

RESOLUTION OF THE  
NAABIK'ÍYÁTI' COMMITTEE OF THE  
NAVAJO NATION COUNCIL

23<sup>RD</sup> NAVAJO NATION COUNCIL - Second Year, 2016

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES AND  
NAABIK'ÍYÁTI'; SUPPORTING AND RECOMMENDING THE PASSAGE OF S.B.  
14, AMERICAN INDIAN AND ALASKAN NATIVE AMENDMENTS, UTAH STATE  
LEGISLATURE

WHEREAS:

- A. The Navajo Nation established the Health, Education and Human Services Committee (HEHSC) as a Navajo Nation Council standing committee and as such empowered HEHSC to review and recommend resolutions regarding certain matters, including health, education and social services. 2 N.N.C. §§ 164 (A)(9), 400 (A), 401 (B)(6)(a) (2012); see also CO-45-12.
- B. The Navajo Nation established the Naabik'íyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'íyáti' Committee to coordinate all state programs, including those of the state of Utah. 2 N.N.C. §§ 164 (A)(9), 700 (A), 701 (A)(4) (2012); see also CO-45-12.
- C. The Navajo Nation has a government-to-government relationship with the state of Utah.
- D. S.B. 14, entitled "American Indian and Alaskan Native Amendments," is introduced in the Utah State legislature. See Exhibit A (copy of the bill). Generally, this bill would amend statutory provisions related to the state system of public education and American Indians and Alaskan Natives. More particularly, the bill would amend duties of the Native American Legislative Liaison Committee, create a pilot program to fund stipend, recruitment, and retention of teachers who teach in American Indian and Alaskan Native concentrated schools, create a pilot program for regional service centers to fund individuals facilitating Title VII, Elementary and Secondary Education Act, and require reporting and meetings to be held. Id., S.B. 14. As a one-time appropriation in fiscal year 2016, the bill would provide \$20,000 for the State Board of Education - State

Office of Education; and for fiscal year 2017, \$2,000,000 would be appropriated as an ongoing appropriation. Also reference Resolution NNBEAP-323-2016 of the Navajo Nation Board of Education as Exhibit B.

**NOW THEREFORE BE IT RESOLVED THAT:**

The Navajo Nation hereby supports and recommends the passage of S.B. 14, a bill entitled, "American Indian and Alaskan Native Amendments."

**CERTIFICATION**

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Twin Arrows, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 13 in favor, 0 oppose, this 14<sup>th</sup> day of April, 2016.



LoRenzo Bates, Chairperson  
Naabik'iyáti' Committee

Motion: Honorable Jonathan Perry  
Second: Honorable Herman Daniels, Jr.

# 22nd Navajo Nation Council - Naabik'iyati' Committee

## Naabik'iyati' Committee

Thursday, April 14, 2016

### 0061-16 - Main Motion - M: Perry; S: Daniels

#### ALL DELEGATES:

|                      | Yea | Nay |
|----------------------|-----|-----|
| BATES, LoRenzo       |     |     |
| BEGAY, Kee Allen Jr. |     |     |
| BEGAY, Mel R.        |     |     |
| BEGAY, Norman M.     | 1   |     |
| BEGAYE, Nelson       | 1   |     |
| BENNETT, Benjamin L. | 1   |     |
| BROWN, Nathaniel     |     |     |
| CHEE, Tom T.         |     |     |
| CROTTY, Amber K.     |     |     |
| DAMON, Seth          | 1   |     |
| DANIELS, Herman Jr.  | 1   |     |
| FILFRED, Davis       | 1   |     |
| HALE, Jonathan L.    | 1   |     |
| JACK, Lee Sr.        |     |     |
| PERRY, Jonathan      | 1   |     |
| PETE, Leonard H.     |     |     |
| PHELPS, Walter       | 1   |     |
| SHEPHERD, Alton Joe  |     |     |
| SLIM, Tuchoney Jr.   | 1   |     |
| SMITH, Raymond Jr.   |     |     |
| TSO, Otto            | 1   |     |
| TSOSIE, Leonard      | 1   |     |
| WITHERSPOON, Dwight  | 1   |     |
| YAZZIE, Edmund       |     |     |

