



UTAH SYSTEM OF
HIGHER EDUCATION

MEMORANDUM

TAB J

March 25, 2021

Performance Funding Revisions in S.B. 193

As discussed in the January committee meeting, the Commissioner's office worked with the Legislature to amend the current performance funding model to align with the Board's work on the statewide attainment goals of 1. Access, 2. Timely Completion, and 3. High-Yield Awards. The legislation making these changes ([S.B. 193](#)) passed during the 2021 General Session and replaced the 1% performance progress in the current model with 5-year and annual institutional goals set by the Board. The Board will now have greater flexibility to work with institutions and their boards of trustees to set and achieve meaningful goals for which the Legislature will award performance funding. The bill provides a two-year implementation phase in which the current model will be used to allocate performance funds, and the Board will review and submit proposed goals for the new model to the Legislature for review. The attached diagram provides more information on the enacted changes to the performance funding model, and a copy of the legislation is also attached.

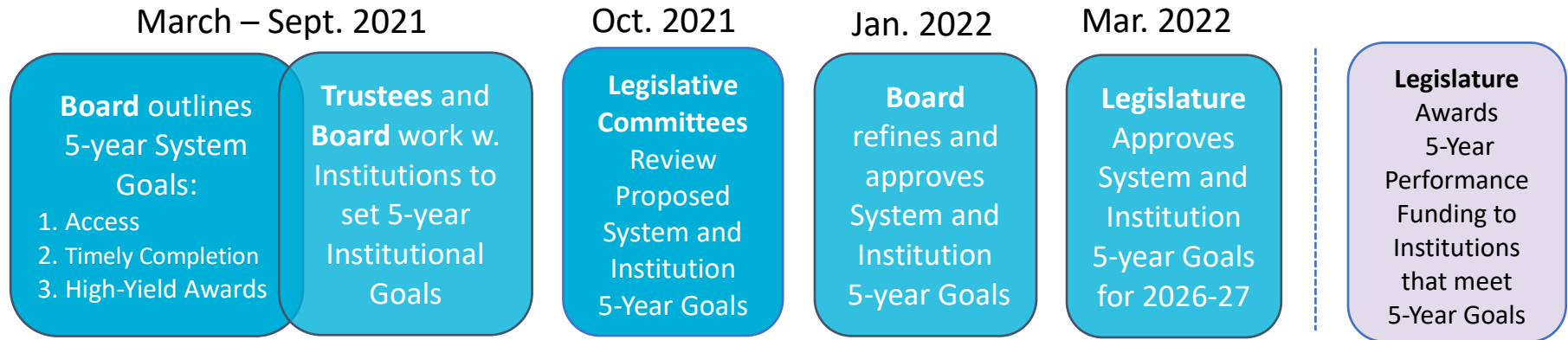
Commissioner's Recommendation

This is a discussion item only; no action is required.

Attachments

Senate Bill 193 Higher Education Performance Funding Cycle

5 Year Goal Setting Process



Annual Goal Setting and Evaluation Cycle



Senator Ann Millner proposes the following substitute bill:

HIGHER EDUCATION PERFORMANCE FUNDING

2021 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Val L. Peterson

LONG TITLE

General Description:

This bill amends provisions related to higher education goals and funding based on an institution's performance.

Highlighted Provisions:

This bill:

▶ requires the Utah Board of Higher Education (board) to:

- set five-year goals for the state system of higher education;
- set five-year goals for each degree-granting institution and technical college that align with each system five-year goal;
- establish a model for determining a degree-granting institution's or technical college's performance in meeting the goals the board sets; and
- every five years, submit the goals and model to the Higher Education

Appropriations Subcommittee and governor for comment;

▶ requires the Executive Appropriations Committee, the Higher Education Appropriations Subcommittee, and the Education Interim Committee to, every five years, prepare and consider legislation to adopt the goals and model the board submits;

▶ amends the distribution of the money in the Performance Funding Restricted



- 26 Account to degree-granting institutions and technical colleges;
- 27 ▶ permits the board to set aside unearned performance funding and allocate the
- 28 set-aside funds to a degree-granting institution or technical college that meets or
- 29 exceeds goals;
- 30 ▶ defines terms; and
- 31 ▶ makes technical and conforming changes.

