLAN GOALS



Early Learning

Each student starts strong through early grades with a foundation in literacy and numeracy.



Personalized Teaching & Learning

Each student and educator has access to personalized teaching and learning experiences.



Safe & Healthy Schools

Each student learns in a safe and healthy school environment.



Effective Educators & Leaders

Each student is taught by effective educators who are supported by effective school leaders.

2. MOVING TOWARDS A WELL-DEVELOPED PERSONALIZED, COMPETENCY- BASED EDUCATION SYSTEM

Utah educators and policymakers are working to meet higher expectations for student learning and goals for personalized learning by defining specific competencies students need to acquire, organizing teaching and learning accordingly, and recognizing the achievement of each student's mastery of competencies. In 2004, Utah's legislature passed, and the Governor signed into law, a bill (SB 185) requiring the USBE to assist school districts and charter schools in the development and implementation of competency-based education.³ Several additional steps have been taken since, including the creation of a competency-based grant program, described in Part III of this guide. As defined by the USBE, competency-based education means "a system where a student advances to higher levels of learning when the student demonstrates competency of concepts and skills regardless of time, place, or pace."⁴

These actions put Utah at the forefront of a nation-wide competency-based learning movement. Utah's state and local education leaders continue to pioneer "to improve educational outcomes in public schools by advancing student mastery of concepts and skills"⁵ through competency-based learning and flexibility for innovation.

³Utah bill SB185 (2004) amended Utah Code 53A-1-409 to require the State Board of Education to make recommendations to the Public Education Appropriations Subcommittee to develop and implement competency-based education, among other recommendations. Public Education Amendments, S.B. 185, Session Law Chapter 019 (2004). le.utah.gov/~2004/bills/static/SB0185.html. This code section was renumbered in 2016 - the current code section is 53G-7-215. Utah Code 53G-7-215. Competency-Based Education -- Recommendations -- Coordination.

https://le.utah.gov/xcode/Title53G/Chapter7/53G-7-S215.html?v=C53G-7-S215_2019051420190514

⁴Utah Code 53F-5-501. Definitions. https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-S501.html?v=C53F-5-S501_2019051420190514

⁵Utah Code 53F-5-502. Competency-Based Education Grants Program - State Board Duties - Review Committee - Technical Assistance Training. https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-S502.html?v=C53F-5-S502_2019051420190514

I. Introduction

Why are Utah schools and districts moving towards PCBL?

Personalized, competency-based learning provides a gradual transition away from seat time, in favor of a structure that creates flexibility, allows students to progress as they demonstrate mastery of academic content, regardless of time, place, or pace of learning. PCBL strategies provide flexibility in the way that credit can be earned or awarded, and provide students with personalized learning opportunities. These strategies include online and blended learning, early college experiences, and project-based and community-based learning, among others. This type of learning leads to better student engagement because the content is relevant to each student and tailored to their unique needs. It also leads to better student outcomes because the pace of learning is customized to each student.

[USBE Personalized Competency-Based Framework]

Across the nation, “[M]ost schools currently operate around time-based structures for credit ... adhere to the traditional six-hour school day and nine-month school year. Students are grouped in grade levels mostly by age, learn through discipline-specific courses, and are assessed by standardized tests. These structures are not designed to support personalized learning ... that is sufficiently rigorous and relevant to engage all students to reach their greatest potential ...”⁶ Unlike school and local district leaders in many states, who are struggling to work within rigid requirements prescribing virtually all aspects of instruction, **Utah has already taken significant steps to create flexibility and incentives for districts to pursue innovative approaches while holding firm to the State’s commitment to providing all children with an equitable opportunity to a quality education.**

⁶Asia Society. Center for Global Education. Why We Need Competency-Based Education.
<https://asiasociety.org/education/why-we-need-competency-based-education>

II. How is Utah Overcoming System Challenges to Innovation?

WHAT LEAS NEED TO KNOW BEFORE IMPLEMENTING INNOVATIVE PRACTICES

Adopting innovations often means that students will not always attend a traditional class or course that meets for a set number of minutes each school day or week. They also may not complete the traditional period of instruction before accumulating course credit and being moved on to the next level of study. Through these shifts, long-standing practices of age-based progression (and traditional cost models) give way to progression following demonstration of mastery.

In Utah, there is not a one-size-fits-all approach. Utah is different from most states in that it does not require a student to spend a minimum amount of time in a class in order to successfully complete the class and, if applicable, earn credit toward graduation. Significantly, the Utah Legislature and USBE have taken steps to ensure that students who graduate from a personalized, competency-based program will be prepared for postsecondary success and will have their educational accomplishments fully recognized and accepted by any Utah school to which they transfer and by institutions of higher education.⁷

Consider the following ways Utah has addressed common obstacles to innovation.

This section will provide information on:

Flexibility Through Waivers

•

Seat Time: Instructional hours and School Days

•

High School Graduation Requirements: Innovative Approaches to Exceed Expectations

Learn More

- [Scope of USBE's Waiver Authority and Limitations](#)
- [Seat Time: Instructional Hours and School Days](#)
- [Credit Accumulation for High School Graduation](#)

Flexibility Through Waivers

The greatest flexibility for innovation in education comes from the USBE waiver of Administrative Rules. This allows an LEA board to request waivers from the USBE for a variety of Administrative Rules, using an established process and within the limitations described below.

Scope of USBE's Waiver Authority Limitations

USBE has the statutory authority noted above to enact a rule “creating a justified exception to a rule.” Administrative Rule R277-121 Board Waiver of Administrative Rules allows an LEA board to request a waiver of one or more administrative rules in certain circumstances. An LEA may use this waiver flexibility to advance nearly any aspect of its planning and implementation of innovative instructional or administrative approaches to personalized, and competency-based learning.

The Administrative Rule does not restrict a waiver request to certain rules or requirements, nor does it require that a waiver request be designed to achieve a certain purpose. Rather, the rule includes a narrowly defined list of waivers that may not be requested, as follows:

⁷ Utah State Board of Education. Admin. Rule R277-121-2. Procedures for Waiver Requests. <https://www.schools.utah.gov/file/fd3bd5bd-996d-4a8a-abcc-cb4443c457e9>

II. Overcoming Obstacles in Innovation

- A waiver of a USBE rule that is required by or adopts criteria from a federal statute, federal regulation, or state law
- A waiver that would negatively affect the health, safety, or welfare of public education students
- A waiver that could reasonably result in discrimination or harassment of public school students or employees
- A waiver that would benefit one element of the public education system to the detriment of another
- A waiver stemming from concerns that could be addressed through means other than a waiver of USBE rules⁸

Administrative Rules on Education

The Utah Administrative Code is the body of all effective administrative rules as compiled and organized by the Division of Administrative Rules. Education rules are codified in Title R277.

The legislature has tasked USBE with developing administrative rules on various topics. Under the Utah Code, rulemaking is also required in certain circumstances such as when an agency “issues a written interpretation of a state or federal legal mandate” or “authorizes, requires, or prohibits an action explicitly or implicitly authorized by statute.” Within some limits described in the Utah Code, an agency “has full discretion regarding the substantive content of its rules” and may enact a rule “creating a justified exception to a rule.”

Once promulgated through a prescribed process, rules have the effect of law. Any written policies an agency adopts to prescribe goals and guidelines are not considered administrative rules unless they meet the statutory criteria for rules.

See:

Utah Code 63G-3-201. When Rulemaking is Required.

https://le.utah.gov/xcode/Title63G/Chapter3/63G-3-S201.html?v=C63G-3-S201_2018050820180508

Office of Administrative Services. Admin. Rule R15-3. Administrative Rules: Scope, Content, and When Required.

<https://rules.utah.gov/publicat/code/r015/r015-003.htm>

Any waiver request must include student achievement data that supports the requested waiver and data demonstrating the cost effectiveness of the waiver request. If a waiver is granted for more than one year, the LEA must annually report to USBE:

- Student achievement data that supports continuation of the requested waiver
- Data demonstrating the cost effectiveness of the waiver, if applicable⁹

⁸Utah State Board of Education. Admin. Rule R277-121-4. Annual Review of Approved Waivers.

<https://www.schools.utah.gov/file/fd3bd5bd-996d-4a8a-abcc-cb4443c457e9>

⁹Utah State Board of Education. Admin. Rule R277-121-2. Procedures for Waiver Requests.

<https://www.schools.utah.gov/file/fd3bd5bd-996d-4a8a-abcc-cb4443c457e9>

II. Overcoming Obstacles in Innovation

Decision Making Authority for This Flexibility

An LEA board must vote in an open meeting to request the waiver. An LEA's request must include a proposed agreement with the Board that includes:

- A proposed effective date
- Provisions for public review and accountability
- Data gathering and reporting timelines
- A sunset date

Upon receipt of a waiver request from an LEA board, submitted to the State Superintendent, the USBE Executive Committee may assign it to a USBE standing committee which will make a recommendation for consideration by the full Board. The ultimate decision by USBE, made after consideration of available data, must be data driven.¹²

Charter School Considerations

Charter schools must comply with all Administrative Rules except those specifically waived in their charter. If a charter school wants to seek an additional waiver or will be impacted by another LEA's waiver request, the charter school board's waiver request must include a recommendation from the board of the school's authorizer.¹¹

Other Considerations

The Utah Legislature has specifically empowered LEAs participating in the Competency-Based Education Grants Program, described in Section II below, to request waiver of an Administrative Rule "that inhibits or hinders the LEA from accomplishing its goals set out in its [Competency-Based Education Grants Program] grant application."¹³

Competency-Based Education Program Waivers

An LEA applying for the Competency-Based Grants Program may benefit from a broader waiver authority granted to USBE in Utah Code 53F-5-506 Waiver from State Board Rule -- State Board Recommended Statutory Changes, in that USBE is permitted to grant a grant applicant's request for a waiver of a rule that "inhibits or hinders the LEA from accomplishing its [grant] goals...unless: (a) the waiver would cause the LEA to be in violation of state or federal law; or (b) the waiver would threaten the health, safety, or welfare of students in the LEA."

¹⁰ Utah State Board of Education. Admin. Rule R277-121-3. Board Review of Waiver Requests.

<https://www.schools.utah.gov/file/fd3bd5bd-996d-4a8a-abcc-cb4443c457e9>

¹¹ Utah Code 53F-5-506. Waiver from State Board Rule — State Board Recommended Statutory Changes.

<https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-506.html>

¹² Utah State Board of Education. Admin. Rule R277-121-3. Board Review of Waiver Requests.

<https://www.schools.utah.gov/file/fd3bd5bd-996d-4a8a-abcc-cb4443c457e9>

¹³ Utah Code 53F-5-506. Waiver from State Board Rule — State Board Recommended Statutory Changes.

<https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-506.html>

II. Overcoming Obstacles in Innovation

Examples of How This Flexibility is Being Used

USBE currently has waiver agreements with seven LEAs. Each agreement can be viewed at <https://schools.utah.gov/policy/waiveragreements> or through the links included in the boxes below.

LEA: Academy of Math, Engineering and Science (AMES), [Waiver Agreement](#)

Waiver Authority Used by USBE: R277-121, Board Waiver of Administrative Rules

Rationale for Waiver Request: The Academy of Math, Engineering and Science requested a Board waiver of credit requirements in order to align with university standards.

Waiver Granted: The credit requirements of R277-700-6 (High School Requirements) are reduced to 1.0 credit of physical and health education and 1.0 credit of art to meet High School graduation requirements for a three-year period beginning with the 2018-2019 school year through the 2020-2021 school year (“the Waiver Period”).

LEA: American Leadership Academy, [Waiver Agreement](#)

Waiver Authority Used by USBE: R277-121, Board Waiver of Administrative Rules

Rationale for Waiver Request: The American Leadership Academy requested a waiver of the minimum school days in order to implement a 4-day school week schedule.

Waiver Granted: LEA is exempted from the requirements of R277-419-4 specifically, the requirement that an LEA hold school for a minimum of 180 days per school year is waived for the purpose of implementing a 4-day school week.

During the term of this waiver, LEA shall:

- a. Hold school for at least 150 days and 990 instructional hours per school year consistent with R277-419 Pupil Accounting
- b. Provide optional Friday two-hour session for students to receive targeted assistance
- c. Provide Teacher Development Days approximately every other Friday

LEA: InTech Collegiate High School, [Waiver Agreement](#)

Waiver Authority Used by USBE: R277-121, Board Waiver of Administrative Rules

Rationale for Waiver Request: The InTech Collegiate High School requested a waiver of credit requirements in order to align with university standards.

Waiver Granted: The credit requirements of R277-700-6 (High School Requirements) are reduced to 1.0 credit of physical and health education and 1.0 credit of art to meet High School graduation requirements for a three-year period beginning with the 2018-2019 school year through the 2020-2021 school year (“the Waiver Period”).

II. Overcoming Obstacles in Innovation

Examples of How This Flexibility is Being Used

LEA: Itineris Early College High School [Waiver Agreement](#)

Waiver Authority Used by USBE: R277-121, Board Waiver of Administrative Rules

Rationale for Waiver Request: The Itineris Early College High School requested a waiver of credit requirements in order to align with university standards and a waiver of minimum school days in order to align its schedule to the university schedule.

Waiver Granted: The requirements of R277-700-6 (High School Requirements) are reduced to 1.5 credit of physical education (waiver of 0.5 credit PE) and 1.0 credit of art (waiver of 0.5 credit art) to meet high school graduation requirements for a three-year period beginning with the 2018-2019 school year through the 2020-2021 school year (“the Waiver Period”). Further, the minimum school day requirements of R277-419-4(1)(a) (Minimum School Days) are changed so that the School shall conduct school for a minimum of 990 instructional hours and align schedules with their higher education partner.

LEA: Tooele County School District, [Waiver Agreement](#)

Waiver Authority Used by USBE: R277-121, Board Waiver of Administrative Rules

Rationale for Waiver Request: The Tooele County School District requested a waiver of pupil accounting requirements in order to implement a 4-day school week schedule.

Waiver Granted: The 180-day requirement of R277-419, Pupil Accounting, is waived for a three-year period beginning with the 2018-2019 school year through the 2020-2021 school year (“the Waiver Period”).

LEA: Utah County Academy of Science, [Waiver Agreement](#)

Waiver Authority Used by USBE: R277-121, Board Waiver of Administrative Rules

Rationale for Waiver Request: The Utah County Academy of Science requested a waiver of of credit requirements in order to align with university standards and a waiver of minimum school days in order to align its schedule to the university schedule.

Waiver Granted: The credit requirements of R277-700-6 (High School Requirements) are reduced to 1.0 credit of physical and health education and 1.0 credit of art to meet High School graduation requirements for a three-year period beginning with the 2018-2019 school year through the 2020-2021 school year (“the Waiver Period”). Further, the minimum school day requirements of R277-419-4(1)(a) (Minimum School Days) are changed so that the School shall conduct school for a minimum of 990 instructional hours over at least 168 school days.

II. Overcoming Obstacles in Innovation

Other Examples of How This Flexibility Might Look in Practice

In accordance with Administrative Rule [R277-705-3 Required LEA Policy Explaining Student Credit](#), an LEA's review of demonstrated competency may utilize tests, interviews, peer evaluations, writing samples, reports or portfolios and, pursuant to LEA policy, a student may earn credit from a non-accredited source, course work, or education provider. Through a waiver of rule, an LEA might use performance assessments to review demonstrations of competency and award credit, including performance based on "anywhere, anytime" learning experiences (i.e., after school or expanded learning programs) made available through community partners and others.

The Necessarily Existent Small Schools (NESS) program assists school districts in operating schools in remote areas with low student populations. The NESS program is part of the Basic School Program in the Minimum School Program and funded by Weighted Pupil Units (WPU). Schools classified as NESS, based on eligibility requirements established in statute and Administrative Rule, benefit from "add-on" WPUs in addition to the WPUs generated through student membership.¹⁴ These schools might also benefit from the USBE's broad waiver authority to address their unique needs and those of their communities.

References and Resources

- [Administrative Rule R277-121](#) Board Waiver of Administrative Rules
- [Utah Code 53F-5-506 Waiver from State Board Rule](#) – State Board Recommended Statutory Changes

Areas of Limited Flexibility: Important Design Considerations

As local LEA boards know well, state and federal policymakers have a lot to say about the conditions under which public education is provided to K-12 students. [Utah Code 53E-3-501](#) State Board to Establish Miscellaneous Minimum Standards for Public Schools requires USBE to "establish rules and minimum standards for the public schools" in a number of specified areas. Some of these requirements may be eligible for a waiver; however, many may not be waived because, for example, a waiver would negatively affect the health, safety, or welfare of students or they are required by a federal statute or regulation. Even within waiver constraints, there is insufficient history (both in terms of LEA waiver requests and USBE action) to determine which aspects of the current rules are likely to be waived.

While all of these requirements should be considered when designing any next generation or innovative program, those highlighted in this section can present significant barriers to innovation and merit extensive forethought.

¹⁴ Utah State Legislature. Minimum School Program: Necessarily Existent Small Schools. Issue Brief. 2014 Interim. <https://le.utah.gov/interim/2014/pdf/00005182.pdf>

II. Overcoming Obstacles in Innovation

Areas of Limited Flexibility: Important Design Considerations

Under Administrative Rule [R277-108 Annual Assurance of Compliance by Local School Boards](#) the Superintendent must, by June 1 of each year, make available a list of laws and a list of Administrative Rules which require action or compliance and required compliance dates.¹⁵ The list is to be approved by the USBE. In response, each local board shall provide, consistent with state law, written assurance of specific requirements listed in Administrative Rule, state statute, federal code of regulations, and federal law. Each school year, USBE publishes an LEA Compliance and Assurance Checklist.¹⁶ If an LEA is not able to provide written assurance of compliance with any element on the checklist, a corrective action plan must be attached to the LEA's annual submission.

Administrative Rule Waiver Limitations

Any LEA may request a waiver of USBE Administrative Rule (pursuant to Administrative Rule R277-121 Board Waiver of Administrative Rules, as described above). However, waivers that may not be requested, as follows:

- A waiver of a USBE rule that is required by or adopts criteria from a federal statute, federal regulation, or state law
- A waiver that would negatively affect the health, safety, or welfare of public education students
- A waiver that could reasonably result in discrimination or harassment of public school students or employees
- A waiver that would benefit one element of the public education system to the detriment of another
- A waiver stemming from concerns that could be addressed through means other than a waiver of USBE rules¹²

¹⁵"Superintendent" is defined in Administrative Rule to mean "the State Superintendent of Public Instruction or the Superintendent's designee." Utah State Board of Education. Admin. Rule R277-100-2(29). Definitions. <https://www.schools.utah.gov/file/75faa262-96ca-45be-a378-124487b80d03>

¹⁶Utah State Board of Education. LEA Compliance and Assurance Checklist for the 2019-2020 School Year. <https://www.schools.utah.gov/file/4be6daf4-f6ba-4e58-9d2e-a7595200417d>

II. Overcoming Obstacles in Innovation

Effective Educator Standards, Educational Leadership Standards, and Educator Evaluation Systems

[Administrative Rule R277-530 Utah Effective Educator Standards](#) establishes both Effective Teaching Standards, as well as Educational Leadership Standards. The Effective Teaching Standards focus on: “(a) personalized learning for diverse learners; (b) a strong focus on application of knowledge and skills; (c) improved assessment literacy; (d) a collaborative professional culture; and (e) leadership roles for teachers.”¹⁷ The Educational Leadership Standards apply to school administrators, who “shall meet the standards of effective teaching and have the knowledge and skills to guide and supervise the work of educators, lead the school learning community, and manage the school’s learning environment ...” focusing on “(b) ... (i) visionary leadership; (ii) advocacy for high levels of student learning; (iii) leading professional learning communities; and (iv) the facilitation of school and community collaboration.”¹⁸

Every Utah LEA is required to adopt and implement an educator evaluation system, in order to support educators, school administrators, and school counselors, and that is based on the Utah Effective Teaching Standards and Indicators established in [Administrative Rule R277-530 Utah Effective Educator Standards](#). The standards are also used to create the tiered-licensing system, to “ensure the implementation of Utah’s Core Standards”¹⁹, and as noted above, are incorporated within the Utah Competency-Based Education Framework “as elements to define Utah’s Personalized Competency-Based Learning Framework to emphasize their critical inclusion as part of a comprehensive approach to PCBL for schools.”