#### GRAND TOTAL

13 0

#### BY COMMITTEE:

##### BFC:

|                     | Yea | Nay | TOTAL |
|---------------------|-----|-----|-------|
| BEGAY, Mel R.       | 0   | 0   |       |
| CHEE, Tom T.        | 0   | 0   |       |
| DAMON, Seth         | 1   | 0   |       |
| JACK, Lee Sr.       | 0   | 0   |       |
| SLIM, Tuchoney      | 1   | 0   |       |
| WITHERSPOON, Dwight | 1   | 0   | 3     |

##### HEHSC:

|                    | Yea | Nay | TOTAL |
|--------------------|-----|-----|-------|
| BEGAY, Norman M.   | 1   | 0   |       |
| BEGAYE, Nelson     | 1   | 0   |       |
| BROWN, Nathaniel   | 0   | 0   |       |
| CROTTY, Amber K.   | 0   | 0   |       |
| DANIEL, Herman Jr. | 1   | 0   |       |
| HALE, Jonathan L.  | 1   | 0   | 4     |

##### LOC:

|                      | Yea | Nay | TOTAL |
|----------------------|-----|-----|-------|
| BEGAY, Kee Allen Jr. | 0   | 0   |       |
| PERRY, Jonathan      | 1   | 0   |       |
| SMITH, Raymond Jr.   | 0   | 0   |       |
| TSO, Otto            | 1   | 0   |       |
| YAZZIE, Edmund       | 0   | 0   | 2     |

##### RDC:

|                      | Yea | Nay | TOTAL |
|----------------------|-----|-----|-------|
| BENNETT, Benjamin L. | 1   | 0   |       |
| FILFRED, Davis       | 1   | 0   |       |
| PETE, Leonard H.     | 0   | 0   |       |
| PHELPS, Walter       | 1   | 0   |       |
| SHEPHERD, Alton Joe  | 0   | 0   |       |
| TSOSIE, Leonard      | 1   | 0   | 4     |

##### SPEAKER:

|                | Yea | Nay | TOTAL |
|----------------|-----|-----|-------|
| BATES, LoRenzo | 0   | 0   |       |
|                | 13  | 0   |       |

#### CERTIFICATION:



Honorable LoRenzo Bates  
Speaker

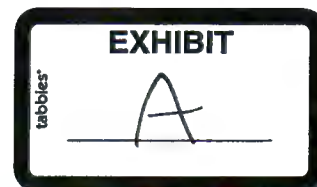
1 **AMERICAN INDIAN AND ALASKAN NATIVE AMENDMENTS**

2 2016 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Kevin T. Van Tassell**

5 House Sponsor: Jack R. Draxler

6  
7 **LONG TITLE**8 **Committee Note:**

9 The Native American Legislative Liaison Committee recommended this bill.

10 **General Description:**11 This bill amends provisions related to the state system of public education and  
12 American Indians and Alaskan Natives.13 **Highlighted Provisions:**

14 This bill:

- 15 ▶ amends duties of the Native American Legislative Liaison Committee;
- 16 ▶ defines terms;
- 17 ▶ creates a pilot program to fund stipend, recruitment, and retention of teachers who
- 18 teach in American Indian and Alaskan Native concentrated schools;
- 19 ▶ creates a pilot program for regional service centers to fund individuals facilitating
- 20 Title VII, Elementary and Secondary Education Act;
- 21 ▶ requires reporting and meetings to be held; ~~§~~→ [and]
- 21a ▶ provides a sunset date; and ←~~§~~
- 22 ▶ makes technical changes.

23 **Money Appropriated in this Bill:**

- 24 This bill appropriates for fiscal year 2016:
- 25 ▶ to the State Board of Education - State Office of Education, as a one-time
  - 26 appropriation:
  - 27 • from the Education Fund, one-time, \$20,000.