32 **Money Appropriated in this Bill:**

33 None

34 **Other Special Clauses:**

35 None

36 **Utah Code Sections Affected:**

37 AMENDS:

- 38 **53B-1-301**, as last amended by Laws of Utah 2020, Chapters 365 and 403
- 39 **53B-7-702**, as last amended by Laws of Utah 2020, Chapter 365
- 40 **53B-7-703**, as last amended by Laws of Utah 2020, Chapter 365
- 41 **53B-7-705**, as last amended by Laws of Utah 2020, Chapter 365
- 42 **53B-7-706**, as last amended by Laws of Utah 2020, Chapter 365
- 43 **53E-1-201**, as last amended by Laws of Utah 2020, Chapters 51, 174, 254, 274, 321,
- 44 354, 365 and last amended by Coordination Clause, Laws of Utah 2020, Chapters
- 45 254, 274, and 321
- 46 **63I-2-253**, as last amended by Laws of Utah 2020, Sixth Special Session, Chapter 13

47

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

49 Section 1. Section **53B-1-301** is amended to read:

50 **53B-1-301. Reports to and actions of the Higher Education Appropriations**
51 **Subcommittee.**

52 (1) In accordance with applicable provisions and Section **68-3-14**, the following
53 recurring reports are due to the Higher Education Appropriations Subcommittee:

- 54 (a) the reports described in Sections **34A-2-202.5**, **53B-17-804**, and **59-9-102.5** by the
- 55 Rocky Mountain Center for Occupational and Environmental Health;
- 56 (b) the report described in Section **53B-7-101** by the board on recommended

57 appropriations for higher education institutions, including the report described in Section
58 53B-8-104 by the board on the effects of offering nonresident partial tuition scholarships;

59 (c) the report described in Section 53B-7-704 by the Department of Workforce
60 Services and the Governor's Office of Economic Development on targeted jobs;

61 (d) the reports described in Section 53B-7-705 by the board on performance;

62 (e) the report described in Section 53B-8-201 by the board on the Regents' Scholarship
63 Program;

64 (f) the report described in Section 53B-8-303 by the board regarding Access Utah
65 promise scholarships;

66 (g) the report described in Section 53B-8d-104 by the Division of Child and Family
67 Services on tuition waivers for wards of the state;

68 (h) the report described in Section 53B-12-107 by the Utah Higher Education
69 Assistance Authority;

70 (i) the report described in Section 53B-13a-104 by the board on the Success Stipend
71 Program;

72 (j) the report described in Section 53B-17-201 by the University of Utah regarding the
73 Miners' Hospital for Disabled Miners;

74 (k) the report described in Section 53B-26-103 by the Governor's Office of Economic
75 Development on high demand technical jobs projected to support economic growth;

76 (l) the report described in Section 53B-26-202 by the Medical Education Council on
77 projected demand for nursing professionals; and

78 (m) the report described in Section 53E-10-308 by the State Board of Education and
79 board on student participation in the concurrent enrollment program.

80 (2) In accordance with applicable provisions and Section 68-3-14, the following
81 occasional reports are due to the Higher Education Appropriations Subcommittee:

82 (a) upon request, the information described in Section 53B-8a-111 submitted by the
83 Utah Educational Savings Plan;

84 (b) as described in Section 53B-26-103, a proposal by an eligible partnership related to
85 workforce needs for technical jobs projected to support economic growth;

86 (c) a proposal described in Section 53B-26-202 by an eligible program to respond to
87 projected demand for nursing professionals;

88 (d) a report in 2023 from Utah Valley University and the Utah Fire Prevention Board
89 on the fire and rescue training program described in Section 53B-29-202; and

90 (e) the reports described in Section 63C-19-202 by the Higher Education Strategic
91 Planning Commission on the commission's progress.

92 (3) In accordance with applicable provisions, the Higher Education Appropriations
93 Subcommittee shall complete the following:

94 (a) as required by Section 53B-7-703, the review of performance funding described in
95 Section 53B-7-703;

96 ~~[(b) the review described in Section 53B-7-705 of the implementation of performance~~
97 ~~funding;]~~

98 ~~[(e)]~~ (b) an appropriation recommendation described in Section 53B-26-103 to fund a
99 proposal responding to workforce needs of a strategic industry cluster;

100 ~~[(d)]~~ (c) an appropriation recommendation described in Section 53B-26-202 to fund a
101 proposal responding to projected demand for nursing professionals; and

102 ~~[(e)]~~ (d) review of the report described in Section 63B-10-301 by the University of
103 Utah on the status of a bond and bond payments specified in Section 63B-10-301.

104 Section 2. Section 53B-7-702 is amended to read:

105 **53B-7-702. Definitions.**

106 As used in this part:

107 (1) "Account" means the Performance Funding Restricted Account created in Section
108 53B-7-703.

109 (2) "Estimated revenue growth from targeted jobs" means the estimated increase in
110 individual income tax revenue generated by individuals employed in targeted jobs, determined
111 by the Department of Workforce Services in accordance with Section 53B-7-704.