An educator evaluation system framework created under [Administrative Rule R277-531 Public Educator Evaluation Requirements \(PEER\)](#) must include “required Board directed expectations and components and additional school district determined components and procedures”. This rule ensures data is used to determine educator effectiveness. The framework requires that both the teaching and leadership standards be included in a school district’s educator evaluation system, which requires performance expectations for all licensed school district educators using valid and reliable measurement tools. These measurement tools must include, at a minimum: “(i) observations of instructional quality; (ii) evidence of student growth; (iii) parent and student input; and (iv) other indicators as determined by the school district.” [Administrative Rule R277-533 Educator Evaluation Systems](#) then specifies the requirements for district Educator Evaluation Systems Policies, required components of such Systems, and reporting requirements for annual summative educator evaluation ratings.

¹⁷ Utah State Board of Education. Admin. Rule R277-530-5. Effective Teaching Standards. <https://www.schools.utah.gov/file/db391408-6cee-428e-90b6-7412ce5a3f14>

¹⁸ Utah State Board of Education. Admin. Rule R277-530-6. Educational Leadership Standards. <https://www.schools.utah.gov/file/db391408-6cee-428e-90b6-7412ce5a3f14>

¹⁹ Utah State Board of Education. Admin. Rule R277-530-3. Board Expectations for Effective Teaching, Educational Leadership, and Educational School Counselor Standards. <https://www.schools.utah.gov/file/db391408-6cee-428e-90b6-7412ce5a3f14>

II. Overcoming Obstacles in Innovation

Effective Teaching Standards and Educator Evaluation Systems

Utah Code [53E-3-501 State Board to Establish Miscellaneous Minimum Standards for Public Schools](#) requires USBE to “establish rules and minimum standards for the public schools,” including: “The qualification and certification of educators and ancillary personnel who provide direct student services; required school administrative and supervisory services; and the evaluation of instructional personnel.” Relevant USBE Administrative Rules include:

- [Administrative Rule R277-217 Educator Standards and Local Education Agency \(LEA\) Reporting](#)
- [Administrative Rule R277-301 Educator Licensing](#)
- [Administrative Rule R277-305 School Leadership License Areas of Concentration and Programs](#)
- [Administrative Rule R277-308 New Educator Induction and Mentoring](#)
- [Administrative Rule R277-309 Appropriate Licensing and Assignment of Teachers](#)
- [Administrative Rule R277-316 Professional Standards and Training for Non-licensed Employees and Volunteers](#)
- [Administrative Rule R277-520 Appropriate Licensing and Assignment of Teachers](#)
- [Administrative Rule R277-530 Utah Effective Educator Standards](#)
- [Administrative Rule R277-531 Public Educator Evaluation Requirements](#)
- [Administrative Rule R277-533 Educator Evaluation Systems](#)

Any next generation or other innovative program should be designed with thought for how any changes in professional learning and development, instruction, student assessment, and support will impact the evaluation of educators and other personnel. As described below, some aspects of the USBE effective teaching standards and evaluation system requirements may be eligible for waiver.

Possible Flexibility for Innovation

In considering any LEA request for a waiver of any aspect of the state’s requirements regarding educator evaluation systems that are established pursuant to [Administrative Rule R277-533 Educator Evaluation Systems](#), USBE must determine whether the request is for a “waiver of a USBE rule that is required by or adopts criteria from a federal statute, federal regulation, or state law.”²⁰ As noted above, the Utah legislature requires USBE to establish rules and minimum standards regarding “[T]he qualification and certification of educators and ancillary personnel who provide direct student services; required school administrative and supervisory services; and the evaluation of instructional personnel. While it seems clear that an LEA could not be exempted from the educator evaluation system requirements entirely, because the Utah Code requires USBE to promulgate rules and standards on the evaluation of instructional personnel, it is conceivable that USBE could waive or grant exemptions to (or allow for modification of) some of the requirements.

²⁰Utah State Board of Education. Admin. Rule R277-121-2. Procedures for Waiver Requests.
<https://www.schools.utah.gov/file/fd3bd5bd-996d-4a8a-abcc-cb4443c457e9>

II. Overcoming Obstacles in Innovation

For example, [R277-533-5 Student Academic Growth and Stakeholder Input](#), requires an LEA to ensure that student academic growth measurement (used for evaluation) includes the following three components:(a) learning goals measuring long-term outcomes linked to the appropriate specific content knowledge and skills from the Utah Core Standards; (b) assessments; and (c) targets for incremental monitoring of student academic growth. These three students' academic growth measurement components were developed and adopted by USBE acting within its regulatory authority, rather than required by state code or federal statute. It would be within the discretion of USBE to consider a request to broaden element (b) assessments to read “(b) assessments or demonstrations of subject matter competency as determined by LEA standards and review.”

At the April 16, 2020 State Board meeting, the USBE voted to grant to LEAs a statewide waiver of the employee evaluation requirements of Administrative Rules [R277-531 Public Educator Evaluation Requirements \(PEER\)](#) and [R277-533 Educator Evaluation Systems](#), including the requirement for an educator or administrator to have a certain number of observations or a summative rating for the 2019-2020 school year. The USBE granted the Superintendent the authority to extend up to one year international guest teacher licenses that expire on June 30, 2020. Finally, the USBE extended the deadline and requirements for an educator expecting to upgrade the educator's license to October 31, 2020]

Student Assessments

In a personalized, competency-based system, students can advance to the next level or go deeper into topics that interest them as soon as they submit evidence of learning demonstrating their proficiency and, while aligned to the standards, systems are designed around deeper-level competencies.²¹

However, Administrative Rule, consistent with federal law (which may not be waived by the USBE) requires LEAs to “administer statewide assessments to all students enrolled in the grade level or course to which the assessment applies.” [ii] School districts must take into account the state and federal assessment requirements when pursuing innovative and flexible practices²². It is possible for USBE to grant a waiver regarding any state-mandated assessment that is not specifically required by state statute or federal statute or regulations.

Statewide Assessments

On March 19, 2020, the USBE approved a motion to suspend statewide assessments for the 2019-20 school year in reaction to the COVID-19 pandemic and existing school dismissal and directed the Superintendent to pursue all necessary waivers from applicable federal and state laws. The USBE also approved a waiver of the requirement in [R277-406-3\(1\)](#) for a school to administer a third benchmark reading assessment sometime between April and June 15, through June 30, 2020, in order to give district and charter schools more flexibility to deal with the COVID-19 pandemic.²³

²¹Utah State Board of Education. Competency-Based Education Framework: The Competency-Based Education Environment, p 22.
<https://www.schools.utah.gov/file/93b6b3c0-85c7-47e5-9f1b-3677b1c9603b>

²²Utah State Board of Education. Admin. Rule R277-404. Requirements for Assessments of Student Achievement.
<https://www.schools.utah.gov/file/828ea852-a5d1-4d2c-989d-39b4caad0fd1>; Utah State Board of Education. Meeting Summary — March 19, 2020.
<https://schools.utah.gov/board/utah/meetings?mid=2608&tid=3>

²³Utah State Board of Education. Meeting Summary — March 19, 2020.
<https://schools.utah.gov/board/utah/meetings?mid=2608&tid=3>

II. Overcoming Obstacles in Innovation

School Accountability and Accreditation

The Utah School Accountability System seeks to provide “measurable information about Utah students’ core knowledge, skills, and abilities; acquired through high quality valid and reliable assessments.”²⁴ The USBE evaluates schools based on each school’s performance level on indicators identified in statute.²⁵

These indicators include academic achievement as measured by performance on statewide assessments, academic growth, equitable educational opportunity, and postsecondary readiness.²⁶ The accountability system also includes an indicator that measures academic growth of each student and graduation rates, if applicable.

Whereas USBE’s annual determination of school performance under the statewide accountability system is, at least in part, defined in Administrative Rule to meet federal statutory and regulatory requirements, school accreditation is a state statutory requirement (an element of the Minimum Standards for Public Schools requirements of Utah Code 53E-3-501). As such, these requirements are not eligible for waiver.

Relevant Administrative Rules include:

- [Administrative Rule R277-404](#) Requirements for Assessments of Student Achievement
- [Administrative Rule R277-410](#) Accreditation of Schools
- [Administrative Rule R277-497](#) School Accountability System

Report Cards

On March 19, 2020, the USBE approved a motion to suspend statewide assessments for the 2019-20 school year in reaction to the COVID-19 pandemic and existing school dismissal and directed the Superintendent to pursue all necessary waivers from applicable federal and state laws. The Superintendent subsequently received a waiver from USED from federal laws regarding school accountability and report cards.²⁷

²⁴Utah State Board of Education. Assessment and Accountability. <https://schools.utah.gov/assessment>

²⁵Utah State Board of Education. Admin. Rule R277-497-2. Assignment of Overall Rating for a School.

<https://www.schools.utah.gov/file/36ea6236-e828-417f-9503-a6b6538088f7>. Note that SB119 (2020) amended existing statute and through the 2019-2020 school year, the State Board is not required to assign an overall rating of A-F. Utah Code 53E-5-204. Rating Schools (as amended by SB119).

<https://le.utah.gov/~2020/bills/static/SB0119.html>

²⁶For indicators for elementary and middle schools, see Utah Code 53E-5-205. Indicators for Elementary and Middle Schools.

https://le.utah.gov/xcode/Title53E/Chapter5/53E-5-S205.html?v=C53E-5-S205_2019051420190514. For indicators for high schools, see Utah Code 53E-5-206. Indicators for High Schools. https://le.utah.gov/xcode/Title53E/Chapter5/53E-5-S206.html?v=C53E-5-S206_2019051420190514

²⁷Utah State Board of Education. Meeting Summary — March 19, 2020. <https://schools.utah.gov/board/utah/meetings?mid=2608&tid=3>

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Data Collection and Reporting

Like school accountability and accreditation, USBE's data collection and reporting requirements stem from both federal and State law. As such, the authority of USBE to waive data collection and reporting requirements is limited. Data standards and requirements regarding confidentiality, disclosure, and retention are established in USBE Administrative Rules:

Data standards and requirements regarding confidentiality, disclosure, and retention are established in USBE Administrative Rules:

- [Administrative Rule R277-484 Data Standards](#)
- [Administrative Rule R277-487 Public School Data Confidentiality and Disclosure](#)
- [Administrative Rule R277-502 Educator Licensing and Data Retention](#)
- [Administrative Rule R277-753 Local Education Agency \(LEA\) Reporting Requirements for Section 504 Students](#)

Rule R277-484

USBE Administrative Rule [R277-484 Data Standards](#) prescribes student level data each LEA must submit to the state – this rule supports statewide accountability and financial systems by ensuring that complete data is submitted on time by all LEAs. The Utah Data Warehouse is the sole official source of data for annual school performance reports required by state law, determination of state and federal accountability reports, and submission of data files for the US Department of Education.²⁸

Federal statute and regulations require school accountability ratings, made pursuant to the Accountability System rule noted above, and related information to be provided to the public through the Utah School Report Cards. Schools are given the option to include up to two additional quality indicators on school report cards. These report cards include the following information:

Performance

The performance indicator includes information on performance rate, achievement, growth, students learning English, early literacy, and progress towards goals, as well as consistent attendance. The report cards may also include self-reported indicators that are specific to the school or district.

Profiles

The report cards also include profile information of the schools, including student enrollment, and population by student groups. District and school leaders should consider how new innovative programs may alter how data will be reported to best share personalized, competency-based education program data and information with students, parents, and others, including through report cards.

²⁸Utah State Board of Education. Admin. Rule R277-484. Data Standards. <https://www.schools.utah.gov/file/f134ddc1-f342-4a97-8d2a-dab9f05d3c65>

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Transportation

Utah Code [53E-3-501 State Board to Establish Miscellaneous Minimum Standards for Public Schools](#) requires USBE to “establish rules and minimum standards for the public schools,” including regarding “[S]tate reimbursed bus routes; bus safety and operational requirements; and other transportation needs.”

Relevant Administrative Rules include:

- [Administrative Rule R277-600 Student Transportation Standards and Procedures](#)
- [Administrative Rule R277-601 Standards for Utah School Buses and Operations](#)

Waivers of any provisions of these rules may only be considered by USBE to the extent that they are within the limitations described above, including the prohibition of any waiver that would negatively affect the health, safety, or welfare of public education students or that is required by federal or State law.

In a well-developed personalized, competency-based vision and learning system, students have the opportunity to deepen learning and demonstrate competency of concepts and skills with purpose, emphasizing student agency, demonstrated competency and assessment, customized supports, equity, and social/emotional learning.³⁰ LEAs should consider state requirements regarding pupil transportation³¹ when designing personalized, competency-based programs, particularly those involving instruction or other learning opportunities provided by external partners or taking place outside of school facilities (which may include online/virtual education). USBE maintains information on alternatives to school bus transportation including pedestrian and bicycles, walking school buses, and student neighborhood access programs through the Utah Department of Transportation.

Transportation

On March 19, 2020, the USBE approved a waiver of the transportation requirements of Administrative Rule R277-600 Student Transportation Standards and Procedures, which require an LEA to record and submit all student transportation costs, including miles/minutes, as described by USBE staff, through June 30, 2020, in order to give district and charter schools more flexibility to deal with the COVID-19 pandemic.³²

Seat Time: Instructional Hours and School Days

To ensure equitable access to education, Utah, like most states, has established minimum expectations for the number of instructional hours to be provided during the school year and the number of school days that are to be included within a district’s academic year calendar. As a general rule, each local educational agency (LEA) shall conduct school for at least 990 instructional hours over a minimum of 180 school days each year, at any time during the school year.

²⁸Utah State Board of Education. Admin. Rule R277-484. Data Standards. <https://www.schools.utah.gov/file/f134ddc1-f342-4a97-8d2a-dab9f05d3c65>

²⁹Utah State Board of Education. Meeting Summary — March 19, 2020. <https://schools.utah.gov/board/utah/meetings?mid=2608&tid=3>

³⁰Utah State Board of Education. Personalized, Competency-Based Learning Framework <https://schools.utah.gov/file/b968b87d-7021-4d1d-a1ac-28636c0b720d>

³¹Utah State Board of Education. Financial Operations. Pupil Transportation. <https://www.schools.utah.gov/financialoperations/pupiltransportation>

³²Utah State Board of Education. Meeting Summary — March 19, 2020. <https://schools.utah.gov/board/utah/meetings?mid=2608&tid=3>

II. Overcoming Obstacles in Innovation

School Calendar

On March 19, 2020, the USBE approved a waiver of the 180-school day and 990-hour requirements of Administrative Rule [R277-419-4 Minimum School Days](#), through June 30, 2020, in order to give district and charter schools more flexibility to deal with the COVID-19 pandemic. The USBE also approved a waiver, through June 30, 2020, of the requirement that a school calendar be approved in an open meeting as described in R277-419-4(6).³³

Flexibility for Innovation

- ▶ An LEA may seek an exception to the 180-day requirement in any of the following situations:
 - ▶ For any school or all schools operated by the LEA, by providing the State Superintendent with a written request for a waiver of the USBE Administrative Rule [R277-419-4 Minimum School Days](#), including student achievement data that supports the requested waiver, data demonstrating the cost effectiveness of the waiver request, and other information required in Administrative Rule [R277-121 Board Waiver of Administrative Rules](#), described later in this section.
 - ▶ For an individual student, in accordance with Administrative [Rule R277-419-11 Exceptions](#), a district may seek approval to require a different length of the school day or year in accordance with the student's IEP or Plan for College and Career Readiness.
- ▶ An LEA may hold school longer some days of the week and shorter other days so long as minimum school day requirements, as provided for in Administrative Rule [R277-419 Minimum School Days](#) and Subsection [R277-419 Definitions](#), are satisfied.
- ▶ A school day calculation may include recess periods that include organization or instruction from school staff.

Decision Making Authority for This Flexibility

The State must approve any exception to the general rule. Any request for a waiver from the minimum school days rule must be approved by an LEA board in an open meeting prior to being considered by the State. A request for approval of an adjusted school day or year for an individual student must be approved by USBE; however, prior approval by an LEA board is not required.

If otherwise meeting minimum school day requirements, an LEA does not need state approval in order to hold school longer some days and shorter other days, or to include recess periods that include organization or instruction from school staff in the school day calculation, as described above.

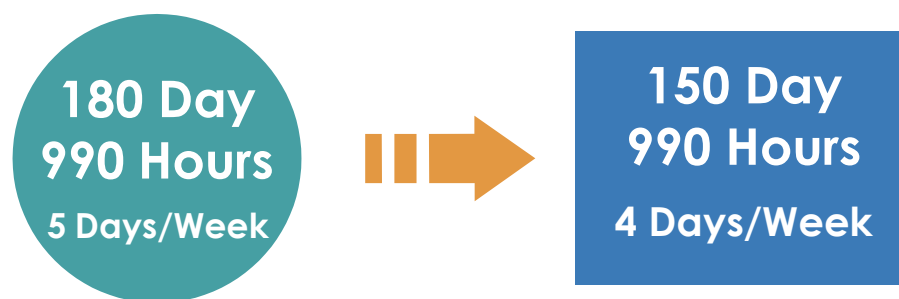
³³ Utah State Board of Education. Meeting Summary – March 19, 2020. <https://schools.utah.gov/board/utah/meetings?mid=2608&tid=3>

II. Overcoming Obstacles in Innovation

Example of How This Flexibility is Being Used

[American Leadership Academy - Admin. Rule R277-419-4 Minimum School Days](#)

American Leadership Academy requested a waiver from the USBE from the minimum school days requirement of at least 180 days and at least 990 hours per school year. This Academy requested at least 150 days and 990 hours to implement a 4-day school week schedule. USBE granted this waiver for 4-day school weeks, allowing the school to provide optional Friday two-hour sessions for students to receive targeted assistance as well as Teacher Development Days every other Friday. This waiver is effective through the 2022-2023 school year. The Academy is required to provide USBE with periodic reports including data evidencing student achievement and how achievement has remained consistent or improved over the time period the waiver has been in effect.



References and Resources

[Administrative Rule R277-419-4 Minimum School Days](#)

Credit Accumulation for High School Graduation

USBE has approved specific courses from which a student can earn credits toward graduation. The State also has defined minimum expectations for receipt of a high school diploma; however, there is significant room for LEAs to go beyond state requirements.

The USBE has established minimum requirements for a high school diploma which include accumulation of at least 24 units of credit. A high school graduation credit may be awarded for completion of a course (a time-based credit approach) or on a demonstration of competency (subject mastery as determined by LEA standards and review). Administrative Rule also requires that LEAs use USBE-approved “summative adaptive assessments to assess student mastery” of reading, language arts through grade 11, and mathematics and science as both subjects are defined in Administrative Rule [R277-700-6 High School Requirements](#).

USBE publishes a list of courses approved for units of credit as well as criteria and procedures for an LEA to award credit for “applied, advanced, or equivalent courses.”³⁴ An LEA governing board “shall establish a policy, in an open meeting, explaining the process and standards for acceptance and reciprocity of credits earned by a student...and shall accept credits and grades awarded to a student from a school or a provider accredited by an accrediting entity adopted by the USBE.” An LEA must recognize high school credits earned prior to grade 9 through participation in the Statewide Online Education Program (SOEP), within parameters established in Administrative Rule [R277-700-6 High School Requirements](#).

³⁴Utah State Board of Education. Current Courses Meeting the Criteria for Graduation Requirements.

