

Ann Millner proposes the following substitute bill:

Early Literacy

2026 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Karen M. Peterson

LONG TITLE

General Description:

This bill establishes a framework of literacy interventions in kindergarten through grade 3 within the public education system.

Highlighted Provisions:

This bill:

- defines terms;
- establishes a third-grade level reading goal for 2030;
- requires a local education agency (LEA) to, based on the student's performance on a benchmark reading assessment, provide a student with an individualized reading plan that identifies specific reading interventions to remediate a reading deficiency, including considering retention in lower grades and requiring retention in grade 3 except in cases of certain good cause exemptions;
- requires regional education service agencies and certain school districts to provide formal professional learning and information training in the science of reading;
- dedicates a certain amount of funding to provide literacy training and paraprofessionals who support literacy;
- requires certain school performance monitoring;
- excludes the practice of "three-cueing" from an LEA's reading curriculum;
- requires the State Board of Education (state board) to distribute funding to regional education service agencies and certain school districts for literacy coaching and training;
- requires the Utah Board of Higher Education to partner with the state board in certain duties regarding teacher preparation programs;
- requires the use of a certain portion of a school's allocation under the Teacher and Student Success Program on literacy interventions if the school's third grade students score below the statewide benchmark goal;

- 29 ▸ includes science of reading and literacy as components of an elementary educator
30 evaluation;
- 31 ▸ requires the Center for the School of the Future at Utah State University, in collaboration
32 with the Utah Board of Higher Education, to develop a plan to improve science of
33 reading knowledge and ability in teacher graduates from a state institution of higher
34 education; and
- 35 ▸ makes technical and conforming changes.

36 **Money Appropriated in this Bill:**

37 None

38 **Other Special Clauses:**

39 This bill provides a special effective date.

40 **Utah Code Sections Affected:**

41 AMENDS:

42 **53E-3-1001 (Effective 07/01/26)**, as enacted by Laws of Utah 2022, Chapter 285 and
43 further amended by Revisor Instructions, Laws of Utah 2022, Chapter 285

44 **53E-3-1003 (Effective 07/01/26)**, as enacted by Laws of Utah 2022, Chapter 285

45 **53E-4-307 (Effective 07/01/26)**, as last amended by Laws of Utah 2024, Chapter 60

46 **53E-6-302 (Effective 07/01/26)**, as last amended by Laws of Utah 2024, Chapter 51

47 **53G-7-205 (Effective 07/01/26)**, as last amended by Laws of Utah 2019, Chapter 293

48 **53G-7-1304 (Effective 07/01/26)**, as last amended by Laws of Utah 2024, Chapter 372

49 **53G-7-1305 (Effective 07/01/26)**, as enacted by Laws of Utah 2019, Chapter 505

50 **53G-11-507 (Effective 07/01/26) (Repealed 07/01/29)**, as last amended by Laws of Utah
51 2024, Chapter 484

52 ENACTS:

53 **53F-2-424 (Effective 07/01/26)**, Utah Code Annotated 1953

54 **53G-10-801 (Effective 07/01/26)**, Utah Code Annotated 1953

55 **53G-10-802 (Effective 07/01/26)**, Utah Code Annotated 1953

56 **53G-10-803 (Effective 07/01/26)**, Utah Code Annotated 1953

57 **53G-10-805 (Effective 07/01/26)**, Utah Code Annotated 1953

58 RENUMBERS AND AMENDS:

59 **53G-10-804 (Effective 07/01/26)**, (Renumbered from 53E-3-1002, as enacted by
60 Laws of Utah 2022, Chapter 285)

61 **53G-10-806 (Effective 07/01/26)**, (Renumbered from 53G-10-306, as enacted by
62 Laws of Utah 2022, Chapter 285)

63

64 *Be it enacted by the Legislature of the state of Utah:*65 Section 1. Section **53E-3-1001** is amended to read:66 **53E-3-1001 (Effective 07/01/26). Statewide goal -- Emphasis on early literacy.**67 (1) As used in this section:68 (a) "Benchmark reading assessment" means the statewide benchmark assessment in
69 reading described in Section 53E-4-307 that a school district or charter school
70 administers to students in kindergarten through grade 3 at the beginning, middle, and
71 end of the school year.72 (b) "Reading on grade level" means that a student scores at or above the benchmark for
73 the relevant grade level on the benchmark reading assessment.74 (2) To achieve a strenuous statewide goal of [70% in third grade-level proficiency on
75 the state-administered reading assessment by July 1, 2027,] 80% of students reading on
76 grade level on the end-of-year benchmark reading assessment in grade 3 by July 1, 2030:77 (a) the state board shall:78 ~~[(1)]~~ (i) analyze, align, and target resources, including digital software and tools, in
79 existing state programs and the programs enacted in Laws of Utah 2022, Chapter
80 285, as appropriate, to support early literacy within the state; and81 ~~[(2)]~~ (ii) identify opportunities to incentivize and support LEAs and elementary
82 schools to analyze data, align plans, and target resources from existing local and
83 LEA programs to support early literacy within the state, resulting in a
84 comprehensive statewide alignment of early literacy plans[-] ; and85 (b) each LEA shall engage in targeted literacy interventions in accordance with Section
86 53G-10-306.87 Section 2. Section **53E-3-1003** is amended to read:88 **53E-3-1003 (Effective 07/01/26). Science of reading.**89 (1) As used in this section:90 (a) "Educator preparation program" means the same as that term is defined in Section
91 53E-6-302.92 (b) "Panel" means the science of reading panel that the state board establishes in
93 accordance with this section.94 (c) "Science of reading" means the same as that term is defined in Section 53G-10-801.95 ~~[(e)]~~ (d) "University teacher preparation program" means a program described in Section
96 53E-6-302.

