

SB0263S01 compared with SB0263

~~{deleted text}~~ shows text that was in SB0263 but was deleted in SB0263S01.

inserted text shows text that was not in SB0263 but was inserted into SB0263S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Stephen H. Urquhart proposes the following substitute bill:

EARLY READING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Stephen H. Urquhart

House Sponsor: ~~{_____}~~ Bradley G. Last

LONG TITLE

General Description:

This bill amends provisions related to early reading assessments and interventions in public schools.

Highlighted Provisions:

This bill:

- ▶ ~~{allows the State Board of Education to select more than one provider to provide}~~ amends provisions related to a diagnostic assessment system for early reading;
- ▶ ~~{changes the date by which}~~ requires the State Board of Education ~~{is required}~~ to ~~{select one or more providers to provide certain}~~ distribute licenses for early reading software to a school district or charter school by a certain date;
- ▶ requires a school district or charter school that receives a license for ~~{certain}~~ early

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reading software to comply with certain ~~{requirements}~~standards;

- ▶ directs the State Board of Education to establish certain standards~~{ and guidelines}~~;
- ▶ provides for evaluation of the use of early reading software; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-1-606.7, as enacted by Laws of Utah 2011, Chapter 372

53A-17a-167, as last amended by Laws of Utah 2013, Chapter 466

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

Section 1. Section **53A-1-606.7** is amended to read:

53A-1-606.7. State Board of Education required to contract for a diagnostic assessment system for reading.

(1) The State Board of Education shall contract with [an] one or more educational technology [~~provider~~] providers, selected through a request for proposals process, for a diagnostic assessment system for reading for students in kindergarten through grade three that meets the requirements of this section.

(2) [~~The~~] Subject to legislative appropriations, a diagnostic assessment system for reading shall be made available to school districts and charter schools that apply to use [~~the~~] a diagnostic assessment for reading beginning in the 2011-12 school year.

(3) [~~The~~] A diagnostic assessment system for reading for students in kindergarten through grade three shall:

(a) be in a digital format;

(a) (b) include benchmark assessments of reading proficiency to be administered at the beginning, in the middle, and at the end of kindergarten, grade one, grade two, and grade three;

(b) (c) include formative assessments to be administered every two to four weeks for

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students who are at high risk of not attaining proficiency in reading;

~~[(c)]~~ [(d)] align with the language arts core curriculum adopted by the State Board of Education; and

~~[(d)]~~ [(e)] include a data analysis component hosted by the [contractor] provider that:

(i) has the capacity to generate electronic information immediately and produce individualized student progress reports, class summaries, and class groupings for instruction;

(ii) [has] may have the capability of identifying lesson plans that may be used to develop reading skills;

(iii) enables teachers, administrators, and designated supervisors to access reports through a secured password system;

(iv) produces electronic printable reports for parents and administrators; and

(v) has the capability for principals to monitor usage by teachers.

~~[(4)(a)]~~ The benchmark and formative assessments specified in Subsections (3)(a) and (b) shall be available to be downloaded to a portable technology device so that a teacher may be able to sit beside a student as the student is being assessed at any location in the classroom or throughout the school.]

~~[(b)]~~ After an assessment is downloaded to a portable technology device, the device shall have the capability to operate in stand-alone mode if the Internet connection is lost.]

~~[(c)]~~ After an assessment is completed and uploaded to the data analysis component, the data analysis component shall be capable of allowing data and reports to be viewed and printed immediately.]

~~[(5)]~~ The State Board of Education shall:]

~~[(a)]~~ evaluate the effects of the diagnostic assessment system for reading by comparing the learning gains of students in school districts and charter schools that use the diagnostic assessment system for reading with the learning gains of students in school districts and charter schools that do not use the diagnostic assessment system for reading; and]

~~[(b)]~~ submit a report on the evaluation to the Public Education Appropriations Subcommittee by November 2013.]

Section 2. Section **53A-17a-167** is amended to read:

53A-17a-167. Early intervention program -- Enhanced kindergarten program -- Educational technology.

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(1) The State Board of Education shall, as described in Subsection (4), distribute funds appropriated under this section for an enhanced kindergarten program described in Subsection (2), to school districts and charter schools that apply for the funds.

(2) A school district or charter school shall use funds appropriated in this section to offer an early intervention program, delivered through an enhanced kindergarten program that:

(a) is an academic program focused on building age-appropriate literacy and numeracy skills;

(b) uses an evidence-based early intervention model;

(c) is targeted to at-risk students; and

(d) is delivered through additional hours or other means.

(3) A school district or charter school may not require a student to participate in an enhanced kindergarten program described in Subsection (2).