28 This bill appropriates for fiscal year 2017 ~~§→ [through fiscal year 2021] ←§~~ :  
 29 ▶ to the State Board of Education - State Office of Education, as an ongoing  
 30 appropriation:

31 • from the Education Fund, \$2,000,000.

32 **Other Special Clauses:**

33 This bill provides a special effective date.

34 **Utah Code Sections Affected:**

35 AMENDS:

36 36-22-2, as enacted by Laws of Utah 1995, Chapter 143

36a ~~§→~~ 63I-1-253, as last amended by Laws of Utah 2015, Chapters 62, 431, and 442 ~~←§~~

37 ENACTS:

38 53A-31-401, Utah Code Annotated 1953

39 53A-31-402, Utah Code Annotated 1953

40 53A-31-403, Utah Code Annotated 1953

41 53A-31-404, Utah Code Annotated 1953

42 53A-31-405, Utah Code Annotated 1953

43 53B-31-406, Utah Code Annotated 1953

44

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

46 Section 1. Section 36-22-2 is amended to read:

47 **36-22-2. Duties.**

48 (1) The committee shall:

49 (a) serve as a liaison between Utah Native American tribes and the Legislature;

50 (b) recommend legislation for each annual general session of the Legislature if the  
 51 committee determines that modifications to current law are in the best interest of the state of  
 52 Utah and of the Utah Native American tribes;

53 (c) review the operations of the Division of Indian Affairs and other state agencies  
 54 working with Utah Native American tribes;

55 (d) help sponsor meetings and other opportunities for discussion with and between  
 56 Native Americans[-]; and

57 (e) hold a meeting at which public education is discussed as required by Section  
 58 53A-31-406.



(2) In conducting its business, the committee shall comply with the rules of legislative interim committees.

Section 2. Section 53A-31-401 is enacted to read:

**Part 4. American Indian and Alaskan Native Education State Plan Pilot Program**  
**53A-31-401. Title.**

This part is known as the "American Indian and Alaskan Native Education State Plan Pilot Program."

Section 3. Section 53A-31-402 is enacted to read:

**53A-31-402. Definitions.**

As used in this part:

(1) "American Indian and Alaskan Native concentrated school" means a school where at least 29% of its students are American Indian or Alaskan Native.

(2) "Board" means the State Board of Education.

(3) "Regional service center" means a regional service center created under Section 53A-3-429.

(4) "Teacher" means an individual employed by a school district or charter school who is required to hold an educator license issued by the board and who has an assignment to teach in a classroom.

Section 4. Section 53A-31-403 is enacted to read:

**53A-31-403. Pilot program created.**

(1) Beginning with fiscal year 2016-2017, there is created a five-year pilot program administered by the board to provide grants targeted to address the needs of American Indian and Alaskan Native students.

(2) The pilot program shall consist of:

(a) a grant program to school districts and charter schools to be used to fund stipends, recruitment, retention, and professional development of teachers who teach in American Indian and Alaskan Native concentrated schools; and

(b) a grant program to regional service centers to fund individuals who facilitate American Indian and Alaskan Native programs under Title VII, Elementary and Secondary Education Act.

(3) Up to 3% of the money appropriated to a grant program under this part may be used

90 by the board for costs in implementing the pilot program.

91 Section 5. Section **53A-31-404** is enacted to read:

92 **53A-31-404. Grant program to school districts and charter schools.**

93 (1) From money appropriated to the grant program, the board shall distribute grant  
94 money on a competitive basis to a school district or charter school that applies for a grant and:

95 (a) (i) has within the school district one or more American Indian and Alaskan Native  
96 concentrated schools; or

97 (ii) is an American Indian and Alaskan Native concentrated school; and

98 (b) has a program to fund stipends, recruitment, retention, and professional  
99 development of teachers who teach at American Indian and Alaskan Native concentrated  
100 schools.