112 (3) "Full new performance funding amount" means the maximum amount of new
113 performance funding that a degree-granting institution or technical college may qualify for in a
114 fiscal year, determined by the Legislature in accordance with Section 53B-7-705.

115 (4) "Full-time" means the number of credit hours the board determines is full-time
116 enrollment for a student.

117 (5) "GOED" means the Governor's Office of Economic Development created in
118 Section 63N-1-201.

119 (6) "Job" means an occupation determined by the Department of Workforce Services.

120 (7) "Membership hour" means 60 minutes of scheduled instruction provided by a
121 technical college to a student enrolled in the technical college.

122 (8) "New performance funding" means the difference between the total amount of
123 money in the account and the amount of money appropriated from the account for performance
124 funding in the current fiscal year.

125 (9) "Performance" means total performance across the metrics described in [?:] Sections
126 53B-7-706 and 53B-7-707.

127 [~~(a) Section 53B-7-706 for a degree-granting institution; or]~~

128 [~~(b) Section 53B-7-707 for a technical college.]~~

129 (10) "Research university" means the University of Utah or Utah State University.

130 (11) "Targeted job" means a job designated by the Department of Workforce Services
131 or GOED in accordance with Section 53B-7-704.

132 (12) "Technical college" means:

133 (a) the same as that term is defined in Section 53B-1-101.5;

134 (b) Salt Lake Community College's School of Applied Technology established in
135 Section 53B-16-209;

136 (c) a USU regional institution as that term is defined in Section 53B-16-207; and

137 (d) Snow College Richfield campus established in Section 53B-16-205.

138 [~~(12)] (13) "Technical college graduate" means an individual who:~~

139 (a) has earned a certificate from an accredited program at a technical college; and

140 (b) is no longer enrolled in the technical college.

141 Section 3. Section **53B-7-703** is amended to read:

142 **53B-7-703. Performance Funding Restricted Account -- Creation -- Deposits into**
143 **account -- Legislative review.**

144 (1) There is created within the Education Fund a restricted account known as the
145 "Performance Funding Restricted Account."

146 (2) Money in the account shall be:

147 (a) used for performance funding for:

148 (i) degree-granting institutions; and

149 (ii) technical colleges; and

150 (b) appropriated by the Legislature in accordance with Section [53B-7-705](#).

151 (3) (a) Money in the account shall earn interest.

152 (b) All interest earned on account money shall be deposited into the account.

153 (4) (a) Except as provided in Subsection (4)(b)(~~(i)~~), the Division of Finance shall
154 deposit into the account an amount equal to ~~[(i) 14% of the estimated revenue growth from~~
155 ~~targeted jobs upon appropriation by the Legislature for the fiscal year beginning on July 1,~~
156 ~~2018; and (ii)] 20% of the estimated revenue growth from targeted jobs upon appropriation by~~
157 the Legislature for a fiscal year beginning on or after July 1, 2019.

158 (b) (i) As used in this Subsection (4)(b), "total higher education appropriations" means,
159 for the current fiscal year, the total state funded appropriations to:

160 (A) the board;

161 (B) degree-granting institutions; and

162 (C) technical colleges.

163 (ii) If a deposit described in Subsection (4)(a) would exceed 10% of total higher
164 education appropriations, upon appropriation by the Legislature, the Division of Finance shall
165 deposit into the account an amount equal to 10% of total higher education appropriations.

166 (c) The Legislature may appropriate money to the account.

167 (5) (a) As used in this Subsection (5):

168 (i) "Base budget" means the same as that term is defined in legislative rule.

169 (ii) "Remaining available ongoing Education Fund revenue" means the difference
170 between:

171 (A) the estimated ongoing Education Fund and Uniform School Fund revenue
172 available for the Legislature to appropriate in the next fiscal year; and

173 (B) the amount of ongoing appropriations from the Education Fund and Uniform
174 School Fund for the current year plus ongoing appropriations required under Sections
175 [53F-9-201](#) and [53F-9-204](#) for the next fiscal year.

176 (b) Except as described in Subsection (5)(c), for a fiscal year beginning on or after July
177 1, 2023, when preparing the Higher Education Base Budget, the Office of the Legislative Fiscal
178 Analyst shall:

179 (i) include in the base budget the lesser of the amount described in Subsection (4) or
180 the remaining available ongoing Education Fund revenue; and

181 (ii) appropriate the funds described in Subsection (5)(b)(i) to the Utah Board of Higher
182 Education to distribute to institutions as described in Section 53B-7-705.

