

1 **READING REQUIREMENTS FOR STUDENT**

2 **ADVANCEMENT**

3 2010 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Karen W. Morgan**

6 House Sponsor: Rebecca P. Edwards

8 **LONG TITLE**

9 **General Description:**

10 This bill requires that students in first, second, and third grades read at or above grade
11 level prior to advancing to the next grade, with certain exceptions.

12 **Highlighted Provisions:**

13 This bill:

- 14 ▶ generally prohibits a school district from promoting a student in first, second, and
15 third grades to the next grade level if the child is not reading at or above grade level;
- 16 ▶ provides certain student exemptions;
- 17 ▶ requires school districts or charter schools to provide parental notice and reading
18 intervention; and
- 19 ▶ requires the State Board of Education to make rules.

20 **Monies Appropriated in this Bill:**

21 None

22 **Other Special Clauses:**

23 None

24 **Utah Code Sections Affected:**

25 ENACTS:

26 **53A-1-606.6**, Utah Code Annotated 1953



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

29 Section 1. Section **53A-1-606.6** is enacted to read:

30 **53A-1-606.6. Standards for grade advancement -- Exceptions -- Rulemaking.**

31 (1) (a) Except as provided in Subsection (1)(b), a school district or charter school may
32 not promote a student from first, second, and third grades who is not reading at or above grade
33 level, as determined by multiple assessments administered pursuant to this part, and pursuant to
34 rules enacted under Subsection (7).

35 (b) Subsection (1)(a) does not apply to a student with disabilities who may be exempt
36 by an individualized education plan covered under the Individuals with Disabilities Education
37 Act or Section 504 of the Rehabilitation Act.

38 (2) At the beginning of each school year, a school district or charter school shall
39 provide information to the parents and guardians of its first, second, and third grade students
40 regarding the standards for grade advancement in accordance with this section.

41 (3) Prior to exercising its authority under Subsection (1)(a), a school district or charter
42 school shall:

43 (a) notify a student and the student's parent or guardian, prior to the midpoint of the
44 school year, that there is a possibility that the student may not be promoted under Subsection
45 (1)(a) at the conclusion of the school year; and

46 (b) provide focused reading remediation through interventions that may include
47 tutoring, before and after school programs, or summer school assistance.

48 (4) A parent or guardian may reverse the decision to not promote a student by
49 appealing directly to the principal, who may overturn the decision and advance the student.

50 (5) A decision to not promote a student under this section shall apply if the student
51 transfers to another public school.

52 (6) A student who will not be advanced pursuant to Subsection (1) shall, upon request,
53 but no later than August 15, be allowed to demonstrate standards of proficiency and thereby
54 advance to the appropriate grade.

55 (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
56 State Board of Education shall make rules defining:

57 (a) expected reading levels for first, second, and third grades; and

58 (b) eligibility standards for students described in Subsection (1)(b).

Legislative Review Note
as of 2-3-10 4:23 PM

Office of Legislative Research and General Counsel

S.B. 150 - Reading Requirements for Student Advancement

Fiscal Note

2010 General Session

State of Utah

State Impact

Enactment of this bill may result in some students repeating a grade. Each student not advancing to the next grade may result in an additional year of state expenditures through the Minimum School Program by the time the student graduates out of the system. If a student re-joins their class, or exits the system prior to graduation, there will be no additional state cost.

Individual, Business and/or Local Impact

Enactment of this bill may result in additional costs to school districts and charter schools associated with the bill's parent notification and reading remediation provisions outlined in the bill.