101 (2) The grant money distributed under this section may only be expended to fund a  
102 program described in Subsection (1)(b).

103 (3) (a) If a school district or charter school obtains a grant under this section, by no  
104 later than two years from the date the school district or charter school obtains the grant, the  
105 board shall review the implementation of the program described in Subsection (1)(b) to  
106 determine whether:

107 (i) the program is effective in addressing the need to retain teachers at American Indian  
108 and Alaskan Native concentrated schools; and

109 (ii) the money is being spent for a purpose not covered by the program described in  
110 Subsection (1)(b).

111 (b) If the board determines that the program is not effective or that the money is being  
112 spent for a purpose not covered by the program described in Subsection (1)(b), the board may  
113 terminate the grant money being distributed to the school district or charter school.

114 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
115 board may make rules providing:

116 (a) criteria for evaluating grant applications; and

117 (b) procedures for:

118 (i) a school district to apply to the board to receive grant money under this section; and

119 (ii) the review of the use of grant money described in Subsection (3).

120 (5) The grant money is intended to supplement and not replace existing money

121 supporting American Indian and Alaskan Native concentrated schools.

122 Section 6. Section **53A-31-405** is enacted to read:

123 **53A-31-405. Grant program to regional service centers.**

124 (1) From money appropriated to the grant program, the board shall distribute grant  
125 money on a competitive basis to regional service centers that apply for a grant to fund, in  
126 addition to any available federal money, an individual who facilitates American Indian and  
127 Alaskan Native programs under Title VII, Elementary and Secondary Education Act.

128 (2) The grant money distributed under this section may only be expended for the  
129 purpose described in Subsection (1).

130 (3) (a) If a regional service center obtains a grant under this section, by no later than  
131 two years from the date on which the regional service center obtains the grant, the board shall  
132 review the implementation of the grant money to determine whether:

133 (i) the objectives of Title VII, Elementary and Secondary Education Act, as outlined by  
134 the regional service center are being met; and

135 (ii) the money is being spent for a purpose not provided for in Subsection (1).

136 (b) If the board determines that the objectives of Title VII, Elementary and Secondary  
137 Education Act, are not being met or that the money is being spent for a purpose not covered by  
138 Subsection (1), the board may terminate the grant money being distributed to the regional  
139 service center.

140 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
141 board may make rules providing:

142 (a) criteria for evaluating grant applications; and

143 (b) procedures for:

144 (i) a regional service center to apply to the board to receive grant money under this  
145 section; and

146 (ii) the review of the use of grant money described in Subsection (3).

147 (5) This section is not intended to require the replacement of individuals who are  
148 employed by a school district or charter school.

149 Section 7. Section **53B-31-406** is enacted to read:

150 **53B-31-406. Reporting -- Meeting.**

151 (1) The liaison shall annually report to the Native American Legislative Liaison



Committee during the five years of the pilot program regarding:

(a) what entities receive a grant under this part;

(b) the effectiveness of the expenditures of grant money; and

(c) recommendations, if any, for additional legislative action.

(2) The Native American Legislative Liaison Committee shall annually schedule at least one meeting at which education is discussed with selected stakeholders.

**§→ Section 8. Section 63I-1-253 is amended to read:**

63I-1-253. Repeal dates, Titles 53, 53A, and 53B.

The following provisions are repealed on the following dates:

(1) Section 53-3-232, Conditional license, is repealed July 1, 2015.

(2) Subsection 53-10-202(18) is repealed July 1, 2018.

(3) Section 53-10-202.1 is repealed July 1, 2018.

(4) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is repealed July 1, 2020.

(5) The State Instructional Materials Commission, created in Section 53A-14-101, is repealed July 1, 2016.

(6) Section 53A-15-106 is repealed July 1, 2019.

(7) Subsections 53A-16-113(3) and (4) are repealed December 31, 2016.

(8) Section 53A-16-114 is repealed December 31, 2016.

