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

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   ‣   eliminates public school usage requirements for early interactive reading software;

13   ‣   authorizes the State Board of Education to acquire certain analytical software to

14   facilitate administering the reading software program; and

15   ‣   makes technical 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) 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   [(d)] (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; Ŝ→ [and] or ←Ŝ

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