

**PERFORMANCE PLUS - READING**

**ACHIEVEMENT**

2004 GENERAL SESSION

STATE OF UTAH

**Sponsor: James M. Evans**

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**LONG TITLE**

**General Description:**

This bill creates the Performance Plus K-3 Reading Improvement Program and appropriates money for the program.

**Highlighted Provisions:**

This bill:

- ▶ creates the Performance Plus K-3 Reading Improvement Program to achieve the state's goal of having third graders reading at or above grade level;
- ▶ requires a school district or charter school to:
  - submit a reading proficiency improvement plan to qualify for program monies; and
  - report on the expenditure of program monies;
- ▶ provides how program monies are to be allocated among qualifying school districts and charter schools;
- ▶ prohibits a school district or charter school from using program monies to supplant funds for existing programs; and
- ▶ ~~§ [—authorizes]~~ **REQUIRES** § the State Board of Education to make rules ~~§ [—as necessary,]~~ § to implement the program.

**Monies Appropriated in this Bill:**

This bill appropriates from the Uniform School Fund to the State Board of Education for the Performance Plus K-3 Reading Improvement Program:



- 28           ▶ \$5,000,000 for fiscal year 2003-04 only; and
- 29           ▶ as an ongoing appropriation subject to future budget constraints, \$25,000,000 for
- 30 fiscal year 2004-05.

31 **Other Special Clauses:**

32           This bill takes effect on July 1, 2004.

33 **Utah Code Sections Affected:**

34 ENACTS:

35           **53A-17a-150**, Utah Code Annotated 1953



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

38           Section 1. Section **53A-17a-150** is enacted to read:

39           **53A-17a-150. Performance Plus K-3 Reading Improvement Program.**

40           (1) The Performance Plus K-3 Reading Improvement Program is created to achieve the  
41 state's goal of having third graders reading at or above grade level.

42           (2) The Legislature shall annually appropriate money to the State Board of Education  
43 to be distributed to school districts and charter schools to participate in the Performance Plus  
44 K-3 Reading Improvement Program.

45           (3) (a) To qualify for program monies, a school district or charter school shall submit a  
46 plan for reading proficiency improvement that incorporates the following components:

- 47           (i) assessment;
- 48           (ii) intervention strategies;
- 49           (iii) professional development;
- 50           (iv) reading performance standards; and
- 51           (v) specific measurable goals **§ BASED UPON GAIN SCORES** § .

52           (b) The State Board of Education shall provide model plans which a school district or  
53 charter school may use, or the district or school may develop its own plan.

54           (c) Plans developed by a school district or charter school must be approved by the State  
55 Board of Education.

56           (4) Monies appropriated to the State Board of Education for the Performance Plus K-3  
57 Reading Improvement Program shall be distributed to school districts and charter schools that  
58 qualify for program monies as follows:

59 (a) 40% shall be distributed based upon a school district's or elementary charter  
 60 school's WPU's in the K-12 basic program and in the necessarily existent small schools basic  
 61 program as proportion of the total WPU's in those programs in qualifying school districts and  
 62 elementary charter schools; and

63 (b) 60% shall be distributed based upon the number of students in a school district or  
 64 elementary charter school who qualify for free or reduced price school meals as a proportion of  
 65 the total number of students who qualify for free or reduced price school meals in qualifying  
 66 school districts and elementary charter schools.

67 (5) Each school district and charter school shall use its allocation of Performance Plus  
 68 K-3 Reading Improvement Program monies for reading proficiency improvement in grades  
 69 K-3, and no program monies may be used to supplant funds for existing programs.

70 (6) Each school district and charter school shall annually submit a report to the State  
 71 Board of Education accounting for the expenditure of program monies in accordance with its  
 72 plan for reading proficiency improvement.

73 (7) A school district or charter school that does not meet or exceed measurable goals  
 74 stated in the district's or school's plan shall prepare a new plan which corrects deficiencies.  
 75 The new plan must be approved by the State Board of Education before the school district or  
 76 charter school receives an allocation for the next year.

77 (8) § (a) § The State Board of Education § [may] SHALL § make rules § [as necessary;] §  
 77a to implement the  
 78 program.

78a § (b) THE RULES UNDER SUBSECTION (8)(a) SHALL REQUIRE THAT TO CONTINUE TO  
 78b QUALIFY FOR PROGRAM MONIES, A SCHOOL DISTRICT OR CHARTER SCHOOL SHALL  
 78c DEMONSTRATE THAT ITS PROGRAM FOR READING PROFICIENCY IMPROVEMENT HAS RESULTED  
 78d IN IMPROVED STUDENT READING PROFICIENCY, AS MEASURED BY GAIN SCORES. §

79 Section 2. **Appropriation.**

80 There is appropriated from the Uniform School Fund to the State Board of Education  
 81 for the Performance Plus K-3 Reading Improvement Program:

82 (1) \$5,000,000 for fiscal year 2003-04 only; and

83 (2) as an ongoing appropriation subject to future budget constraints, \$25,000,000 for  
 84 fiscal year 2004-05.

85 Section 3. **Effective date.**

86 This bill takes effect on July 1, 2004.

**Legislative Review Note**

**as of 2-5-04 2:46 PM**

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

**Office of Legislative Research and General Counsel**

**State Impact**

This bill appropriates \$5,000,000 in FY 2004 only, and \$25,000,000 ongoing to support the Performance Plus K-3 Reading Improvement Program detailed in the bill.

	<u>FY 2004</u>	<u>FY 2005</u>	<u>FY 2006</u>	<u>FY 2004</u>	<u>FY 2005</u>	<u>FY 2006</u>
	<u>Approp.</u>	<u>Approp.</u>	<u>Approp.</u>	<u>Revenue</u>	<u>Revenue</u>	<u>Revenue</u>
Uniform School Fund	\$5,000,000	\$25,000,000	\$25,000,000	\$0	\$0	\$0
<b>TOTAL</b>	<b>\$5,000,000</b>	<b>\$25,000,000</b>	<b>\$25,000,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

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**Individual and Business Impact**

No Fiscal Impact