

**EARLY WARNING PILOT PROGRAM**

2017 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Val L. Peterson**

Senate Sponsor: \_\_\_\_\_

**LONG TITLE**

**General Description:**

This bill provides for a software program to identify students in need of early intervention.

**Highlighted Provisions:**

This bill:

- ▶ directs the State Board of Education to contract with a provider for a one-year pilot software program;
- ▶ requires that the program be designed for use by teachers, school administrators, and parents;
- ▶ requires that the software program:
  - collect and report on certain assessment and other data; and
  - provide certain information and communications to users on student progress;
- ▶ requires a local school board or charter school governing board to pay one-third of the cost of a license to use the software program; and
- ▶ provides a repeal date.

**Money Appropriated in this Bill:**

This bill appropriates:

- ▶ to the State Board of Education -- Initiative Programs, as a one-time appropriation:
  - from the Education Fund \$250,000.

**Other Special Clauses:**



28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **63I-2-253**, as last amended by Laws of Utah 2016, Chapters 128, 229, 236, 271, and

32 318

33 ENACTS:

34 **53A-1-415**, Utah Code Annotated 1953

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

37 Section 1. Section **53A-1-415** is enacted to read:

38 **53A-1-415. Student intervention early warning pilot program.**

39 (1) (a) The State Board of Education shall contract with a technology provider:

40 (i) to supplement the state reporting system and provide additional formative

41 actionable data to enhance student outcomes; and

42 (ii) that is selected through a competitive contract process, for a software program that  
43 meets the requirements of this section.

44 (b) The contract shall be for a one-year pilot program.

45 (2) The software program described in Subsection (1) shall:

46 (a) be designed with a user-appropriate interface for use by teachers, school  
47 administrators, and parents;

48 (b) provide reports on a student's results at the student level on:

49 (i) a national assessment;

50 (ii) a local assessment; and

51 (iii) a statewide criterion-referenced test or online computer adaptive test described in

52 Section **53A-1-603**;

53 (c) have the ability to provide data from aggregate student reports based on a student's:

54 (i) teacher;

55 (ii) school;

56 (iii) school district, if applicable; or

57 (iv) ethnicity;

58 (d) provide a viewer with the ability to view the data described in Subsection (2)(c) on

- 59 a single computer screen;
- 60 (e) have the ability to compare the performance of students, for each teacher, based on
- 61 a student's:
  - 62 (i) gender;
  - 63 (ii) special needs, including primary exceptionality;
  - 64 (iii) English proficiency;
  - 65 (iv) economic status;
  - 66 (v) migrant status;
  - 67 (vi) ethnicity;
  - 68 (vii) response to tiered intervention;
  - 69 (viii) response to tiered-intervention enrollment date;
  - 70 (ix) response to tiered-intervention interventionist;
  - 71 (x) absence rate;
  - 72 (xi) feeder school;
  - 73 (xii) type of school, including primary or secondary, public or private, Title I, or other
  - 74 general school-type category;
  - 75 (xiii) course failures; and
  - 76 (xiv) other criteria, as determined by a local school board or charter school governing
  - 77 board;
  - 78 (f) have the ability to load data:
    - 79 (i) from a local, national, or other assessment in the data's original format within three
    - 80 business days of receipt; and
    - 81 (ii) from a source other than a source described in Subsection (2)(f)(i) within five
    - 82 business days of receipt; and
    - 83 (g) after loading data from a source described in Subsection (2)(f), update the data
    - 84 daily.
  - 85 (3) The software program described in Subsection (1) shall:
    - 86 (a) integrate criteria for early warning indicators, including the following criteria:
      - 87 (i) discipline;
      - 88 (ii) attendance;
      - 89 (iii) behavior;

90 (iv) course failures; and

91 (v) other criteria as determined by a local school board or charter school governing  
92 board; and

93 (b) provide a teacher or administrator the ability to view the early warning indicators  
94 described in Subsection (3)(a) side by side with, and on the same screen as, a student's  
95 assessment results described in Subsection (2)(b).

96 (4) The software program described in Subsection (1) shall:

97 (a) provide a response to intervention line chart comparisons using existing  
98 assessments or measures that are manually added to the software program, including  
99 assessment and nonacademic measures;

100 (b) provide a user the ability to share interventions within a reporting environment in  
101 the software program and add comments to inform other teachers, administrators, and parents  
102 or guardians;

103 (c) save and share reports among different teachers and school administrators, subject  
104 to the student populations a teacher or administrator has the rights to within the software  
105 program;

106 (d) automatically flag a student profile when early warning thresholds are met so that a  
107 teacher can easily identify the student;

108 (e) incorporate a variety of algorithms to support student learning outcomes and  
109 provide student growth reporting by teacher;

110 (f) integrate response to intervention tiers and activities as filters for the reporting of  
111 individual student data and aggregated data, including by ethnicity, school, or teacher;

112 (g) have the ability to generate student parent or guardian communication to alert the  
113 parent or guardian of academic plans or interventions; and

114 (h) configure alerts based upon student academic results, including a student's  
115 performance on the previous year statewide criterion-referenced test or online computer  
116 adaptive test described in Section [53A-1-603](#).

117 (5) A local school board or charter school governing board that intends to use a license  
118 of the software program described in Subsection (1) shall pay for 50% of the requested license  
119 cost.

120 (6) Information described in this section shall be used in accordance with and provided

121 subject to:

122 (a) Chapter 1, Part 14, Student Data Protection Act;

123 (b) Chapter 13, Part 3, Utah Family Educational Rights and Privacy Act; and

124 (c) Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g.

125 Section 2. Section **63I-2-253** is amended to read:

126 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

127 (1) Section 53A-1-403.5 is repealed July 1, 2017.

128 (2) Section 53A-1-411 is repealed July 1, 2017.

129 (3) Section 53A-1-415 is repealed July 1, 2018.

130 [~~(3)~~] (4) Section 53A-1-709 is repealed July 1, 2020.

131 [~~(4)~~] (5) Subsection 53A-1a-513(4) is repealed July 1, 2017.

132 [~~(5)~~] (6) Section 53A-1a-513.5 is repealed July 1, 2017.

133 [~~(6)~~] (7) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2019.

134 [~~(7)~~] (8) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is  
135 repealed July 1, 2017.

136 [~~(8)~~] (9) Sections 53A-24-601 and 53A-24-602 are repealed January 1, 2018.

137 [~~(9)~~] (10) (a) Subsections 53B-2a-103(2) and (4) are repealed July 1, 2019.

138 (b) When repealing Subsections 53B-2a-103(2) and (4), the Office of Legislative  
139 Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3),  
140 make necessary changes to subsection numbering and cross references.

141 [~~(10)~~] (11) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project,  
142 is repealed July 1, 2023.

143 **Section 3. Appropriation.**

144 The following sums of money are appropriated for the fiscal year beginning July 1,  
145 2017, and ending June 30, 2018. These are additions to amounts previously appropriated for  
146 fiscal year 2018. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures  
147 Act, the Legislature appropriates the following sums of money from the funds or accounts  
148 indicated for the use and support of the government of the state of Utah.

149 Item 1 To State Board of Education - Initiative Programs

150 From Education Fund, One-time \$250,000

151 Schedule of Programs:

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Early Warning Pilot Program

\$250,000

The Legislature intends that the State Board of Education use the appropriation under this section only for the funding of a contract entered into under Section [53A-1-415](#).

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