

**READING PROGRAM EXPANSION AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Jerry W. Stevenson**

House Sponsor: \_\_\_\_\_

**LONG TITLE**

**General Description:**

This bill amends provisions related to the Early Literacy Program.

**Highlighted Provisions:**

This bill:

- ▶ extends access to the Early Literacy Program based on students in grade 6; and
- ▶ makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53F-2-503**, as last amended by Laws of Utah 2018, Chapters 300, 456 and renumbered and amended by Laws of Utah 2018, Chapter 2

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

Section 1. Section **53F-2-503** is amended to read:

**53F-2-503. Early Literacy Program -- Literacy proficiency plan.**

(1) As used in this section:

(a) "Board" means the State Board of Education.



- 28 (b) "Program" means the Early Literacy Program.
- 29 (c) "Program money" means:
  - 30 (i) school district revenue allocated to the program from other money available to the
  - 31 school district, except money provided by the state, for the purpose of receiving state funds
  - 32 under this section; and
  - 33 (ii) money appropriated by the Legislature to the program.
- 34 (2) The Early Literacy Program consists of program money and is created to
- 35 supplement other school resources for early literacy.
- 36 (3) Subject to future budget constraints, the Legislature may annually appropriate
- 37 money to the Early Literacy Program.
- 38 (4) (a) A local education board of a school district or a charter school that serves
- 39 students in any of grades kindergarten through grade [3] 6 shall submit a plan to the board for
- 40 literacy proficiency improvement that incorporates the following components:
  - 41 (i) core instruction in:
    - 42 (A) phonological awareness;
    - 43 (B) phonics;
    - 44 (C) fluency;
    - 45 (D) comprehension;
    - 46 (E) vocabulary;
    - 47 (F) oral language; and
    - 48 (G) writing;
  - 49 (ii) intervention strategies that are aligned to student needs;
  - 50 (iii) professional development for classroom teachers, literacy coaches, and
  - 51 interventionists in kindergarten through grade [3] 6;
  - 52 (iv) assessments that support adjustments to core and intervention instruction;
  - 53 (v) a growth goal for the school district or charter school that:
    - 54 (A) is based upon student learning gains as measured by benchmark assessments
    - 55 administered pursuant to Section 53E-4-307; and
    - 56 (B) includes a target of at least 60% of all students [~~in grades 1 through 3~~] who are
    - 57 administered an assessment described in Subsection (4)(a)(v)(A) meeting the growth goal;
    - 58 (vi) at least two goals that are specific to the school district or charter school that:

- 59 (A) are measurable;
- 60 (B) address current performance gaps in student literacy based on data; and
- 61 (C) include specific strategies for improving outcomes; and
- 62 (vii) if a school uses interactive literacy software, the use of interactive literacy
- 63 software, including early interactive reading software described in Section 53F-4-203.
- 64 (b) A local education board shall approve a plan described in Subsection (4)(a) in a
- 65 public meeting before submitting the plan to the board.
- 66 (c) The board shall provide model plans that a local education board may use, or a
- 67 local education board may develop the local education board's own plan.
- 68 (d) A plan developed by a local education board shall be approved by the board.
- 69 (e) The board shall develop uniform standards for acceptable growth goals that a local
- 70 education board adopts for a school district or charter school as described in this Subsection
- 71 (4).
- 72 (5) (a) There are created within the Early Literacy Program three funding programs:
- 73 (i) the Base Level Program;
- 74 (ii) the Guarantee Program; and
- 75 (iii) the Low Income Students Program.
- 76 (b) The board may use up to \$7,500,000 from an appropriation described in Subsection
- 77 (3) for computer-assisted instructional learning and assessment programs.
- 78 (6) Money appropriated to the board for the Early Literacy Program and not used by the
- 79 board for computer-assisted instructional learning and assessments described in Subsection
- 80 (5)(b) shall be allocated to the three funding programs as follows:
- 81 (a) 8% to the Base Level Program;
- 82 (b) 46% to the Guarantee Program; and
- 83 (c) 46% to the Low Income Students Program.
- 84 (7) (a) For a school district or charter school to participate in the Base Level Program,
- 85 the local education board shall submit a plan described in Subsection (4) and shall receive
- 86 approval of the plan from the board.
- 87 (b) (i) The local school board of a school district qualifying for Base Level Program
- 88 funds and the governing boards of qualifying elementary charter schools combined shall
- 89 receive a base amount.

90 (ii) The base amount for the qualifying elementary charter schools combined shall be  
91 allocated among each charter school in an amount proportionate to:

92 (A) each existing charter school's prior year fall enrollment in grades kindergarten  
93 through grade ~~[3]~~ 6; and

94 (B) each new charter school's estimated fall enrollment in grades kindergarten through  
95 grade ~~[3]~~ 6.

96 (8) (a) A local school board that applies for program money in excess of the Base Level  
97 Program funds may choose to first participate in the Guarantee Program or the Low Income  
98 Students Program.

99 (b) A school district shall fully participate in either the Guarantee Program or the Low  
100 Income Students Program before the local school board may elect for the school district to  
101 either fully or partially participate in the other program.

102 (c) For a school district to fully participate in the Guarantee Program, the local school  
103 board shall allocate to the program money available to the school district, except money  
104 provided by the state, equal to the amount of revenue that would be generated by a tax rate of  
105 .000056.

