HB0404S01 compared with HB0404

{deleted text} shows text that was in HB0404 but was deleted in HB0404S01.

Inserted text shows text that was not in HB0404 but was inserted into HB0404S01.

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.

Representative Val L. Peterson proposes the following substitute bill:

EARLY WARNING PILOT PROGRAM

2017 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Val L. Peterson

Senate Sponsor: _____

LONG TITLE

General Description:

This bill provides for {a software program}systems to identify students in need of early intervention.

Highlighted Provisions:

This bill:

- ▸ defines terms;
- ▸ directs the State Board of Education (board) to enhance the online data reporting tool and contract with a provider for a {one-year pilot software}two-year pilot digital program;
- ▸ provides certain standards and functionality that are to be included in the enhancements to the online data reporting tool and a digital program;
- ▸ directs the board to provide a digital program to a local education agency (LEA);

  ‣ requires an LEA to pay half the cost of a digital program;

  ‣ requires {that the program be designed for use by teachers, school administrators, and parents;

  ‣ requires that the software program:

  • collect and report on certain assessment and other data; and

  • provide certain information and communications to users on student progress;

  ‣ requires a local school board or charter school governing board to pay one-third of the cost of a license to use the software program; and}an LEA to report to the board on the effectiveness of a digital program and recommendations for enhancement of the online data reporting tool;

  ‣ provides a repeal date{.}; and

  ‣ makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates:

  ‣ to the State Board of Education -- Initiative Programs, as a one-time appropriation:

  • from the Education Fund {$250}$375,000.

Other Special Clauses:

{   None} This bill provides a coordination clause.

Utah Code Sections Affected:

AMENDS:

  63I-2-253, as last amended by Laws of Utah 2016, Chapters 128, 229, 236, 271, and

  318

ENACTS:

  53A-1-415, Utah Code Annotated 1953

Utah Code Sections Affected by Coordination Clause:

  53A-1-415, Utah Code Annotated 1953

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

Section 1. Section **53A-1-415** is enacted to read:

53A-1-415. Student intervention early warning pilot program.

(1) As used in this section:

(a) {The}"Board" means the State Board of Education{ shall contract with a technology provider:

(i) to supplement the state reporting system}.

(b) "Digital program" means a program that provides information for student early intervention as described in this section.

(c) "Local education agency" or "LEA" means:

(i) a district school;

(ii) a charter school; or

(iii) the Utah Schools for the Deaf and the Blind.

(d) "Online data reporting tool" means a system described in Section 53A-1-605.

(2) (a) The board shall, subject to legislative appropriations:

(i) enhance the online data reporting tool and provide additional formative actionable data {to enhance}on student outcomes subject to Subsection (2)(c); and

(ii) {that is selected}select through a competitive contract process{, for} a {software}provider to provide to an LEA a digital program {that meets the requirements of}as described in this section.

(b) The contract described in Subsection (2)(a)(ii) shall be for a {one-year}two-year pilot program.

({2) The software program described in Subsection (1)}c) Information collected or used by the board for purposes of enhancing the online data reporting tool in accordance with this section may not identify a student individually.

(3) The enhancement to the online data reporting tool and the digital program shall:

(a) be designed with a user-appropriate interface for use by teachers, school administrators, and parents;

(b) provide reports on a student's results at the student level on:

(i) a national assessment;

(ii) a local assessment; and

(iii) a statewide criterion-referenced test or online computer adaptive test described in Section 53A-1-603;

(c) have the ability to provide data from aggregate student reports based on a student's:

(i) teacher;

(ii) school;

(iii) school district, if applicable; or

(iv) ethnicity;

(d) provide a viewer with the ability to view the data described in Subsection (2)(c) on a single computer screen;

(e) have the ability to compare the performance of students, for each teacher, based on a student's:

(i) gender;

(ii) special needs, including primary exceptionality;

(iii) English proficiency;

(iv) economic status;

(v) migrant status;

(vi) ethnicity;

(vii) response to tiered intervention;

(viii) response to tiered-intervention enrollment date;

{   (ix) response to tiered-intervention interventionist;

}   ({x}ix) absence rate;

({xi}x) feeder school;

({xii}xi) type of school, including primary or secondary, public or private, Title I, or other general school-type category;

({xiii}xii) course failures; and

({xiv}xiii) other criteria, as determined by {a local school board or charter school governing}the board; and

(f) have the ability to load data{:

          (i) } from a local, national, or other assessment in the data's original format within {three business days of receipt; and

          (ii) from a source other than a source described in Subsection (2)(f)(i) within five business days of receipt; and

          (g) after loading data from a source described in Subsection (2)(f), update the data daily.

          (3) The software program described in Subsection (1)}a reasonable time.