<https://www.schools.utah.gov/file/2d0dd9ea-8413-4e11-9090-ae8cec68ea83>

II. Overcoming Obstacles in Innovation

Flexibility for Innovation

- ▶ An LEA board may require a student to earn credits for graduation that exceed the minimum USBE requirements described in Administrative Rule [R277-700-6 High School Requirements](#).
- ▶ An LEA's policy explaining student credit "shall provide various methods for a student to earn credit from a non-accredited source, course work, or education provider including: (a) satisfaction of coursework by demonstrated competency, as evaluated at the LEA level; (b) assessment as proctored and determined at the school or school level; (c) review of student work or projects by an LEA administrator; and (d) satisfaction of electronic or correspondence coursework, as approved at the LEA level."³⁵ Within limits established in Administrative Rule [R277-705-3. Required LEA Policy Explaining Student Credit](#), LEAs have flexibility in establishing criteria for the evaluation of demonstrated competency, the review of student work or projects, and electronic or correspondence coursework.
- ▶ In evaluating "demonstrated competency" an LEA's review "may include such methods and documentation as: tests, interviews, peer evaluations, writing samples, reports or portfolios." See Administrative Rule [R277-705-2. Definitions](#).
- ▶ An LEA policy for "participation in extracurricular activities, awards, recognitions, and enhanced diplomas may be determined locally..." See Administrative Rule [R277-705-3. Required LEA Policy Explaining Student Credit](#).
- ▶ An LEA may grant a high school diploma to a student participating in a competency-based career and technical education course that fulfills high school graduation requirements if the course is provided by a technical college listed in Utah Code Section [53B-2a-105 UTech Composition](#).
- ▶ An LEA has the final decision-making authority for the awarding of credit and grades from a non-accredited source. See Administrative Rule [R277-705-3 Required LEA Policy Explaining Student Credit](#).

Decision Making Authority for This Flexibility

Neither USBE approval or waiver of Administrative Rule is required for an LEA board to exercise the flexibility described above; however, Administrative Rule [R277-121 Board Waiver of Administrative Rules](#), described later in this section, may provide additional opportunities for innovation.

³⁵ Utah State Board of Education. Admin. Rule R277-705-3. Required LEA Policy Explaining Student Credit. <https://www.schools.utah.gov/file/e700dea0-e41d-4aa3-bfed-6a8d0e35f65e>

II. Overcoming Obstacles in Innovation

Credit Accumulation for High School Graduation

References and Resources

- [Administrative Rule R277-438 Dual Enrollment](#)
- [Administrative Rule R277-700 The Elementary and Secondary School General Core](#)
- [Administrative Rule R277-702 Procedures for the Utah High School Completion Diploma](#)
- [Administrative Rule R277-703 Centennial Scholarship for Early Graduation](#)
- [Administrative Rule R277-704 Financial and Economic Literacy: Integration into Core Curriculum](#)
- [Administrative Rule R277-705 Secondary School Completion and Diplomas](#)
- [Administrative Rule R277-717 High School Course Grading Requirements](#)
- [Administrative Rule R277-726 Statewide Online Education Program](#)
- [Administrative Rule R277-750 Education Programs for Students with Disabilities](#)
- [Utah State Board of Education, Teaching and Learning](#)
- [USBE - Frequently Asked Questions on R277-717 High School Course Grading Requirements](#)
- [USBE - Demonstrated Competency Policy](#)
- [USBE - Graduation Requirements](#)
- [USBE - Graduation Requirements: Demonstrated Competency](#)
- [Utah Special Education Graduation Guidelines](#)
- [Career Development Credential FAQ](#)
- [Alternate Diploma FAQ For students with significant cognitive disabilities](#)
- [USBE - Special Education Rules Relevant sections: III.J.2.i., VII.B., and VII.C](#)

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Additional Flexibility LEAs Use to Personalize Education

Whereas rules are often used – by agencies and those to whom they apply – to define what must or must not be done, there is actually **significant room for innovation and a wide range of opportunities for personalization of learning within current USBE rules when they are read with the objective of finding areas of flexibility.**

Considered independently, the USBE rules outlined below, and the related Utah Code requirements, may not seem to have been designed to give LEAs flexibility to innovate. However, a closer read of the provisions reveals that LEAs do, in fact, have significant discretion in designing policies and programs. The descriptions in this section summarize the requirements and, more importantly, identify areas of flexibility and explain which entity has primary responsibility for making decisions on how to use that flexibility.

This section has information on:

- ▶ [Competency-Based Education and Other Learner Validated Programs](#)
- ▶ [Plans to Support Successful Student Transitions](#)
- ▶ [Work-Based Learning Programs](#)
- ▶ [Career and Technical Education](#)
- ▶ [Options to Support Early Graduation](#)

Competency-Based Education and Other Learner Validated Programs

USBE recognizes that many students benefit from learning experiences that may look different from the “traditional” classroom-based course. To this end, a whole category of programs, called Learner Validated Programs, has been created to allow students to receive instruction through a variety of alternative means.

Program Types: Learner Validated and Attendance Validated

Since the Utah Legislature established the Competency-Education Grants Program in 2016, USBE has provided incentives and support to a growing number of LEAs who have committed to exploring, planning for, and eventually implementing personalized, competency-based education systems. In accordance with Administrative Rule [R277-419. Pupil Accounting](#), LEAs administering personalized, competency-based programs as well as those offering online learning and blended learning programs (collectively described as learner validated programs), have benefited from special funding mechanisms designed specifically to support the use of these personalized learning approaches.

On March 19, 2020, the USBE approved amendments to Administrative Rule [R277-419. Pupil Accounting](#) which created two new categories of programs – attendance validated and learner validated. As defined below, an attendance-validated program is what was previously considered a traditional or face-to-face learning program in a brick-and-mortar setting, and a learner-validated program includes online, blended and competency-based programs previously defined as nontraditional programs.

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Definitions from Administrative Rule

The USBE rule on Pupil Accounting ([R277-419](#)) includes several definitions that have important implications for the design and implementation of next-generation, personalized and competency-based education.

- **Attendance validated program** means a program within an LEA that consists of eligible, enrolled public school students who physically attend school in a brick and mortar school.
- **Learner validated program** means a program within an LEA that consists of eligible, enrolled public school students where the student receives instruction through:
 - An online learning program
 - A blended learning program
 - A competency-based learning program
- **Program** means a course of instruction within a school that is designed to accomplish a predetermined curricular objective, set of objectives, or set of competencies.
- **Online learning program** means a program:
 - That is under the direction of an LEA in which students receive educational services primarily over the internet
 - Online learning program *does not* include the Statewide Online Learning Program, which is covered by a differing set of statutory and rule-based requirements
- **Blended learning program** means a formal education program under the direction of an LEA in which a student learns through an integrated experience that is in part:
 - Through online learning, with some element of student control over time, place, path, or pace
 - In a supervised brick-and-mortar school away from home
- **Competency-based learning program** means an education program that provides instruction through competency-based education as defined in Utah Code [53F-5-501 Competency-Based Education Grants Program](#).

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Competency-Based Education Grants Program and Framework

With the establishment of a competency-based education grants program in 2016, the Utah legislature established a set of core principles for competency-based programs:

- ▶ Student advancement upon mastery of a concept or skill
- ▶ Competencies that include explicit measurable and transferable learning objectives that empower a student
- ▶ Assessment that is meaningful and provides a positive learning experience for a student
- ▶ Timely, differentiated support based on a student's individual learning needs; and Learning outcomes that emphasize competencies that include application and creation of knowledge along with development of important skills and dispositions

These core principles, and the Utah Competency-Based Education Framework developed to support LEAs in designing competency-based programs that reflect them, are described in greater detail in Part III.

Standards for a Learner Validated Program

USBE, through Administrative Rule R277-419 Pupil Accounting, established standards with which any LEA offering a learner validated program must comply. The standards include both requirements as well as areas for LEA innovation and flexibility:³⁶

Administrative Rule R277-419 updated language referencing the old terminology of “nontraditional programs” to “learner validated programs” and “traditional programs” to “attendance validated programs”. With the updated language and incorporation of provisions outlined in R277-418 Distance, Blended, Online, or Competency-Based Learning Programs, R277-418 was repealed by the Utah State Board of Education in July of 2020.

Student eligibility and membership/enrollment requirements, including:

- ▶ Administrative Rule [R277-419-5.\(3\)\(f\)\(i\) Student Membership Eligibility and Continuing Enrollment Measurements](#): “In order to generate membership for funding through the Minimum School Program for any clock hour of instruction on any school day, an LEA shall ensure that a student being counted by the LEA in membership
 - ▶ Is enrolled in a learner validated program under the direction of an LEA that: (A) is consistent with the student’s SEOP/Plan for College and Career Readiness; (B) has been approved by the student’s counselor; and (C) includes regular instruction or facilitation by a designated employee of an LEA
 - ▶ An LEA shall use one of the following continuing enrollment measures...(b) For a student enrolled in a learner validated program, an LEA shall: (i) adopt a written policy that designates a continuing enrollment measurement to document the continuing membership or enrollment

³⁶Utah State Board of Education. Admin. Rule R277-419. Distance, Blended, Online, or Competency Based Learning Program Standards. <https://www.schools.utah.gov/file/e6b54ded-fb2e-470d-a043-a499accbefa1>

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Standards for a Learner Validated Program

status for each student enrolled in the learner validated program... (ii) document each student's continued enrollment status in compliance with the continuing enrollment policy at least once every ten consecutive school days; and (iii) appropriately adjust and update student membership records in the student information system for students that did not meet the continuing enrollment measurement.

- The continuing enrollment measurement may include some or all of the following as determined by an LEA: (a) a minimum student login or teacher contact requirement; (b) required periodic contact with a licensed educator; (c) a minimum hourly requirement, per day or week, when students are engaged in course work; or (d) required timelines for a student to provide or demonstrate completed assignments, coursework or progress toward academic goals.
 - For a student enrolled in both attendance validated and learner validated programs, an LEA shall measure a student's continuing enrollment status using the methodology for the program in which the student earns the majority of their membership days.
 - An LEA desiring to generate membership for student enrollment in courses [outlined in Sub section (3)(f)(iii) of the rule, or to seek a waiver of those course requirements] shall submit an application for course approval by April 1 of the year prior to which the membership will be counted.”
 - School and program requirements described in Administrative Rule Section [R277-419](#)
 - Minimum school day requirements described in Administrative Rule Section [R277-419](#)
- Compliance with official record standards and membership audit requirements described in:
- Administrative Rule Section [R277-419](#)
 - Educator licensure requirements, as required under Administrative Rule [R277-502 Educator Licensing and Data Retention](#);
 - Fingerprint and background check requirements for educators, employees, and volunteers;
 - Integration of the Utah Core Standards in student instruction, as required under Administrative Rule [R277-700 The Elementary and Secondary School General Core](#);
 - Compliance with statewide assessment administration requirements by the LEA, as required under Administrative Rule [R277-404 Requirements for Assessments of Student Achievement](#); and
 - Compliance with confidentiality and disclosure requirements, as required under Administrative Rule [R277-487 Public School Data Confidentiality and Disclosure](#).

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Requirements for LEAs Using Third Party Providers

An LEA that contracts with a third party provider to provide educational services on behalf of the LEA for the LEA's learner validated program must:

- Develop a written monitoring plan to supervise the activities and services provided by the third party provider
- Ensure the third party provider is complying with federal and state law and USBE Administrative Rules
- Monitor and supervise all activities of the third party provider related to services provided by the third party provider to the LEA
- Maintain documentation of the LEA's supervisory activities consistent with the LEA's administrative records retention schedule

An LEA Must:

- Verify the accuracy and validity of a student's enrollment verification data, prior to enrolling a student in the LEA.
- Provide a student and the student's parent or guardian with notification of the student's enrollment in a school or program within the LEA.

Flexibility for Innovation

An LEA's design and implementation of PCBL can include the following:

- ▶ All three types of learner-validated programs
 - Online
 - Blended
 - Competency-based
- ▶ Nearly all aspects of an LEA's learner-validated program administration
 - Professional Development
 - Student Assessment
 - Course Credit Criteria

Decision Making Authority for This Flexibility

An LEA has complete authority under state law and rules to establish and administer a learner validated program (including adoption of a written policy and development of a monitoring plan for third party providers), and to designate a continuing enrollment measurement to be used to document the continuing membership or enrollment status of each student participating in any such program, so long as the program meets USBE's standards. [Administrative Rule R277-121](#) Board Waiver of Administrative Rules, described later in this section, may provide additional opportunities for innovation.

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Student Protections Related to Competency-Based Education

With the enactment of Utah Code [53F-5-507 Cooperation of institutions of Higher Education – Transferring Students not to be Penalized](#), the Utah Legislature created important protections for students participating in an education program that uses competency-based education and the LEAs administering such programs. These protections include:

- ▶ An institution of higher education (IHE) must “recognize and accept on equal footing as a traditional high school diploma a high school diploma awarded to a student who successfully completes an educational program that uses, in whole or in part, competency-based education.” This includes cooperating with an LEA to facilitate the advancement of any such student and to assist the LEA in the development of a competency-based education plan. This protection applies to treatment of students by IHEs for purposes of admission, scholarships, and other financial aid consideration.
- ▶ A student attending an LEA that establishes competency-based education may not be penalized, such as by being required to repeat course work already successfully completed, if the student transfers to another school within the LEA or to another LEA.

Example of How This Flexibility is Being Used

Launch High School, Iron County School District

Iron County School District is now offering Launch High School, a “new high-tech high school focused on entrepreneurship and personalized, competency-based education”. This school is opened in August 2020. The mission of this innovative high school is to empower “exceptional students through personalized competency-based education that emphasizes experiential hands-on learning with technology, entrepreneurial design thinking, and the essential social-emotional skills to prepare students for future success.” Launch High School will partner with Southern Utah University School of Business and Entrepreneurship program, and Southwest Tech, to create a unique environment that infuses technology and design thinking.

This school is focused on the following:

- Early credit with advancement based on mastery, not seat time
- Experiential hands-on projects with technology and tools to apply learning
- Entrepreneurial, industrial, and post-secondary connections to future success
- Essential skills for future success will be integral to coursework
- Edtech for learning with online and in-person activities
- Elect for smaller school learning environment



References and Resources

- [Administrative Rule R277-419-5 Student Membership Eligibility and Continuing Enrollment Measurements](#)
- [Administrative Rule R277-726 Statewide Online Education Program](#)
- [USBE - Statewide Online Education Program](#)

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Plans to Support Successful Student Transitions

An LEA must develop a Plan for College and Career Readiness (also known as a Student Education Occupational Plan or SEOP) for every student. LEAs, consistent with federal regulations and USBE Special Education Rules, can help prepare students with disabilities for further education, employment, and independent living through the provision of Transition Services – School to Post-School.

College and Career Readiness / SEOP Plans

A College and Career Readiness plan must include: (i) a student’s education occupation plans (grades 7-12), including job placement when appropriate; (ii) all Board, local board and local charter board graduation requirements; (iii) evidence of annual parent, student, and school representative involvement; (iv) attainment of approved workplace skill competencies; and (v) identification of a CTE postsecondary goal and an approved sequence of academic and CTE courses.³⁷

IEP Transition Services and Plans

As described in USBE’s [Transition Services & Activities Examples](#), part of an extensive set of resources on Special Education Services (SES), an IEP must contain a statement of school to post-school transition services for a student with a disability age 14 and older, or younger if determined appropriate by the IEP team, and updated annually thereafter. The statement, referred to as an individualized transition plan and developed using a form provided by USBE to meet the requirements of the USBE’s [Special Education Rules](#) (USBE SER III.J.2.i.; VII.B.; and VII.C.), must include:

- Student’s appropriate measurable postsecondary goals, based on the student’s needs, strengths, preferences, and interests as measured by transition assessments.
- Documentation of annual age-appropriate transition assessment results in the areas of employment and postsecondary education/training, and, where appropriate, independent living skills.
- Transition services: What transition services, activities, and/or specialized instruction are needed during this annual IEP for the student to develop the skills and knowledge to facilitate movement towards the student’s postsecondary goals?
- Are the transition services, experiences, and/or specialized instruction listed above likely to be provided or paid for by other agencies?
- Courses of study addressing post-school transition needs for postsecondary adult activities. This should be a multi-year plan, reviewed and revised annually, that specifies the educational courses and experiences that will assist the student in achieving the student’s postsecondary goals. This information may be contained in a Plan for College and Career Readiness/SEOP.

USBE’s [Special Education Rules](#) and SES resources provide some flexibility for LEAs in developing transition plans and the required goals, including with regard to instructional time and course options for an Alternate Diploma. “Transition services and activities should be individualized based on the student’s strengths, interests, preferences, and needs.”³⁸ Within the limits described above, including adherence with federal law, an LEA might also seek a waiver from Administrative Rule, as appropriate, or take advantage of other flexibility described in this guide.

³⁷ Utah State Board of Education. Admin. Rule R277-911. Secondary Career and Technical Education.

<https://rules.utah.gov/publicat/code/r277/r277-911.html>

³⁸ Utah State Board of Education. Transition Services & Activities Examples. <https://www.schools.utah.gov/file/63bdc2a5-7846-4aa6-b7a0-de634cc58284>

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Flexibility for Innovation

- ▶ An LEA may modify graduation requirements for an individual student, consistent with the student’s IEP or Plan for College and Career Readiness, “to achieve an appropriate route to student success.” The modification, among other things, must maintain “the integrity and rigor expected for high school graduation, as determined by the Board.” See Administrative Rule [R277-700-6 High School Requirements](#).
- ▶ For purposes of calculating student membership under Administrative Rule [R277-419-6 Student Membership Calculations](#), an LEA may also count a student in membership for the equivalent in hours of up to one period each school day, if the student has been released by the school to participate in an individual learning activity consistent with the student’s SEOP/Plan for College and Career Readiness.³⁹

References and Resources

- [Administrative Rule R277-911 Secondary Career and Technical Education](#)
- [USBE - Transition Services & Activities Examples](#)
- [USBE - Special Education Services \(SES\)](#)
- [USBE - Guidelines - Instructional Time and Applicability of Rules for Students with Disabilities Memorandum](#)
- [USBE - Alternate Diploma Graduation Course Options Aligned to the Utah State Board of Education \(USBE\) Criteria for Graduation Requirements](#)
- [USBE - Career Development Credential \(CDC\) Suggested Transition Curriculum](#)

Work-Based Learning Programs

Work-based learning programs give students opportunities to learn a variety of skills and be introduced to the “working world” outside the traditional educational classroom. LEAs have significant flexibility to design and implement these work-based learning experiences to fit within a next-generation vision.

An LEA may elect to offer one or more Work-Based Learning (WBL) programs. In accordance with USBE Administrative Rule [R277-915 Work-based Learning Programs](#), work-based learning means “a continuum of awareness, exploration, preparation, and training activities that combine structured learning and authentic work experiences implemented through industry and education partnerships.”

As described by USBE, WBL experiences, and nearly all aspects of an LEA’s WBL program administration (i.e., professional development, student assessment, course credit criteria) can be included in an LEA’s personalized, or competency-based education model.

³⁹Utah State Board of Education. Admin. Rule R277-419-6. Student Membership Calculations.
<https://www.schools.utah.gov/file/88a6384d-8c8e-4b3a-b8d6-8843064602e9>

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Requirements for WBL Programs

Any WBL program administered by an LEA must meet specified standards.

An LEA's WBL program(s) must be integrated into all levels of the educational delivery system and coordinated within the LEA and among regions. To be eligible for WBL funds, the LEA must:

- Obtain the LEA board's approval of the WBL program(s);
- Employ licensed WBL coordination personnel whose salaries and benefits are matched by the local recipient of funds -- an LEA participating in the State's disbursement of funds for WBL programs must provide an "equal match in funds to state appropriated WBL funds";⁴⁰
- Document that a WBL committee representing all schools within the LEA has been created, is functioning effectively, and regularly addresses WBL issues;
- Conduct WBL activities using information from business and industry, administrators, teachers, counselors, parents, and students;
- Develop work-based preparation, participation, and assessment activities for participating students and teachers involved in WBL activities;
- Maintain evidence that WBL components have been integrated and coordinated with: elementary career awareness; secondary career exploration; integrated core activities; College and Career Awareness; and comprehensive guidance and counseling;
- Maintain evidence of WBL activities and assurances developed in coordination with a student's IEP, Plan for College and Career Readiness; and 504 requirements;
- Require the inclusion of all student groups within the LEA in career development and preparation;
- Demonstrate WBL coordination with employers and with other school and community development activities;
- Verify that sufficient budget for a WBL coordinator, facilities, materials, equipment, and support staff is available;
- Participate in initial state-sponsored WBL coordinated professional development and in periodic ongoing coordination and professional development activities;
- Require that the WBL team utilize a database system developed by the LEA for the LEA's specific need
- Participate in the CTE Program Approval evaluation every three years.
- Provide an experience that is consistent with the federal Fair Labor Standards Act.
- Be administered consistent with USBE rules and LEA policies, including regarding student transportation; credit toward graduation; attendance; and fee waivers.



