

**Senator Howard A. Stephenson** proposes the following substitute bill:

**READING SOFTWARE PROGRAM AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Howard A. Stephenson**

House Sponsor: Bradley G. Last

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**LONG TITLE**

**General Description:**

This bill amends provisions regarding certain public education reading software.

**Highlighted Provisions:**

This bill:

- ▶ eliminates public school usage requirements for early interactive reading software;
- ▶ authorizes the State Board of Education to acquire certain analytical software to facilitate administering the reading software program; and
- ▶ makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53F-4-203**, as enacted by Laws of Utah 2018, Chapter 2

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

Section 1. Section **53F-4-203** is amended to read:



26           **53F-4-203. Early intervention interactive reading software -- Independent**  
27 **evaluator.**

28           ~~[(1) In addition to an enhanced kindergarten program described in Section 53F-2-507,~~  
29 ~~the early intervention program includes a component to address early reading through the use~~  
30 ~~of early interactive reading software.]~~

31           ~~[(2)]~~ (1) (a) Subject to legislative appropriations, the State Board of Education shall  
32 select and contract with one or more technology providers, through a request for proposals  
33 process, to provide early interactive reading software for literacy instruction and assessments  
34 for students in kindergarten through grade 3.

35           (b) By August 1 of each year, the State Board of Education shall distribute licenses for  
36 early interactive reading software described in Subsection ~~[(2)]~~ (1)(a) to the school districts and  
37 charter schools of local education boards that apply for the licenses.

38           (c) Except as provided in ~~[Subsection (3)(c)]~~ board rule, a school district or charter  
39 school that received a license described in Subsection ~~[(2)]~~ (1)(b) during the prior year shall be  
40 given first priority to receive an equivalent license during the current year.

41           (d) Licenses distributed to school districts and charter schools in addition to the  
42 licenses described in Subsection ~~[(2)]~~ (1)(c) shall be distributed through a competitive process.

43           ~~[(3)(a) As used in this Subsection (3), "dosage" means amount of instructional time.]~~

44           ~~[(b)]~~ (2) A public school that receives a license described in Subsection ~~[(2)]~~ (1)(b)  
45 shall use the license:

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

47           ~~[(A)]~~ (i) for intervention for the student if the student is reading below grade level; or

48           ~~[(B)]~~ (ii) for advancement beyond grade level for the student if the student is reading at  
49 or above grade level; and

50           ~~[(ii)]~~ (b) for a student in grade 2 or 3, for intervention for the student if the student is  
51 reading below grade level~~[-and].~~

52           ~~[(iii) in accordance with the technology provider's dosage recommendations.]~~

53           ~~[(c) A public school that does not use the early interactive reading software in~~  
54 ~~accordance with the technology provider's dosage recommendations for two consecutive years~~  
55 ~~may not continue to receive a license.]~~

56           ~~[(4)]~~ (3) (a) On or before August 1 of each year, the State Board of Education shall

57 select and contract with an independent evaluator, through a request for proposals process, to  
 58 act as an independent contractor to evaluate early interactive reading software provided under  
 59 this section.

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

62 (i) evaluate a student's learning gains as a result of using early interactive reading  
 63 software provided under Subsection ~~[(2)]~~ (1);

64 (ii) for the evaluation under Subsection ~~[(4)]~~ (3)(b)(i), use an assessment that is not  
 65 developed by a provider of early interactive reading software; and

66 (iii) determine the extent to which a public school uses the early interactive reading  
 67 software ~~[in accordance with a technology provider's dosage recommendations under~~  
 68 ~~Subsection (3)]~~.

69 (c) The State Board of Education and the independent evaluator selected under  
 70 Subsection ~~[(4)]~~ (3)(a) shall report annually on the results of the evaluation to the Education  
 71 Interim Committee and the governor.

72 ~~[(4)]~~ (4) The State Board of Education may use up to 4% of the appropriation provided  
 73 under Subsection ~~[(2)]~~ (1)(a) to:

74 (a) acquire an analytical software program that:

75 (i) monitors, for an individual school, early intervention interactive reading software  
 76 use and the associated impact on student performance; and

77 (ii) analyzes the information gathered under Subsection (4)(a)(i) to prescribe individual  
 78 school usage time to maximize the beneficial impact on student performance; ~~and~~ ~~or~~

79 (b) contract with an independent evaluator selected under Subsection ~~[(4)]~~ (3)(a).