(9) Section 53A-17a-163, Performance-based Compensation Pilot Program **§→**, **←§** is repealed July 1, 2016.

**(10) Title 53A, Chapter 31, Part 4, American Indian and Alaskan Native Education State Plan Pilot Program, is repealed July 1, 2022.**

**§→ [(10)] (11) ←§** Section 53B-24-402, Rural residency training program, is repealed July 1, 2020.

**§→ [(11)] (12) ←§** Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of money from the Land Exchange Distribution Account to the Geological Survey for test wells, other hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1, 2020. **←§**

**Section 8. Appropriation.**

Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2015, and ending June 30, 2016, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to any amounts previously appropriated for fiscal year 2016.

To State Board of Education - Utah State Office of Education

From Education Fund, one-time

\$20,000

Schedule of Programs:

167                                Teaching and Learning                                \$20,000

168                Section 9. **Appropriation.**

169                Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for  
 170 the fiscal year beginning July 1, 2016, and ending June 30, \$→ [2021] 2017 ←\$ , the following  
 170a sums of money

171 are appropriated from resources not otherwise appropriated, or reduced from amounts  
 172 previously appropriated, out of the funds or accounts indicated. These sums of money are in  
 173 addition to any amounts previously appropriated for fiscal year 2017 \$→ [through fiscal year 2021] ←\$ .

174                To State Board of Education - Utah State Office of Education

175                                From Education Fund                                \$2,000,000

176                                Schedule of Programs:

177                                Pilot Teacher Retention Grant Program                                \$1,500,000

178                                Pilot Regional Service Center Title IV Program                                \$500,000

179                Section 10. **Effective date.**

180                If approved by two-thirds of all the members elected to each house, this bill takes effect  
 181 upon approval by the governor, or the day following the constitutional time limit of Utah  
 182 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,

183 the date of veto override.

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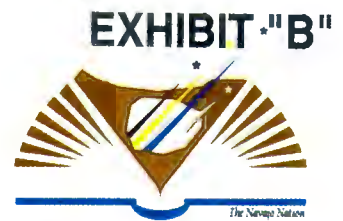
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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**



**DEPARTMENT OF DINÉ EDUCATION  
THE NAVAJO NATION**

P.O. Box 670 · Window Rock, Arizona 86515  
PHONE (928) 871 – 7475 · FAX (928) 871 – 7474



Russell Begaye  
President

Jonathan Nez  
Vice-President

**NNBEAP-323-2016**

**RESOLUTION OF THE NAVAJO NATION BOARD OF EDUCATION**

**Supporting and Recommending that the Governor of Utah and Utah State Legislature to Support and Fully Fund the Passage of Senate Bill 14, Regarding the “American Indian and Alaskan Native Amendments,” the Address the Educational Needs of Students and to Improve Student Achievement; Recommending Approval by the Health, Education and Naabik’iyáti’ Committee of the Navajo Nation Council**

**WHEREAS:**

1. The Navajo Nation Board of Education is the Education Agent in the Executive Branch for the purposes of overseeing the operations of all schools serving the Navajo Nation 10 N.N.C. § 106(A). The Board carries out its duties and responsibilities through the Department of Diné Education 10 N.N.C. § 106(G)(3).
2. The Navajo Nation Board of Education has general powers to monitor the activities of all Bureau of Indian Affairs funded schools and local community school boards serving the Navajo Nation 10 N.N.C. § 106(G)(1).
3. The Health, Education and Human Service Committee is the oversight committee for the Department of Diné Education and the Navajo Nation Board of Education 2 N.N.C. § 401(C)(1); 10 N.N.C. § 1(B). The oversight Committee structure and amendments to Title 2 of the Navajo Nation Code (CAP-10-11) were enacted on May 11, 2011. The Health, Education, and Human Services Committee is also empowered to review and recommend resolutions regarding certain matters, including position statements regarding health, education, and social services. 2 N.N.C. §§ 401(A), (B)(6)(a).
4. The Navajo Nation also established the Naabik’iyáti’ Committee as a Navajo Nation Council standing committee and is empowered to coordinate all state program and position statement, including those to the state of Utah. 2 N.N.C. §§ 700(A), 701(A)(4). The Navajo Nation also has a government-to-government relationship with the state of Utah.
5. Senate Bill 14, otherwise known as “American Indian and Alaskan Native Amendments,” was introduced and signed in law by Governor Gary Herbert on March 18, 2016. The final engrossed bill is attached hereto as “**EXHIBIT A.**” This bill amended statutory provisions related to the state system of public education and American Indians and Alaskan natives. This bill also amended duties of the Native American Legislative Liaison Committee, created a pilot program to fund stipend, recruitment, and retention of teachers who teach in schools that have a high concentration of