⁴⁰ Utah State Board of Education. Admin. Rule R277-915-4. Disbursement of Funds.

<https://www.schools.utah.gov/file/abd61416-c00f-4169-9120-d6c56ce10a01>

III. What Additional Flexibility Can LEAs Use to Personalize Education?

LEA Policy on WBL

An LEA that assigns WBL participating students to off-campus sites or on-campus simulations is required to establish a policy which includes nine elements detailed in Administrative Rule Section [R277-915-3. Mandatory LEA Policy](#), addressing:

- Training for student participants, their supervisors, and cooperating employers regarding health hazards and safety procedures in the workplace
- Standards and procedures for approval of off-campus work sites
- Transportation options for students to and from the work site
- Appropriate work site supervision by employers
- Adequate insurance coverage provided by the student, program, or LEA
- Appropriate supervision and assessment of the student by the LEA
- Appropriate involvement and approval by the student's parents
- Provision for risk or liability inherent in the program
- A requirement that any WBL credit awarded maintains the integrity and rigor the USBE expects for high school graduation

Flexibility for Innovation

While Administrative Rule [R277-915 Work-based Learning Programs](#), establishes extensive WBL program requirements, there is significant flexibility within the rule for an LEA to design and implement WBL experiences that fit within the LEA's personalized or competency-based learning model. For example, the LEA can:

- ▶ Establish WBL program goals that are aligned to goals for personalized, competency-based learning
- ▶ Determine the composition and duties of the WBL Committee
- ▶ Select WBL program partners in accordance with personalized, competency-based learning objectives
- ▶ Prioritize WBL experiences that allow for credit to be earned for demonstrated mastery
- ▶ Within any guidelines or expectations established by USBE, establish rigorous competency-based criteria for awarding WBL credit, including credit for high school graduation.

Decision Making Authority for This Flexibility

An LEA and its board have the authority to design and implement any WBL program that meets the requirements of (and standards specified within) USBE Administrative Rule [R277-915 Work-based Learning Programs](#), including the authority to adopt a WBL policy. State approval is not required. Administrative Rule [R277-121 Board Waiver of Administrative Rules](#), described later in this section, may provide additional opportunities for innovation.

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Example of How This Flexibility is Being Used

Park City Center for Advanced Professional Studies

Park City High School has a nationally recognized, one-of-a-kind program that focuses on project based learning education models. The Park City Center for Advanced Professional Studies. Students are “fully immersed into professional culture, and are provided with opportunities to explore different career paths.” This program uses specialized instructors and volunteer industry mentors to assist students in participating in real-world projects for companies, while at the same time, receiving high school credit.



References and Resources

- [Administrative Rule R277-915 Work-Based Learning Programs](#)
- [Utah Code 53G-7-902 Public or Private School Internships;](#)
- [USBE - Work-Based Learning Manual](#)

Career and Technical Education

Career and Technical Education (CTE) programs in Utah allow students to graduate, prepared for high-skill, high-demand careers. Flexibility is allowed in CTE programs where students may complete courses by demonstrating competencies or by course completion -- LEAs may choose to make these CTE programs part of a personalized or competency-based education model.

An LEA may elect to offer a Secondary Career and Technical Education program. In accordance with USBE Administrative Rule R277-911 Secondary Career and Technical Education, which establishes standards and procedures for LEAs seeking to qualify for funds administered by USBE for CTE programs, career and technical education (CTE) means organized educational programs that:

- Prepare individuals for a wide range of high-skill, high-demand careers;
- Provide all students with a seamless education system from public education to post-secondary education, driven by a Plan for College and Career Readiness; and
- Provide students competency-based instruction, hands-on experiences, and certified occupational skills, culminating in further education and meaningful employment.

In accordance with Utah Code, the USBE is allowed to establish minimum standards for CTE programs and is required to “distribute specific amounts and percentages for specific CTE programs and facilitate administration of various programs.”⁴¹

⁴¹ Utah Code 53E-3-507. Powers of the State Board. <https://le.utah.gov/xcode/Title53E/Chapter3/53E-3-S507.html>; Utah Code 53F-2-311. Weighted Pupil Units for Career and Technical Education Programs - Funding of Approved Programs - Performance Measures - Qualifying Criteria.

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Requirements for a Secondary CTE Program

USBE has established requirements for CTE programs, which include the following:

- Programs are supported by a database, including:
 - Manpower projections (local, regional, state and federal);
 - Student occupational/interest surveys;
 - Regional job profile;
 - Advisory committee information; and
 - Follow-up evaluation and reports.
- LEA CTE directors shall meet the requirements specified in Administrative [Rule R277-911 Secondary Career and Technical Education](#).
- Within available resources, instructional materials, including textbooks, reference materials, and media, shall reflect current technology, processes, and information for the CTE programs.
- An LEA must:
 - Provide CTE guidance, counseling, and USBE-approved testing for students enrolled in CTE programs;
 - Develop a written plan for placement services with the assistance of local advisory committees, business and industry, and the Department of Workforce Services;
 - Develop a Plan for College and Career Readiness for all students, which includes:
 - a student's education occupation plans (grades 7-12), including job placement when appropriate;
 - all USBE, local board graduation requirements;
 - evidence of annual parent, student, and school representative involvement;
 - attainment of approved workplace skill competencies; and
 - identification of a CTE postsecondary goal and an approved sequence of academic and CTE courses;
 - Use curricula and instruction that is directly related to business and industry validated competencies;
 - Use a valid skill certification process to verify successful completion of competencies;
 - Provide instruction in proper and safe use of any equipment required for skill certification within the approved program;
 - Provide and safely maintain equipment and facilities, consistent with the validated competencies identified in the instruction standard and applicable state and federal laws;
 - Conduct CTE programs consistent with USBE policies and state and federal laws and regulations on access that prohibit discrimination on the basis of race; creed; color; national origin; religion; age; sex; and disability; and
 - Establish an active advisory council to annually review all CTE programs regarding program offerings, quality of programs, and equipment needs. An advisory council may

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Requirements for a Secondary CTE Program

- serve several LEAs or a region.
- Counselors and instructional staff are required to hold valid Utah teaching licenses with endorsements appropriate for the programs they teach. CTE program instructors must keep technical and professional skills current.
- At the LEA or regional level, a program advisory committee made up of individuals who are working in the occupational area must support each state-funded CTE program.
- An LEA, with oversight by local program advisory committee members, must evaluate its CTE programs annually.

LEAs are encouraged to make training available through nationally chartered CTE student leadership organizations in each area of study.

Credit Based on Demonstrated Competency or Course Completion

A CTE course may be completed by demonstrated competencies or by course completion. Program completion is defined to mean “completion of a sequence of approved courses, work-based learning experiences, or other prescribed learning experiences as determined by the Plan for College and Career Readiness.”⁴² By definition, CTE instruction is competency-based instruction, and LEAs that offer CTE courses, in any of the USBE-defined CTE areas of study (i.e., agriculture; business; family and consumer sciences), can make those courses and many aspects of their administration, such as professional development, student assessments, course credit criteria, part of a personalized, or competency-based education (CBE) model.

R277-419-5(7) Waiver

On March 19, 2020, the USBE approved a waiver of the requirement in R277-419-5(7) that requires LEAs to apply by April 1 for CTE courses for the upcoming year, through June 30, 2020, in order to give district and charter schools more flexibility to deal with the COVID-19 pandemic.⁴³

⁴²Utah State Board of Education. Admin. Code R277-911-2(11). Definitions. <https://www.schools.utah.gov/file/84f5cd97-3fb7-4849-a6d1-2eb6309b140e>

⁴³Utah State Board of Education. Meeting Summary – March 19, 2020. <https://schools.utah.gov/board/utah/meetings?mid=2608&tid=3>

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Flexibility for Innovation

While Administrative Rule R277-911 Secondary Career and Technical Education establishes extensive CTE program requirements, there is significant flexibility within the rule for an LEA to design and implement CTE courses and programs that fit within the LEA's personalized or competency-based learning model.

For example, the LEA can:

- ▶ Establish Secondary CTE program goals that are aligned to goals for non-CTE personalized, competency-based learning.
- ▶ Determine the composition and some of the duties of the advisory council annually.
- ▶ Adopt or select curricula and establish guidelines for instruction.
- ▶ Establish local requirements for development of each student's Plan for College and Career Readiness for all students, which may go beyond the requirements described above, including, for example, student engagement in competency-based education for both CTE and non-CTE course credits.
- ▶ Develop a skill certification process to verify successful completion of competencies.
- ▶ Establish requirements and other criteria for the ongoing professional development of CTE program instructors so that all are able to keep their technical and professional skills current, including through business and industry involvement.

Limitations and Other Requirements to Consider

- ▶ Counselors and instructional staff shall hold valid Utah teaching licenses with endorsements appropriate for the programs they teach.⁴⁴
- ▶ Programs and courses provided through technical colleges and higher education institutions do not qualify for added cost funds except for specific contractual arrangements approved by USBE.⁴⁵
- ▶ An LEA that demonstrates approved student skill certification may receive additional compensation if it can “show its student completer has demonstrated mastery of standards, as established by the Board” and “an approved skill certification assessment is developed for the program.” An authorized test administrator must verify student mastery of the skill standard.⁴⁶
- ▶ To meet reporting requirements defined in Administrative Rule [R277-419-8 Reporting Requirements](#), LEA Records, and Audits, an LEA must ensure that computerized or manually produced records for CTE programs are kept by teacher, class, and classification of instructional program (CIP) code; and that such records accurately show for each student in a CTE class the: entry date, exit date, and excused or unexcused status of absence.⁴⁷

⁴⁴ Utah State Board of Education. Admin. Rule R277-911-3. CTE Program Approval.

<https://www.schools.utah.gov/file/84f5cd97-3fb7-4849-a6d1-2eb6309b140e>

⁴⁵ Utah State Board of Education. Admin. Rule R277-911-5. Disbursement of Funds - Added Cost Funds.

<https://www.schools.utah.gov/file/84f5cd97-3fb7-4849-a6d1-2eb6309b140e>

⁴⁶ Utah State Board of Education. Admin. Rule R277-911-6. Disbursement of Funds - Skill Certification.

<https://www.schools.utah.gov/file/84f5cd97-3fb7-4849-a6d1-2eb6309b140e>

⁴⁷ Utah State Board of Education. Admin. Rule R277-419-6. Student Membership Calculations.

<https://www.schools.utah.gov/file/88a6384d-8c8e-4b3a-b8d6-8843064602e9>

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Decision Making Authority for This Flexibility

The Superintendent shall approve CTE programs based on verified training needs of the area and the competencies necessary to provide occupational opportunities for students. Approval is subject to an LEA meeting all of the approval requirements described above. Administrative Rule [R277-121 Board Waiver of Administrative Rules](#), described later in this section, may provide additional opportunities for innovation.

References and Resources

- [Administrative Rule R277-911 Secondary Career and Technical Education](#)
- [USBE – College and Career Awareness](#)

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Options to Support Early Graduation

Every Utah LEA can establish policies allowing a student to graduate from high school early. Utah also makes early graduation a rewarding option for students.

The Centennial Scholarship for Early Graduation program is a partial tuition program which allows for high school graduation to be flexible and appropriate to meet the individual students' needs.

Utah Code Subsection [53F-2-501\(3\) Early Graduation Incentives](#) requires the USBE to make payments to a public school student who graduates early. And through Administrative Rule [R277-703 Centennial Scholarship for Early Graduation](#), USBE allows for graduation to be “flexible and appropriate to meet individual students’ needs”, requires a student seeking a Centennial Scholarship to complete the courses of study and credit mandated by USBE and the student’s local board, and outlines the early graduation procedure to be used so that if a student graduates any time before the conclusion of grade 11, or prior to the conclusion of grade 12, the student may receive a reimbursement towards enrollment in a Utah post-secondary institution.

Through the Statewide Online Education Program, a student may exceed yearly credit limitations to accelerate graduation by declaring an intent to graduate early. An eligible student may exceed a full course load during a regular school year if:

- the student’s plan for college and career readiness indicates that the student intends to complete high school graduation requirements and exit high school before the rest of the student’s high school cohort; and
- the student’s schedule demonstrates progress toward early graduation.⁴⁸

To be eligible for early graduation, a student shall have a current plan for college and career readiness on file at the student’s high school as described in Administrative Rule [R277-700-6 High School Requirements](#) and shall indicate to school leaders the student’s intent to complete early graduation at the beginning of the ninth grade year or as soon thereafter as the intent is known.

Flexibility for Innovation

- ▶ A student seeking a Centennial Scholarship shall complete the courses of study and credit mandated by the USBE and by the student’s local school board.
- ▶ Administrative Rule Section R277-703-3 Curriculum Options for Accelerating a Secondary School Student’s Education Program provides examples of options students might have for earning additional credit. The language used affords LEAs broad flexibility in that it defines a series of options, and in doing so gives significant discretion to LEAs. Furthermore, the list of options appears to be illustrative, not restrictive in any way. Within the list:

Graduation Plans



R277-703-4: Early Graduation Student Education Plan, cites R277-700-6(24) with regard to the plan for college and career readiness; however, paragraph (24) of that section **requires** the Superintendent to provide a list of approved courses. Paragraph (25) permits an LEA to modify graduation requirements for an individual student consistent with an SEOP/ Plan for College and Career Readiness.

⁴⁸Utah State Board of Education. Admin. Rule [R277-726-4 Eligible Student and Parent Rights and Responsibilities](#)

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Flexibility for Innovation

- A student's options for earning additional credit through courses are, to some extent, defined by the LEA. For example, the options are to include "courses completed at the student's own rate based on performance as approved by the local school board or charter school governing board," and "LEA-approved high school or college level correspondence courses."
- A student's options for earning additional credit through demonstrated proficiency by assessment and the amount of credit earned are, to some extent, defined by the LEA. For example, the LEA board credit may be earned for demonstrated proficiency on an Advanced Placement examination approved by the local board or in a subject assessed by the LEA.
- A student's options for earning additional credit through an approved work experience may be limited to work experience assessed by the LEA.
- A student's options for earning increased credit for courses that are combined into a time frame that ordinarily accommodates fewer classes is contingent on LEA approval.
- A student's options for earning credit for experience gained during travel relevant to a specific course must be approved by the LEA in advance.

► For purposes of calculating student membership under Administrative Rule [R277-419-6 Student Membership Calculations](#), an early graduation student may be counted for more than 180 days of regular membership in accordance with the student's early graduation student education plan.⁴⁹

Decision Making Authority for This Flexibility

An LEA must permit a student to graduate early if the student meets the consultation, notice, and college and career readiness plan requirements of Administrative Rule [R277-703-4 Early Graduation Student Education Plan](#); however, the LEA may prescribe details of the courses of study and credit required (such as limits on the number of on-line or dual enrollment courses that can be taken during a school year), as well as options for earning additional credit. Administrative Rule [R277-121 Board Waiver of Administrative Rules](#), described in Section II, may provide additional opportunities for innovation.

Example of How This Flexibility is Being Used

Tooele School District's Credit Guidelines for Graduation from Secondary Schools⁵⁰

According to the Tooele School District's Guidelines, within the district, "any student may declare intent to graduate early (TCSD policy #5008)." Early graduation can take place as early as the end of the eleventh-grade year and is contingent on the creation of an "alternative Plan for College and Career Readiness (PCCR)" by the school principal.

⁴⁹Utah State Board of Education. Admin. Rule Section R277-419-6. Student Membership Calculations. <https://www.schools.utah.gov/file/88a6384d-8c8e-4b3a-b8d6-8843064602e9>

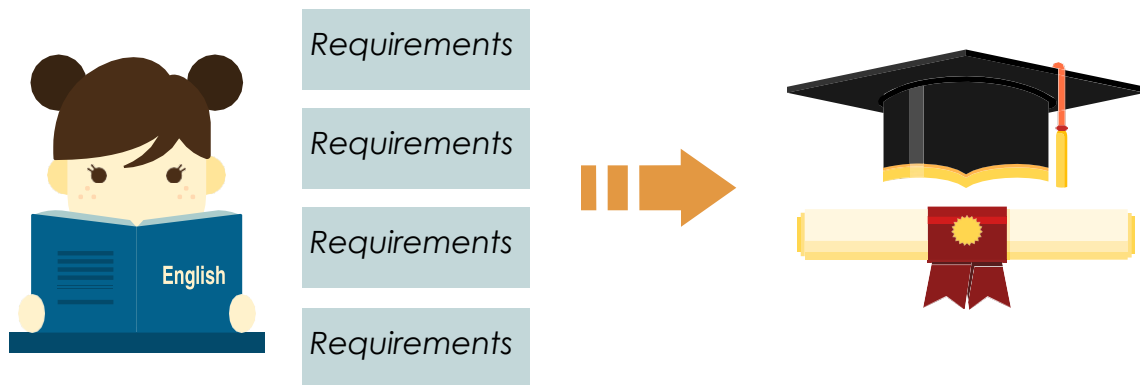
⁵⁰Tooele County School District Board of Education. Tooele County School District Credit Guidelines Handbook for Graduation from Secondary Schools 2019-2020. <https://4.files.edl.io/79cc/02/26/20/221838-ad157585-112a-4cf3-9560-2844919fdb65.pdf>

III. What Additional Flexibility Can LEAs Use to Personalize Education?

Example of How This Flexibility is Being Used

The district’s guidelines on early graduation include:

- a. Credit earned during the summer between the eighth and ninth grade years may be applied toward a high school diploma.
- b. Declaration of intent to graduate early should ideally occur at least one quarter prior to the desired graduation date. Such declaration must be made in writing directly to the principal of the high school where the student is enrolled.
- c. A student intending to graduate early must complete all requirements for graduation mandated for students completing twelve (12) years of schooling and all core requirements including four (4) years of language arts. Some modifications of requirements for purposes of early graduation include:
 - i. Only World Language Level 3, World Language Level 4, Advanced Placement, Concurrent Enrollment, and International Baccalaureate courses, as well as select language arts electives, may count as senior language arts credit. For those students graduating early, these language arts courses/levels, when taken in the 9th, 10th, 11th grade, may be applied toward the senior language arts credit.
 - ii. Although a student cannot concurrently enroll in junior and senior language arts, a student enrolled in junior language arts may take any senior elective language arts course. (This may be individually negotiated with the student’s counselor/administrator, depending upon the acceleration needs of the early graduation student.)”



References and Resources

- [Administrative Rule R277-703 Centennial Scholarship for Early Graduation](#)
- [Administrative Rule R277-726 Statewide Online Education Program](#)
- [Utah Code 53F-2-501 Early Graduation Incentives](#)
- [Utah Code 53E-3-501 SBE Establishes Standards](#)
- [USBE – Early College](#)

IV. How Can LEAs Leverage PCBL Programs?

Utah is one of just a handful of states that have created a program specifically to support LEAs in the design, implementation, and expansion of competency-based education (CBE). This section provides information on the USBE CBE grants program, with examples on work being done already by participating LEAs, requirements for accessing program funding and technical assistance, see below for:

- ▶ An overview of the CBE Grant Program
- ▶ Information on the Phase 3 Program
 - Planning Grants
 - Implementation Grants
 - Expansion Grants
- ▶ Utah Personalized, Competency-Based Education Framework
- ▶ Other Resources to Support LEA Program Design and Implementation
- ▶ Reimbursement Program for Early Graduation from Competency-Based Education
- ▶ Technical Support for Local Innovation
- ▶ Student Protection
- ▶ Information on Current Grant Recipients
- ▶ Higher Education Entrance Requirements

Competency-Based Grants: Overview

After taking initial steps to encourage LEAs to adopt competency-based education approaches as early as 2013, the Utah Legislature, in 2016, authorized the Competency-Based Education Grants Program. That action -- passage of SB 143, along with the passage of subsequent bills SB34 in 2017 and SB91 in 2019 -- put in place additional provisions to support program participating LEAs and students, as described below.

