

**K-3 READING IMPROVEMENT PROGRAM**

**ACCOUNTABILITY**

2011 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Karen W. Morgan**

House Sponsor: Marie H. Poulson

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**LONG TITLE**

**General Description:**

This bill amends provisions in the Minimum School Program Act related to the K-3 Reading Improvement Program.

**Highlighted Provisions:**

This bill:

- ▶ provides allowable uses for K-3 Reading Improvement Program money;
- ▶ requires the State Board of Education to report school district and charter school expenditures of K-3 Reading Improvement Program money; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-17a-150**, as enacted by Laws of Utah 2004, Chapter 305

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

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



28 **53A-17a-150. K-3 Reading Improvement Program.**

29 (1) As used in this section:

30 (a) "Program" means the K-3 Reading Improvement Program[~~;~~and].

31 (b) "Program [~~monies~~] money" means:

32 (i) school district revenue from the levy authorized under Section 53A-17a-151;

33 (ii) school district revenue allocated to the program from other [~~monies~~] money  
34 available to the school district, except [~~monies~~] money provided by the state, for the purpose of  
35 receiving state funds under this section; and

36 (iii) [~~monies~~] money appropriated by the Legislature to the program.

37 (2) The K-3 Reading Improvement Program consists of program [~~monies~~] money and  
38 is created to achieve the state's goal of having third graders reading at or above grade level.

39 (3) Subject to future budget constraints, the Legislature may annually appropriate  
40 money to the K-3 Reading Improvement Program.

41 (4) (a) Prior to using program [~~monies~~] money, a school district or charter school shall  
42 submit a plan to the State Board of Education for reading proficiency improvement that  
43 incorporates the following components:

44 (i) assessment;

45 (ii) intervention strategies;

46 (iii) professional development;

47 (iv) reading performance standards; and

48 (v) specific measurable goals that are based upon gain scores.

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

51 (c) Plans developed by a school district or charter school shall be approved by the State  
52 Board of Education.

53 (5) There is created within the K-3 Reading Achievement Program three funding  
54 programs:

55 (a) the Base Level Program;

56 (b) the Guarantee Program; and

57 (c) the Low Income Students Program.

58 (6) [~~Monies~~] Money appropriated to the State Board of Education for the K-3 Reading

59 Improvement Program shall be allocated to the three funding programs as follows:

- 60 (a) 8% to the Base Level Program;
- 61 (b) 46% to the Guarantee Program; and
- 62 (c) 46% to the Low Income Students Program.

63 (7) (a) To participate in the Base Level Program, a school district or charter school  
64 shall submit a reading proficiency improvement plan to the State Board of Education as  
65 provided in Subsection (4) and must receive approval of the plan from the [board] State Board  
66 of Education.

67 (b) (i) Each school district qualifying for Base Level Program funds and the qualifying  
68 elementary charter schools combined shall receive a base amount.

69 (ii) The base amount for the qualifying elementary charter schools combined shall be  
70 allocated among each school in an amount proportionate to:

71 (A) each existing charter school's prior year fall enrollment in grades kindergarten  
72 through grade 3; and

73 (B) each new charter school's estimated fall enrollment in grades kindergarten through  
74 grade 3.

75 (8) (a) A school district that applies for program [monies] money in excess of the Base  
76 Level Program funds shall choose to first participate in either the Guarantee Program or the  
77 Low Income Students Program.

78 (b) A school district must fully participate in either the Guarantee Program or the Low  
79 Income Students Program before it may elect to either fully or partially participate in the other  
80 program.

81 (c) To fully participate in the Guarantee Program, a school district shall:

82 (i) levy a tax rate of .000056 under Section 53A-17a-151;

83 (ii) allocate to the program other [monies] money available to the school district,  
84 except [monies] money provided by the state, equal to the amount of revenue that would be  
85 generated by a tax rate of .000056; or

86 (iii) levy a tax under Section 53A-17a-151 and allocate to the program other [monies]  
87 money available to the school district, except [monies] money provided by the state, so that the  
88 total revenue from the combined revenue sources equals the amount of revenue that would be  
89 generated by a tax rate of .000056.

90 (d) To fully participate in the Low Income Students Program, a school district shall:

91 (i) levy a tax rate of .000065 under Section 53A-17a-151;

92 (ii) allocate to the program other [monies] money available to the school district,  
93 except [monies] money provided by the state, equal to the amount of revenue that would be  
94 generated by a tax rate of .000065; or

95 (iii) levy a tax under Section 53A-17a-151 and allocate to the program other [monies]  
96 money available to the school district, except [monies] money provided by the state, so that the  
97 total revenue from the combined revenue sources equals the amount of revenue that would be  
98 generated by a tax rate of .000065.