- 97 (2) The state board shall establish an expert science of reading panel consisting of up to six
98 experts who have:
- 99 (a) knowledge and a research background in the science of reading and the science of
100 reading instruction; and
- 101 (b) experience translating the science of reading into effective reading instructional
102 practices.
- 103 (3) The panel shall:
- 104 (a) meet no less than once every quarter;
- 105 (b) provide expertise to and serve in a consultancy capacity to the state board on
106 implementation of:
- 107 (i) the early literacy emphases described in Section 53E-3-1001; and
- 108 (ii) educator preparation programs;
- 109 (c) in consultation with the state board:
- 110 (i) provide advanced professional learning opportunities in the science of reading and
111 the science of reading instruction for public schools and educator preparation
112 programs as needed to expand statewide capacity;
- 113 (ii) partner with ULEAD, as that term is defined in Section 53E-10-701, to develop
114 and implement an online repository of digital science of reading and science of
115 reading instruction resources that is accessible to public school teachers, school
116 leaders, parents, and educator preparation programs and associated faculty;
- 117 (iii) develop professional learning modules to support teachers and school leaders;
118 and
- 119 (iv) coordinate with educator preparation programs, university teacher preparation
120 program faculty, deans of education, and literacy leadership fellows to advance
121 the science of reading and the science of reading instruction; and
- 122 (d) take part in the hiring of the additional faculty members~~[described in Subsection~~
123 ~~53E-6-302(6)]~~, with two panel members participating in the hiring process.
- 124 (4) The state board may collaborate with panel members to conduct periodic reviews of:
- 125 (a) student outcome data;
- 126 (b) science of reading and science of reading instruction implementation fidelity in
127 public schools and educator preparation programs through onsite visits; and
- 128 (c) advise LEAs regarding the science of reading and the science of reading instruction
129 curriculum and intervention programs.
- 130 (5) A panel member:

- 131 (a) may not receive compensation or benefits for the member's service on the panel; and
 132 (b) may receive per diem and reimbursement for travel expenses that the panel member
 133 incurs as a panel member at the rates that the Division of Finance establishes under:
 134 (i) Sections 63A-3-106 and 63A-3-107; and
 135 (ii) rules that the Division of Finance makes under Sections 63A-3-106 and
 136 63A-3-107.

137 (6) The state board shall provide staff support to the panel.

138 Section 3. Section **53E-4-307** is amended to read:

139 **53E-4-307 (Effective 07/01/26). Benchmark assessments in reading -- Report to**
 140 **parent.**

141 (1) As used in this section:

142 (a) "Benchmark reading assessment" means an assessment that:

143 (i) measures key literacy skills, including phonemic awareness, sound-symbol
 144 recognition, alphabet knowledge, decoding and encoding skills, and
 145 comprehension, to determine a student's specific strengths and weaknesses in a
 146 skill area; and

147 (ii) a school district or charter school administers to students in kindergarten through
 148 grade 3 at the beginning, middle, and end of the school year.

149 ~~[(a)]~~ (b) "Competency" means a demonstrable acquisition of a specified knowledge, skill,
 150 or ability that has been organized into a hierarchical arrangement leading to higher
 151 levels of knowledge, skill, or ability.

152 ~~[(b)]~~ "Diagnostic assessment" means an assessment that measures key literacy skills,
 153 including phonemic awareness, sound-symbol recognition, alphabet knowledge,
 154 decoding and encoding skills, and comprehension, to determine a student's specific
 155 strengths and weaknesses in a skill area.]

156 (c) "Dyslexia" means a learning disorder that:

157 (i) is neurological in origin and is characterized by difficulties with:

158 (A) accurate or fluent word recognition; and

159 (B) poor spelling and decoding abilities; and

160 (ii) typically results from a deficit in the phonological component of language that is
 161 often unexpected in relation to other cognitive abilities and the provision of
 162 effective classroom instruction.

163 (d) "Evidence-based" means the same as that term is defined in Section 53G-11-303.

164 (e) "Evidence-informed" means the same as that term is defined in Section 53G-11-303.

- 165 (2) The state board shall approve a benchmark assessment for use statewide by school
166 districts and charter schools to assess the reading competency of students in grades 1
167 through 6 as provided by this section.
- 168 (3) A school district or charter school shall:
- 169 (a) administer benchmark assessments to students in kindergarten and grades 1, 2, and 3
170 at the beginning, middle, and end of the school year using the benchmark assessment
171 approved by the state board; and
- 172 (b) after administering a benchmark assessment, report the results to a student's parent.
- 173 (4)(a) If a benchmark assessment or supplemental reading assessment indicates a student
174 lacks competency in a reading skill, is demonstrating characteristics of dyslexia, or is
175 lagging behind other students in the student's grade in acquiring a reading skill, the
176 school district or charter school shall:
- 177 [~~(i)~~] ~~administer diagnostic assessments to the student;~~
- 178 [~~(ii)~~] (i) using data from the [~~diagnostic~~] benchmark reading assessment, provide
179 specific, focused, and individualized intervention or tutoring to develop the
180 reading skill, in accordance with Title 53G, Chapter 10, Part 8, Literacy
181 Interventions, potentially including the creation of an individual reading plan, as
182 that term is defined in Section 53G-10-801;
- 183 [~~(iii)~~] (ii) administer formative assessments and progress monitoring at recommended
184 levels for the benchmark assessment to measure the success of the focused
185 intervention;
- 186 [~~(iv)~~] (iii) in addition to the notice described in Section 53G-10-802:
- 187 (A) inform the student's parent of activities that the parent may engage in with the
188 student to assist the student in improving reading proficiency; and
- 189 [~~(v)~~] (B) provide information to the parent regarding appropriate interventions
190 available to the student outside of the regular school day that may include
191 tutoring, before and after school programs, or summer school; and
- 192 [~~(vi)~~] (iv) provide instructional materials that are evidence-informed for core
193 instruction and evidence-based for intervention and supplemental instruction.
- 194 (b) Nothing in this section or in Section 53F-4-203 or 53G-11-303 requires a reading
195 software product to demonstrate the statistically significant effect size described in
196 Subsection 53G-11-303(1)(a) in order to be used as an instructional material
197 described in Subsection (4)(a)(vi).
- 198 (5)(a) In accordance with Section 53F-4-201 and except as provided in Subsection (5)(b),

199 the state board shall contract with one or more educational technology providers for a
 200 benchmark assessment system for reading for students in kindergarten through grade
 201 6.

202 (b) If revenue is insufficient for the benchmark assessment system for the grades
 203 described in Subsection (5)(a), the state board shall first prioritize funding a
 204 benchmark assessment for students in kindergarten through grade 3.

205 (6) A student with dyslexia is only eligible for special education services if the student
 206 meets federal eligibility criteria.

