

Senator Stephen H. Urquhart proposes the following substitute bill:

READING ASSESSMENT AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen H. Urquhart

House Sponsor: Bradley G. Last

LONG TITLE

General Description:

This bill amends provisions related to public school early education programs.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the State Board of Education to develop uniform standards for acceptable growth goals that a school district or charter school adopts in its K-3 Reading Improvement Program plan;
- ▶ provides what K-3 reading program money may be used for;
- ▶ amends provisions related to the K-3 Reading Improvement Program;
- ▶ requires the State Board of Education to select technology providers for the early intervention interactive computer software program by June 30 of each year;
- ▶ in addition to kindergarten and grade 1, provides that the early intervention interactive software program shall include instruction for grades 2 and 3; ~~and~~
- ▶ provides that a school district or charter school that received a license during the prior year for the early intervention interactive computer software program shall be given first priority to receive a license during the current year ~~and~~.
- ~~requires the Education Interim Committee to study the reading performance of~~



1st Sub. S.B. 260

26 ~~§→students enrolled in a half-day kindergarten program as compared to the reading performance~~
27 ~~of students enrolled in an all-day kindergarten program.] ←§~~

28 **Money Appropriated in this Bill:**

29 This bill appropriates in fiscal year 2014:

30 ▶ to the State Board of Education - State Office of Education - Contracts and Grants -
31 K-3 Reading Diagnostic Assessment System, as an ongoing appropriation:

- 32 • from the Education Fund, (\$2,200,000); ~~§→~~ **and** ~~←§~~

33 ▶ to the State Board of Education - State Office of Education - Contracts and Grants -
34 Early Intervention, as an ongoing appropriation:

- 35 • from the Education Fund, ~~§→~~ ~~[\$2,500,000; and] \$4,700,000.~~ ~~←§~~

36 ~~§→ [→ to the State Board of Education - State Office of Education - Contracts and Grants -~~
37 ~~Early Intervention, as a one-time appropriation:~~

- 38 ~~————— • from the Education Fund, \$5,000,000.] ←§~~

39 **Other Special Clauses:**

40 This bill provides an effective date.

41 **Utah Code Sections Affected:**

42 AMENDS:

43 **53A-1-606.5**, as last amended by Laws of Utah 2011, Chapter 372

44 **53A-1-606.6**, as repealed and reenacted by Laws of Utah 2011, Chapter 372

45 **53A-17a-150**, as last amended by Laws of Utah 2011, Chapters 342, 359, 371, 372, 418
46 and last amended by Coordination Clause, Laws of Utah 2011, Chapter 372

47 **53A-17a-167**, as enacted by Laws of Utah 2012, Chapter 420

48 ~~§→ [Uncodified Material Affected:~~

49 ~~ENACTS UNCODIFIED MATERIAL] ←§~~

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

52 Section 1. Section **53A-1-606.5** is amended to read:

53 **53A-1-606.5. State reading goal -- Reading achievement plan.**

54 (1) As used in this section~~[, the]~~:

55 (a) "Competency" means a demonstrable acquisition of a specified knowledge, skill, or
56 ability that has been organized into a hierarchical arrangement leading to higher levels of

305 (b) may include recommendations on how to increase the percentage of third grade
306 students who read on grade level.

307 Section 4. Section **53A-17a-167** is amended to read:

308 **53A-17a-167. Early intervention program.**

309 (1) The State Board of Education shall distribute funds appropriated under this section
310 for an enhanced kindergarten program described in Subsection (2), consistent with guidelines
311 in this section, to school districts and charter schools that apply for the funds.

312 (2) A school district or charter school shall use funds appropriated in this section to
313 offer an early intervention program, delivered through an enhanced kindergarten program that:

314 (a) is an academic program focused on building age-appropriate literacy and numeracy
315 skills;

316 (b) uses an evidence-based early intervention model;

317 (c) is targeted to at-risk students; and

318 (d) is delivered through additional hours or other means.

319 (3) A school district or charter school may not require a student to participate in an
320 enhanced kindergarten program described in Subsection (2).

321 (4) The State Board of Education shall distribute funds appropriated under this section
322 for an enhanced kindergarten program described in Subsection (2), to school districts and
323 charter schools based on the number of [~~kindergarten~~] students eligible to receive free or
324 reduced price school lunch in each school district or charter school that applies for funding
325 under Subsection (1).

326 (5) In addition to an enhanced kindergarten program described in Subsection (2), the
327 early intervention program includes a component to address early intervention through the use
328 of an interactive computer software program.

329 (6) [~~The~~] (a) Subject to legislative appropriations, by June 30 of each year, the State
330 Board of Education shall select one or more technology providers, through a request for
331 proposals process, to provide an interactive computer software program for literacy ~~§~~→ [or
332 numeracy] ←~~§~~ instruction ~~§~~→ [~~or both,~~] ←~~§~~ and assessments for students in kindergarten [~~and~~]
332a through
333 grade [~~±~~] 3.

334 (b) The State Board of Education shall distribute licenses for an interactive computer
335 software program described in Subsection (6)(a) to school districts and charter schools that

336 apply for the licenses.

337 (c) A school district or charter school that received a license described in Subsection
338 (6)(b) during the prior year shall be given first priority to receive a license during the current
339 year.

340 (7) On or before November 1, 2013, and every year thereafter, the State Board of
341 Education shall report final testing data regarding an interactive computer software program
342 described in Subsection (6), including student learning gains as a result of the interactive
343 computer software program, to:

- 344 (a) the Education Interim Committee; and
- 345 (b) the governor.

346 ~~§→ [Section 5. Interim study of kindergarten programs:~~

347 ~~———The Education Interim Committee shall study a comparison of the student reading~~
348 ~~performance of students enrolled in a half-day kindergarten program to the student reading~~
349 ~~performance of students enrolled in an all-day kindergarten program, as measured by the~~
350 ~~benchmark assessments of kindergarten students reading at grade level required in Section~~
351 ~~53A-17a-150.] ←§~~

352 Section 6. **Appropriation.**

353 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
354 the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money
355 are appropriated from resources not otherwise appropriated, or reduced from amounts
356 previously appropriated, out of the funds or accounts indicated. These sums of money are in
357 addition to any amounts previously appropriated for fiscal year 2014.

358 To State Board of Education - State Office of Education
359 From Education Fund (\$2,200,000)

360 Schedule of Programs:

361 Contracts and Grants - K-3 Reading Program -
362 Diagnostic Assessment System (\$2,200,000)

363 To State Board of Education - State Office of Education
364 From Education Fund ~~§→ [~~ \$2,500,000] \$4,700,000 ~~←§~~

365 ~~§→ [From Education Fund, one-time~~ \$5,000,000] ~~←§~~

366 Schedule of Programs:

367 Contracts and Grants - Early Intervention ~~→ \$7,500,000~~ \$4,700,000 ←

368 The Legislature intends that:

369 (1) the appropriation for Contracts and Grants - Early Intervention be used by the State

370 Board of Education to select one or more technology providers to provide an interactive

371 computer software program for literacy ~~→ numeracy~~ ← instruction ~~→ ,or both,~~ ← and

371a assessments for

372 students ~~→ in kindergarten and grade 1~~ ← as described in Subsection 53A-17a-167(6);

373 (2) the appropriation described in Subsection (1):

374 (a) be ongoing; and

375 (b) not lapse at the close of fiscal year 2014.

376 **Section 7. Effective date.**

377 (1) Except as provided in Subsection (2), this bill takes effect on May 14, 2013.

378 (2) Uncodified Section 6, Appropriation, takes effect on July 1, 2013.