183 (c) In a fiscal year beginning on or after July 1, 2023, in which the remaining available
184 ongoing Education Fund revenue is less than zero, when preparing the base budget, the Office
185 of the Legislative Fiscal Analyst shall include in the base budget the current year ongoing
186 appropriation described in Subsection (4), adjusted for any base budget reductions as directed
187 by the Executive Appropriations Committee.

188 ~~[(5)]~~ (6) During the interim following a legislative general session in which an amount
189 described in Subsection (4)(b) is deposited into the account, the Higher Education
190 Appropriations Subcommittee shall review performance funding described in this part and
191 make recommendations to the Legislature about:

192 (a) the performance levels required for degree-granting institutions and technical
193 colleges to receive performance funding as described in Section 53B-7-705;

194 (b) the performance metrics described in Sections 53B-7-706 and 53B-7-707; and

195 (c) the amount of individual income tax revenue dedicated to higher education
196 performance funding.

197 Section 4. Section 53B-7-705 is amended to read:

198 **53B-7-705. Determination of full new performance funding amount -- Role of**
199 **appropriations subcommittee -- Program review.**

200 (1) In accordance with this section, and based on money deposited into the account, the
201 Legislature shall, as part of the higher education appropriations budget process, annually
202 determine the full new performance funding amount for each:

203 (a) degree-granting institution; and

204 (b) technical college.

205 (2) (a) ~~[The]~~ Before January 1, 2024, the Legislature shall annually allocate:

206 ~~[(a)]~~ (i) 90% of the money in the account to degree-granting institutions; and

207 ~~[(b)]~~ (ii) 10% of the money in the account to technical colleges.

208 (b) After January 1, 2024, the Legislature shall annually allocate:

209 (i) 85% of the money in the account to degree-granting institutions; and

210 (ii) 15% of the money in the account to technical colleges.

211 (3) (a) The Legislature shall determine a degree-granting institution's full new

212 performance funding amount based on the degree-granting institution's prior year share of:

- 213 (i) full-time equivalent enrollment in all degree-granting institutions; and
- 214 (ii) the total state-funded appropriated budget for all degree-granting institutions.

215 (b) In determining a degree-granting institution's full new performance funding
216 amount, the Legislature shall give equal weight to the factors described in Subsections (3)(a)(i)
217 and (ii).

218 (4) (a) The Legislature shall determine a technical college's full new performance
219 funding amount based on the technical college's prior year share of:

- 220 (i) (A) before January 1, 2024, membership hours for all technical colleges; and
- 221 (B) after January 1, 2024, full-time equivalent enrollment for all technical colleges; and
- 222 (ii) the total state-funded appropriated budget for all technical colleges.

223 (b) In determining a technical college's full new performance funding amount, the
224 Legislature shall give equal weight to the factors described in Subsections (4)(a)(i) and (ii).

225 (5) Annually, at least 30 days before the first day of the legislative general session the
226 board shall submit a report to the Higher Education Appropriations Subcommittee on each
227 degree-granting institution's and each technical college's performance.

228 (6) (a) In accordance with this Subsection (6), and based on the report described in
229 Subsection (5), the Legislature shall determine for each degree-granting institution and each
230 technical college:

- 231 (i) the portion of the full new performance funding amount earned; and
- 232 (ii) the amount of new performance funding to recommend that the Legislature
233 appropriate, from the account, to the degree-granting institution or technical college.

234 (b) (i) This Subsection (6)(b) applies before January 1, 2024.

235 ~~(i)~~ (ii) A degree-granting institution earns the full new performance funding amount
236 if the degree-granting institution has a positive change in performance of at least 1% compared
237 to the degree-granting institution's average performance over the previous five years.

238 ~~(ii)~~ (iii) (A) Except as provided in Subsection (6)(b)~~(ii)~~(iii)(B), a technical college
239 earns the full new performance funding amount if the technical college has a positive change in
240 the technical college's performance of at least 5% compared to the technical college's average
241 performance over the previous five years.

242 (B) A technical college's change in performance may be compared to the technical

243 college's average performance over fewer than five years in accordance with Subsection
244 [53B-7-707](#)(3)(b).

245 (c) After January 1, 2024, a degree-granting institution or technical college earns the
246 full new performance funding amount if the degree-granting institution or technical college
247 meets the annual performance goals the board sets under Subsection [53B-7-706](#)(1)(a)(ii).

248 ~~[(c)]~~ (d) ~~[A]~~ Before January 1, 2024, degree-granting institution or technical college
249 that has a positive change in performance that is less than a change described in Subsection
250 (6)(b) is eligible to receive a prorated amount of the full new performance funding amount.