Personalized, Competency-Based Learning Principles

Utah's Competency-Based Advisory Committee reviews and evaluates grant applications before making award recommendations to the USBE for consideration and approval. The legislature has authorized USBE to award grants to LEAs that will use personalized learning, blended learning, extended learning, educator professional learning, and other methods of instruction to "improve educational outcomes in public schools by advancing student mastery of concepts and skills through the core principles of personalized learning and competency-based education, including:

- Student advancement upon mastery of a concept or skill;
- Competencies that include explicit measurable, and transferable learning objectives that empower a student;
- Assessment that is meaningful and provides a positive learning experience for a student;
- Timely, differentiated support based on a student's individual learning needs; and
- Learning outcomes that emphasize competencies that include application and creation of knowledge along with development of important skills and dispositions."⁵¹

⁵¹Utah Code 53F-5-502. Competency-Based Education Grants Program – State Board Duties – Review Committee – Technical Assistance Training. <https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-502.html>

IV. How Can LEAs Leverage PCBL Programs?

CBE Grant Types

Three types of grants may be made, as described below:

- Planning grants [1 year grant period]⁵²
- Implementation grants [2 year grant period]⁵³
- Expansion grants [to be determined]⁵⁴

USB E Administrative Rule R277-712 Competency-Based Grant Programs establishes application, evaluation, and implementation requirements for all three types of grants.

The planning grant seeks to “support local education agencies in their planning for Competency-Based Education.”⁵⁵ The initial cohort (cohort A) was awarded in Spring 2019 and the competitive planning grant for Fiscal Year 2021 (Cohort B) is funded from July 1, 2020 until June 30, 2021. These grants cannot exceed \$100,000 per LEA.

The implementation grant for Cohort A is funded from July 1, 2020 until June 30, 2022. The maximum award amount over two years total \$400,000 per LEA. All Cohort A implementation grant activities must conclude by June 30, 2022.⁵⁶ As Cohort A grantees complete their implementation activities, they will become eligible to apply for an Expansion Grant.

Outcome Based Measurements

An LEA applying for or participating in any CBE Grant Program described in this part must include outcome-based measurements, including at least one measurement of student growth and proficiency, as part of its competency-based program and use such measurements to measure the performance of the LEA’s plan. Measurements must be defined in three categories for each phase of the grant program:

- Leading Indicators
- Primary Indicators
- Long-Term Indicators

See Appendix C for information on the Outcome Based Measurements identified by all of the Cohort A grantees.

⁵²An LEA that receives a grant under Subsection (1)(a) shall expend the grant funds no later than one calendar year after receiving the funds. See Utah Code 53F-5-503. Planning Grants – Requirements. <https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-S503.html>

⁵³An LEA that receives a grant under Subsection (1)(a) shall expend the grant funds no later than two calendar years after receiving the funds. See Utah Code 53F-5-504. Implementation Grants – Requirements. <https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-S504.html>

⁵⁴An LEA that receives a grant under Subsection (1)(a) shall expend the grant funds no later than two calendar years after receiving the funds. See Utah Code 53F-5-505. Expansion Grants – Requirements. <https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-S505.html>

⁵⁵Utah State Board of Education. Competency-Based Education: Planning Grant Program. <https://www.schools.utah.gov/curr/competencybased?mid=4181&tid=3>

⁵⁶Utah State Board of Education. Competency-Based Education: Implementation Grant Program. <https://www.schools.utah.gov/curr/competencybased?mid=4181&tid=4>

IV. How Can LEAs Leverage PCBL Programs?

Outcome Based Measurements

An LEA's outcome-based measurements *must* include at least one measurement of student **growth** and **proficiency** and may also include:

- Parent and student satisfaction with the LEA's competency-based program
- Cost savings
- LEA's graduation rate increase
- Increase in number of credits earned by students through the competency-based program
- Program indicators listed in Utah's Competency-Based Education Framework, pending approval

Qualifying for a Subsequent Grant Phase

An LEA may be awarded each subsequent phase of the grant program, only after:

- Successful participation in the previous phase
- USBE approval of the LEA's plan⁵⁷

Options Following Denial

If an LEA's application is denied by the USBE:

- Following the first denial -- the LEA may submit a new grant application the next year.
- Following the second denial -- the LEA may only submit a planning grant application the next year if the LEA requests technical assistance from the Superintendent prior to re-applying and demonstrates increased understanding of competency-based education implementation upon re-application.⁵⁸

⁵⁷Utah State Board of Education. Admin. Rule R277-712-6. Procedure and Requirements for Awarding a Grant. <https://usbe.civicclerk.com/Web/GenFile.aspx?ad=2857>

⁵⁸Utah State Board of Education. Admin. Rule R277-712-6. Procedure and Requirements for Awarding a Grant. <https://usbe.civicclerk.com/Web/GenFile.aspx?ad=2857>

IV. How Can LEAs Leverage PCBL Programs?

Three Phases of the CBE Grants Program

Utah Code establishes a 3-phase grant program to support LEAs in the design and implementation of CBE. See Appendix D for a side-by-side overview of each type of grant.

Planning Grants

An LEA seeking a Planning Grant must meet the following requirements:

- Prior to submission of a planning grant application, at least two LEA representatives must participate in USBE's competency-based technical assistance training, including: (1) the school district superintendent (or charter school executive director); and (2) the LEA's curriculum director or proposed competency-based education program manager.
- Using an application created by USBE within the deadline established by the Superintendent, the LEA must provide:
 - A general description of the program the LEA would like to plan
 - An indication of whether the LEA intends to plan for schoolwide implementation or initial implementation with a population smaller than schoolwide (and phasing to schoolwide or LEA-wide over a specified period of time)
 - A description of the types of partners who will help with the plan and, eventually, implementation of the competency-based education program
 - Information showing how planning activities and the program will focus on the core principles provided above); use of instructional methods, such as blended learning and extended learning; and the outcome-based measures the LEA will use to measure its performance of the plan
 - Information indicating that the LEA has the capacity, qualifications, local governing body support, and time to successfully plan the program; and an intentional and feasible planning process
 - Information indicating that the LEA will align its budget with the planning process, as necessary
 - Information indicating that the LEA will communicate and promote the plan with parents, teachers, and members of the community
- Using metrics it has established to analyze the quality of a grant application, the Competency-Based Advisory Committee reviews each planning grant application to determine compliance with the criteria listed above, including the proposed budget and outcome based measurements, and makes a recommendation to the Superintendent and USBE on whether the grant application should be approved for funding.
- An LEA that receives a Planning Grant must expend its grant funds no later than one calendar year after receipt.

IV. How Can LEAs Leverage PCBL Programs?

Implementation Grants

An LEA seeking an Implementation Grant must meet the following requirements:

- The LEA previously received a Planning Grant and successfully participated in the Planning Grant phase.
- Prior to submission of an implementation grant application, at least two LEA representatives must participate in USBE's competency-based technical assistance training, including: (1) the school district superintendent (or charter school executive director); and (2) the LEA's curriculum director or proposed competency-based education program manager.
- Using an application created by USBE, and within the deadline established by the Superintendent, the LEA must provide evidence that the LEA:
 - Can logically articulate the proposed program's mission, theory of change, and the program's intended goals and outcomes
 - Plans for schoolwide implementation or initial implementation with a population smaller than schoolwide (and phasing to schoolwide or districtwide over a specified period of time)
 - Has an understanding of similar programs and can use this knowledge to strengthen the LEA's program implementation
 - Plans a program that will focus on the core principles (provided above); use of instructional methods, such as blended learning and extended learning; and the outcome-based measures the LEA will use to measure its performance of the plan
 - Plans a program that will address a need, determined by data, in the LEA or community
 - Has a strong evaluation plan that will clearly measure the success of the LEA's program against the stated goals and objectives
 - Has a list of signatures of key stakeholders and partners who are committed to implementing the program
 - Has the capacity, qualifications, local governing body support, and time to successfully implement the program; and, and intentional and feasible scope of work to implement the program
 - Will align its budget with the planning process, as necessary
 - Will communicate and promote the plan with parents, teachers, and members of the community

Using metrics it has established to analyze the quality of a grant application, the Competency-based Advisory Committee reviews each implementation grant application to determine compliance with the criteria listed above, including the proposed budget and outcome based measurements, and makes a recommendation to the Superintendent and USBE on whether the grant application should be approved for funding.

An LEA that receives an Implementation Grant must expend its grant funds no later than two calendar years after receipt.

IV. How Can LEAs Leverage PCBL Programs?

Expansion Grants

An LEA seeking an Expansion Grant must meet the following requirements:

- The LEA previously received an Implementation Grant and successfully participated in the Implementation Grant phase.
- Prior to submission of an expansion grant application, at least two LEA representatives must participate in USBE's competency-based technical assistance training, including: (1) the school district superintendent (or charter school executive director); and (2) the LEA's curriculum director or proposed competency-based education program manager.
- Using an application created by USBE, and within the deadline established by the Superintendent, the LEA must provide evidence that the LEA:
 - Has an established program that:
 - Has successfully met previous goals
 - Has shown outcomes that are in alignment with the core CBE principles (described above) and used methods such as personalized and blended learning
 - Is supported by LEA management and leadership
 - Is suitable for expansion schoolwide or districtwide
 - Is the program, with any necessary modifications, that the LEA plans to expand if awarded the expansion grant
 - Can logically articulate the proposed program's mission, theory of change, and the program's intended goals and outcomes
 - The program as proposed for expansion is focused on: direct alignment with the core principles (provided above); use of instructional methods, such as blended learning and extended learning, as applicable; and the outcome-based measures the LEA will use to measure its performance of the plan
 - That the program will address a need, determined by data, in the LEA or community
 - Has clearly articulated core components that ensure, when expanded, the program will yield positive outcomes
 - Has a strong evaluation plan that will clearly measure the success of the LEA's program against the stated goals and objectives
 - Has a list of signatures of key stakeholders and partners who are committed to implementing the program
 - Has the capacity, qualifications, local governing body support, and time to successfully expand the program
 - Has an intentional and feasible scope of work to implement the program
 - Has a strategic budget that is aligned with the LEA's scope of work
 - Will communicate and promote the plan with parents, teachers, and members of the community

IV. How Can LEAs Leverage PCBL Programs?

Using metrics it has established to analyze the quality of a grant application, the Competency-Based Advisory Committee reviews each Expansion Grant application to determine compliance with the criteria listed above, including the proposed budget and outcome based measurements, and make a recommendation to the Superintendent and USBE on whether the grant application should be approved for funding.

An LEA that receives an Expansion Grant must expend its grant funds no later than two calendar years after receipt.⁵⁹

Utah PCBL Framework

The Utah's Personalized, Competency-Based Learning (PCBL) Framework seeks to create a bridge from the USBE's Strategic Plan and the Utah Portrait of a Graduate Competencies to the work of educators and students in Utah's classrooms as they work to achieve the learning outcomes as described in Utah's Core Standards and the P-20 Competencies.⁶⁰

To achieve this, the PCBL framework leverages six essential components necessary to create a personalized, competency based learning approach. The **six** essential components are:

➤ Purpose and Vision

Students are immersed in an educational culture of rigorous, high expectations, empowering students to take ownership of their learning and providing flexible supports to maximize student growth and competence. The educational culture is transparent across stakeholder groups, including families, providing clear and consistent expectations, relevant experiences, and opportunities for feedback and direction.

➤ Student Agency

Students assume responsibility for their own learning by creating or co-designing learning experiences through valuing student voice, personal reflection, and with support of educators and families.

➤ Demonstrated Competency and Assessment

Students progress at their own pace based on authentic application of acquired knowledge, essential skills, and dispositions. Timely, effective feedback, and data from a variety of rigorous performance assessments inform student growth, progress and advancement based on high expectations.

➤ Customized Supports

Each student is provided appropriate supports in a timely fashion to achieve their potential. These supports are the product of a system of intentional formative assessment strategies and feedback loops that drive a team of collaborative educators to personalize learning paths for students based on their growth or demonstration of competency.

⁵⁹An LEA that receives a grant under Subsection (1)(a) shall expend the grant funds no later than two calendar years after receiving the funds. See Utah Code 53F-5-505. Expansion Grants – Requirements. <https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-S505.html>.

⁶⁰ Utah State Board of Education. Personalized Competency-Based Learning Framework <https://schools.utah.gov/file/b968b87d-7021-4d1d-a1ac-28636c0b720d>

IV. How Can LEAs Leverage PCBL Programs?

Utah PCBL Framework

➤ Equity

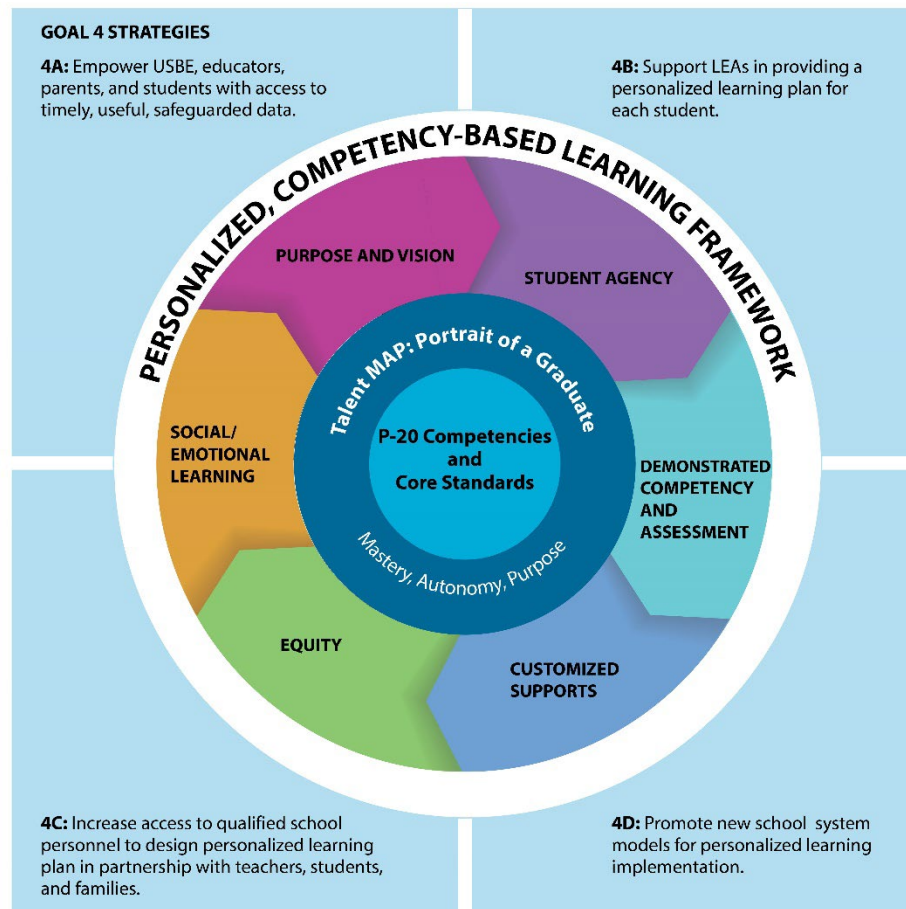
The equitable distribution of resources based upon each individual student’s needs, which includes funding, programs, policies, initiatives and supports that target each student’s unique background and school context to guarantee that all students have access to a high-quality education.

➤ Social/Emotional Learning

The process through which students acquire and effectively apply the knowledge, attitude, and skills necessary to: (a) understand and manage emotions; (b) set and achieve positive goals; (c) feel and show empathy for others; (d) establish and maintain positive relationships; (e) make responsible decisions; and (f) self-advocate.

When these elements are used in concert with one another they set the learning conditions to support schools and districts in achieving the ideals of PCBL.

Furthermore, the PCBL Framework provides clear indicators and promising practices for educators and students needed to create learning conditions that cultivate student learning by being transparent about learning expectations which in turn allows students to know their learning targets and what they need to do demonstrate mastery.



IV. How Can LEAs Leverage PCBL Programs?

Waivers from Administrative Rule

In addition to the waiver opportunities provided pursuant to Administrative Rule R277-121 Board Waiver of Administrative Rules, as described above in Part II, the Utah Legislature authorized a waiver process specifically for LEAs applying for participation in the Competency-Based Education Grants Program. Under Utah Code 53F-5-506 Waiver from State Board Rule – State Board Recommended Statutory Changes, an LEA, in a grant application, may request a waiver of any Administrative Rule that “inhibits or hinders the LEA from accomplishing its goals set out in its grant application.”⁶¹ As with R277-121 Board Waiver of Administrative Rules, USBE is prohibited from granting a waiver that would cause the LEA to be in violation of state or federal law; or would threaten the health, safety, or welfare of students in the LEA.

USBE is required to collect information from each LEA that receives a Competency-Based Education Grant regarding information on any state statute that hinders the LEA from fully implementing its competency-based education program.

Portrait of a Graduate - Developing Competencies for LEAs

The Utah Talent MAP, identifies 13 elements that are cultivated in educational settings: academic mastery; wellness; civic, financial, and economic literacy; digital literacy; communication; critical thinking and problem solving; creativity and innovation; collaboration and teamwork; honesty, integrity, and responsibility; hard work and resilience; lifelong learning and personal growth; service; and respect.⁶² Current work involves building out this vision for graduates through the design and pilot of prototype competencies for P-20 education.



Mastery is the ability to demonstrate depth of knowledge and skill proficiency.

- Academic Mastery
- Wellness
- Civic, Financial and Economic Literacy
- Digital Literacy



Autonomy is having the self-confidence and motivation to think and act independently.

- Communication
- Critical Thinking and Problem Solving
- Creativity and Innovation
- Collaboration and Teamwork



Purpose guides life decisions, influences behavior, shapes goals, offers a sense of direction, and creates meaning.

- Honesty, Integrity and Responsibility
- Hard Work and Resilience
- Lifelong Learning and Personal Growth
- Service
- Respect

⁶¹ Utah Code 53F-5-506. Waiver from State Board Rule – State Board Recommended Statutory Changes.

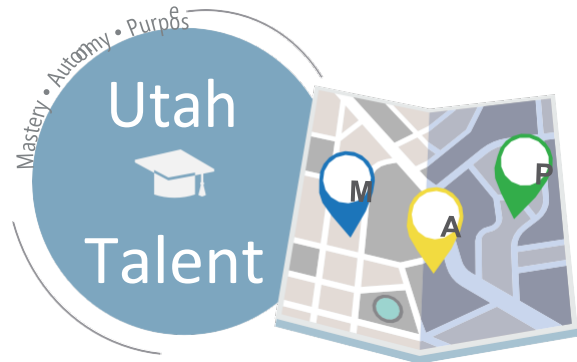
<https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-S506.html>

⁶² Utah State Board of Education. Utah Talent MAP. <https://schools.utah.gov/file/bccb96eb-e6a6-47cf-9745-cf311675ad8b>

IV. How Can LEAs Leverage PCBL Programs?

Portrait of a Graduate - Developing Competencies for LEAs

To accomplish this work, the USBE engaged with KnowledgeWorks in the planning process, providing on-site facilitation for local stakeholder groups to develop draft competencies, facilitated public feedback and revision, and submission of the P-20 competencies for publication in September 2020. The prototype competencies will be piloted in the 2020-21 school year, and revised and finalized in the summer of 2021.



Reimbursement Program for Early Graduation from Competency-Based Education

The Utah Legislature, through Utah Code 53F-2-511 Reimbursement Program for Early Graduation from Competency-Based Education, created the Reimbursement Program for Early Graduation from Competency-based Education. From such sums as the legislature may appropriate annually to the Reimbursement Program, an LEA may apply to receive a reimbursement if an eligible student attended the LEA for less than a full school year before the student's cohort graduated –

- Up to the value of one weighted pupil unit prorated based on the difference between: the number of days of partial pupil in average daily membership (ADM) earned by the LEA while the student was still in attendance and a full pupil in ADM
- The value of one weighted pupil unit for each school year the eligible student graduated ahead of the student's cohort

An eligible student is defined as one who attended an eligible LEA (for which meeting the core principles of competency-based education, described above, is required) and graduated by completing graduation requirements earlier than the individual's cohort because of the individual's participation in CBE.

