

**STATE LITERACY PROGRAM**

1999 GENERAL SESSION

STATE OF UTAH

**Sponsor: Jeff Alexander**

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING FOR THE ESTABLISHMENT OF A READING ACHIEVEMENT PROGRAM IN THE STATE'S PUBLIC SCHOOLS ~~h [WITH A SPECIFIC EMPHASIS ON]~~ IN ~~h~~ GRADES ONE THROUGH THREE; ~~h [REQUIRING THE ESTABLISHMENT OF STANDARDS, EXPECTATIONS, ASSESSMENTS, AND A COMMON METHOD TO TRACK STUDENT READING ACHIEVEMENT;]~~ ~~h~~ REQUIRING EACH ELEMENTARY SCHOOL TO DEVELOP A PLAN FOCUSED ON HAVING ALL STUDENTS READ AT THE THIRD GRADE LEVEL BY THE END OF THE THIRD GRADE; ~~h [PROVIDING FOR ACCOUNTABILITY REPORTS; PROVIDING FOR ADDITIONAL INSTRUCTIONAL READING TIME FOR STUDENTS NOT ACHIEVING EXPECTED READING LEVELS;]~~ ~~h~~ PROVIDING AN ~~h~~ ~~[\$8,000,000]~~ \$5,000,000 ~~h~~ APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

ENACTS:

**53A-1-606.5**, Utah Code Annotated 1953

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

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

**53A-1-606.5. Reading achievement in grades one through three -- Monitoring -- Reporting -- Additional instruction.**

(1) (a) The Legislature recognizes that:

(i) reading is the most fundamental skill, the gateway to knowledge and lifelong learning;

(ii) there is an ever increasing demand for literacy in the highly technological society we

live in;

(iii) students who do not learn to read will be economically and socially disadvantaged;

28 (iv) reading problems exist in almost every classroom;

29 (v) almost all reading failure is preventable if reading difficulties are diagnosed and treated  
30 by no later than the end of the third grade; and

31 (vi) early identification and treatment of reading difficulties can result in students learning  
32 to read by the end of the third grade.

33 (b) It is therefore a goal of the state to have every student in the state's public education  
34 system reading on or above grade level by the end of the third grade.

35 (2) In order to ensure that all students are reading on or above the third grade level by the  
36 end of the third grade, the State Board of Education and local school boards shall work with the  
37 Legislature, through its interim committees and any task force that may be created to study and  
38 review accountability in public education § h [f] , to: [†] h

39 [h-f] (a) identify, develop, and establish reading standards, skills, and expectations for  
39a students

40 in the public schools, with specific emphasis on grades one, two, and three;

41 (b) develop and adopt reading assessments to determine whether the students have  
42 acquired the reading skills identified under Subsection (2)(a);

43 (c) develop a common method to track student reading achievement and skill acquisition  
44 in all grades in the public schools; and

45 (d) develop criteria for the selection and implementation of best practices for reading  
46 instruction as required under Subsection 53A-1-606.5(3)(b)(viii) h AND 53A-1-606.5(b)(i) h . [†-h] §

47 (3) h [†a] h Each school district shall work with the elementary schools within its district  
48 boundaries to develop a school plan at each school focused on having all students reading at the  
49 third grade level by the end of the third grade.

50 h [(b) - Each school's plan shall include provisions for:

51 —— (i) compliance with the reading standards and assessments developed and adopted under  
52 Subsections (2)(a) and (b);

53 —— (ii) use of the assessment of kindergarten student's reading skills as required under Section  
54 53A-3-402.9 to develop a personalized reading program for each student;

55 —— (iii) regular reports to parents of students in the first, second, and third grade regarding the  
56 reading progress of their children;

57 —— (iv) public reporting of the reading achievement levels attained by students at the school  
58 by the end of each grade referred to in Subsection (3)(b)(iii) beginning with the 2000 school year;] h

