1 **EARLY LITERACY AMENDMENTS**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Val L. Peterson**

5 Senate Sponsor: Ann Millner

6

7 **LONG TITLE**

8 **General Description:**

9   This bill amends provisions related to early interactive reading software for literacy

10 instruction.

11 **Highlighted Provisions:**

12   This bill:

13   ▸ authorizes a school to use a license for early interactive reading software for

14 students in grades 2 or 3 to advance beyond grade level; and

15   ▸ makes technical and conforming changes.

16 **Money Appropriated in this Bill:**

17   None

18 **Other Special Clauses:**

19   None

20 **Utah Code Sections Affected:**

21 AMENDS:

22   **53F-4-203**, as enacted by Laws of Utah 2018, Chapter 2

23

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

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

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

27 **evaluator.**

28   (1) (a) Subject to legislative appropriations, the State Board of Education shall select

29   and contract with one or more technology providers, through a request for proposals process, to

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).