

K-3 READING IMPROVEMENT PROGRAM

ACCOUNTABILITY

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Karen W. Morgan

House Sponsor: Marie H. Poulson

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

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:

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 software technology.

125 ~~[(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 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