To receive a CBE designation, which is required for reimbursement, an LEA must submit an application to the Competency-Based Education Advisory Committee, using an application prescribed by USBE, no later than April 1st of the school year prior to the school year in which the LEA intends to seek reimbursement and have an approved competency-based education plan pursuant to Administrative Rule R277-712 Competency-Based Grant Programs. Any such designation, once approved by the USBE, acting on a recommendation from the Advisory Committee, shall last for the following three years, provided the school continues to operate on a competency-based model. A designation may not be used retroactively for reimbursement of eligible students. An LEA that does not currently have a competency-based education designation may not use designation, once approved, for reimbursement of eligible students in the year in which the LEA's application is approved.⁶³

⁶³ Utah State Board of Education. Admin. Rule R277-720-3. Competency Based Education Designation. <https://www.schools.utah.gov/file/88f0d739-6716-432c-a87e-28af85c3a47a>

IV. How Can LEAs Leverage PCBL Programs?

Extensions

On March 19, 2020, the USBE approved a two-month extension of the April 1 deadline in R277-720-3(1) for an LEA to apply for a competency-based education designation, in order to give district and charter schools more flexibility to deal with the COVID-19 pandemic.

Technical Support for Local Innovation

The USBE is providing three optional types of technical support for LEAs applying for and receiving the CBE grants, including individual coaching through TNTP, membership in the Mastery Transcript Consortium, and formative self-assessment with [LEAP Innovations](#) personalized learning surveys and reports.⁶⁴

Individual LEA Coaching (TNTP)⁶⁵

LEA's have the option to opt in or out of personalized coaching with TNTP, if awarded a Competency-Based Grant, for the duration of the planning grant. TNTP partners with LEAs to provide technical assistance that will include both individualized and collaborative support in alignment with Utah's Competency-Based Education Framework. TNTP will provides support with drafting applications, monthly webinars and personalized virtual coaching sessions.⁶⁶

Mastery Transcript Consortium (MTC)⁶⁷

An LEA that chooses to partner with the MTC will be “supported by a technology platform that allows the complete record of a student’s credits and submitted evidence to be submitted to college admissions offices and professional organizations for evaluation.”⁶⁸ Partnering with MTC allows LEAs to receive assistance in developing mastery-based rubrics, making changes to teaching and assessments, accelerating change, and personalizing transcripts that reflect student competencies, strengths, and interests along with digital portfolio artifacts that demonstrate advanced competencies and accolades.

⁶⁴Utah State Board of Education. Utah State Board of Education Application for Competency-Based Education Planning Grant. Cohort B: 2020-2021. <https://www.schools.utah.gov/file/fb347f14-4b40-4324-ad95-11ba0fcbcad2>

⁶⁵See TNTP. <https://tntp.org>

⁶⁶Utah State Board of Education. Utah State Board of Education Application for Competency-Based Education Planning Grant. Cohort B: 2020-2021. <https://www.schools.utah.gov/file/fb347f14-4b40-4324-ad95-11ba0fcbcad2>

⁶⁷See Mastery Transcript Consortium. <https://mastery.org/about/about-us/>

⁶⁸Utah State Board of Education. Utah State Board of Education Application for Competency-Based Education Planning Grant. Cohort B: 2020-2021. <https://www.schools.utah.gov/file/fb347f14-4b40-4324-ad95-11ba0fcbcad2>

IV. How Can LEAs Leverage PCBL Programs?

Technical Support for Local Innovation

LEAP Personalized Learning Surveys & Reports (LEAP Innovations)⁶⁹

As a formative way of self-assessing and monitoring progress toward personalized learning within the LEA, LEAs can participate in LEAP Personalized Learning Surveys and Reports. According to the USBE, these surveys include both students and teachers to give a full picture of what is working and what needs to be refined.⁷⁰ Note the application for the Competency-Based Education Planning grant indicates participation in these surveys is available to all LEAs in Utah at no-cost.

Student Protections Related to Competency-Based Education

With the enactment of Utah Code [53F-5-507 Cooperation of institutions of higher education – Transferring students not to be penalized](#), the Utah Legislature created important protections for students participating in an education program that uses CBE and the LEAs administering such programs:

- An institution of higher education (IHE) must “recognize and accept on equal footing as a traditional high school diploma a high school diploma awarded to a student who successfully completes an educational program that uses, in whole or in part, competency-based education;” including by cooperating with an LEA to facilitate the advancement of any such student and to assist the LEA in the development of a competency-based education plan. This protection applies to treatment of students by IHEs for purposes of admission, scholarships, and other financial aid consideration.
- A student attending an LEA that establishes competency-based education may not be penalized, such as by being required to repeat course work already successfully completed, if the student transfers to another school within the LEA or to another LEA.

⁶⁹See LEAP Innovations. <https://www.leapinnovations.org>

⁷⁰Utah State Board of Education. Utah State Board of Education Application for Competency-Based Education Planning Grant. Cohort B: 2020-2021. <https://www.schools.utah.gov/file/fb347f14-4b40-4324-ad95-11ba0fcbcad2>

IV. How Can LEAs Leverage PCBL Programs?

The following LEAs are the inaugural recipients of the first Competency-Based Education grants beginning with planning grants for the 2019-2020 school year. Names and contact information of the lead contact for each LEA is also included so that interested LEAs can reach out, as desired, to learn more.

Fiscal Year 2020	Fiscal Years 2021 and 2022 ⁷¹	
Planning Grant (1-Year) Cohort A	Planning Grant (1-Year) Cohort B	Implementation Grant (2-Years)
American Academy of Innovation \$51,080	Alpine School District \$100,000 <i>Contact:</i> Kevin Rich, Director of Secondary Assessment and PLC Coaches kevinrich@alpinedistrict.org	American Academy of Innovation Year 1: \$199,955 Year 2: \$199,955 <i>Contact:</i> Ryan Hagge, Academic Director ryan.hagge@aaiutah.org
Davis School District \$100,000 <i>Contact:</i> Ryan C. Hansen, PhD, Director of Digital Learning (planning grant only) rhansen@dsdmail.net	City Academy \$100,000 <i>Contact:</i> Sonia Woodbury, Executive Director sonia.woodbury@cityacademyslc.org	Davis School District Year 1: \$295,835 Year 2: \$104,165 <i>Contact:</i> Belinda Kuck, T&L Director bkuck@dsdmail.net
Duchesne School District \$100,000	Ogden City School District \$100,000 <i>Contact:</i> Tim Peters, CBE Program Manager and Executive Director, CTE peterst@ogdensd.org	Duchesne School District Year 1: \$100,000 Year 2: \$200,000 <i>Contact:</i> Jason Young, Curriculum & Assessment Director jyoung@dcsd.org
Iron County School District \$100,000	Spectrum Academy \$56,000 <i>Contact:</i> Kaley Veater, EdTech Coordinator kveater@spectrumcharter.org	Iron County School District Year 1: \$200,000 Year 2: \$200,000 <i>Contact:</i> Cory Henwood, District DTL Coordinator cory.henwood@ironmail.org

⁷¹ At the April 16, 2020 Utah State Board of Education meeting, the Board approved amendments to Administrative Rule [R277-712 Competency-Based Grant Programs](#). With this amendment, 3 additional LEAs will be able to apply to join Cohort B in this grant program. The LEAs will likely be selected at the May 2020 USBE meeting.

IV. How Can LEAs Leverage PCBL Programs?

Fiscal Year 2020	Fiscal Years 2021 and 2022 ⁶⁷	
Planning Grant (1-Year) Cohort A	Planning Grant (1-Year) Cohort B	Implementation Grant (2-Years)
Juab School District \$100,000	Washington County School District \$100,000 <i>Contact:</i> Tony Campbell, Digital Learning Coordinator tony.campbell@wash12.org	Juab School District Year 1: \$100,000 Year 2: \$200,000 <i>Contact:</i> Royd Darrington, Assist. Superintendent royd.darrington@juabsd.org
Logan School District \$100,000	Weber School District \$100,000 <i>Contact:</i> Hal Raymond, Weber Innovations Principal hraymond@wsd.net	Murray School District Year 1: \$197,811 Year 2: \$170,555 <i>Contact:</i> Melissa Hamilton, Dir., Elementary T&L mhamilton@murrayschools.org
Murray City School District \$100,000		

References and Resources

- [Administrative Rule R277-712 Competency-Based Grant Programs](#)
- [Utah Code 53F-2-511 Reimbursement Program for Early Graduation from Competency-Based Education](#)
- [Utah Code 53F-5-5 Competency Based Education Grants Program](#) (Note: HB27 and SB91 signed in 2019 amended statute related to competency-based education grants)
- [Utah Code 53F-5-502 Competency-Based Education Grants Program – State Board Duties – Review Committee Technical Assistance Training.](#)
- [Utah Code 53F-5-503 Planning grants – Requirements](#)
- [Utah Code 53F-5-504 Implementation grants – Requirements](#)
- [Utah Code 53F-5-505 Expansion grants – Requirements](#)
- [USBE – Competency-Based Education](#)
- [USBE - Competency-Based Education \(Presentation\)](#)
- [USBE - Utah Effective Teaching Standards](#)

IV. How Can LEAs Leverage PCBL Programs?

References and Resources, *continued*

- [USBE - Research Priority Brief - Utah Leading through Effective and Dynamic Education, Exploring Competency-Based Education](#)
- [CBE Planning Grant Application Overview - January 15, 2020](#)

V. Next Steps for LEAs

What is next for Local Education Agencies?

We hope the information in this guide empowers LEAs to design personalized and competency-based instructional approaches that fit the needs of their students and the context of their schools. Utah is on the forefront of PCBL because of the leadership of countless educators throughout the State. In many ways, Utah is not only leading the nation but setting a high bar for others to follow.

- ▶ Many other states, for example, are only beginning to think about how to permit students' demonstration of mastery as a basis for awarding course credit. Utah has put competency demonstrations on equal footing with seat time.
- ▶ Most state education agencies have some degree of waiver authority. Utah not only has expansive waiver opportunities for LEAs, and a waiver process that is easy to navigate, but also additional waiver opportunities for LEAs participating in the State's CBE programs.
- ▶ Utah is among only a few states whose leaders have created a competency-based education grants program, with dedicated resources to support LEAs.

The Utah Legislature and USBE continue to support efforts within the state to move to a more personalized learning approach, through legislation and regulations that focus on competency-based education models and innovative approaches. This support from the state in implementing innovative approaches is vital to your success and will lead to increased educational equity and success for all students.

Through this guide, we sought to provide you with all of the possible options for innovative approaches to education that Utah currently provides.

Contacts

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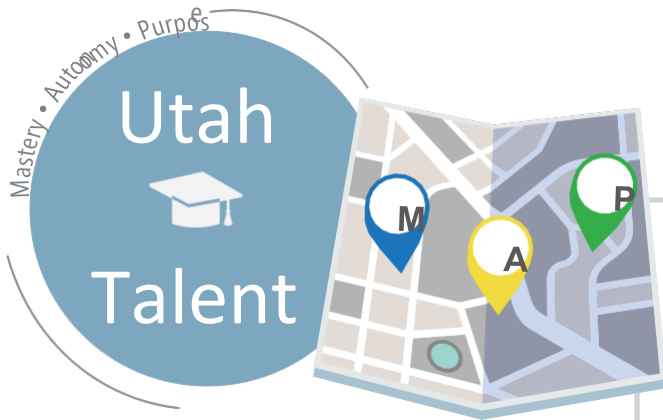
Special Thanks to our collaborative partners:

FORESIGHT LAW+POLICY



Appendix A

USBE's Portrait of a Graduate - Utah Talent MAP



Utah's Portrait of a Graduate identifies the ideal characteristics of a Utah graduate after going through the K-12 system. These are aspirations not necessarily meant to be quantified and measured. These characteristics begin at home and are cultivated in educational settings.

KEY

M **Mastery** is the ability to demonstrate depth of knowledge and skill proficiency.

A **Autonomy** is having the self-confidence and motivation to think and act independently.

P **Purpose** guides life decisions, influences behavior, shapes goals, offers a sense of direction, and creates meaning.



Academic Mastery

Demonstrate a depth of knowledge in multiple subject areas to make informed decisions.



Wellness

Develop self-awareness, self-advocacy skills, and the knowledge to maintain healthy lifestyles that provide balance in life and improve physical, mental, social, and emotional well-being.



Civic, Financial & Economic Literacy

Understand various governmental and economic systems, and develop practical financial skills.



Digital Literacy

Adapt, create, consume, and connect in productive, responsible ways to utilize technology in social, academic, and professional settings.



Communication

Communicate effectively through reading, writing, speaking, and listening to understand information in a variety of contexts, media, and languages.



Critical Thinking & Problem Solving

Access, evaluate, and analyze information to make informed decisions, recognize bias, and find solutions.



Creativity & Innovation

Imagine, visualize, and demonstrate creative practices, innovative solutions, and artistic expression.



Collaboration & Teamwork

Contribute ideas, perspectives, and experiences to cultivate a community of shared accountability and leadership.

Appendix A

USBE's Portrait of a Graduate - Utah Talent MAP



Honesty, Integrity, & Responsibility

Are trustworthy, ethical, reliable, and are accountable for the results they produce.



Hard Work & Resilience

Set personal goals, apply best efforts to achieve them, and persevere when faced with challenges and setbacks.

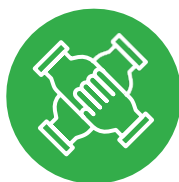


Lifelong Learning & Personal Growth

Continue to seek knowledge and develop skills in all settings.



UTAH GRADUATES



Service

Seek opportunities to help when assistance is needed and act without expecting compensation or recognition.

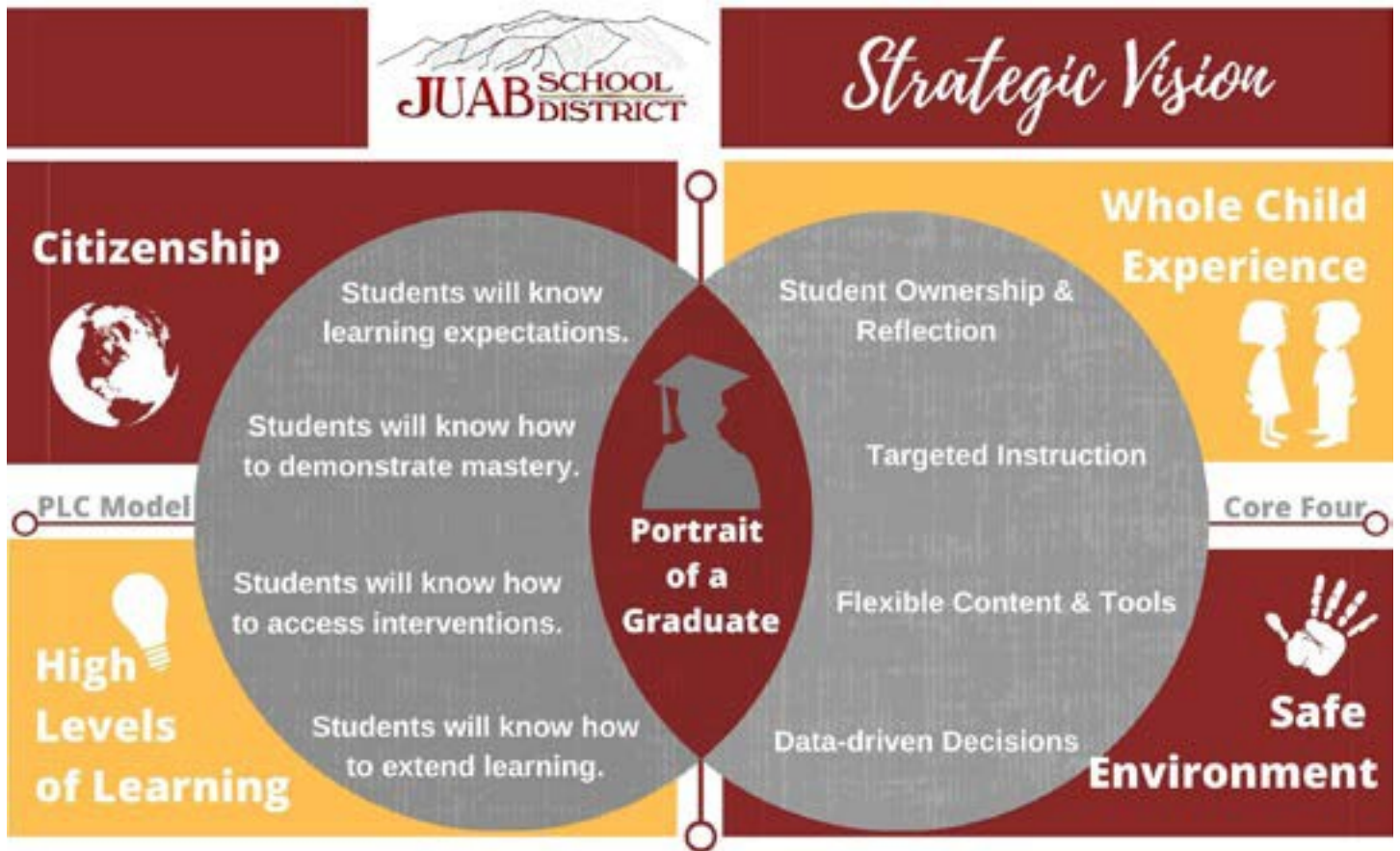


Respect

Acknowledge differences by looking for the good in everyone, including oneself, and show due regard for feelings, rights, cultures, and traditions.

Appendix A

Juab School District's Portrait of a Graduate



Appendix A

Iron County School District's Essential Eight



Appendix C

PCBL Framework

While the Portrait of a Graduate Competencies define the knowledge, skills, and dispositions desired of a Utah High School Graduate, the [PCBL Framework](#) serves as a conduit for connecting the competencies to the classroom, articulating the conditions and actions necessary for supporting each student toward realization of Utah’s Talent Map (Portrait of a Graduate).

Essential Components

PURPOSE & VISION

Students are immersed in an educational culture of rigorous, high expectations, empowering students to take ownership of their learning and providing flexible supports to maximize student growth and competence. The educational culture is transparent across stakeholder groups, including families, providing clear and consistent expectations, relevant experiences, and opportunities for feedback and direction.

STUDENT AGENCY

Students assume responsibility for their own learning by creating or co-designing learning experiences through valuing student voice, personal reflection, and with support of educators and families.

DEMONSTRATED COMPETENCY & ASSESSMENT

Students progress at their own pace based on authentic application of acquired knowledge, essential skills, and dispositions. Timely, effective feedback, and data from a variety of rigorous performance assessments inform student growth, progress and advancement based on high expectations.

CUSTOMIZED SUPPORTS

Each student is provided appropriate supports in a timely fashion to achieve their potential. These supports are the product of a system of intentional formative assessment strategies and feedback loops that drive a team of collaborative educators to personalize learning paths for students based on their growth or demonstration of competency.

EQUITY

The equitable distribution of resources based upon each individual student’s needs, which includes funding, programs, policies, initiatives and supports that target each student’s unique background and school context to guarantee that all students have access to a high-quality education.

SOCIAL/EMOTIONAL LEARNING

The process through which students acquire and effectively apply the knowledge, attitude, and skills necessary to: (a) understand and manage emotions; (b) set and achieve positive goals; (c) feel and show empathy for others; (d) establish and maintain positive relationships; (e) make responsible decisions; and (f) self-advocate.

Appendix C

WHAT

The Utah State Board of Education continues to support local innovation for personalized learning and competency-based education initiatives with the Personalized, Competency-Based Learning (PCBL) Framework.