**BOARD OF EDUCATION**

*Dr. Pauline M. Begay, President · Gloria Johns, Vice President · Marlene Burbank, Secretary*  
*Members: Dolly C. Begay · Delores Greyeyes · Dr. Bernadette Todacheene · Patrick D. Lynch · Bennie Begay*  
*Dr. Tommy Lewis, Jr., Superintendent of Schools*



American Indian and Alaskan Native students, create a pilot program for regional service centers to fund individuals facilitating Title VII, Elementary and Secondary Education Act, and require reporting and meetings to happen.

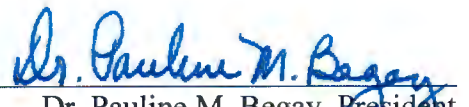
6. The initial one-time appropriation for the bill in Fiscal Year 2016 originally provided \$2,000,000. However, that amount was significantly reduced to \$250,000, which negatively impacts the ability to improve educational outcomes for students and fulfill the purposes of Senate Bill 14.
7. Native American students attending schools located on or near tribal lands face tremendous obstacles and challenges to improve student achievement, such as recruiting, retaining, and rewarding high quality and highly effective teachers. Substantial research clearly demonstrates that teacher quality and effectiveness has a significant impact on student achievement.
8. Teacher recruitment and retention of high quality teachers at schools on Indian reservations have historically been difficult tasks, since these schools are typically located in rural areas and serve mostly disadvantaged students. Full funding of Senate Bill 14 at \$2 million would have provided critically needed funding for schools and school districts to ensure that Native American students, particularly Navajo students, have access to high quality teachers.

**NOW, THEREFORE, BE IT RESOLVED, THAT:**

1. The Navajo Nation Board of Education recommends that the Utah State Governor and Utah State Legislature reconsider their past action on Senate Bill 14, and increase funding to the original amount of \$2 million.
2. The Navajo Nation Board of Education further recommends that the Health, Education and Human Services Committee, Naabik'iyáti' Committee of the Navajo Nation Council, and President of the Navajo Nation to take any actions necessary to increase funding contained in Senate Bill 14 to \$2 million.
3. The Navajo Nation Board of Education hereby recommends and empowers the Superintendent of Schools to take any actions deemed necessary and proper to carry out the purposes of this resolution and directive.

**C E R T I F I C A T I O N**

I hereby certify that the foregoing resolution was duly considered by the Board of Education of the Navajo Nation at a duly called meeting at Window Rock, Arizona, (Navajo Nation) at which a quorum was present, motion by Delores Greyeyes and seconded by Bennie Begay and that the same was passed by a vote of 7 in favor; 0 opposed; 0 abstained, this 1<sup>st</sup> day of April 2016.

  
 Dr. Pauline M. Begay, President  
 Navajo Nation Board of Education

Enrolled Copy

S.B. 14

**AMERICAN INDIAN AND ALASKAN NATIVE AMENDMENTS**

2016 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kevin T. Van Tassell****House Sponsor: Jack R. Draxler**

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**LONG TITLE****General Description:**

This bill amends provisions related to the state system of public education and American Indians and Alaskan Natives.