106 (d) For a school district to fully participate in the Low Income Students Program, the  
107 local school board shall allocate to the program money available to the school district, except  
108 money provided by the state, equal to the amount of revenue that would be generated by a tax  
109 rate of .000065.

110 (e) (i) The board shall verify that a local school board allocates the money required in  
111 accordance with Subsections (8)(c) and (d) before the board distributes funds in accordance  
112 with this section.

113 (ii) The State Tax Commission shall provide the board the information the board needs  
114 in order to comply with Subsection (8)(e)(i).

115 (9) (a) Except as provided in Subsection (9)(c), the local school board of a school  
116 district that fully participates in the Guarantee Program shall receive state funds in an amount  
117 that is:

118 (i) equal to the difference between \$21 multiplied by the school district's total WPU's  
119 and the revenue the local school board is required to allocate under Subsection (8)(c) for the  
120 school district to fully participate in the Guarantee Program; and

121 (ii) not less than \$0.

122 (b) Except as provided in Subsection (9)(c), an elementary charter school shall receive  
123 under the Guarantee Program an amount equal to \$21 times the elementary charter school's  
124 total WPU.

125 (c) The board may adjust the \$21 guarantee amount described in Subsections (9)(a) and  
126 (b) to account for actual appropriations and money used by the board for computer-assisted  
127 instructional learning and assessments.

128 (10) The board shall distribute Low Income Students Program funds in an amount  
129 proportionate to the number of students in each school district or charter school who qualify for  
130 free or reduced price school lunch multiplied by two.

131 (11) A school district that partially participates in the Guarantee Program or Low  
132 Income Students Program shall receive program funds based on the amount of school district  
133 revenue allocated to the program as a percentage of the amount of revenue that could have been  
134 allocated if the school district had fully participated in the program.

135 (12) (a) A local education board shall use program money for early literacy  
136 interventions and supports in kindergarten through grade [3] 6 that have proven to significantly  
137 increase the percentage of students who are proficient in literacy, including:

138 (i) evidence-based intervention curriculum;

139 (ii) literacy assessments that identify student learning needs and monitor learning  
140 progress; or

141 (iii) focused literacy interventions that may include:

142 (A) the use of reading specialists or paraprofessionals;

143 (B) tutoring;

144 (C) before or after school programs;

145 (D) summer school programs; or

146 (E) the use of interactive computer software programs for literacy instruction and  
147 assessments for students.

148 (b) A local education board may use program money for portable technology devices  
149 used to administer literacy assessments.

150 (c) Program money may not be used to supplant funds for existing programs, but may  
151 be used to augment existing programs.

152 (13) (a) A local education board shall annually submit a report to the board accounting  
153 for the expenditure of program money in accordance with the local education board's plan  
154 described in Subsection (4).

155 (b) If a local education board uses program money in a manner that is inconsistent with  
156 Subsection (12), the school district or charter school is liable for reimbursing the board for the  
157 amount of program money improperly used, up to the amount of program money received from  
158 the board.

159 (14) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
160 the board shall make rules to implement the program.

161 (b) (i) The rules under Subsection (14)(a) shall require each local education board to  
162 annually report progress in meeting goals described in Subsections (4)(a)(v) and (vi), including  
163 the strategies the school district or charter school uses to address the goals.

164 (ii) If a school district or charter school does not meet or exceed the school district's or  
165 charter school's goals described in Subsection (4)(a)(v) or (vi), the local education board shall  
166 prepare a new plan that corrects deficiencies.

167 (iii) The new plan described in Subsection (14)(b)(ii) shall be approved by the board  
168 before the local education board receives an allocation for the next year.

169 (15) (a) The board shall:

170 (i) develop strategies to provide support for a school district or charter school that fails  
171 to meet a goal described in Subsection (4)(a)(v) or (vi); and

172 (ii) provide increasing levels of support to a school district or charter school that fails  
173 to meet a goal described in Subsection (4)(a)(v) or (vi) for two consecutive years.

174 (b) (i) The board shall use a digital reporting platform to provide information to school  
175 districts and charter schools about interventions that increase proficiency in literacy.

176 (ii) The digital reporting platform shall include performance information for a school  
177 district or charter school on the goals described in Subsection (4)(a)(v) and (vi).

178 (16) The board may use up to 3% of the funds appropriated by the Legislature to carry  
179 out the provisions of this section for administration of the program.

180 (17) The board shall make an annual report to the Public Education Appropriations  
181 Subcommittee that:

182 (a) includes information on:

- 183 (i) student learning gains in early literacy for the past school year and the five-year  
184 trend;
- 185 (ii) the percentage of grade [3] 6 students who are proficient in English language arts in  
186 the past school year and the five-year trend;
- 187 (iii) the progress of school districts and charter schools in meeting goals described in a  
188 plan described in Subsection (4)(a); and
- 189 (iv) the specific strategies or interventions used by school districts or charter schools  
190 that have significantly improved early grade literacy proficiency; and
- 191 (b) may include recommendations on how to increase the percentage of grade [3] 6  
192 students who are proficient in English language arts, including how to use a strategy or  
193 intervention described in Subsection (17)(a)(iv) to improve literacy proficiency for additional  
194 students.
- 195 (18) The report described in Subsection (17) shall include information provided  
196 through the digital reporting platform described in Subsection (15)(b).