

30 provide early interactive reading software for literacy instruction and assessments for students
31 in kindergarten through grade 3.

32 (b) By August 1 of each year, the State Board of Education shall distribute licenses for
33 early interactive reading software described in Subsection (1)(a) to the school districts and
34 charter schools of local education boards that apply for the licenses.

35 (c) Except as provided in board rule, a school district or charter school that received a
36 license described in Subsection (1)(b) during the prior year shall be given first priority to
37 receive an equivalent license during the current year.

38 (d) Licenses distributed to school districts and charter schools in addition to the
39 licenses described in Subsection (1)(c) shall be distributed through a competitive process.

40 (2) A public school that receives a license described in Subsection (1)(b) shall use the
41 license~~[(a)]~~ for a student in kindergarten or grade 1, 2, or 3:

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

43 ~~[(ii)]~~ (b) for advancement beyond grade level for the student if the student is reading at
44 or above grade level~~[, and]~~.

45 ~~[(b) for a student in grade 2 or 3, for intervention for the student if the student is
46 reading below grade level.]~~

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

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

53 (i) evaluate a student's learning gains as a result of using early interactive reading
54 software provided under Subsection (1);

55 (ii) for the evaluation under Subsection (3)(b)(i), use an assessment that is not
56 developed by a provider of early interactive reading software; and

57 (iii) determine the extent to which a public school uses the early interactive reading

58 software.

59 (c) The State Board of Education and the independent evaluator selected under
60 Subsection (3)(a) shall report annually on the results of the evaluation to the Education Interim
61 Committee and the governor.

62 (4) The State Board of Education may use up to 4% of the appropriation provided
63 under Subsection (1)(a) to:

64 (a) acquire an analytical software program that:

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

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

69 (b) contract with an independent evaluator selected under Subsection (3)(a).