

1 **READING REQUIREMENTS FOR STUDENT**

2 **ADVANCEMENT**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Karen W. Morgan**

7 **LONG TITLE**

8 **General Description:**

9 This bill requires that pupils in first through third grades read at or above grade level
10 prior to advancing to the next grade, with certain exceptions.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ generally prohibits a school district from promoting a pupil in first through third
- 14 grades to the next grade level if the child is not reading at or above grade level; and
- 15 ▶ permits grade level advancement for certain students.

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 ENACTS:

22 **53A-1-606.6**, Utah Code Annotated 1953

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

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

26 **53A-1-606.6. Standards for grade advancement.**

27 (1) Except as provided in Subsection (2), a school district or charter school may not



28 promote a pupil from first, second, or third grade who is not reading at or above grade level, as
29 determined by assessments administered pursuant to this part, and pursuant to rules enacted
30 under Subsection (3).

31 (2) Subsection (1) does not apply to:

32 (a) students with disabilities who are excluded by an individualized education program;

33 (b) limited English proficiency students; and

34 (c) first or second grade students who demonstrate one year or more of reading
35 progress, as measured by their individual reading assessments, but who may still be below the

36 grade level standard as determined by the board.

37 (3) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
38 State Board of Education shall enact rules defining:

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

40 (b) eligibility standards for the students described in Subsection (2).

Legislative Review Note
as of 1-4-05 1:35 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

State Impact

Students not meeting reading provisions outlined in the bill may be prohibited from advancing to the next grade level. Each student not permitted to advance to the next grade level adds an additional year of expenditure required for that student. It is expected that the students not advancing with their class would be accounted for in the fall enrollments of the school district and therefore, be funded through the Minimum School Program. In the future, as these students advance and exit the system, it is expected that there will be an increase in Minimum School Program expenditures because of the repeated year.

Individual and Business Impact

No fiscal impact