251 ~~[(d)]~~ (e) ~~[A]~~ Before January 1, 2024, a degree-granting or technical college that has a
252 negative change, or no change, in performance over a time period described in Subsection
253 (6)(b) is not eligible to receive new performance funding.

254 (f) After January 1, 2024, a degree-granting institution or technical college that does
255 not meet the goals the board sets under Subsection [53B-7-706](#)(1)(a)(ii):

256 (i) is not eligible to receive the full new performance funding amount; and

257 (ii) is eligible to receive a prorated amount of the full new performance funding
258 amount for performance that is greater than zero as measured by the model the board
259 establishes under Subsection [53B-7-706](#)(1)(a)(i)(B).

260 (g) (i) After January 1, 2024, if a degree-granting institution or technical college does
261 not earn the full new performance funding amount as described in Subsection (6)(c), the board
262 shall:

263 (A) set aside the unearned new performance funding; and

264 (B) at the end of a five-year period for which the board sets goals under Subsection
265 [53B-7-706](#)(1)(a)(ii), allocate the funds set aside under Subsection (6)(g)(i)(A) to a
266 degree-granting institution or technical college that meets the degree-granting institution's or
267 technical college's five-year goals described in Subsection [53B-7-706](#)(1)(a)(ii)(B).

268 (ii) The board may reallocate the funds described in Subsection (6)(g)(i)(A) on a
269 one-time basis to a degree-granting institution or technical college that exceeds the
270 degree-granting institution's or technical college's annual performance goals until the board
271 evaluates performance of five-year goals as described Subsection [53B-7-706](#)(5).

272 (7) An appropriation described in this section is ongoing.

273 (8) Notwithstanding Section [53B-7-703](#) and Subsections (6) and (7), the Legislature

274 may, by majority vote, appropriate or refrain from appropriating money for performance
275 funding as circumstances require in a particular year.

276 ~~[(9) On or before November 1, 2020, the Education Interim Committee, the Higher
277 Education Appropriations Subcommittee, and the governor shall review the implementation of
278 performance funding described in this part.]~~

279 Section 5. Section **53B-7-706** is amended to read:

280 **53B-7-706. Performance metrics for degree-granting institutions --**
281 **Determination of performance.**

282 (1) (a) (i) (A) The board shall establish a model for determining a degree-granting
283 institution's performance.

284 (B) Beginning in March 2021, the board shall establish a model for determining
285 degree-granting institution's or technical college's performance.

286 (ii) Beginning in May 2021, the board shall:

287 (A) set a five-year goal for the Utah System of Higher Education for each metric
288 described in Subsection (2)(a)(ii);

289 (B) adopt five-year goals for each degree-granting institution and technical college that
290 align with each goal described in Subsection (1)(a)(ii)(A); and

291 (C) ensure the goals the board adopts for each degree-granting institution and technical
292 college described in Subsection (1)(a)(ii)(B) are sufficiently rigorous to meet the goals
293 described in Subsection (1)(a)(ii)(A); and

294 (b) (i) The board shall submit a draft of the model described in this section to the
295 Higher Education Appropriations Subcommittee and the governor for comments and
296 recommendations.

297 (ii) Beginning in 2021, and every five years thereafter, the board shall:

298 (A) submit the model described in Subsection (1)(a)(i) and the goals described in
299 Subsection (1)(a)(ii) to the Higher Education Appropriations Subcommittee and to the
300 governor for comments and recommendations; and

301 (B) consider the comments and recommendations described in Subsection
302 (1)(b)(ii)(A), and make any necessary changes to the model described in Subsection (1)(a)(i)
303 and the goals described in Subsection (1)(a)(ii).

304 (c) Beginning in 2021, and every five years thereafter, the Executive Appropriations

305 Committee, Higher Education Appropriations Subcommittee, and the Education Interim
306 Committee shall prepare and jointly meet to consider legislation for introduction at the
307 following general legislative session to adopt the goals described in Subsection (1)(a)(ii).

308 (2) (a) (i) The model described in Subsection (1)(a)(i)(A) shall include metrics,
309 including:

310 [(i)] (A) completion, measured by degrees and certificates awarded;

311 [(ii)] (B) completion by underserved students, measured by degrees and certificates
312 awarded to underserved students;

313 [(iii)] (C) responsiveness to workforce needs, measured by degrees and certificates
314 awarded in high market demand fields;

315 [(iv)] (D) institutional efficiency, measured by degrees and certificates awarded per
316 full-time equivalent student; and

317 [(v)] (E) for a research university, research, measured by total research expenditures.

