

1 **MATH MATERIALS ACCESS IMPROVEMENT GRANT**

2 2012 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Aaron Osmond**

5 House Sponsor: John Dougall

7 **LONG TITLE**

8 **General Description:**

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

11 **Highlighted Provisions:**

12 This bill:

13 ▶ requires the State Board of Education to develop a new set of mathematics curricula
14 consistent with Utah's Common Core standards for public school students;

15 ▶ requires the State Board of Education to select a content developer to develop new
16 mathematics textbooks for students in grades 7 and 8 and an adaptive performance
17 assessment program;

18 ▶ requires the State Board of Education to select a publisher through a request for
19 proposals process to produce and publish mathematics textbooks, including online
20 materials, consistent with the new mathematics curricula;

21 ▶ requires a content developer to develop an adaptive performance assessment
22 program to measure the effectiveness of the new mathematics textbooks;

23 ▶ gives a publisher a right to sell a new mathematics textbook developed under this
24 program, to a person outside of Utah under certain conditions;

25 ▶ 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;

27 and

28 ▶ makes technical amendments.

29 **Money Appropriated in this Bill:**

30 This bill appropriates:

31 ▶ to the State Board of Education - State Office of Education - Initiative Programs, as
32 a one-time appropriation for fiscal year 2012-13:

- 33 • from the Education Fund, \$600,000.

34 **Other Special Clauses:**

35 This bill provides an effective date.

36 **Utah Code Sections Affected:**

37 AMENDS:

38 **63I-2-253**, as last amended by Laws of Utah 2011, Chapters 303, 330, and 419

39 ENACTS:

40 **53A-1-402.7**, Utah Code Annotated 1953



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

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

44 **53A-1-402.7. Mathematics curriculum and materials development program.**

45 (1) As used in this section:

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

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

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

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

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

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

- 58 (4) The content developer shall:
- 59 (a) be an institution of higher education within Utah;
- 60 (b) provide content development through a principal investigator who:
- 61 (i) is employed by the higher education institution; and
- 62 (ii) has a postgraduate doctorate degree in mathematics;
- 63 (c) include the following individuals in content development:
- 64 (i) mathematicians employed by at least one higher education institution within the
- 65 state, recommended by the board; and
- 66 (ii) expert mathematics teachers from public schools within the state, recommended by
- 67 the board; and
- 68 (d) provide an adaptive performance assessment program to measure the effectiveness
- 69 of the new mathematics textbooks.
- 70 (5) The publisher shall:
- 71 (a) administer and maintain the adaptive performance assessment program developed
- 72 by the content developer as required in Subsection (4)(d);
- 73 (b) have a license to sell a mathematics textbook developed under this section, to a
- 74 person outside of Utah;
- 75 (c) pay 50% of the net proceeds from a sale under Subsection (5)(b) as a royalty to the
- 76 State of Utah to be deposited in the Education Fund; and
- 77 (d) provide ongoing updates of a mathematics textbook developed under this section,
- 78 under the direction of the board.
- 79 (6) (a) When selecting a publisher as required in Subsection (3)(b), the board may not
- 80 select a publisher with a competing interest or competing product.
- 81 (b) A publisher selected by the board may not produce or sell a competing product to
- 82 the mathematics textbook developed under this section.
- 83 (7) The publisher may not sell products or engage in business that conflicts with the
- 84 royalty interests of the state pursuant to the mathematics textbooks development program under
- 85 this section.

- 86 (8) The board shall ensure that the mathematics textbooks:
87 (a) meet Utah's common core mathematics standards adopted by the board;
88 (b) are developed by the content developer;
89 (c) are owned and controlled by the board; and
90 (d) are produced and ready for distribution to local education agencies for students in
91 grades 7 and 8, on or before the 2013-14 school year;
92 (e) are made available online for direct download;
93 (f) are made available to the board or a local education agency at a cost of no more than
94 \$3.00 per textbook, including the cost of delivery to a local education agency;
95 (g) include direct links to supplemental online instructional materials accessible by a
96 mobile device; and
97 (h) the content of the curriculum is substantially contained in the textbook.
98 (9) The board may set additional specifications as it deems necessary.

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

100 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

- 101 (1) Section 53A-1-402.7 is repealed July 1, 2014.
102 [~~(1)~~] (2) Section 53A-1-403.5 is repealed July 1, 2012.
103 [~~(2)~~] (3) Subsection 53A-1-603(5) is repealed July 1, 2015.
104 [~~(3)~~] (4) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.
105 [~~(4)~~] (5) Subsection 53A-13-110(4) is repealed July 1, 2013.
106 [~~(5)~~] (6) Section 53A-15-1215 is repealed July 1, 2012.

107 Section 3. **Appropriation.**

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

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

114 From Education Fund, one-time \$600,000
115 Schedule of Programs:
116 Contracts and Grants \$600,000
117 The Legislature intends that:
118 (1) the appropriation for Contracts and Grants be used for the purposes described in
119 Section 53A-1-402.7;
120 (2) the appropriation under this section:
121 (a) be one-time; and
122 (b) not lapse at the close of fiscal year 2013.
123 **Section 4. Effective date.**
124 (1) Except as provided in Subsection (2), this bill takes effect on May 8, 2012.
125 (2) Uncodified Section 3, Appropriation, takes effect on July 1, 2012.