

Representative Karen W. Morgan proposes the following substitute bill:

READING REQUIREMENTS FOR STUDENT

ADVANCEMENT

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: Karen W. Morgan

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ generally prohibits a school district from promoting a pupil in first through third grades to the next grade level if the child is not reading at grade level; and
- ▶ requires school districts or charter schools to provide parental notice and reading intervention;
- ▶ provides certain student exemptions; and
- ▶ requires the State Board of Education to make rules.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

53A-1-606.6, Utah Code Annotated 1953



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

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

53A-1-606.6. Standards for grade advancement -- Exceptions -- Rulemaking.

(1) (a) Except as provided in Subsection (2), a school district or charter school may not promote a pupil from first, second, or third grade who is not reading at or above grade level, as determined by multiple assessments administered pursuant to this part, and pursuant to rules enacted under Subsection (4).

(b) Prior to exercising its authority under Subsection (1)(a), a school district or charter school shall:

(i) notify a student's parent or guardian, prior to the midpoint of the school year, that there is a possibility that the student may not be promoted under Subsection (1)(a) at the conclusion of the school year; and

(ii) provide intense, personalized instruction and intervention in reading, including one-on-one reading tutoring, before and after school programs, and summer assistance.

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

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

(b) limited English proficiency students;

(c) first or second grade students who demonstrate one year or more of reading progress, as measured by their individual reading assessments, but who may still be below the grade level standard as determined by the board; and

(d) students who entered kindergarten prior to the 2005-06 school year.

(3) Notwithstanding the provisions of this section, a student may not be retained in a grade longer than one additional year.

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

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

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

State Impact

Students not meeting the 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.

The parental notice and student remediation provisions outlined in the bill may be handled within the existing resources available to school districts.

Individual and Business Impact

No fiscal impact