**Highlighted Provisions:**

This bill:

- ▶ amends duties of the Native American Legislative Liaison Committee;
- ▶ defines terms;
- ▶ creates a pilot program to fund stipend, recruitment, and retention of teachers who teach in American Indian and Alaskan Native concentrated schools;
- ▶ requires reporting and meetings to be held;
- ▶ provides a sunset date; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

This bill appropriates for fiscal year 2017:

- ▶ to the State Board of Education - State Office of Education, as an ongoing appropriation:
  - from the Education Fund, \$250,000.

**Other Special Clauses:**

This bill provides a special effective date.

**Utah Code Sections Affected:****AMENDS:**

**36-22-2**, as enacted by Laws of Utah 1995, Chapter 143

30        **631-1-253**, as last amended by Laws of Utah 2015, Chapters 62, 431, and 442

31    ENACTS:

32        **53A-31-401**, Utah Code Annotated 1953

33        **53A-31-402**, Utah Code Annotated 1953

34        **53A-31-403**, Utah Code Annotated 1953

35        **53A-31-404**, Utah Code Annotated 1953

36        **53A-31-405**, Utah Code Annotated 1953

37    

---

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

39        Section 1. Section 36-22-2 is amended to read:

40        **36-22-2. Duties.**

41        (1) The committee shall:

42            (a) serve as a liaison between Utah Native American tribes and the Legislature;

43            (b) recommend legislation for each annual general session of the Legislature if the  
44 committee determines that modifications to current law are in the best interest of the state of  
45 Utah and of the Utah Native American tribes;

46            (c) review the operations of the Division of Indian Affairs and other state agencies  
47 working with Utah Native American tribes;

48            (d) help sponsor meetings and other opportunities for discussion with and between  
49 Native Americans[-]; and

50            (e) hold a meeting at which public education is discussed as required by Section  
51 53A-31-405.

52        (2) In conducting its business, the committee shall comply with the rules of legislative  
53 interim committees.

54        Section 2. Section 53A-31-401 is enacted to read:

55        **Part 4. American Indian and Alaskan Native Education State Plan Pilot Program**

56        **53A-31-401. Title.**

57        This part is known as the "American Indian and Alaskan Native Education State Plan



58 Pilot Program."

59 Section 3. Section 53A-31-402 is enacted to read:

60 53A-31-402. Definitions.

61 As used in this part:

62 (1) "American Indian and Alaskan Native concentrated school" means a school where  
63 at least 29% of its students are American Indian or Alaskan Native.

64 (2) "Board" means the State Board of Education.

65 (3) "Teacher" means an individual employed by a school district or charter school who  
66 is required to hold an educator license issued by the board and who has an assignment to teach  
67 in a classroom.

68 Section 4. Section 53A-31-403 is enacted to read:

69 53A-31-403. Pilot program created.

70 (1) Beginning with fiscal year 2016-2017, there is created a five-year pilot program  
71 administered by the board to provide grants targeted to address the needs of American Indian  
72 and Alaskan Native students.

73 (2) The pilot program shall consist of a grant program to school districts and charter  
74 schools to be used to fund stipends, recruitment, retention, and professional development of  
75 teachers who teach in American Indian and Alaskan Native concentrated schools.

76 (3) Up to 3% of the money appropriated to the grant program under this part may be  
77 used by the board for costs in implementing the pilot program.

78 Section 5. Section 53A-31-404 is enacted to read:

79 53A-31-404. Grant program to school districts and charter schools.

80 (1) From money appropriated to the grant program, the board shall distribute grant  
81 money on a competitive basis to a school district or charter school that applies for a grant and:

82 (a) (i) has within the school district one or more American Indian and Alaskan Native  
83 concentrated schools; or

84 (ii) is an American Indian and Alaskan Native concentrated school; and

85 (b) has a program to fund stipends, recruitment, retention, and professional



86 development of teachers who teach at American Indian and Alaskan Native concentrated  
87 schools.

