

1 **READING SOFTWARE PROGRAM AMENDMENTS**

2 2018 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Howard A. Stephenson**

5 House Sponsor: _____

6

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions regarding certain public education reading software.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ requires the State Board of Education to make rules regarding:
 - 13 • usage requirements and accountability measures for schools that receive a
 - 14 certain reading software license; and
 - 15 • distribution of certain reading software licenses to schools;
- 16 ▶ authorizes the State Board of Education to acquire certain analytical software to
- 17 facilitate administering the reading software program; and
- 18 ▶ makes technical changes.

19 **Money Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 AMENDS:

25 **53F-4-203**, as enacted by Laws of Utah 2018, Chapter 2

26

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



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

29 **53F-4-203. Early intervention interactive reading software -- Independent**
 30 **evaluator.**

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

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

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

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

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

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

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

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

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

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

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

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

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

59 (3) The State Board of Education shall make rules, in accordance with Title 63G,
60 Chapter 3, Utah Administrative Rulemaking Act, regarding:

61 (a) usage requirements and accountability measures for schools that receive a license
62 under this section; and

63 (b) the distribution of licenses under this section.

64 (4) (a) On or before August 1 of each year, the State Board of Education shall select
65 and contract with an independent evaluator, through a request for proposals process, to act as
66 an independent contractor to evaluate early interactive reading software provided under this
67 section.

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

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

72 (ii) for the evaluation under Subsection (4)(b)(i), use an assessment that is not
73 developed by a provider of early interactive reading software; and

74 (iii) determine the extent to which a public school uses the early interactive reading
75 software in accordance with ~~[a technology provider's dosage recommendations under]~~ the
76 usage requirements described in Subsection (3).

77 (c) The State Board of Education and the independent evaluator selected under
78 Subsection (4)(a) shall report annually on the results of the evaluation to the Education Interim
79 Committee and the governor.

80 ~~[(4)]~~ (5) The State Board of Education may use up to ~~[40%]~~ 10% of the appropriation
81 provided under Subsection ~~[(2)]~~ (1)(a) to:

82 (a) acquire an analytical software program that:

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

85 (ii) analyzes the information gathered under Subsection (5)(a)(i) to prescribe individual
86 school usage time to maximize the beneficial impact on student performance; and

87 (b) contract with an independent evaluator selected under Subsection (4)(a).

Legislative Review Note
Office of Legislative Research and General Counsel