207 Section 4. Section **53E-6-302** is amended to read:

208 **53E-6-302 (Effective 07/01/26). Educator preparation programs.**

209 (1) As used in this section:

210 (a) "Center" means the Center for the School of the Future at Utah State University
 211 established in Section 53H-4-304.

212 (b) "Educator preparation program" means:

213 (i) a university teacher education program; or

214 (ii) a program that prepares individuals using an alternative pathway to licensure, as
 215 the state board provides, that does not include content or time requirements that
 216 conflict with the content or time requirements described in rule made by the state
 217 board in accordance with Subsection (2).

218 [(b)] (c) "Required literacy preparation assessment" means the same as that term is
 219 defined in Section 53E-6-301.

220 (d) "Science of reading" means the same as that term is defined in Section 53G-10-801.

221 [(e)] (e) "University teacher preparation program" means a program that an institution of
 222 higher education offers to prepare educators for licensure.

223 (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 224 state board shall make rules that establish standards for approval of an educator
 225 preparation program.

226 (3) The state board shall ensure that standards adopted under Subsection (2):

227 (a) meet or exceed generally recognized national standards for preparation of educators;
 228 and

229 (b) include requirements for educator preparation programs to:

230 (i) provide instruction in the science of reading; and

231 (ii) prepare license applicants to pass the required literacy preparation assessment at
 232 no cost to the applicants for the preparation, including providing ongoing

233 preparation for up to three total attempts of the required literacy preparation
234 assessment.

235 (4) The Utah Board of Higher Education and the state board shall each designate an
236 employee of [the-state] each board's staff to jointly:

237 (a) work with education deans of state institutions of higher education to coordinate
238 university teacher preparation programs that may include:

239 (i) monitoring courses for university teacher preparation programs; and

240 (ii) working with course instructors for university teacher preparation programs;

241 (b) act as a liaison between:

242 (i) the Utah Board of Higher Education;

243 (ii) the state board;

244 ~~[(ii)]~~ (iii) local school boards or charter school governing boards; and

245 ~~[(iii)]~~ (iv) representatives of university teacher preparation programs; and

246 (c) report the employee's findings and recommendations for the improvement of teacher
247 preparation programs to:

248 (i) the state board; and

249 (ii) education deans of state institutions of higher education.

250 (5) The state board, in consultation with the Utah Board of Higher Education, shall:

251 (a) in good faith, consider the findings and recommendations described in Subsection
252 (4)(c); and

253 (b) in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
254 make rules, as the state board determines is necessary, to implement
255 recommendations described in Subsection (4)(c).

256 ~~[(6) Subject to legislative appropriations, the Utah Board of Higher Education shall:]~~

257 ~~[(a) provide matching funds to each of the state's institutions of higher education with a
258 university teacher preparation program:]~~

259 ~~[(i) to hire an additional faculty member who has training in the science of reading
260 and the science of reading instruction; and]~~

261 ~~[(ii) in an amount equal to 75% of the cost of making the hire described in Subsection
262 (6)(a) if the institution provides 25% of the cost; and]~~

263 ~~[(b) consult the state superintendent regarding:]~~

264 ~~[(i) criteria for the hire described in Subsection (6)(a) that would qualify for a
265 distribution of funding; and]~~

266 ~~[(ii) an individual institution's fulfillment of the criteria described in Subsection~~

267 ~~(6)(b)(i) before distributing funding.]~~

268 (6) The center shall develop a plan, in collaboration with the Utah Board of Higher
 269 Education ~~and~~ and the state board ~~and~~, to improve, for elementary teacher graduates and
 269a elementary administrator
 270 preparation graduates from a state institution of higher education:

271 (a) the knowledge of the science of reading; and

272 (b) the ability to apply the science of reading instruction with a focus on how the
 273 instruction leads to third-grade proficiency in reading and writing.

274 ~~[(7) An institution that hires an additional faculty member shall coordinate with the science~~
 275 ~~of reading panel described in Section 53E-3-1003 to include two members of the panel~~
 276 ~~in the institution's hiring process.]~~

277 ~~[(8)]~~ (7) The Utah Board of Higher Education and the state board shall jointly:

278 (a) monitor accreditation of university programs regarding the science of reading
 279 preparation described in Subsection (3)(b) ~~at the institutions described in Subsection~~
 280 ~~(6)(a)~~; and

281 (b)(i) develop strategies to provide support for preparation programs with low rates
 282 of passage on the required literacy preparation assessment; and

283 (ii) provide increasing levels of support to a preparation program with low rates of
 284 passage on the required literacy preparation assessment for two consecutive years.

285 Section 5. Section **53F-2-424** is enacted to read:

286 **53F-2-424 (Effective 07/01/26). Literacy interventions.**

287 (1) As used in this section:

288 (a) "Member school district" means a school district that is a member of a specific
 289 regional education service agency.

290 (b) "Regional education service agency" means the same as that term is defined in
 291 Section 53G-4-410.

292 (2) Subject to legislative appropriations, ~~and~~ and except as provided in Subsection (4), ~~and~~
 292a the state board shall:

293 (a) allocate the following for literacy coaching and training in accordance with Section
 294 53G-10-804:

295 (i) a base funding amount of at least \$75,000 to each regional education service
 296 agency and to each school district that is not a member of a regional education
 297 service agency; and

298 (ii) the remainder of legislative appropriations for literacy coaching and training

299 within school districts, distributed based on:
 300 (A) for a school district that is not a member of a regional education service
 301 agency, the school district's average daily membership; and
 302 (B) for a regional education service agency, the average daily membership within
 303 each member school district; and
 304 (b) proportionally distribute at least \$15,000,000 to the school districts and regional
 305 education service agencies described in Subsection (2)(a)(ii) to provide
 306 paraprofessionals who support literacy.

307 (3) Subject to legislative appropriations, ~~it~~ and except as provided in Subsection (4), ~~the~~
 307a the state board shall allocate at least \$1,000,000 to
 308 the State Charter School Board for distribution to each charter school, in consultation
 309 with each charter authorizer, for literacy coaching, training, and interventions within
 310 charter schools.

