

Representative John Dougall proposes the following substitute bill:

MATH MATERIALS ACCESS IMPROVEMENT GRANT

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Aaron Osmond

House Sponsor: John Dougall

LONG TITLE

General Description:

This bill provides funding for the development and publication of public school mathematics textbooks.

Highlighted Provisions:

This bill:

- ▶ requires the State Board of Education to develop a new set of mathematics curricula consistent with Utah's Common Core standards for public school students;
- ▶ requires the State Board of Education to select a content developer to develop new mathematics textbooks for students in grades 7 and 8 and an adaptive performance assessment program;
- ▶ requires the State Board of Education to select a publisher through a request for proposals process to produce and publish mathematics textbooks, including online materials, consistent with the new mathematics curricula;
- ▶ requires a content developer to develop an adaptive performance assessment program to measure the effectiveness of the new mathematics textbooks;
- ▶ gives a publisher the exclusive rights to sell a new mathematics textbook developed under this program, to a person outside of Utah under certain conditions;
- ▶ requires the publisher to pay 50% of the proceeds from a sale of certain



26 mathematics textbooks to the State of Utah to be deposited into the Education Fund; and
27 ▶ makes technical amendments.

28 **Money Appropriated in this Bill:**

29 This bill appropriates:

- 30 ▶ to the State Board of Education - State Office of Education - Initiative Programs, as
31 a one-time appropriation for fiscal year 2012-13:
32 • from the Education Fund, \$600,000.

33 **Other Special Clauses:**

34 This bill provides an effective date.

35 **Utah Code Sections Affected:**

36 AMENDS:

37 **63I-2-253**, as last amended by Laws of Utah 2011, Chapters 303, 330, and 419

38 ENACTS:

39 **53A-1-402.7**, Utah Code Annotated 1953



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

42 Section 1. Section **53A-1-402.7** is enacted to read:

43 **53A-1-402.7. Mathematics curriculum and materials development program.**

44 (1) As used in this section:

45 (a) "Board" means the State Board of Education.

46 (b) "Local education agency" means a school district, charter school, or the Utah
47 Schools for the Deaf and Blind.

48 (2) The board shall develop and produce a new low cost, highly-interactive, print and
49 online mathematics textbook, for students in grades 7 and 8, that will meet the new Utah
50 common core standards.

51 (3) On or before May 15, the board shall contract with:

52 (a) a content developer, selected through a request for proposals process, to assist the
53 board in the development of the new mathematics textbooks; and

54 (b) a publisher, selected through a request for proposals process, to produce and
55 publish the mathematics textbooks, including online materials, consistent with Utah's common
56 core mathematics curricula developed in Subsection (2).

57 (4) The content developer shall:

58 (a) be an institution of higher education within Utah;

59 (b) provide content development through a principal investigator who:

60 (i) is employed by the higher education institution; and

61 (ii) has a postgraduate doctorate degree in mathematics;

62 (c) include the following individuals in content development:

63 (i) mathematicians employed by at least one higher education institution within the
64 state, recommended by the board; and

65 (ii) expert mathematics teachers from public schools within the state, recommended by
66 the board; and

67 (d) provide an adaptive performance assessment program to measure the effectiveness
68 of the new mathematics textbooks.

69 (5) The publisher shall:

70 (a) administer and maintain the adaptive performance assessment program developed
71 by the content developer as required in Subsection (4)(d);

71a **H→ (b) have a license to sell a mathematics textbook developed under this section, to a**
71b **person outside of Utah;**

72 ~~[(b)] (c) ←H~~ pay 50% of the net proceeds from a sale under Subsection (5)(b) as a royalty
72a to the

73 State of Utah to be deposited in the Education Fund; and

74 **H→ [(c)] (d) ←H** provide ongoing updates of a mathematics textbook developed under this
74a section,

75 under the direction of the board.

76 (6) (a) When selecting a publisher as required in Subsection (3)(b), the board may not
77 select a publisher with a competing interest or competing product.

78 (b) A publisher selected by the board may not produce or sell a competing product to
79 the mathematics textbook developed under this section.

80 (7) The publisher may not sell products or engage in business that conflicts with the
81 royalty interests of the state pursuant to the mathematics textbooks development program under
82 this section.

83 (8) The board shall ensure that the mathematics textbooks:

84 (a) meet Utah's common core mathematics standards adopted by the board;

85 (b) are developed by the content developer;

86 (c) are owned and controlled by the board; and

87 (d) are produced and ready for distribution to local education agencies for students in

88 grades 7 and 8, on or before the 2013-14 school year;

89 (e) are made available online for direct download;

90 (f) are made available to the board or a local education agency at a cost of no more than
91 \$3.00 per textbook, including the cost of delivery to a local education agency;

92 (g) include direct links to supplemental online instructional materials accessible by a
93 mobile device; and

94 (h) the content of the curriculum is substantially contained in the textbook.

95 (9) The board may set additional specifications as it deems necessary.

96 Section 2. Section **63I-2-253** is amended to read:

97 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

98 (1) Section 53A-1-402.7 is repealed July 1, 2014.

99 [~~(1)~~] (2) Section 53A-1-403.5 is repealed July 1, 2012.

100 [~~(2)~~] (3) Subsection 53A-1-603(5) is repealed July 1, 2015.

101 [~~(3)~~] (4) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.

102 [~~(4)~~] (5) Subsection 53A-13-110(4) is repealed July 1, 2013.

103 [~~(5)~~] (6) Section 53A-15-1215 is repealed July 1, 2012.

104 Section 3. **Appropriation.**

105 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
106 following sums of money are appropriated from resources not otherwise appropriated, or
107 reduced from amounts previously appropriated, out of the funds or accounts indicated for the
108 fiscal year beginning July 1, 2012, and ending June 30, 2013. These are additions to any
109 amounts previously appropriated for fiscal year 2013.

110 To State Board of Education - State Office of Education - Initiative Programs

111 From Education Fund, one-time \$600,000

112 Schedule of Programs:

113 Contracts and Grants \$600,000

114 The Legislature intends that:

115 (1) the appropriation for Contracts and Grants be used for the purposes described in
116 Section 53A-1-402.7;

117 (2) the appropriation under this section:

118 (a) be one-time; and

119 (b) not lapse at the close of fiscal year 2013.

120 Section 4. **Effective date.**

121 (1) Except as provided in Subsection (2), this bill takes effect on May 8, 2012.

122 (2) Uncodified Section 3, Appropriation, takes effect on July 1, 2012.