318 (ii) Beginning in 2021, the board shall set the goals and establish the performance
319 model described in Subsection (1)(a)(i)(B) for the following metrics:

320 (A) access;

321 (B) timely completion; and

322 (C) high-yield awards.

323 (b) (i) Subject to Subsection ~~[(2)(c)]~~ (2)(b)(ii), the board shall determine the relative
324 weights of the metrics described in Subsection (2)(a)(i).

325 ~~[(c)]~~ (ii) The board shall assign the responsiveness to workforce needs metric described
326 in Subsection ~~[(2)(a)(iii)]~~ (2)(a)(i)(C) a weight of at least 25% when determining a
327 degree-granting institution's performance.

328 (c) Beginning in 2021, the board shall determine and establish in board policy, the
329 definitions, measures, and relative weights of the metrics described in Subsection (2)(a)(ii)
330 based on each degree-granting institution's and each technical college's mission.

331 (3) (a) For each degree-granting institution, the board shall annually determine the
332 degree-granting institution's:

333 ~~[(a)]~~ (i) performance; and

334 ~~[(b)]~~ (ii) change in performance compared to the degree-granting institution's average
335 performance over the previous five years.

336 (b) Beginning in 2022, for each degree-granting institution and technical college, the
337 board shall annually:

338 (i) adopt annual performance goals for each metric described in Subsection (2)(a)(ii)
339 that will advance the degree-granting institution or technical college toward achievement of the
340 five-year goals described in Subsection (1)(a)(ii);

341 (ii) evaluate performance in meeting the goals described in Subsection (3)(b)(i); and

342 (iii) include a degree-granting institution's or technical college's performance under this
343 section in the evaluation described in Subsection [53B-1-402\(2\)\(i\)\(iii\)](#).

344 (4) (a) The board shall use the model described in [~~this section~~] Subsection (1)(a)(i)(A)
345 to make the report described in Section [53B-7-705](#) for determining a degree-granting
346 institution's performance funding for a fiscal year beginning on or after July 1, 2018[-], but
347 before July 1, 2024.

348 (b) For a fiscal year beginning on or after July 1, 2024, the board shall use the model
349 described in Subsection (2)(a)(i)(B) to make the report described in Section [53B-7-705](#) for
350 determining a degree-granting institution's or technical college's performance funding.

351 (5) At the end of each five-year period for which the board sets goals under Subsection
352 (1)(a)(ii):

353 (a) the board shall:

354 (i) review the Utah System of Higher Education's performance in meeting the goals the
355 board sets under Subsection (1)(a)(ii)(A);

356 (ii) review each degree-granting institution's and each technical college's performance
357 in meeting the goals the board sets under Subsection (1)(a)(ii)(B); and

358 (iii) allocate any funds not allocated under Subsection [53B-7-705\(6\)\(g\)](#) to each
359 degree-granting institution and each technical college that meets or exceeds the goals the board
360 sets under Subsection (1)(a)(ii)(B); and

361 (b) the Legislature may appropriate additional funds for the board to allocate to each
362 degree-granting institution and each technical college that meets or exceeds goals as described
363 in Subsection (5)(a)(iii).

364 (6) In year two or three of each five-year period for which the board sets goals under
365 Subsection (1)(a)(ii), the following committees and the governor shall hold a joint open
366 meeting to review the goals the board sets under Subsection (1)(a)(ii):

- 367 (a) the Executive Appropriations Committee;
368 (b) the Higher Education Appropriations Subcommittee; and
369 (c) the Education Interim Committee.

370 Section 6. Section **53E-1-201** is amended to read:

371 **53E-1-201. Reports to and action required of the Education Interim Committee.**

372 (1) In accordance with applicable provisions and Section **68-3-14**, the following
373 recurring reports are due to the Education Interim Committee:

374 (a) the report described in Section **9-22-109** by the STEM Action Center Board,
375 including the information described in Section **9-22-113** on the status of the computer science
376 initiative and Section **9-22-114** on the Computing Partnerships Grants Program;

377 (b) the prioritized list of data research described in Section **35A-14-302** and the report
378 on research described in Section **35A-14-304** by the Utah Data Research Center;

379 (c) the report described in Section **35A-15-303** by the State Board of Education on
380 preschool programs;

381 (d) the report described in Section **53B-1-402** by the Utah Board of Higher Education
382 on career and technical education issues and addressing workforce needs;

383 (e) the annual report of the Utah Board of Higher Education described in Section
384 **53B-1-402**;

385 (f) the reports described in Section **53B-28-401** by the Utah Board of Higher Education
386 regarding activities related to campus safety;

387 (g) the State Superintendent's Annual Report by the state board described in Section
388 **53E-1-203**;