Released in September of 2020, the PCBL Framework builds on the Competency-Based Education Amendment that was passed in the 2016 General Legislative Session, its precursor Utah's CBE Framework, and the Aurora Institute's revised definition of CBE (2019) while bringing coherence to related statewide initiatives including USBE's strategic plan and associated goal of Personalized Teaching and Learning, Utah's Talent Map or Portrait of a Graduate, Preschool – Postsecondary (P-20) Competencies, and Utah's Effective Teaching and Leadership Standards.

WHY

The implementation of K-12 personalized, competency-based learning initiatives is expanding rapidly and our knowledge base continues to grow. The PCBL Framework has been created as a resources to support Utah educators in gaining a deeper understanding of PCBL with greater clarity on what it looks like in practice for both educators and students.

This framework includes six components Purpose & Vision, Student Agency, Demonstrated Competency and Assessment, Customized Supports, Equity, Social/Emotional Learning essential for implementing personalized and competency-based initiatives. Formative assessment strategies are emphasized as a tool to guide learning goals, access learning gaps, and inform needs for customized small group and individual support while continuing to adapt and innovate in order to prepare each student to succeed in post-secondary pursuits.

WHY NOW?

Reimagining the future of public education in Utah requires continual adaptation and innovation. Lessons learned from remote instruction inform strategies for personalizing and validating learning that occurs in and out of the classroom.

HOW?

PCBL moves the focus of the classroom from teaching to learning based on fixed and well-defined targets for all students. It provides equitable access for students to demonstrate core knowledge and skills in personalized and differentiated ways and can also empower students to engage in opportunities for deeper learning.

With the advances in education technology, tools are available to scale personalized learning based on student interest, academic needs, and career goals. PCBL moves beyond information dissemination to a focus on transferable skills necessary for success in the modern world.

By leveraging the PCBL Framework, LEA teams and individual educators will be able to better understand the instructional design and delivery aspects of a PCBL approach to education and progress toward equitably supporting each student along their path to graduation and preparation for postsecondary pursuits.

Appendix D

At a Glance: Utah’s Competency-Based Education Grants

CBE Grants, authorized by the legislature, are made by the USBE, upon a recommendation of the statutorily required Competency-Based Advisory Committee.

The grants are intended to support LEAS in efforts to -- through the use of personalized learning, blended learning, extended learning, educator professional learning, or other methods of instruction -- “improve educational outcomes in public schools by advancing student mastery of concepts and skills through the following core principles:

- Student advancement upon mastery of a concept or skill;
- Competencies that include explicit measurable, and transferable learning objectives that empower a student;
- Assessment that is meaningful and provides a positive learning experience for a student;
- Timely, differentiated support based on a student’s individual learning needs; and
- Learning outcomes that emphasize competencies that include application and creation of knowledge along with development of important skills and dispositions.”⁷²

	Planning Grants	Implementation Grants	Expansion Grants
Prerequisites	<ul style="list-style-type: none"> • LEA representatives participated in USBE’s competency based technical assistance training 	<ul style="list-style-type: none"> • LEA previously received a Planning Grant and successfully participated in the Planning Grant phase • LEA representatives participated in USBE’s competency-based technical assistance training 	<ul style="list-style-type: none"> • LEA previously received an Implementation Grant and successfully participated in the Implementation Grant phase. • LEA representatives participated in USBE’s competency-based technical assistance training
Requirements	<p>In an application, provide information demonstrating or describing the following:</p> <ul style="list-style-type: none"> • Description of the CBE program to be planned • Intention to plan for schoolwide implementation or initial implementation on a smaller scale to be phased to schoolwide or districtwide over time 	<p>In an application, provide evidence the LEA has or will do the following:</p> <ul style="list-style-type: none"> • Articulate the proposed program’s mission, theory of change, and the program’s intended goals and outcomes • Plans for schoolwide implementation or initial implementation on a smaller scale to be phased to schoolwide or districtwide over time 	<p>In an application, provide evidence that the LEA:</p> <ul style="list-style-type: none"> • Established a program that: <ul style="list-style-type: none"> - Has met goals - Has shown outcomes in alignment with the core CBE principles and used methods such as personalized and blended learning

⁷²Utah Code 53F-5-502. Competency-Based Education Grants Program – State Board Duties – Review Committee – Technical Assistance Training. <https://le.utah.gov/xcode/Title53F/Chapter5/53F-5-S502.html>

Appendix D

At a Glance: Utah’s Competency-Based Education Grants

	Planning Grants	Implementation Grants	Expansion Grants
Requirements	<ul style="list-style-type: none"> • Types of partners to be engaged in planning and implementation • How planning and the CBE program will focus on the required principles • Anticipated use of instructional methods (i.e., blended learning, extended learning) • Outcome-based measures to be used to measure plan performance • LEA capacity, qualifications, local board support, and time to successfully plan a CBE program • LEA’s “intentional and feasible” planning process • Alignment of budget with the planning process, as needed communicating with parents, teachers, and community members 	<ul style="list-style-type: none"> • Plans for schoolwide implementation or initial implementation on a smaller scale to be phased to schoolwide or districtwide over time • Understanding of similar programs and can use this knowledge to strengthen the LEA’s program implementation • Plans a program that will focus on the core principles, use of instructional methods (i.e., blended learning, extended learning), and outcome-based measures • Plans a program that will address a need, determined by data, in the LEA or community • Strong evaluation plan that will clearly measure the success of the LEA’s program against the stated goals and objectives • Signatures of key stakeholders and partners who are committed to implementing the program • LEA capacity, qualifications, local governing body support, and time for successful implementation • An intentional and feasible scope of work to implement the program • Alignment of budget with the planning process, as needed 	<ul style="list-style-type: none"> - Is supported by LEA management and leadership - Is suitable for expansion schoolwide or districtwide - Is the program, with any necessary modifications, that the LEA plans to expand if awarded the expansion grant • Articulate the program’s mission, theory of change, and intended goals and outcomes • Program is focused on: direct alignment with the core principles, use of instructional methods; and the outcome-based measures • Program will address an LEA or community need Core components that ensure, when expanded, the program will yield positive outcomes • Evaluation plan to measure program success against stated goals and objectives • Signatures of key stakeholders and partners who are committed to implementing the program

Appendix D

At a Glance: Utah’s Competency-Based Education Grants

	Planning Grants	Implementation Grants	Expansion Grants
Requirements		<ul style="list-style-type: none"> • Communicating about and promoting the plan with parents, teachers, and community members 	<ul style="list-style-type: none"> • LEA capacity, qualifications, local governing body support, and time to successfully expand the program • Has an intentional and feasible scope of work for implementation • Has a strategic budget that is aligned with the scope of work • Will communicate and promote the plan with parents, teachers, and community members
Time Period for Grant Funds	No later than ONE calendar year after receipt	No later than TWO calendar years after receipt	No later than TWO calendar years after receipt

Appendix E

Outcome-Based Measurements: Cohort A

LEA: American Academy of Innovation (AAI) Charter			
Planning Grant	<p>Leading Indicators</p> <ul style="list-style-type: none"> • Student Surveys • Teacher Surveys • Stakeholder Surveys • Administrative Observations 	<p>Primary Indicators</p> <ul style="list-style-type: none"> • Performance on State Assessments • Performance on LEA Assessments • Performance on ACT/SAT 	<p>Long-Term Indicators</p> <ul style="list-style-type: none"> • Graduation time and completion • Graduation rate • Student retention rate • CTE Pathway completion rate • College or Trade School Attendance Rate • Percent of remediated courses rate
Implementation Grant	<p>Leading Indicators</p> <p>Student Engagement</p> <ul style="list-style-type: none"> • Absenteeism rates • Student surveys • Oral Defense of Learning presentations • Retention rate <p>Instructional Practices</p> <ul style="list-style-type: none"> • Teacher survey of instructional practices • Administrative observations • Teacher turnover by teacher effectiveness • Remediation rates • NWEA growth data 	<p>Primary Indicators</p> <p>Student Engagement</p> <ul style="list-style-type: none"> • Absenteeism rates • Student surveys • Oral Defense of Learning presentations • Retention rate <p>Performance on NWEA and Benchmark Assessments</p> <ul style="list-style-type: none"> • Teacher survey of instructional practices • Administrative observations • Teacher turnover by teacher effectiveness • Remediation rates • NWEA growth data 	<p>Long-Term Indicators</p> <p>High School Success</p> <ul style="list-style-type: none"> • Percent of students graduating in 4 years or less • Percent of students proficient in a specific technical skill • Percent of students having earned college credit in high school • Percent of students who are Career Pathway Completers • Percent of students who are Career Pathway Concentrators

Appendix E

Outcome-Based Measurements: Cohort A

LEA: American Academy of Innovation (AAI) Charter			
Implementation Grant	Leading Indicators	Primary Indicators Performance on State accountability Assessments <ul style="list-style-type: none"> • Percent of students making at least a year’s worth of growth in tested subject areas • Percent of students performing at proficient or above in tested subjects 	Long-Term Indicators Postsecondary Success <ul style="list-style-type: none"> • Percent of students enrolled in 2- or 4-year college within two years of graduation • Percent of students who persisted from their first to second year of college within 3 years of graduation • Percent of students with an industry certification • Percent of students not enrolled in college who have a full-time job
LEA: Davis School District			
Planning Grant	Leading Indicators	Primary Indicators <ul style="list-style-type: none"> • Percent of student demonstrating proficiency at a specific level in core subject areas • Percent of student performing at proficient at or above in tested subject areas 	Long-Term Indicators <ul style="list-style-type: none"> • Percent of students graduating in 4 years or less • Percent of students performing at the college ready benchmarks on college admission tests

Appendix E

Outcome-Based Measurements: Cohort A

LEA: David School District			
Implementation Grant	<p>Leading Indicators Student Engagement</p> <ul style="list-style-type: none"> • Student, parent, and teacher surveys • Student engagement observations 	<p>Primary Indicators</p> <ul style="list-style-type: none"> • Performance on State accountability assessments 	<p>Long-Term Indicators</p> <p>High School Success</p> <ul style="list-style-type: none"> • Increase by 2% students earning college credit in high school (AP, CE, IB) • Increase by 2% the percentage of students performing at the college ready benchmarks on college admissions tests (ACT0)
LEA: Duchesne County School District			
Planning Grant	<p>Leading Indicators</p> <ul style="list-style-type: none"> • Teacher completion rate of Canvas courses designed to train them in the process and the tools needed for personalized learning 	<p>Primary Indicators</p> <ul style="list-style-type: none"> • ACT Scores • CTE Pathway completion 	<p>Long-Term Indicators</p> <ul style="list-style-type: none"> • Graduation rate • Postsecondary enrollment
Implementation Grant	<p>Leading Indicators Academic Mastery (POG) - 3 Learning Intentions</p> <ul style="list-style-type: none"> • Use of proficiency scales • Assessments • Interventions and Extensions • Teacher self-evaluations on proficiency scale • Teacher survey <p>Baseline on 3 learning intentions for teachers</p>	<p>Primary Indicators Performance on State Accountability Measures</p> <ul style="list-style-type: none"> • Achievement • Growth • Growth of the lowest 25% • Postsecondary readiness 	<p>Long-Term Indicators</p> <ul style="list-style-type: none"> • Increase by 5% the percentage of students performing at the college ready benchmark on the ACT by year 2025 • Increase by 5% the percentage of students having earned college credit in high school (CE, AP, IB) by the year 2025

Appendix E

Outcome-Based Measurements: Cohort A

LEA: Iron County School District			
Planning Grant	<p>Leading Indicators</p> <ul style="list-style-type: none"> • Student surveys • External observation for fidelity of implementation • Administrative observations 	<p>Primary Indicators</p> <ul style="list-style-type: none"> • Percent of students demonstrating proficiency at a specific level in core subject areas • Percent of students on track to be college/career ready by the end of high school in core subject areas 	<p>Long-Term Indicators</p> <ul style="list-style-type: none"> • Percent of students demonstrating college/career readiness • Percent of students having earned college credit in high school (CE, AP, IB, etc)
Implementation Grant	<p>Leading Indicators</p> <ul style="list-style-type: none"> • Student surveys • External observations for fidelity of implementation • Administrative observations 	<p>Primary Indicators</p> <ul style="list-style-type: none"> • Percent of students demonstrating proficiency at a specific level in core subject areas • Percent of students on track to be college/career ready by the end of high school in core subject areas 	<p>Long-Term Indicators</p> <ul style="list-style-type: none"> • Percent of students demonstrating college/career readiness • Percent of students having earned college credit in high school (CE, AP, IB) • Percent of students with an industry certification
LEA: Iron County School District			
Planning Grant	<p>Leading Indicators</p> <ul style="list-style-type: none"> • Teacher survey of instructional practices 	<p>Primary Indicators</p> <ul style="list-style-type: none"> • Percent of students demonstrating proficiency at a specific level in core subject areas 	<p>Long-Term Indicators</p> <ul style="list-style-type: none"> • Percent of students demonstrating college/career readiness

Appendix E

Outcome-Based Measurements: Cohort A

LEA: Juab School District			
Implementation Grant	<p>Leading Indicators</p> <p>Instructional Practices</p> <ul style="list-style-type: none"> • Teacher survey of instructional practices • Administrative observations • Teacher turnover by teacher effectiveness • External observation for fidelity of implementation 	<p>Primary Indicators</p> <p>Performance on Local Formative and Benchmark Assessments</p> <ul style="list-style-type: none"> • Percent of students demonstrating at least a year's worth of improvement or more in core subject areas • Percent of students on track to be college/career ready by the end of high school in core subjects <p>Performance on State Accountability Assessments</p> <ul style="list-style-type: none"> • Percent of students making at least a year's worth of growth in tested subject areas • Percent of students performing at proficient or above in tested subject areas • Percent of students on track to graduate college/career ready by the end of high school in math and ELA 	<p>Long-Term Indicators</p> <p>High School Success</p> <ul style="list-style-type: none"> • Percent of students graduating in 4 years or less • Percent of students who have completed a rigorous high school curriculum as defined in R277-700 • Percent of students performing at the college ready benchmarks on college admissions tests (ACT/SAT) • Percent of students having earned college credit in high school (CE, AP, IB, etc.) • Percent of students who are Career Pathway Completers (3 credits in an approved sequence of courses) • Percent of students who are Career Pathway Concentrators (1.5 credits in an approved sequence of courses and an industry credential of value from an approved list of career and technical education (CTE) pathways)

Appendix E

Outcome-Based Measurements: Cohort A

LEA: IMurray City School District			
Planning Grant	Leading Indicators <ul style="list-style-type: none"> • Student engagement • Teacher engagement • Parent engagement • Instructional practices 	Primary Indicators <ul style="list-style-type: none"> • Performance on local formative and benchmark assessments • Performance on student-led portfolio 	Long-Term Indicators <ul style="list-style-type: none"> • Performance on state accountability assessments
Implementation Grant	Leading Indicators Student ability to explain their thinking (instructional priorities addressed) <ul style="list-style-type: none"> • Learning Target observation forms • Opportunities to Respond observation forms • Depth of Knowledge observation forms • Technology observation forms Teacher comparison of instructional strategies to achieve mastery <ul style="list-style-type: none"> • Before and after surveys of understanding of blended learning • Before and after surveys of understanding of personalized learning • Before and after surveys of extended learning • Self reporting on use of new instructional strategies 	Primary Indicators Performance on local assessments and quarterly benchmarks <ul style="list-style-type: none"> • 85% of students showing proficiency levels of 3 or 4 on 80% of ELA and math essential standards by the end of Term 4 • 80% of students consistently and effectively use data binders to measure their own learning progress throughout the year • 80% of students can articulate where they are and what they need to do to reach proficiency on the essential standards in ELA and math 	Long-Term Indicators Stakeholder data, disposition, and evidence <ul style="list-style-type: none"> • 80% of teachers can show evidence of instructional shifts • 15% increase in student proficiency in math, ELA, and science on State accountability assessments (RISE, Acadience) • 80% of students feel optimistic about learning ability and future • 60% of parents prefer CBE learning environments and grading practices over traditional practices

Appendix E

Outcome-Based Measurements: Cohort A

LEA: Murray School District			
	Leading Indicators	Primary Indicators	Long-Term Indicators
Implementation Grant	<p>Teacher professional development engagement:</p> <ul style="list-style-type: none"> • Attendance and participation in mandatory PD • Participation in learning modules/Canvas study groups (participatory) • Participation in coaching networks <p>Parent support and understanding of grading practices</p> <ul style="list-style-type: none"> • Parent understanding of student data binders and student-led portfolios • Focus group interviews at three schools • Parents regularly visiting the Illuminate Parent Portal for information on student mastery <p>Parent support and understanding of competency-based education</p> <ul style="list-style-type: none"> • Before and after survey of understanding of key elements 		

Appendix E

Outcome-Based Measurements: Cohort A

LEA: Murray City School District

Implementation Grant

Leading Indicators

External observation by
TCC - implementation
trends

- Trend in the number of students who can restate the learning goal and identify success criteria for mastery
- Trend in learning goal being aligned with instructional activities and formative assessment
- Trend in teachers providing personalized learning pathways
- JH core teachers and making pedagogical shift in year 3 by observation of CBL leadership and technical assistance

Appendix F

UTAH STATE BOARD OF EDUCATION RESPONSE TO COVID-19

[USBE – Novel Coronavirus \(COVID-19 information and Resources\)](#)

March 19, 2020

- The USBE granted statewide waivers of the following:
 - Administrative Rule [R277-419-4 Minimum School Days](#) – Waiver of the 180-School Day and 990-hour requirements.
 - Administrative Rule [R277-419-4\(6\) Minimum School Days](#) – Waiver of the requirement that a school calendar be approved in an open meeting.
 - Administrative Rule [R277-600 Student Transportation Standards and Procedures](#) – Waiver transportation requirements, which require an LEA to record and submit all student transportation costs, including miles and minutes, as described by USBE staff.
 - Administrative Rule [R277-406-3\(1\) Benchmark Reading Assessments](#) – Waived the requirement for a school to administer a third benchmark reading assessment sometime between April and June 15.
- The USBE also extended the following deadlines by two months:
 - Administrative Rule [R277-407-6 LEA Requirements to Establish a Fee Schedule](#) – Requires an LEA governing board to annually adopt a fee schedule and fee policies for the LEA in a regularly scheduled public meeting by April 1.
 - Administrative Rule [R277-400-4 Notice and Preparation](#) – Requires a school to designate an Emergency Preparedness/Emergency Response week each year before April 30.
 - Administrative Rule [R277-419-5\(7\) Student Membership Eligibility and Continuing Enrollment Measurements](#) – Requires LEAs to apply by April 1 for CTE courses for the upcoming year.
 - Administrative Rule [R277-459-3\(E\) Distribution of Funds](#) – Requires the teacher to commit to spend the teacher’s allocation of supplies and materials funding.
 - April 1 deadline for the school to approve, with the school’s governing board, the school’s trust land plan.
 - Administrative Rule [R277-720-3\(1\) Competency Based Education Designation](#) – Requires an LEA to apply for a CBE designation.