(4) Subject to legislative appropriations, the online data reporting tool and digital program shall:

(a) integrate criteria for early warning indicators, including the following criteria:

(i) discipline;

(ii) attendance;

(iii) behavior;

(iv) course failures; and

(v) other criteria as determined by a local school board or charter school governing board; and

(b) provide a teacher or administrator the ability to view the early warning indicators described in Subsection ({3}4)(a) {side by side }with{, and on the same screen as,} a student's assessment results described in Subsection ({2}3)(b).

({4) The software program described in Subsection (1)}5) Subject to legislative appropriations, the online data reporting tool and the digital program shall:

(a) provide {a}data on response to intervention{ line chart comparisons} using existing assessments or measures that are manually added{ to the software program}, including assessment and nonacademic measures;

(b) provide a user the ability to share interventions within a reporting environment {in the software program }and add comments to inform other teachers, administrators, and parents or guardians;

(c) save and share reports among different teachers and school administrators, subject to the student {populations}population information a teacher or administrator has the rights to {within the software program}access;

(d) automatically flag a student profile when early warning thresholds are met so that a teacher can easily identify {the}a student who may be in need of intervention;

(e) incorporate a variety of algorithms to support student learning outcomes and provide student growth reporting by teacher;

(f) integrate response to intervention tiers and activities as filters for the reporting of individual student data and aggregated data, including by ethnicity, school, or teacher;

(g) have the ability to generate student parent or guardian communication to alert the parent or guardian of academic plans or interventions; and

(h) configure alerts based upon student academic results, including a student's performance on the previous year statewide criterion-referenced test or online computer adaptive test described in Section 53A-1-603.

(~~{5) A local school board or charter school governing board that intends to use a license of the software program}~~6) (a) The board shall, subject to legislative appropriations, select an LEA to receive access to a digital program through a provider described in Subsection (~~{1}~~2)(a)(ii).

(b) An LEA that receives access to a digital program shall pay for 50% of the ~~{requested license cost.~~

~~(6}~~cost of the digital program.

(c) An LEA that receives access to a digital program shall no later than one school year after accessing a digital program report to the board in a format required by the board on the effectiveness of the digital program, positive and negative attributes of the digital program, recommendations for improving the online data reporting tool, and any other information regarding a digital program requested by the board.

(d) The board shall consider recommendations from an LEA for changes to the online data reporting tool.

(7) Information described in this section shall be used in accordance with and provided subject to:

(a) Chapter 1, Part 14, Student Data Protection Act;

(b) Chapter 13, Part 3, Utah Family Educational Rights and Privacy Act; and

(c) Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g.

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

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

(1) Section 53A-1-403.5 is repealed July 1, 2017.

(2) Section 53A-1-411 is repealed July 1, 2017.

(3) Section 53A-1-415 is repealed July 1, ~~{2018}~~2019.

[(3)] (4) Section 53A-1-709 is repealed July 1, 2020.

[(4)] (5) Subsection 53A-1a-513(4) is repealed July 1, 2017.

[(5)] (6) Section 53A-1a-513.5 is repealed July 1, 2017.

[(6)] (7) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2019.

[(7)] (8) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is repealed July 1, 2017.

[(8)] (9) Sections 53A-24-601 and 53A-24-602 are repealed January 1, 2018.

[(9)] (10) (a) Subsections 53B-2a-103(2) and (4) are repealed July 1, 2019.

(b) When repealing Subsections 53B-2a-103(2) and (4), the Office of Legislative Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3), make necessary changes to subsection numbering and cross references.

[(10)] (11) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project, is repealed July 1, 2023.

Section 3. **Appropriation.**

The following sums of money are appropriated for the fiscal year beginning July 1, 2017, and ending June 30, 2018. These are additions to amounts previously appropriated for fiscal year 2018. Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the Legislature appropriates the following sums of money from the funds or accounts indicated for the use and support of the government of the state of Utah.

ITEM 1

{Item 1 }To State Board of Education - Initiative Programs

From Education Fund, One-time	{$250}$375,000
{ }Schedule of Programs:	
Early Warning Pilot Program	{$250}$375,000

The Legislature intends that the State Board of Education:

(1) use $125,000 of the appropriation under this section {only for the funding of a contract entered into under}for enhancement of the online data reporting tool as described in Section 53A-1-415; and

(2) use $250,000 of the appropriation under this section for paying 50% of the cost for an LEA to access a digital program as described in Section 53A-1-415.

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Section 4. **Coordinating H.B. 404 with S.B. 220 -- Substantive and technical amendment.**

If this H.B. 404 and S.B. 220, Student Assessment and School Accountability Amendments, both pass and become law, it is the intent of the Legislature that the Office of Legislative Research and General Counsel shall prepare the Utah Code database for publication by:

(1) modifying Subsection 53A-1-415(3)(b)(iii) to read:

"(iii) a standards assessment described in Section 53A-1-604;"; and

(2) modifying Subsection 53A-1-415(5)(h) to read:

"(h) configure alerts based upon student academic results, including a student's performance on the previous year standards assessment described in Section 53A-1-604.".