(4) The State Board of Education shall distribute funds appropriated under this section for an enhanced kindergarten program described in Subsection (2) as follows:

(a) (i) the total allocation for charter schools shall be calculated by:

(A) dividing the number of charter school students by the total number of students in the public education system in the prior school year; and

(B) multiplying the resulting percentage by the total amount of available funds; and

(ii) the amount calculated under Subsection (4)(a) shall be distributed to charter schools with the greatest need for an enhanced kindergarten program, as determined by the State Board of Education in consultation with the State Charter School Board;

(b) each school district shall receive the amount calculated by:

(i) multiplying the value of the weighted pupil unit by 0.45; and

(ii) multiplying the result by 20; and

(c) the remaining funds, after the allocations described in Subsections (4)(a) and (4)(b) are made, shall be distributed to applicant school districts by:

(i) determining the number of students eligible to receive free lunch in the prior school year for each school district; and

(ii) prorating the remaining funds based on the number of students eligible to receive free lunch in each district.

(5) In addition to an enhanced kindergarten program described in Subsection (2), the

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early intervention program includes a component to address early ~~[intervention]~~ reading through the use of ~~[an interactive computer software program]~~ early interactive reading software.

(6) (a) Subject to legislative appropriations, ~~[by {} September {} August]~~ 1 of each ~~year;~~ the State Board of Education shall select and contract with one or more technology providers, through a request for proposals process, to provide ~~[an interactive computer software program]~~ early interactive reading software for literacy instruction and assessments for students in kindergarten through grade 3.

(b) ~~[The]~~ By August 1 of each year, the State Board of Education shall distribute licenses for ~~[an interactive computer software program]~~ early interactive reading software described in Subsection (6)(a) to school districts and charter schools that apply for the licenses.

(c) ~~[A]~~ Except as provided in Subsection (7)(c), a school district or charter school that received a license described in Subsection (6)(b) during the prior year shall be given first priority to receive an equivalent license during the current year.

(d) Licenses distributed to school districts and charter schools in addition to the licenses described in Subsection (6)(c) shall be distributed through a competitive process.

~~[(7) On or before November 1, 2013, and every year thereafter, the State Board of Education shall report final testing data regarding an interactive computer software program described in Subsection (6), including student learning gains as a result of the interactive computer software program, to:]~~

~~[(a) the Education Interim Committee; and]~~

~~[(b) the governor.]~~

(7) (a) As used in this Subsection (7), "dosage" means amount of instructional time.

~~(7) (b)~~ A school district or charter school that receives a license described in Subsection (6)(b) shall use the license:

~~(a) (i)~~ for a student in kindergarten or grade 1:

~~(a) (A)~~ for intervention for ~~(a) the student~~ ~~(that)~~ if the student is reading below grade level; ~~(and)~~ or

~~(a) (B)~~ for advancement beyond grade level for ~~(a) the student~~ if the student is reading at or above grade level;

~~(b) (ii)~~ for a student in grade 2 or 3, for intervention for ~~(a) the student~~ ~~(that)~~ if the

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student is reading below grade level; and

~~(c)iii~~ in accordance with the ~~standards established by the State Board of Education under Subsection (8)(a):~~

~~(8) The State Board of Education shall coordinate with a technology provider selected under Subsection (6)(a) to:~~

~~(a) establish standards for the use of the interactive reading software, including standards to ensure that the software is used for a sufficient amount of instructional time to achieve the learning objectives described in Subsections (7)(a) and (b); and~~

~~(b) provide guidelines on using the software within the school day to complement and enhance regular classroom instruction;~~

~~(9) provider's dosage recommendations.~~

(c) A school district or charter school that does not use the early interactive reading software in accordance with the ~~standards established under Subsection (8)(a);~~ technology provider's dosage recommendations for two consecutive years may not continue to receive a license.

(10)8 (a) On or before ~~November~~ August 1 of each year, the State Board of Education shall ~~annually report to the Education Interim Committee and the governor on the~~ select and contract with an independent evaluator, through a request for proposals process, to act as an independent contractor to evaluate early interactive reading software ~~described in Subsection (6), including:~~

~~(a) the standards set~~ provided under this section.

(b) The State Board of Education shall ensure that a contract with an independent evaluator requires the independent evaluator to:

(i) compare a student's learning gains as a result of using early interactive reading software provided under this section to a control group;

(ii) for the comparison under Subsection (8)(~~a~~);

~~(b) b(i), use an assessment that is not developed by a provider of early interactive reading software;~~

(iii) determine the extent to which ~~LEAs used~~ a school district or charter school uses the early interactive reading software in accordance with ~~the standards set~~ a technology provider's dosage recommendations under Subsection (~~8)(a)7~~); and

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~~(c)iv) student learning gains as a result of using the~~
early interactive reading software.

Legislative Review Note

as of 2-24-15 6:08 PM

~~Office of Legislative Research and General Counsel~~ provided by a provider.

(c) The State Board of Education and the independent evaluator selected under Subsection (8)(a) shall report annually on the results of the evaluation to the Education Interim Committee and the governor.

(d) The State Board of Education may use up to 5% of the appropriation provided under Subsection (6)(a) to contract with an independent evaluator selected under Subsection (8)(a).