389 (h) the annual report described in Section **53E-2-202** by the state board on the strategic
390 plan to improve student outcomes;

391 (i) the report described in Section **53E-8-204** by the state board on the Utah Schools for
392 the Deaf and the Blind;

393 (j) the report described in Section **53E-10-703** by the Utah Leading through Effective,
394 Actionable, and Dynamic Education director on research and other activities;

395 (k) the report described in Section **53F-4-203** by the state board and the independent
396 evaluator on an evaluation of early interactive reading software;

397 (l) the report described in Section **53F-4-407** by the state board on UPSTART;

398 (m) the reports described in Sections 53F-5-214 and 53F-5-215 by the state board
399 related to grants for professional learning and grants for an elementary teacher preparation
400 assessment; and

401 (n) the report described in Section 53F-5-405 by the State Board of Education
402 regarding an evaluation of a partnership that receives a grant to improve educational outcomes
403 for students who are low income.

404 (2) In accordance with applicable provisions and Section 68-3-14, the following
405 occasional reports are due to the Education Interim Committee:

406 (a) the report described in Section 35A-15-303 by the School Readiness Board by
407 November 30, 2020, on benchmarks for certain preschool programs;

408 (b) the report described in Section 53B-28-402 by the Utah Board of Higher Education
409 on or before the Education Interim Committee's November 2021 meeting;

410 (c) the report described in Section 53E-3-519 by the state board regarding counseling
411 services in schools;

412 (d) the reports described in Section 53E-3-520 by the state board regarding cost centers
413 and implementing activity based costing;

414 (e) if required, the report described in Section 53E-4-309 by the state board explaining
415 the reasons for changing the grade level specification for the administration of specific
416 assessments;

417 (f) if required, the report described in Section 53E-5-210 by the state board of an
418 adjustment to the minimum level that demonstrates proficiency for each statewide assessment;

419 (g) in 2022 and in 2023, on or before November 30, the report described in Subsection
420 53E-10-309(7) related to the PRIME pilot program;

421 (h) the report described in Section 53E-10-702 by Utah Leading through Effective,
422 Actionable, and Dynamic Education;

423 (i) the report described in Section 53F-2-502 by the state board on the program
424 evaluation of the dual language immersion program;

425 (j) if required, the report described in Section 53F-2-513 by the state board evaluating
426 the effects of salary bonuses on the recruitment and retention of effective teachers in high
427 poverty schools;

428 (k) upon request, the report described in Section 53F-5-207 by the state board on the

429 Intergenerational Poverty Intervention Grants Program;

430 (l) the report described in Section 53F-5-210 by the state board on the Educational
431 Improvement Opportunities Outside of the Regular School Day Grant Program;

432 (m) the report described in Section 53G-7-503 by the state board regarding fees that
433 LEAs charge during the 2020-2021 school year;

434 (n) the reports described in Section 53G-11-304 by the state board regarding proposed
435 rules and results related to educator exit surveys;

436 (o) upon request, the report described in Section 53G-11-505 by the state board on
437 progress in implementing employee evaluations;

438 (p) the report described in Section 62A-15-117 by the Division of Substance Abuse
439 and Mental Health, the State Board of Education, and the Department of Health regarding
440 recommendations related to Medicaid reimbursement for school-based health services; and

441 (q) the reports described in Section 63C-19-202 by the Higher Education Strategic
442 Planning Commission.

443 ~~[(3) In accordance with Section 53B-7-705, the Education Interim Committee shall~~
444 ~~complete the review of the implementation of performance funding.]~~

445 Section 7. Section 63I-2-253 is amended to read:

446 **63I-2-253. Repeal dates -- Titles 53 through 53G.**

447 (1) (a) Section 53-2a-217, regarding procurement during an epidemic or pandemic
448 emergency, is repealed on December 31, 2021.

449 (b) When repealing Section 53-2a-217, the Office of Legislative Research and General
450 Counsel shall, in addition to the office's authority under Subsection 36-12-12(3), make
451 necessary changes to subsection numbering and cross references.

452 (2) Section 53B-2a-103 is repealed July 1, 2021.

453 (3) Section 53B-2a-104 is repealed July 1, 2021.

454 (4) (a) Subsection 53B-2a-108(5), regarding exceptions to the composition of a
455 technical college board of trustees, is repealed July 1, 2022.

456 (b) When repealing Subsection 53B-2a-108(5), the Office of Legislative Research and
457 General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make
458 necessary changes to subsection numbering and cross references.

459 (5) Section 53B-6-105.7 is repealed July 1, 2024.