59           ~~h (v) quality training for teachers, if needed, to successfully implement the school's literacy~~  
60 ~~plan;~~  
61           ~~(vi) assurance that all students have access to textbooks or other materials needed to learn~~  
62 ~~how to read;~~  
63           ~~(vii) a program of additional instructional reading time for those students who do not~~  
64 ~~achieve expected reading levels at the end of the first, second, and third grades to include a variety~~  
65 ~~of reading activities to remedy each student's particular reading problem such as:~~  
66           ~~(A) smaller classes or reading groups within a class for a designated portion of the school~~  
67 ~~day;~~  
68           ~~(B) one on one tutorial assistance;~~  
69           ~~(C) instruction before or after the regular school day; and~~  
70           ~~(D) instruction during the summer when regular classes are not being held, or for~~  
71 ~~year-round schools, when students are off track; and~~  
72           ~~(viii) identification and adoption of best practices from other schools and organizations~~  
73 ~~in teaching students essential reading skills by the end of the third grade.~~  
74           ~~(c) The reports required under Subsection (3)(b)(iii) are to be in addition to the issuance~~  
75 ~~of regular or traditional report cards.~~  
76           ~~(d) The school may use its own personnel to provide the additional instruction required~~  
77 ~~under Subsection (3)(b)(vii) or contract with qualified private providers or use a combination of~~  
78 ~~both.~~  
79           ~~(e) h (i) h The Legislature shall provide an annual appropriation to help fund the program~~  
80 ~~required under Subsection (3)(b)(vii).~~  
80a           ~~h (ii) EACH SCHOOL DISTRICT SHALL MAKE AN ANNUAL ACCOUNTING TO THE STATE~~  
80b ~~BOARD OF EDUCATION ON:~~  
80c           ~~(A) WHERE IT SPENT THE MONIES RECEIVED UNDER SUBSECTION (3)(e)(i) DURING THE~~  
80d ~~SCHOOL YEAR; AND~~  
80e           ~~(B) THE RESULTS OBTAINED IN USING THE MONIES TO RAISE THE READING LEVELS OF~~  
80f ~~THOSE STUDENTS IDENTIFIED IN SUBSECTION (3)(b)(vii).~~  
80g           ~~(iii) THE STATE BOARD OF EDUCATION SHALL COMPILE THE DATA RECEIVED UNDER~~  
80h ~~SUBSECTION (3)(e)(ii) AND MAKE AN ANNUAL REPORT TO THE LEGISLATURE'S EDUCATION~~  
80i ~~INTERIM COMMITTEE BY SEPTEMBER 1 OF EACH YEAR, THE FIRST REPORT DUE BY SEPTEMBER~~  
80j ~~1, 2000. h] h~~  
81           (4) The school district shall approve each school's plan prior to its implementation.  
82           Section 2. **Appropriation.**  
83           (1) Except as provided in H.B. 4, Appropriations Coordination Act, there is appropriated  
84 from the Uniform School Fund for fiscal year 1999-2000, h [\$8,000,000] \$5,000,000 h to the State Board of

85 Education for distribution to school districts  ~~based upon the ratio of 30% of each district's~~  
85a  ~~average~~

86  ~~daily membership in the first, second, and third grades to 30% of the state total average daily~~  
87  ~~membership in the first, second, and third grades.~~ AS FOLLOWS:

87a (a) EACH  ~~ELEMENTARY~~ SCHOOL DISTRICT SHALL RECEIVE \$5,000 AS A  
87a1 BASE AMOUNT; AND

87b (b) THE BOARD SHALL DISTRIBUTE THE BALANCE OF THE APPROPRIATION TO EACH  
87c DISTRICT BASED ON THE DISTRICT'S AVERAGE DAILY MEMBERSHIP IN THE FIRST, SECOND, AND  
87d THIRD GRADES AS COMPARED TO THE STATE TOTAL AVERAGE DAILY MEMBERSHIP IN THE  
87e FIRST, SECOND, AND THIRD GRADES.

88 (2) Each district shall use its allocation to fund the program required under Subsection  
89 53A-1-606.5(3)(b) ~~(vii)~~ (v) THROUGH (vii) 53A-1-606.5(3)

89a (3) EACH DISTRICT SHALL DISTRIBUTE ITS ALLOCATION TO THE ELEMENTARY  
89b SCHOOLS WITHIN THE DISTRICT BASED ON THE NEED FOR READING IMPROVEMENT AT THE  
89c SCHOOLS IN THE FIRST, SECOND, AND THIRD GRADES.

89d (4) A SCHOOL DISTRICT MAY NOT USE ANY OF THE MONIES RECEIVED UNDER THIS  
89e SECTION FOR ADMINISTRATIVE COSTS.

90           Section 3. **Effective date.**  
91           This act takes effect on July 1, 1999.

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**Legislative Review Note**  
**as of 2-19-99 10:19 AM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**