310a ~~it~~ **(4) For fiscal year 2027, the state board shall use \$150,000, proportionally**
 310b **divided from the funding described in Subsections (2) and (3), to fund the science of**
 310c **reading plan described in Subsection 53E-6-302(6).** ~~it~~

311 Section 6. Section **53G-7-205** is amended to read:

312 **53G-7-205 (Effective 07/01/26). Assessment of emerging and early reading skills**
 313 **-- Resources provided by school districts.**

314 (1) The Legislature recognizes that well-developed reading skills help:
 315 (a) children to succeed in school, develop self esteem, and build positive relationships
 316 with others;
 317 (b) young adults to become independent learners; and
 318 (c) adults to become and remain productive members of a rapidly changing
 319 technology-based society.

320 (2)(a) Each potential kindergarten student, the student's parent, and kindergarten
 321 personnel at the student's school may participate in an assessment of the student's
 322 reading and numeric skills.
 323 (b) The state board, in cooperation with the state's school districts, may develop the
 324 assessment instrument and any additional materials needed to implement and
 325 supplement the assessment program.

326 (3) The potential kindergarten student's teacher may use the assessment in planning and
 327 developing an instructional program to meet the student's identified needs.

328 (4)(a) Each school is encouraged to schedule the assessment early enough before the

329 kindergarten starting date so that a potential kindergarten student's parent has time to
330 develop the child's needed skills as identified by the assessment.

331 (b) Based on the assessment under Subsection (2), the school shall provide the potential
332 student's parent with[-] :

333 (i) appropriate resource materials to assist the parent at home in the student's literacy
334 development[-] ; and

335 (ii) information regarding the individualized reading plan process described in
336 Chapter 10, Part 8, Literacy Interventions.

337 Section 7. Section **53G-7-1304** is amended to read:

338 **53G-7-1304 (Effective 07/01/26). Program requirements -- LEA governing board**
339 **student success framework -- LEA distribution -- School allocation -- Reporting.**

340 (1)(a) To receive an LEA distribution, an LEA governing board shall:

341 (i) adopt an LEA governing board student success framework to provide guidelines
342 and processes for a school within the LEA governing board's LEA to follow in
343 developing a teacher and student success plan; and

344 (ii) submit the adopted LEA governing board student success framework to the state
345 board.

346 (b) An LEA governing board may include in the LEA governing board's student success
347 framework any means reasonably designed to improve school performance or student
348 academic achievement, including:

349 (i) school personnel stipends for taking on additional responsibility outside of a
350 typical work assignment;

351 (ii) professional learning;

352 (iii) additional school employees, including counselors, social workers, mental health
353 workers, tutors, media specialists, information technology specialists, or other
354 specialists;

355 (iv) technology;

356 (v) before- or after-school programs;

357 (vi) summer school programs;

358 (vii) community support programs or partnerships;

359 (viii) early childhood education;

360 (ix) class size reduction strategies;

361 (x) augmentation of existing programs;

362 (xi) the pilot program described in Section 53G-7-1307; or

- 363 (xii) other means.
- 364 (c) An LEA governing board student success framework may not support the use of
 365 program money:
- 366 (i) to supplant funding for existing public education programs;
- 367 (ii) for district administration costs; or
- 368 (iii) for capital expenditures.
- 369 (2)(a) [An] Subject to Subsection (2)(e), an LEA governing board shall use an LEA
 370 distribution as follows:
- 371 (i) for increases to base salary and salary driven benefits for school personnel that,
 372 except as provided in Subsection (2)(c)(i), total 25% or less of the LEA
 373 distribution; and
- 374 (ii) except as provided in Subsection (2)(b)(ii) and in accordance with Subsection (3),
 375 for each school within the LEA governing board's LEA, an allocation that is equal
 376 to the product of:
- 377 (A) the percentage of the school's prior year average daily membership compared
 378 to the total prior year average daily membership for all schools in the LEA; and
- 379 (B) the remaining amount of the LEA governing board's LEA distribution after
 380 subtracting the amounts described in Subsections (2)(a)(i) and (2)(b)(ii).
- 381 (b)(i) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
 382 the state board shall make rules for an LEA governing board to calculate and
 383 distribute a school allocation for a school in the school's first year of operation.
- 384 (ii) In accordance with Subsection (3) and the rules described in Subsection (2)(b)(i),
 385 an LEA governing board shall distribute a school allocation for a school in the
 386 school's first year of operation.
- 387 (c) Except as provided in Subsection (2)(d) or (2)(e), the LEA governing board of a
 388 school district may use up to 40% of an LEA distribution for the purposes described
 389 in Subsection (2)(a)(i), if:
- 390 (i) the LEA governing board has:
- 391 (A) approved a board local levy for the maximum amount allowed under Section
 392 53F-8-302; or
- 393 (B) after the LEA governing board has submitted an LEA governing board student
 394 success framework to the state board, increased the board local levy described
 395 in Section 53F-8-302 by at least .0001 per dollar of taxable value; and
- 396 (ii) the school district's average teacher salary is below the state average teacher

- 397 salary described in Subsection [~~(2)(f)~~] (2)(g).
- 398 (d) The LEA governing board of a school district in a county of the fourth, fifth, or sixth
 399 class or the LEA governing board of a charter school may use up to 40% of an LEA
 400 distribution for the purposes described in Subsection (2)(a)(i), if the LEA's average
 401 teacher salary is below the state average teacher salary described in Subsection [~~(2)(f)~~]
 402 (2)(g).
- 403 (e) The LEA governing board of an LEA with a school performing below the statewide
 404 goal described in Section 53E-3-1001 for third-grade reading shall ensure that the
 405 school's teacher and student success plan that the LEA governing board approves in
 406 accordance with Section 53G-7-1305 allocates at least 50% of the school's total
 407 distribution for:
- 408 (i) evidence-based strategies and practices for addressing low literacy rates in
 409 alignment with the science of reading; and
- 410 (ii) reading interventions in accordance with Chapter 10, Part 8, Literacy
 411 Interventions.
- 412 [~~(e)~~] (f) An LEA governing board shall annually report information as requested by the
 413 state board for the state board to calculate a state average teacher salary.
- 414 [~~(f)~~] (g) The state board shall use the information described in Subsection (2)(c)(ii) to
 415 calculate a state average teacher salary amount and a state average teacher benefit
 416 amount.
- 417 (3) An LEA governing board shall allocate a school allocation to a school with a teacher
 418 and student success plan that is approved as described in Section 53G-7-1305.
- 419 (4)(a) Except as provided in Subsection (4)(b), a school shall use a school allocation to
 420 implement the school's success plan.
- 421 (b) A school may use up to 5% of the school's school allocation to fund school personnel
 422 retention at the principal's discretion, not including uniform salary increases.
- 423 (c) A school may not use a school allocation for:
- 424 (i) capital expenditures; or
- 425 (ii) a purpose that is not supported by the LEA governing board student success
 426 framework for the school's LEA.
- 427 (5) A school that receives a school allocation shall annually:
- 428 (a) submit to the school's LEA governing board a description of:
- 429 (i) the budgeted and actual expenditures of the school's school allocation;
- 430 (ii) how the expenditures relate to the school's success plan; and