April 2, 2020

- The USBE granted waivers of the following:
 - A statewide waiver of the employee evaluation requirements of Administrative Rules [R277-531 Public Educator Evaluation Requirements](#) and [R277-533 Educator Evaluation Systems](#), including the requirement for an educator or administrator to have a certain number of observations or a summative rating for the 2019-20 school year.
 - Waiver of the minimum clock hours requirements for university students currently enrolled in a board approved educator preparation licensure program in Administrative Rule [R277-504-3 General Standards for Approval of Programs for the Preparation of Teachers](#).
 - Teacher candidates’ waiver for receiving a C or better in all education related courses and major required content courses for university students currently enrolled in a board approved educator

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- preparation licensure program and expecting to complete fieldwork/clinical experience requirements for courses or experiences between January 1, 2020 and before June 30, 2020 in Administrative Rule [R277-504-3 General Standards for Approval of Programs for the Preparation of Teachers](#) as long as the teacher candidate receives at least a passing grade in the applicable courses.
- o Waiver of minimum clock hour requirements for educational leaders in Administrative Rule [R277-505-5 Standards for the Approval of Programs for Education Leadership Licensure](#) for educational leadership candidates currently enrolled in a board approved educational leadership preparation program and expecting to complete educational leadership requirements on or before June 30, 2020.
 - o Waiver for School Psychologists, School Social Workers, School Counselors, Audiologists, Speech-Language Pathologists, and Speech Language Technicians candidates of the minimum clock hour requirements in Administrative Rule [R277-506 School Psychologists, School Social Workers, School Counselors, Communication Disorders \(Audiologists\), Speech-Language Pathologists, and Speech-Language Technicians Licenses and Programs](#) for candidates completing applicable requirements between January 1, 2020 and June 30, 2020.
 - o Waiver for university students currently enrolled in a board approved licensure program and expecting to complete fieldwork/clinical experience requirements on or before June 30, 2020 in Administrative Rule [R277-506 School Psychologists, School Social Workers, School Counselors, Communication Disorders \(Audiologists\), Speech-Language Pathologists, and Speech-Language Technicians Licenses and Programs](#).
 - o Extends the June 30 deadline for educators whose licenses are required to be renewed by June 30, 2020 in Administrative Rule [R277-500-4 Educator License Renewal Procedures](#) to October 31, 2020 to allow educators more time to renew their licenses.

April 16, 2020

- The USBE granted waivers of the following:
 - o Statewide waiver of the educator evaluation reporting requirements of Administrative Rules [R277-531-3 Public Educator Evaluation Framework](#) and [R277-533-9 Educator Evaluation Data](#).
 - o Waiver to extend the May 15 deadline to September 15 in Administrative Rule [R277-477-3\(10\) Distribution of Funds – Local Board or Local Charter Board Approval of School LAND Trust Plans](#) for school district School LAND Trust plans to be approved by the district’s local school board.
 - o The Superintendent was granted authority to extend for up to one year, international guest teacher licenses that expire on June 30, 2020, notwithstanding the provisions of Administrative Rules [R277-527 International Guest Teachers](#) and [R277-500 Educator Licensing Renewal, Timelines, and Required Fingerprint Background Checks](#).
 - o Extended the deadline and requirements for an educator expecting to upgrade the educator’s license to October 31, 2020 described in Administrative Rules [R277-506 School Psychologists, School Social Workers, School Counselors, Communication Disorders \(Audiologists\), Speech-Language Pathologists, and Speech-Language Technicians Licenses and Programs](#) and [R277-306 Educator Preparation Programs for School Psychologists, Audiologists, Speech-Language Pathologists, Speech-Language Technicians, and Counselors](#) to allow educators more time to obtain the new license.

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- The USBE voted to request the Legislature amend two statutes due to the national and state declarations of state of emergency as follows:
 - Waive the requirement in Subsection [53F-2-501\(3\)](#) for the Spring 2020 semester only for a recipient of the Centennial Scholarship to be enrolled full-time; and
 - Delay from 2020-21 to 2021-22 the requirement in Subsection [53G-10-406\(3\)\(b\)](#) for district and charter schools to offer an Underage Drinking and Substance Abuse Prevention.

May 7, 2020

- The USBE granted waivers of the following:
 - [Basic Civics Test Waivers](#), as requested with required information provided, for one or more qualifying student(s) unable to complete the basic civics test due to public health related school closures per [S.B. 3005 Education Modifications](#) and [53-E-4-205\(1\)](#).
 - Reporting requirements in Administrative Rule [R277-406](#), for the 2019-2020 school year, which require an LEA to report the LEA's progress toward early literacy goals to the Superintendent by June 30, 2020.
 - The requirement in [Section 277-410-3](#) for a new school to obtain accreditation from a regional accrediting body in the school's first year of operation, allowing the new school an additional year to obtain accreditation.
 - For a student enrolled in a school in the school's first year of operation during the 2019-2020 school year, the requirements of Subsection [R277-410-3\(2\)](#) credit granted from a non-accredited school during the 2019-20 school year deemed as credit earned from an accredited source.
 - For a student graduating between January 1 and October 1, 2020, the requirements of Administrative Rule [R277-746](#) and the Utah [Driver Handbook](#), which allows a student to complete driver education with a public school until the student's official graduation date, to allow a student who graduates between January 1 and October 1, 2020 to complete a driver education course with a public school through the end of December 31, 2020.
 - An extension of the deadline in Section [R277-602-3](#) from May 1, 2020 to June 15, 2020 for a parent of a student participating in the Carson Smith Scholarship Program (Program) to indicate the student's continued enrollment in the program.
 - The 180-day requirement in [R277-419-4](#) Pupil Accounting for Boulder Elementary, per request from [Garfield School District](#).
- The USBE approved the following:
 - Amendments to [R277-419 Pupil Accounting, Draft 3](#) to allow district and charter schools additional flexibility to deal with the effects of COVID-19

May 14, 2020

- The USBE approved the following:
 - Additional waivers of Administrative Rules to offer schools additional flexibility to deal with the effects of the COVID-19 pandemic, including additional [Basic Civics Test Waivers](#), as requested with required information provided, for one or more qualifying student(s) unable to complete the basic civics test due

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to public health related school closures per [S.B. 3005 Education Modifications](#) and [53-E-4-205\(1\)](#).

- o Amendments to [R277-419 Pupil Accounting, Draft 4](#), waiving provisions to give districts and charter schools more flexibility to respond to the COVID-19 pandemic.
- The USBE reviewed the following:
 - o The [fiscal year 2021 budget](#), in light of the economic hardships brought on by the COVID-19 pandemic
 - o Updates to schools during the COVID-19 pandemic and assistance coming to the state through the Elementary and Secondary School Emergency Relief Fund.
 - o The road map for looking at forthcoming budget cuts caused by revenue shortfalls attributable to COVID-19 pandemic fallout.
- The USBE agreed to allow Utah to seek a Rethink K-12 Education Models Grant to assist Utah in dealing with remote learning options

May 21, 2020

- The USBE granted additional [Basic Civics Test Waivers](#) for Ogden and Salt Lake School Districts, as requested with required information provided, for one or more qualifying student(s) unable to complete the basic civics test due to public health related school closures per [S.B. 3005 Education Modifications](#) and [53-E-4-205\(1\)](#). This brings the total to 4,476 waiver requests.
- The USBE prepared [budget reduction scenarios](#) in preparation for a May 27 Public Education Appropriations Subcommittee meeting.

May 28, 2020

- The USBE granted additional [Basic Civics Test Waivers](#) for high school seniors who were unable to take the test this spring because of the COVID-19 pandemic.
- Superintendent Dickson presented a [guidance document](#) staff are preparing for LEAs to use as a reference in making decisions as they reopen schools. Board members provided suggestions and had a discussion. The draft emphasized local decision making in conjunction with local health departments.

June 4, 2020

- The USBE granted additional [Basic Civics Test Waivers](#) for Spectrum Academy, as requested with required information provided, for one or more qualifying student(s) unable to complete the basic civics test due to public health related school closures per [S.B. 3005 Education Modifications](#) and [53-E-4-205\(1\)](#).
- The USBE agreed to continue working with the State Department of Health, local health departments and schools in developing school [reopening guidance](#) for this fall. The USBE will also use some of its federal funding to purchase personal protective equipment, thermometers, and cleaning supplies for schools.
- THE USBE reviewed [budget-reduction scenarios](#) in preparation for dealing with anticipated budget shortfalls attributable to the COVID-19 pandemic that the Public Education Appropriations Committee forwarded to the Executive Appropriations Committee.
- The USBE renewed existing waivers from 180-day requirements in Board Rule R277-419 for:

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- Duchesne School District (Tabiona schools only)
 - [Request](#)
 - [Draft waiver agreement](#)
- Rich School District
 - [Request](#)
 - [Draft waiver agreement](#)
- Tintic School District
 - [Request](#)
 - [Draft waiver agreement](#)

June 11, 2020

- The USBE approved the following:
 - A [timeline and process](#) for clarifying and establishing minimum requirements for K-12 school to operate under the [Utah Lead Together Color-coded Phased Guidelines](#) this fall.
 - An additional Administrative Rule waiver, due to pending budget adjustments to the Fiscal Year 21 budget: the requirement in Subsection [R277-490-4\(4\)](#) that the USBE designate an LEA or a consortium for Beverley Taylor Sorenson Elementary Arts Learning Program (Program) funding no later than June 1 annually and extended the deadline for staff to notify an LEA or consortium of their eligibility for Program funds to no later than July 15, 2020.
- The USBE agreed to seek additional [changes in statute](#) from the Utah Legislature to allow districts and charter schools more flexibility in dealing with the COVID-19 pandemic, including authorizing staff to work with legislators on potential amendments to Utah Code, including provisions related to the following:
 - 1) Amend Section [53F-8-303](#) to allow school districts to use revenue generated by the Capital Levy to fund the school district's general fund for the FY21;
 - 2) Amend provisions in Sections 53E-4-307.5, 53F-5-214, and 53F-5-215 (related to [2020 HB 114](#)) due to budget cuts, including suspending or delaying the requirement for the USBE to approve, and LEAs to administer, a benchmark assessment to assess the mathematics competency of students in kindergarten and grades 1 through 3;
 - 3) Amend Sections 53E-4-307 and 53F-4-201 (related to [2020 SB 73](#)) due to budget cuts, including suspending or delaying the requirement for the USBE to approve, and LEAs to voluntarily administer, a benchmark reading assessment system for students in grades 4 through 6;
 - 4) Amend Section [53G-9-802](#) to waive the requirement for the 2020-21 school year for an LEA to enter into a contract with a third party to provide dropout prevention and recovery services under certain circumstances.

June 18, 2020

- The USBE voted to forward its [public school reopening requirements and recommendations](#) to the [Utah Leads Together Committee](#) and Gov. Gary R. Herbert for approval and authorization.

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- o If approved, the guidance would be incorporated into the state’s [Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation](#).
- o The requirements and recommendations are to assist districts and charter schools in creating plans to assess and mitigate risks from COVID-19 as schools reopen this fall. The intent is to clearly define “what to do” but enable adaptability and innovation at the local level to determine “how to do it” by applying a set of principles and levers to mitigate risk of spread of COVID-19 across school settings. Districts and charter schools will be required to complete plans by August 1.

June 25, 2020

- The USBE approved its [internal budget](#), but delayed its vote on most public school program budgets following the June 18 special session of the Legislature until August so that more solid revenue numbers will be available before making decisions.
- The USBE voted to add several recommendations to its [School Reopening Plans Requirements and Recommendations](#). The requirements adopted by the USBE in its June 18 meeting are being considered by Gov. Gary R. Herbert and the Utah Leads Together Committee for incorporation into the state’s color-coded [Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation](#) ([External Web Content](#)).
 - The requirements and recommendations are to assist districts and charter schools in creating local plans to assess and mitigate risks from COVID-19 as schools reopen for in-person instruction this fall. The intent is to clearly define “what to do” but enable adaptability and innovation at the local level to determine “how to do it” by applying a set of principles and levers to mitigate risk of spread of COVID-19 across school settings.

Among the additions made (these are recommended considerations only and **NOT requirements**):

- Consider mitigation strategies for safety drills.
- Consider leniency for attendance and late work policies in cases of student illness.
- Recommendations related to containing potential outbreaks.

July 9, 2020

- The USBE agreed to alter several Administrative Rules to include the phrase “[subject to appropriation](#)” in light of budget uncertainties attributable to the COVID-19 pandemic (e.g. [SB 99](#) School Leadership Development Amendments; [HB 67](#) LEA Financial Information Systems; and [SB 93](#), Math and Science Opportunities for Students and Teachers (MOST)).
- The USBE repealed [R277-418](#) Distance, Blended, Online, or Competency Based Learning Program, at staff request, as the issues governed by this rule are now covered in other Administrative Rules. [53E-3-401](#).

June 23, 2020

- The USBE approved amendments to Administrative Rule [R277-419 Pupil Accounting](#), due to the impacts of COVID-19 on in-classroom learning, adjusting the 180-day/990-hour requirements to provide more flexibility to districts and charter schools including waiving the 990-hour requirement if a district or charter submits a request describing how it will ensure continuity of teaching and learning by providing high-quality

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instruction that includes blended learning and formative assessment strategies. The amendments, however, are only effective for the 2020-21 school year.

- The USBE, because of fiscal year 2021 budget adjustments extended the application deadline for districts and charter schools in the following two programs:
 - [Mental Health Screening Program](#) deadline moved from August 15 to October 1.
 - [School-based Mental Health Qualified Grant](#) deadline moved from May 31 to October

August 6, 2020

- The USBE reviewed [school reopening plans](#) and made adjustments to the [USBE's requirements and recommendations for reopening](#).
- The USBE agreed to [purchase additional personal protective equipment for schools, additional software for students, and help fund counselor training](#) with federal emergency funds granted to state education agencies.
- The USBE approved additional Administrative Rules and agreed to seek [additional statutory waivers](#) to give districts and charter schools more flexibility in dealing with the COVID-19 pandemic.
 - The Board approved [R277-419 Pupil Accounting, Draft 5](#), on final reading and directed staff to file the rule with the Office of Administrative Rules as an emergency rule
- The USBE authorized the following waivers if the local education agencies' reopening plans meet the USBE's minimum Requirements and Recommendations for K-12 Schools:
 - 1) waives the testing and reporting deadlines for LEAs to administer the Kindergarten Entry and Exit Assessments (KEEP) and report data to the USBE described in Administrative Rule [R277-489](#) and grants the Superintendent the authority to determine the KEEP testing and reporting deadlines during the 2020-21 school year;
 - 2) waives the requirement in Section [R277-400-6](#) for each school to conduct one fire drill within the first 10 days of the beginning of the regular school year for the 2020-2021 school year;
 - 3) for an LEA seeking to obtain a waiver from the 990-hour requirements of Administrative Rule R277- 419 for the 2020-21 school year, extends the August 1 deadline in Section [R277-419-6](#) to September 1, 2020 to allow LEAs and their local boards more time to determine whether the LEAs' instructional model for the 2020-21 school year will require a waiver; and
 - 4) waives up to six days total in the 180-day requirement in R277-419 for the 2020-21 school year which includes the four days allowed in Subsection 53F-2-102(4)(d).
- The USBE approved requesting the legislature to:
 - 1) Waive the requirement in Section [15A5-202.5](#) for an LEA to conduct an emergency evacuation drill for fire within the first 10 calendar days after the beginning of classes for the 2020-21 school year; and
 - 2) Amend Section [53G-6-502](#) to allow charter schools to give enrollment preference to students who unenroll from the school to attend a distance learning program for the 2020-21 school year due to COVID-19 and want to return the following year.
- The USBE agreed to consider the following appropriation related requests in the future:

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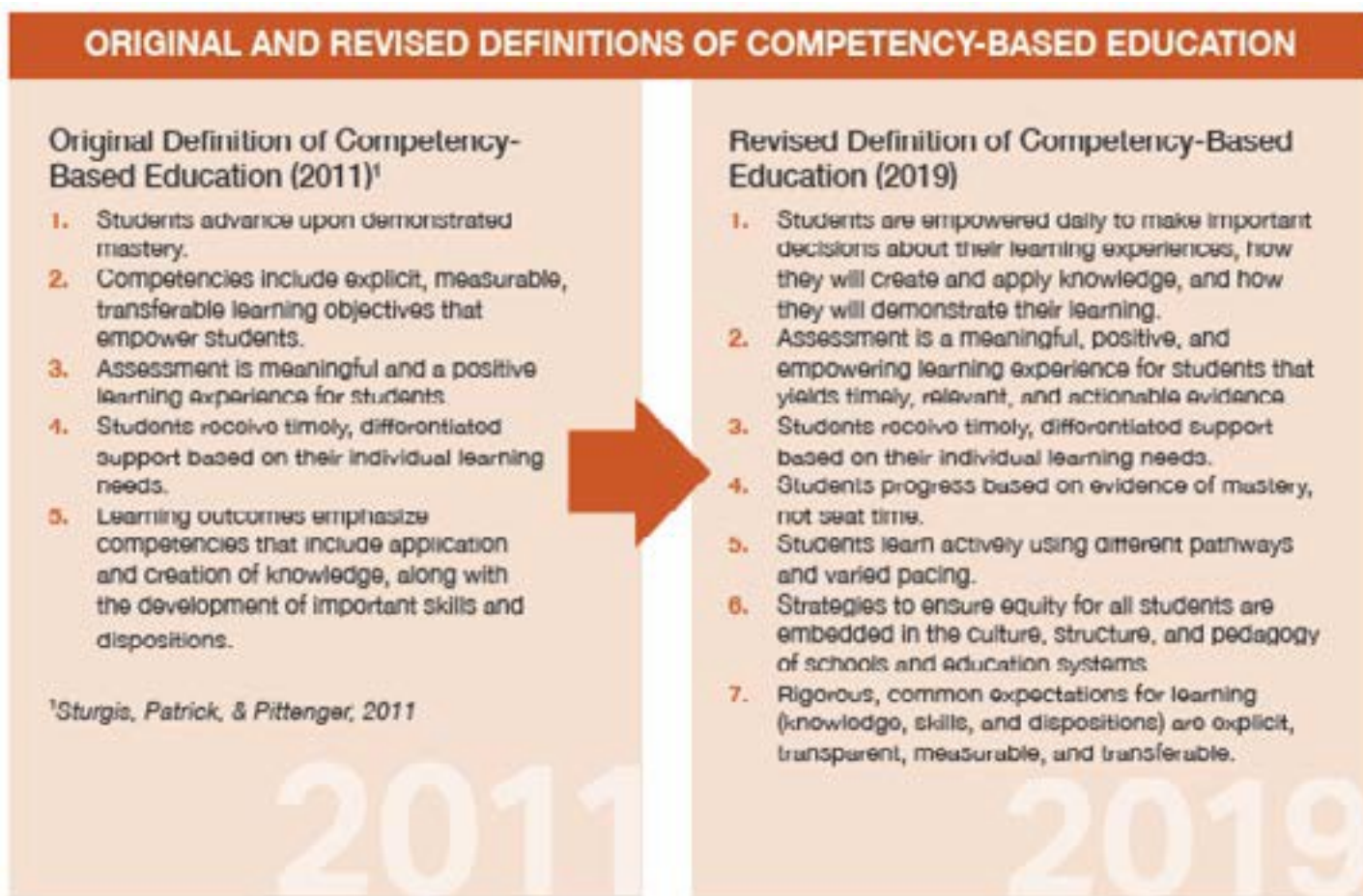
- Discussion of additional funding needed to support increases in local replacement funding and district property tax contributions due to a potential increase in the enrollment caps for online charter schools for the 2020-21 FY only. One option may be to use federal CARES funds to pay for those additional costs.
- Provide additional funding to LEAs for the 2020-21 school year to support increased educator sick leave and related costs to pay for substitute teachers.
- Amend pupil transportation funding provisions for the 2020-21 school year. Currently, state pupil transportation funding is based on miles/minutes of transportation routes. Some districts are concerned about losing revenue due to fewer students and split schedules. Districts are advocating for a minimum amount of funding (floor) regardless of the miles and minutes provided to sustain their programs.

Appendix G

The Retired / Archived CBE Framework

The Utah State Board of Education (USBE) partnered with national experts and Local Education Agency (LEA) leaders to explore Competency-Based Education during the 2017-2018 school year. The exploration included a state workshop to build foundational knowledge, as well as site visits to national competency-based learning implementation sites. The visits yielded the [Utah Competency-Based Education Framework](#), set the foundation for the grant program, and set the stage for Utah's pivot toward Personalized, Competency-Based Learning (PCBL).

Inspired by the [Aurora Institute's updated definition](#) of Competency-Based Education (Levine and Patrick, 2019) and expanded understanding of equity and student voice, Utah's CBE Framework was replaced with Utah's Personalized, Competency-Based Learning ([PCBL Framework](#)) in September of 2020. The following graphic compares the 2011 and 2019 definitions:



The original Utah CBE Framework influenced the early years of Utah's journey toward PCBL and is archived here. www.schools.utah.gov/file/93b6b3c0-85c7-47e5-9f1b-3677b1c9603b