88 (2) The grant money distributed under this section may only be expended to fund a  
89 program described in Subsection (1)(b).

90 (3) (a) If a school district or charter school obtains a grant under this section, by no  
91 later than two years from the date the school district or charter school obtains the grant, the  
92 board shall review the implementation of the program described in Subsection (1)(b) to  
93 determine whether:

94 (i) the program is effective in addressing the need to retain teachers at American Indian  
95 and Alaskan Native concentrated schools; and

96 (ii) the money is being spent for a purpose not covered by the program described in  
97 Subsection (1)(b).

98 (b) If the board determines that the program is not effective or that the money is being  
99 spent for a purpose not covered by the program described in Subsection (1)(b), the board may  
100 terminate the grant money being distributed to the school district or charter school.

101 (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the  
102 board may make rules providing:

103 (a) criteria for evaluating grant applications; and

104 (b) procedures for:

105 (i) a school district to apply to the board to receive grant money under this section; and

106 (ii) the review of the use of grant money described in Subsection (3).

107 (5) The grant money is intended to supplement and not replace existing money  
108 supporting American Indian and Alaskan Native concentrated schools.

109 Section 6. Section 53A-31-405 is enacted to read:

110 53A-31-405. Reporting – Meeting.

111 (1) The liaison shall annually report to the Native American Legislative Liaison  
112 Committee during the five years of the pilot program regarding:

113 (a) what entities receive a grant under this part;

114 (b) the effectiveness of the expenditures of grant money, and

115 (c) recommendations, if any, for additional legislative action.

116 (2) The Native American Legislative Liaison Committee shall annually schedule at  
117 least one meeting at which education is discussed with selected stakeholders.

118 Section 7. Section 631-I-253 is amended to read:

119 **631-I-253. Repeal dates, Titles 53, 53A, and 53B.**

120 The following provisions are repealed on the following dates:

121 (1) Section 53-3-232, Conditional license, is repealed July 1, 2015.

122 (2) Subsection 53-10-202(18) is repealed July 1, 2018.

123 (3) Section 53-10-202.1 is repealed July 1, 2018.

124 (4) Title 53A, Chapter 1a, Part 6, Public Education Job Enhancement Program is  
125 repealed July 1, 2020.

126 (5) The State Instructional Materials Commission, created in Section 53A-14-101, is  
127 repealed July 1, 2016.

128 (6) Section 53A-15-106 is repealed July 1, 2019.

129 (7) Subsections 53A-16-113(3) and (4) are repealed December 31, 2016.

130 (8) Section 53A-16-114 is repealed December 31, 2016.

131 (9) Section 53A-17a-163, Performance-based Compensation Pilot Program, is repealed  
132 July 1, 2016.

133 (10) Title 53A, Chapter 31, Part 4, American Indian and Alaskan Native Education  
134 State Plan Pilot Program, is repealed July 1, 2022.

135 ~~(10)~~ (11) Section 53B-24-402, Rural residency training program, is repealed July 1,  
136 2020.

137 ~~(11)~~ (12) Subsection 53C-3-203(4)(b)(vii), which provides for the distribution of  
138 money from the Land Exchange Distribution Account to the Geological Survey for test wells,  
139 other hydrologic studies, and air quality monitoring in the West Desert, is repealed July 1,  
140 2020.

141 Section 8. Appropriation.

142        Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for  
143 the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following sums of money  
144 are appropriated from resources not otherwise appropriated, or reduced from amounts  
145 previously appropriated, out of the funds or amounts indicated. These sums of money are in  
146 addition to amounts previously appropriated for fiscal year 2017.

147        To State Board of Education - Utah State Office of Education

148                From Education Fund \$250,000

149                Schedule of Programs:

150                        Pilot Teacher Retention Grant Program \$250,000

151        Section 9. **Effective date.**

152        If approved by two-thirds of all the members elected to each house, this bill takes effect  
153 upon approval by the governor, or the day following the constitutional time limit of Utah  
154 Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,  
155 the date of veto override.