- 431 (iii) how the school measures the success of the school's participation in the program;
432 and
433 (b) post on the school's website:
434 (i) the school's approved success plan;
435 (ii) a description of the school's school allocation budgeted and actual expenditures
436 and how the expenditures help the school accomplish the school's success plan;
437 and
438 (iii) the school's current level of performance, as described in Section 53G-7-1306,
439 according to the indicators described in Section 53E-5-205 or 53E-5-206.

440 Section 8. Section **53G-7-1305** is amended to read:

441 **53G-7-1305 (Effective 07/01/26). Teacher and student success plans -- Plan**
442 **review and approval.**

443 (1)(a) The principal of a school shall develop the school's teacher and student success
444 plan:

- 445 (i) in accordance with the LEA governing board student success framework for the
446 school's LEA;
447 (ii) by integrating school-specific goals and criteria for improving the school's
448 performance within the state accountability system;~~and~~
449 (iii) if the school has a school turnaround plan as defined in Section 53E-5-301, in
450 accordance with the school's school turnaround plan~~[-]~~ ; and
451 if the school is performing below the statewide goal described in Section
452 53E-3-1001 for third-grade reading, in accordance with Subsection
453 53G-7-1304(2)(e).

454 (b) A principal shall solicit input on developing a success plan from:

- 455 (i) for a district school or charter school:
456 (A) the school community council, as defined in Section 53G-7-1202; or
457 (B) the charter trust land council, as described in Section 53G-7-1205;
458 (ii) school-level educators;
459 (iii) parents of students at the school; and
460 (iv) school-level administrators.

461 (c) A principal may solicit input on developing a success plan from:

- 462 (i) students;
463 (ii) support professionals; or
464 (iii) other community stakeholders.

- 465 (2)(a) The principal of a school shall submit a proposed success plan to the school's LEA
 466 governing board.
- 467 (b) An LEA governing board shall:
- 468 (i) annually review each success plan submitted for a school within the LEA
 469 governing board's LEA;
- 470 (ii) in a regularly scheduled LEA governing board meeting, approve or disapprove
 471 each submitted success plan; and
- 472 (iii) upon disapproval of a success plan:
- 473 (A) explain in writing the reason for disapproval;
- 474 (B) make recommendations for revision; and
- 475 (C) allow the principal who submitted the success plan to resubmit a revised plan
 476 for review and approval.
- 477 (3) An LEA governing board shall make the LEA governing board's best efforts to help a
 478 school complete the approval process described in Subsection (2) on or before June 30
 479 of each year.
- 480 (4) A council, as defined in Section 53G-7-1206, shall select a component of the approved
 481 success plan for the council's school to address within the council's School LAND Trust
 482 Program, in accordance with Section 53G-7-1206.

483 Section 9. Section **53G-10-801** is enacted to read:

484 **Part 8. Literacy Interventions**

485 **53G-10-801 (Effective 07/01/26). Definitions.**

486 As used in this part:

- 487 (1) "Above typical academic progress" means a score for the progress metric on the
 488 benchmark reading assessment that demonstrates the rate of a student's progress toward
 489 achieving grade-level benchmarks that is higher than typical academic progress.
- 490 (2) "Benchmark reading assessment" means the statewide benchmark assessment in reading
 491 described in Section 53E-4-307.
- 492 (3) "Individualized reading plan" means a plan described in Section 53G-10-802 that
 493 defines the reading interventions a student will receive in given intervention settings to
 494 remediate a reading deficiency that the benchmark reading assessment identifies.
- 495 (4)(a) "Intervention setting" means the setting in which a student receives a reading
 496 intervention.
- 497 (b) "Intervention setting" includes:
- 498 (i) a teacher leading an intervention during regular classroom work;

- 499 (ii) a paraprofessional leading an intervention;
500 (iii) an after-school or extended-day program;
501 (iv) a summer school program;
502 (v) an at-home activity; and
503 (vi) an online activity.
- 504 (5) "Literacy team" means the following group of individuals who unite to establish and
505 monitor the progress of an individualized reading plan for a student:
- 506 (a) the student's parents;
507 (b) at the discretion of the student's parents, the student;
508 (c) the student's teacher, including general and special education;
509 (d) for a student scoring well below benchmark on a benchmark reading assessment, a
510 representative of the LEA who is knowledgeable about available literacy resources
511 and who has the authority to commit literacy resources; and
512 (e) depending on the circumstances of the student and availability in the LEA, other
513 educators or support personnel, including a therapist, counselor, social worker,
514 translator, friend, or parent advocate.
- 515 (6)(a) "Reading intervention" means an evidence-based instructional strategy,
516 instructional methodology, technique, or resource that assists a student in becoming a
517 successful reader, able to read at or above grade level, and ready for promotion to the
518 next grade.
- 519 (b) "Reading intervention" includes:
- 520 (i) dyad reading in which two individuals, typically a skilled reader and a developing
521 reader, sit side-by-side and read the same text aloud together;
522 (ii) decoding text in which an individual translates printed letters and words into
523 speech through phonics;
524 (iii) a targeted literacy skill intervention resource that is aligned with the science of
525 reading;
526 (iv) a word list;
527 (v) phoneme and grapheme mapping;
528 (vi) handwriting practice;
529 (vii) reading protocols;
530 (viii) retelling;
531 (ix) vocabulary practice;
532 (x) retention in the student's current grade level; and

533 (xi) other strategies that are aligned with the science of reading to meet student needs
 534 in improving literacy.

535 (7) "Reading on grade level" means the same as that term is defined in Section 53E-3-1001.