460 (6) (a) Subsection [53B-7-705](#)(6)(b)(~~(ii)~~)(iii)(A), the language that states "Except as
461 provided in Subsection (6)(b)(~~(ii)~~)(iii)(B)," is repealed July 1, 2021.

462 (b) Subsection [53B-7-705](#)(6)(b)(~~(ii)~~)(iii)(B), regarding comparing a technical college's
463 change in performance with the technical college's average performance, is repealed July 1,
464 2021.

465 (7) (a) Subsection [53B-7-707](#)(3)(a)(ii), the language that states "Except as provided in
466 Subsection (3)(b)," is repealed July 1, 2021.

467 (b) Subsection [53B-7-707](#)(3)(b), regarding performance data of a technical college
468 during a fiscal year before fiscal year 2020, is repealed July 1, 2021.

469 (8) Section [53B-7-707](#) regarding performance metrics for technical colleges is repealed
470 July 1, 2023.

471 [~~(8)~~] (9) Section [53B-8-114](#) is repealed July 1, 2024.

472 [~~(9)~~] (10) (a) The following sections, regarding the Regents' scholarship program, are
473 repealed on July 1, 2023:

474 (i) Section [53B-8-202](#);

475 (ii) Section [53B-8-203](#);

476 (iii) Section [53B-8-204](#); and

477 (iv) Section [53B-8-205](#).

478 (b) (i) Subsection [53B-8-201](#)(2), regarding the Regents' scholarship program for
479 students who graduate from high school before fiscal year 2019, is repealed on July 1, 2023.

480 (ii) When repealing Subsection [53B-8-201](#)(2), the Office of Legislative Research and
481 General Counsel shall, in addition to its authority under Subsection [36-12-12](#)(3), make
482 necessary changes to subsection numbering and cross references.

483 [~~(10)~~] (11) Section [53B-10-101](#) is repealed on July 1, 2027.

484 [~~(11)~~] (12) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project,
485 is repealed July 1, 2023.

486 [~~(12)~~] (13) Section [53E-3-519](#) regarding school counselor services is repealed July 1,
487 2020.

488 [~~(13)~~] (14) Section [53E-3-520](#) is repealed July 1, 2021.

489 [~~(14)~~] (15) Subsection [53E-5-306](#)(3)(b)(ii)(B), related to improving school
490 performance and continued funding relating to the School Recognition and Reward Program, is

491 repealed July 1, 2020.

492 ~~[(15)]~~ (16) Section 53E-5-307 is repealed July 1, 2020.

493 ~~[(16)]~~ (17) Subsection 53E-10-309(7), related to the PRIME pilot program, is repealed
494 July 1, 2024.

495 ~~[(17)]~~ (18) In Subsections 53F-2-205(4) and (5), regarding the State Board of
496 Education's duties if contributions from the minimum basic tax rate are overestimated or
497 underestimated, the language that states "or 53F-2-301.5, as applicable" is repealed July 1,
498 2023.

499 ~~[(18)]~~ (19) Subsection 53F-2-301(1), relating to the years the section is not in effect, is
500 repealed July 1, 2023.

501 ~~[(19)]~~ (20) In Subsection 53F-2-515(1), the language that states "or 53F-2-301.5, as
502 applicable" is repealed July 1, 2023.

503 ~~[(20)]~~ (21) Section 53F-4-207 is repealed July 1, 2022.

504 ~~[(21)]~~ (22) In Subsection 53F-9-302(3), the language that states "or 53F-2-301.5, as
505 applicable" is repealed July 1, 2023.

506 ~~[(22)]~~ (23) In Subsection 53F-9-305(3)(a), the language that states "or 53F-2-301.5, as
507 applicable" is repealed July 1, 2023.

508 ~~[(23)]~~ (24) In Subsection 53F-9-306(3)(a), the language that states "or 53F-2-301.5, as
509 applicable" is repealed July 1, 2023.

510 ~~[(24)]~~ (25) In Subsection 53G-3-304(1)(c)(i), the language that states "or 53F-2-301.5,
511 as applicable" is repealed July 1, 2023.

512 ~~[(25)]~~ (26) Subsections 53G-10-204(1)(c) through (e), and Subsection 53G-10-204(7),
513 related to the civics engagement pilot program, are repealed on July 1, 2023.

514 ~~[(26)]~~ (27) On July 1, 2023, when making changes in this section, the Office of
515 Legislative Research and General Counsel shall, in addition to the office's authority under
516 Subsection 36-12-12(3), make corrections necessary to ensure that sections and subsections
517 identified in this section are complete sentences and accurately reflect the office's perception of
518 the Legislature's intent.