99 (9) (a) A school district that fully participates in the Guarantee Program shall receive  
100 state funds in an amount that is:

101 (i) equal to the difference between \$21 times the district's total WPUs and the revenue  
102 the school district is required to generate or allocate under Subsection (8)(c) to fully participate  
103 in the Guarantee Program; and

104 (ii) not less than \$0.

105 (b) An elementary charter school shall receive under the Guarantee Program an amount  
106 equal to \$21 times the school's total WPUs.

107 (10) The State Board of Education shall distribute Low Income Students Program  
108 funds in an amount proportionate to the number of students in each school district or charter  
109 school who qualify for free or reduced price school lunch multiplied by two.

110 (11) A school district that partially participates in the Guarantee Program or Low  
111 Income Students Program shall receive program funds based on the amount of school district  
112 revenue generated for or allocated to the program as a percentage of the amount of revenue that  
113 could have been generated or allocated if the school district had fully participated in the  
114 program.

115 (12) (a) [Each] A school district [and] or charter school shall use program [monies]  
116 money for reading proficiency improvement in grades kindergarten through grade three ~~→~~ [-

117 ~~— (b) A school district or charter school may use program money for:] , including: ←~~ ~~→~~

118 (i) reading assessments; and

119 (ii) focused reading remediations that may include:

120 (A) the use of reading specialists;

- 121 (B) tutoring;  
 122 (C) before or after school programs;  
 123 (D) summer school programs; or  
 124 (E) the use of ~~§~~→ **reading** ←~~§~~ software ~~§~~→ **[technology]** ←~~§~~ .  
 125 ~~§~~→ [f] (b) [~~(c)~~] ←~~§~~ Program [~~monies~~] money may not be used to supplant funds for existing  
 126 programs, but may be used to augment existing programs.

127 (13) (a) Each school district and charter school shall annually submit a report to the  
 128 State Board of Education accounting for the expenditure of program [~~monies~~] money in  
 129 accordance with its plan for reading proficiency improvement.

130 (b) On or before the November meeting of the Education Interim Committee of each  
 131 year, the State Board of Education shall report a summary of the ~~§~~→ **reading improvement** ←~~§~~  
 131a program expenditures of each  
 132 school district and charter school.

133 [~~(b)~~] (c) If a school district or charter school uses program [~~monies~~] money in a manner  
 134 that is inconsistent with Subsection (12), the school district or charter school is liable for  
 135 reimbursing the State Board of Education for the amount of program [~~monies~~] money  
 136 improperly used, up to the amount of program [~~monies~~] money received from the State Board  
 137 of Education.

138 (14) (a) The State Board of Education shall make rules to implement the program.

139 (b) (i) The rules under Subsection (14)(a) shall require each school district or charter  
 140 school to annually report progress in meeting goals stated in the school district's or charter  
 141 school's plan for student reading proficiency as measured by gain scores.

142 (ii) If a school district or charter school does not meet or exceed the goals, the school  
 143 district or charter school shall prepare a new plan which corrects deficiencies. The new plan  
 144 must be approved by the State Board of Education before the school district or charter school  
 145 receives an allocation for the next year.

146 (15) If after 36 months of program operation, a school district fails to meet goals stated  
 147 in the school district's plan for student reading proficiency as measured by gain scores, the  
 148 school district shall terminate any levy imposed under Section 53A-17a-151.

**Legislative Review Note**  
as of 2-2-11 9:32 AM

**Office of Legislative Research and General Counsel**

# FISCAL NOTE

S.B. 63

SHORT TITLE: **K-3 Reading Improvement Program Accountability**

SPONSOR: **Morgan, K.**

2011 GENERAL SESSION, STATE OF UTAH

STATE GOVERNMENT (UCA 36-12-13(2)(b))

Enactment of this bill likely will not materially impact the state budget.

LOCAL GOVERNMENTS (UCA 36-12-13(2)(c))

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for local governments.

DIRECT EXPENDITURES BY UTAH RESIDENTS AND BUSINESSES (UCA 36-12-13(2)(d))

Enactment of this bill likely will not result in direct, measurable expenditures by Utah residents or businesses.