536 (8) "Regional education service agency" means the same as that term is defined in Section
 537 53G-4-410.

538 (9) "Retention" means a reading intervention through which a student who does not meet a
 539 specific reading benchmark or satisfy a good cause exemption repeats the grade in the
 540 subsequent school year to provide the student with additional time and intensive,
 541 targeted reading intervention to remediate a learning deficiency before advancing to a
 542 grade for which the student is not prepared to succeed academically.

543 (10) "Science of reading" means an interdisciplinary body of scientific evidence that:

544 (a) informs how students learn to read and write proficiently;

545 (b) explains why some students have difficulty with reading and writing;

546 (c) indicates that all students benefit from explicit and systematic instruction in
 547 phonemic awareness, phonics, vocabulary, fluency, comprehension, and writing to
 548 become effective readers; and

549 (d) does not rely on any model of teaching students to read based on meaning, structure
 550 and syntax, and visual cues, including a three-cueing approach.

551 (11) "Three-cueing" means a model of teaching students to read based on visual memory
 552 and contextual deduction as the primary basis for teaching word recognition rather than
 553 more effective methods, including sounding out words or using a phonics-based
 554 approach.

555 Section 10. Section **53G-10-802** is enacted to read:

556 **53G-10-802 (Effective 07/01/26). Individualized reading plan.**

557 (1) For each student in kindergarten through grade 3 who scores below or well below grade
 558 level on a benchmark reading assessment, the LEA shall:

559 (a) provide to the student's parent, in writing or through the LEA's standard
 560 parent-communication portal:

561 (i) notification that the student has demonstrated a substantial deficiency in reading;

562 (ii) a description of the current services that the student receives;

563 (iii) a description of the process for establishing an individualized reading plan to
 564 identify reading interventions;

565 (iv) notification that retention, especially in earlier grades, can benefit the student's
 566 reading proficiency;

- 567 (v) notification that, if the student scores below benchmark on the benchmark reading
568 assessment at the end of third grade, the student is subject to retention under
569 Section 53G-10-803;
- 570 (vi) notification that the benchmark reading assessment is not the sole determinant of
571 promotion and that additional evaluations and assessments are available to parents
572 and the LEA to determine a student's reading proficiency and readiness for
573 promotion to the next grade level; and
- 574 (vii) a statement that connects the child's proficiency in reading to long-term
575 outcomes of success; and
- 576 (b) coordinate with the student's literacy team to establish an individualized reading plan
577 for:
- 578 (i) a student in kindergarten who scores well below benchmark on the mid-year or
579 end-of-year benchmark reading assessment;
- 580 (ii) a student in grade 1, 2, or 3 who scores below or well below benchmark on a
581 benchmark reading assessment;
- 582 (iii) a student whom an LEA promotes to grade 4 in accordance with Subsection
583 53G-10-803(2)(b)(ii) and has not scored at or above benchmark on a benchmark
584 reading assessment during grade 4; and
- 585 (iv) a student in kindergarten or grade 4:
- 586 (A) who does not score at or above benchmark on a benchmark reading
587 assessment;
- 588 (B) who is not a student described in Subsection (1)(b)(i) or (1)(b)(iii); and
- 589 (C) whose parent requests that the student receive an individualized reading plan.
- 590 (2)(a) The literacy team for a student described in Subsection (1)(b) shall:
- 591 (i) within 45 days after the day on which the LEA provides the first notice described
592 in Subsection (1)(a) during a given school year, meet and jointly establish an
593 individualized reading plan for the student that includes:
- 594 (A) identification of the student's specific reading deficiencies;
- 595 (B) a description of the reading interventions and intervention settings the LEA
596 will provide to the student to remediate the identified reading deficiencies in
597 accordance with Section 53G-10-803;
- 598 (C) opportunities for the student's parent to be involved in the reading
599 interventions the individualized reading plan identifies;
- 600 (D) a process for monitoring and communicating to the student's parent the extent

- 601 to which the student receives the reading interventions; and
- 602 (E) a statement that if the student does not score at or above benchmark on the
- 603 benchmark assessment, the student is subject to retention under Section
- 604 53G-10-803;
- 605 (ii) meet at least once annually while the student has an individualized reading plan;
- 606 and
- 607 (iii) meet at the request of the parent to review the student's individualized reading
- 608 plan and progress.
- 609 (b) After every benchmark reading assessment, the literacy team shall communicate to
- 610 review and, if necessary, modify the student's individualized reading plan.
- 611 (3) An LEA shall continue the provision of reading interventions in accordance with a
- 612 student's individualized reading plan described in Subsection (2)(a) until:
- 613 (a) the student scores at or above benchmark on the benchmark reading assessment for
- 614 the student's current grade level; or
- 615 (b) the literacy team jointly modifies the student's literacy plan.
- 616 (4) A teacher of a student with an individualized reading plan shall review the student's plan
- 617 and literacy progress with the student and the student's parent during each parent teacher
- 618 conference.
- 619 (5) An LEA shall assign a student with an individualized reading plan under this section to
- 620 a teacher who has completed or is in the process of completing formal training in the
- 621 science of reading.
- 622 (6) Each school and each LEA shall retain a student's individualized reading plan as part of
- 623 the student's permanent school record.

624 Section 11. Section **53G-10-803** is enacted to read:

625 **53G-10-803 (Effective 07/01/26). Scaled reading interventions.**

- 626 (1) In identifying reading interventions for a given student, the literacy team shall:
- 627 (a) ensure that identified reading interventions present the best approach for the student
- 628 to improve literacy given the student's specific circumstances through:
- 629 (i) alignment with the science of reading;
- 630 (ii) research-based reading strategies for which evidence demonstrates success in
- 631 improving reading among low-performing readers; and
- 632 (iii) targeting of the student's identified reading deficiencies;
- 633 (b) recommend a scaled intensity of reading interventions and intervention settings
- 634 based on:

- 635 (i) the student's historical and current performance on the benchmark assessment
636 relative to the benchmark for the student's grade level;
637 (ii) any reading interventions the student has received in a previous grade, including
638 previous retention; and
639 (iii) the student's performance in numeracy and other foundational abilities; and
640 (c) consider including the following recommended reading interventions for a student in
641 grades 1 through 3 who scores well below benchmark on the end-of-year benchmark
642 reading assessment, in addition to in-school reading interventions:
643 (i) screening for dyslexia, including providing information to a parent regarding
644 potential resources and options for screening; and
645 (ii) extended learning options, including after-school reading interventions and
646 summer literacy programs.
- 647 (2)(a) An LEA shall consider retention and discuss the value of early retention with the
648 student's parent for:
649 (i) a student in kindergarten who scores well below benchmark on the mid-year or
650 end-of-year benchmark reading assessment;
651 (ii) a student in grade 1 who:
652 (A) scores well below benchmark on the end-of-year benchmark reading
653 assessment; and
654 (B) has already had an individualized reading plan before the end-of-year
655 benchmark reading assessment and does not demonstrate above typical
656 academic progress on the benchmark reading assessment;
657 (iii) a student in grade 2 who scores well below benchmark on the end-of-year
658 benchmark reading assessment:
659 (A) began grade 2 below benchmark on the benchmark reading assessment; or
660 (B) has already had an individualized reading plan before the end-of-year
661 benchmark reading assessment and does not demonstrate above typical
662 academic progress on the benchmark reading assessment; and
663 (iv) before the 2029-2030 academic year, a student in grade 3 who does not score at
664 or above benchmark on the end-of-year benchmark reading assessment.
- 665 (b) Beginning with the end-of-year benchmark reading assessment in the 2029-2030
666 academic year, for a student in grade 3 who does not score at or above benchmark on
667 the end-of-year benchmark reading assessment, an LEA:
668 (i) except as provided in Subsection (2)(b)(ii), shall retain the student in grade 3; and

- 669 (ii) may promote the student to grade 4 if one of the following good cause
 670 exemptions applies:
- 671 (A) the student scores below benchmark, but not well below benchmark, on the
 672 benchmark reading assessment and makes typical academic progress on the
 673 benchmark reading assessment;
- 674 (B) the school provides intensive reading interventions during the summer
 675 between grade 3 and grade 4, and the student improves to at benchmark or
 676 above benchmark on a benchmark reading assessment that the school
 677 administers during the summer;
- 678 (C) the student is an English learner with limited English proficiency and fewer
 679 than three years of instruction in an English language learner program;
- 680 (D) the student has an IEP or Section 504 accommodation plan ←Ĥ→ **[that]**
 680a **and if the student's IEP or Section 504 accommodation plan** ←Ĥ→ indicates that
 681 participation in the benchmark reading assessment is not appropriate ←Ĥ→ **, if the**
 681a **student has received intensive reading interventions for two or more years, or if**
 681b **the student has been retained in any of kindergarten or grades 1 through 3** ←Ĥ→ ;
- 682 (E) the student demonstrates an acceptable level of reading proficiency on an
 683 alternative standardized assessment that the LEA superintendent approves or
 684 by making above typical academic progress for multiple years on the
 685 benchmark reading assessment;
- 686 (F) the student demonstrates through a student portfolio that the student is
 687 performing at an equivalent standard of proficiency based on other measures
 688 that the individualized reading plan determines;
- 689 (G) the student still demonstrates a reading deficiency after receiving intensive
 690 reading interventions for two or more years and after having been retained in
 691 any of kindergarten or grades 1 through 3; or
- 692 (H) the student moved to a school for or during grade 3 and had not previously
 693 received an individualized reading plan or received intensive reading
 694 interventions previously.
- 695 (c) An LEA shall provide a student described in Subsection (2)(b)(ii) intensive reading
 696 interventions during grade 4 through an individualized reading plan, which may
 697 include an extended instructional day.
- 698 (3)(a) Except as provided in Subsection (3)(b), a student's literacy team shall make the
 699 determination of whether a good cause exemption described in Subsection (2)(b)(ii)

- 700 applies.
- 701 (b) If members of a student's literacy team disagree as to whether a good cause
- 702 exemption described in Subsection (2)(b)(ii) applies, an individual whom the LEA's
- 703 superintendent designates shall make the determination of whether a good cause
- 704 exemption applies.
- 705 (4)(a) An LEA shall:
- 706 (i) establish a process for a parent to appeal the determination described in
- 707 Subsection (3) regarding a student's retention or promotion under Subsection (2) if:
- 708 (A) the determination process was erroneous; or
- 709 (B) there is new evidence that is relevant to the determination; and
- 710 (ii) designate an individual or a team within the LEA to review appeals under
- 711 Subsection (4)(a)(i), including an individual who has received formal training in
- 712 and has experience working in the science of reading.
- 713 (b) The state board shall create a model process for the appeals described in Subsection
- 714 (4)(a).

715 Section 12. Section **53G-10-804**, which is renumbered from Section 53E-3-1002 is renumbered
716 and amended to read:

717 **[53E-3-1002] 53G-10-804 (Effective 07/01/26). Literacy coaching -- Professional**
718 **learning.**

- 719 (1) Subject to legislative appropriations, ~~[the state board shall]~~ each regional education
720 service agency and each school district that is not within a regional education service
721 agency shall:
- 722 (a) provide, train, and assign literacy coaches [to schools with low literacy achievement
723 performance]to provide early literacy coaching to teachers in kindergarten through
724 grade 3, in accordance with this section[-] ;
- 725 (b) ensure the opportunity for formal professional learning in the science of reading for:
- 726 (i) teachers in kindergarten through grade 3; and
- 727 (ii) elementary school principals and vice principals; and
- 728 (c) ensure that a literacy coach or teacher who has received formal professional learning
729 in the science of reading provides training in science of reading concepts to
730 paraprofessionals who work in kindergarten through grade 3 within the regional
731 education service agency or school district.
- 732 (2) The state board shall make rules, in accordance with Title 63G, Chapter 3, Utah
733 Administrative Rulemaking Act, to:

- 734 ~~[(a) establish criteria to determine which schools qualify for early literacy coaching,~~
 735 ~~prioritizing coaching among:]~~
- 736 ~~[(i) schools that participate in partnerships that receive grants under Title 53F,~~
 737 ~~Chapter 5, Part 4, Partnerships for Student Success Grant Program; and]~~
- 738 ~~[(ii) schools that fall within the bottom 25% of all schools in literacy achievement~~
 739 ~~performance, as the state board further defines;]~~
- 740 ~~[(b)] (a) establish minimum qualifications for early literacy coach positions to ensure~~
 741 ~~adequate preparation with necessary expertise;~~
- 742 ~~[(e)] (b) define roles and responsibilities for a literacy coach, including:~~
- 743 (i) assisting educators in analyzing data to inform instructional adjustments;
- 744 (ii) engaging in instructional coaching cycles with educators to build capacity for
 745 improved classroom instructional practices;
- 746 (iii) using principles of adult learning to effectively partner with educators to
 747 integrate professional learning into classroom practice;
- 748 (iv) leveraging knowledge of the science of reading and evidence-based practices to
 749 support educators in maximizing student learning;
- 750 (v) partnering with a school's leader to support school-wide literacy goals to provide
 751 a team of support for educators to embed the state-wide goals into instructional
 752 plans and practice;
- 753 (vi) delivering consistent and frequent job-embedded professional learning;
- 754 (vii) participating actively in professional learning experiences to deepen knowledge
 755 and skills for coaching; and
- 756 (viii) designing and facilitating relevant and cohesive professional learning sessions
 757 to strengthen the implementation of these evidence-based practices with
 758 educators; and
- 759 ~~[(d)] (c) establish parameters for the relationship between a literacy coach and school or [~~
 760 ~~LEA] school district, including ensuring that coaches do not engage in activities or~~
 761 ~~duties unrelated to literacy coaching, including:~~
- 762 (i) serving as an evaluator, substitute teacher, clerical aid, recess or lunch aid,
 763 behavioral therapist, tester, guidance counselor, interventionist, program manager,
 764 or contest leader; or
- 765 (ii) any other assignment that frequently disrupts the coach's ability to support
 766 educators in improving instructional practice.
- 767 (3) ~~[The state board]~~ Each regional education service agency and each LEA that is not

- 768 within a regional education service agency shall[:]
 769 [(a)] ensure that at least one staff position [supervises] supports early literacy[=coaches
 770 statewide;] .
 771 [(b)] select the pool of candidates for literacy coaching positions and coordinate with
 772 LEAs regarding interviews, final selection, and placement; and]
 773 [(c)] annually review coaching placements and adjust placements as necessary, based on
 774 the school's literacy achievement performance and the criteria established under
 775 Subsection (2).]
 776 [(4)] The state board shall provide professional learning support in early literacy by:]
 777 [(a)] facilitating professional learning opportunities to support literacy coaches statewide
 778 that includes knowledge and skill development in adult learning practices,
 779 job-embedded coaching, and family engagement;]
 780 [(b)] providing professional learning regional consultants to:]
 781 [(i)] support LEAs and regional education service agencies in designing, facilitating,
 782 monitoring, and adjusting professional learning in early literacy that aligns with
 783 the professional learning standards described in Section 53G-11-303; and]
 784 [(ii)] serve a cohort of LEAs within a geographic region of the state; and]
 785 [(c)] providing statewide professional learning to support the use of collective efficacy,
 786 including the implementation of professional learning communities and school
 787 leadership teams through 2027.]

788 Section 13. Section **53G-10-805** is enacted to read:

789 **53G-10-805 (Effective 07/01/26). Performance monitoring.**

- 790 (1) The entities described in Subsection (2) shall annually monitor:
 791 (a) student performance within an LEA regarding the statewide goal described in
 792 Section 53E-3-1001 for third-grade reading; and
 793 (b) elementary school performance regarding literacy instruction, science of reading
 794 training, and the provision of reading interventions described in this part.
 795 (2) The following shall provide the monitoring described in Subsection (1):
 796 (a) for a school district, the local governing board;
 797 (b) for a charter school, the charter school's authorizer; and
 798 (c) for all public schools, the state board.

799 Section 14. Section **53G-10-806**, which is renumbered from Section 53G-10-306 is renumbered
 800 and amended to read:

801 **[53G-10-306] 53G-10-806 (Effective 07/01/26). Science of reading curriculum.**

- 802 (1) Each LEA shall adopt science of reading curriculum and intervention programs as
 803 advised by the science of reading panel described in Section 53E-3-1003 and in
 804 accordance with this part.
- 805 (2) An LEA may not include a three-cueing model in any curriculum or pedagogical
 806 practice except in relation to an individual student for whom an IEP or Section 504
 807 accommodation plan explicitly indicates that the three-cueing approach is appropriate
 808 for the student's learning needs.

809 Section 15. Section **53G-11-507** is amended to read:

810 **53G-11-507 (Effective 07/01/26) (Repealed 07/01/29). Components of educator**
 811 **evaluation program.**

- 812 (1) A local school board in consultation with a joint committee established in Section
 813 53G-11-506 shall adopt a reliable and valid educator and principal evaluation program
 814 that evaluates educators based on educator professional standards established by the
 815 state board and includes:
- 816 (a) a systematic annual evaluation of all provisional, probationary, and career educators;
 817 (b) use of multiple lines of evidence, including:
- 818 (i) self-evaluation;
 819 (ii) student and parent input;
 820 (iii) for an administrator, employee input;
 821 (iv) a reasonable number of supervisor observations to ensure adequate reliability;
 822 (v) evidence of professional growth and other indicators of instructional
 823 improvement based on educator professional standards established by the state
 824 board;~~and]~~
- 825 (vi) for a teacher in kindergarten through grade 3, fluency in and implementation of
 826 the science of reading, as that term is defined in Section 53G-10-306;
 827 (vii) for a principal of a school that includes kindergarten through grade 3, effective
 828 implementation of the science of reading, as that term is defined in Section
 829 53G-10-306, within the school; and
- 830 [(v+)] (viii) student academic growth data, including, in kindergarten through grade 3,
 831 student performance and academic progress on the benchmark reading assessment
 832 described in Section 53E-4-307;
- 833 (c) a summative evaluation that differentiates among levels of performance; and
 834 (d) for an administrator, the effectiveness of evaluating employee performance in a
 835 school or school district for which the administrator has responsibility.

836 (2)(a) An educator evaluation program described in Subsection (1) may include a
837 reasonable number of peer observations.

838 (b) An educator evaluation program described in Subsection (1) may not use
839 end-of-level assessment scores in educator evaluation.

840 Section 16. **Effective Date.**

841 This bill takes effect on July 1, 2026.