

## S.B. 150

# READING REQUIREMENTS FOR STUDENT ADVANCEMENT

SENATE FLOOR AMENDMENTS

AMENDMENT 3

MARCH 2, 2010 10:12 AM

Senator **Howard A. Stephenson** proposes the following amendments:

1. *Page 1, Lines 18 through 20:*

18 intervention; ~~{and}~~

19       ▶ requires the State Board of Education to make rules ~~{-}~~ ; and

▶ establishes the Reading Education Stipend Program to award students, reading below grade level, stipends to pay for remediation.

20 Monies Appropriated in this Bill:

2. *Page 1, Lines 25 through 27:*

25 ENACTS:

26       53A-1-606.6, Utah Code Annotated 1953

53A-1-606.7, Utah Code Annotated 1953

27

3. *Page 2, Lines 41 through 48:*

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

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

(b) provide information regarding the Reading Education Stipend Program described in Section  
53A-1-606.7 to a student and the student's parent or guardian;

(c) assist a student and the students' parent or guardian to qualify for the Reading Education  
Stipend Program; and

46       ~~{(b)}~~ (d) provide focused reading remediation through interventions that may include  
47 tutoring, before and after school programs, or summer school assistance.

48       (4) A parent or guardian may reverse the decision to not promote a student by

4. *Page 2, Line 58:*

58       (b) eligibility standards for students described in Subsection (1)(b).

- Section 2. Section 53A-1-606.7 is enacted to read:  
53A-1-606.7. Reading Education Stipend Program.

(1) As used in this section:

(a) "Reading education" means individual or group instruction designed to develop the skills and knowledge necessary for a student to read at or above grade level as required in Section 53A-1-606.6.

(b) "Program" means the Reading Education Stipend Program.

(c) "Reading skills provider" means:

(i) a school district;

(ii) a charter school;

(iii) an accredited public or private educational institution; or

(iv) other entity that meets board requirements pursuant to Subsection (12).

(d) "Reading at or above grade level" means the requirement for students to read at or above grade level in the first, second, and third grades pursuant to Section 53A-1-606.6.

(e) "Stipend recipient" means a student who receives a stipend under this section.

(2) The Reading Education Stipend Program is created to provide students who are not reading at or above grade level the skills and knowledge necessary to improve reading ability.

(3) The State Board of Education shall administer the Reading Education Stipend Program.

(4) (a) A student may receive a stipend for reading education if:

(i) during the second or third grade, the student fails to read at or above grade level;

(ii) the student's parent or guardian is a Utah resident; and

(iii) the student is enrolled full-time in a public school in the state.

(b) A student who meets the criteria of Subsection (4)(a) may receive a stipend for reading education.

(c) Depending upon the number of reading tests failed, a student may receive up to two stipends.

(5) Stipend amounts shall be based on a student's reading level as follows:

(a) \$500, if:

(i) the student's reading level was below grade level for one year; and

(ii) the student fails to read at or above grade level in the second grade;

(b) \$1,000, if:

(i) the student's reading level was below grade level for one year; and

(ii) the student is in the third grade; or

(c) \$1,500, if:

(i) the student's reading level was below grade level for two years; and

(ii) the student is in the third grade.

(6) A stipend recipient may apply for reading education from any reading skills provider.

(7) Each reading skills provider shall accept stipend recipients on a first come/first served basis.

(8) A stipend recipient shall give the following to the reading skills provider selected to provide reading education:

(a) a voucher in the amount of the stipend which the reading skills educator may present for payment by the board if the stipend recipient demonstrates standards of proficiency to read at or above grade level as required in Subsection 53A-1-606.6(6); and

(b) an authorization signed by the stipend recipient's parent or guardian for the stipend recipient's school to release records of the stipend recipient to the reading skills provider, if the reading skills provider is not the school district or charter school in which the stipend recipient is enrolled.

(9) A reading skills provider who possesses a voucher shall receive payment from the board in the amount of the stipend, if the stipend recipient demonstrates standards of proficiency to read at or above grade level as required in Subsection 53A-1-606.6(6).

(10) (a) A reading skills provider may charge a stipend recipient an amount in addition to that paid by the board.

(b) The additional amount charged by a reading skills provider shall be:

(i) consistent with the restriction in Utah Constitution Article X, Section 2;

(ii) disclosed to the stipend recipient's parent or guardian when the stipend recipient applies for reading education; and

(iii) reported to the board before receiving payment from the board.

(c) A reading skills provider may not make any additional charge or refund of a charge contingent upon a stipend recipient's demonstrating standards of proficiency to read at or above grade level as required in Subsection 53A-1-606.6(6).

(11) (a) Stipends shall be awarded by the board subject to the availability of money appropriated by the Legislature for that purpose.

(b) The Legislature shall annually appropriate money to the board from the General Fund to make stipend payments.

(c) If monies are not available to pay for all stipends requested, the stipends shall be allocated according to rules adopted by the State Board of Education.

(12) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education shall make rules:

(a) establishing qualifications for reading skills providers who are not school districts, high schools, or accredited public or private educational institutions;

(b) establishing procedures for the administration of the Reading Education Stipend Program; and

(c) requiring the parent or guardian of a stipend recipient who selects a reading skills provider other than the school district or charter school in which the stipend recipient is enrolled to sign:

(i) an acknowledgment that the school district or charter school is released from further remediation responsibility for the stipend recipient; and

(ii) if the student has an IEP, an acknowledgment that offering a voucher to the reading skills provider has the same effect as a parental refusal to consent to services pursuant to Section 614(a)(1) of the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.

(13) School districts and charter schools shall:

(a) provide each student who qualifies for a reading skills education stipend information about the Reading Education Stipend Program, including:

(i) voucher applications; and

(ii) how to access a list of approved public and private providers; and

(b) provide a potential reading skills provider that is not a school district or charter school an opportunity to provide information to stipend recipient's regarding their remediation services. -