R277. Education, Administration.

R277-406. Early Learning Program and Assessments.

R277-406-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law;

(c) Section 53E-4-307, which requires the Board to approve a benchmark assessment for statewide use to assess the reading competency of students in grades one, two, and three; and

(d) Section 53G-7-203, which requires the Board to establish rules regarding the administration of and reporting regarding the kindergarten assessment.

(2) The purpose of this rule is to:

(a) provide definitions and designate assessments required in Sections 53E-4-307 and 53E-4-307.5;

(b) provide testing reporting windows, and timelines; and

(c) require LEAs to submit student reading assessment data to the Board; and

(d) designate the kindergarten assessment and establish timelines and requirements for administration and reporting kindergarten assessment results and enrollment.

R277-406-2. Definitions.

(1)(a) "Benchmark reading assessment" means the Acadience Reading assessment.

(b) The "benchmark reading assessment:"

(i) is given three times each year;

(ii) gives teachers information to:

(A) plan appropriate instruction; and

(B) evaluate the effects of instruction; and

(iii) provides data about student preparation for success on an end of year criterion referenced test.

(2)(a) "Benchmark mathematics assessment" means a standardized assessment as defined in Section 53E-4-307.5 that measures early math skills and predicts academic achievement based on computation and problem-solving for kindergarten through grade 3;

(b) The benchmark mathematics assessment:

(i) is given three times each year;

(ii) gives teachers information to:

(A) plan appropriate instruction; and

(B) evaluate the effects of instruction; and

(iii) provides data about student preparation for success on an end of year criterion referenced test.

(3) "Evidence-based" means a strategy that has demonstrated a statistically significant effect on improving student outcomes.

(4) "Parental notification requirements" means notice by any reasonable means, including electronic notice, notice by telephone, written notice, or personal notice.

(5) "Reading on Grade Level" or "ROGL" means a third grade student is scoring at or above benchmark and meets or exceeds 330 on the end of year benchmark reading assessment to achieve the strenuous statewide goal of 80 percent third grade-level proficiency as required by Section 53E-3-1001.

(6) "Scoring above benchmark" means that a student will likely need effective core instruction to meet subsequent learning goals and may benefit from instruction on more advanced skills.

(7) "Scoring at benchmark" means a student will likely need effective core instruction to meet subsequent early literacy or reading benchmarks. Some students may require monitoring and strategic support on specific component skills as needed.

(8) "Scoring below or well below benchmark" means that a student:

(a) performs below or well below the benchmark score on the benchmark reading or benchmark mathematics assessment; and

(b) requires additional instruction beyond that provided to typically-developing peers to close the gap between the student's current level of achievement and that expected of all students in that grade.

(9) "Remediation interventions" means reading or mathematics instruction or activities, or both, given to students in addition to their regular instruction, during another time in the school day, outside regular instructional time, or in the summer, which is focused on specific needs as identified by reliable and valid assessments.

(10) "Utah eTranscript and Record Exchange" or "UTREx" means the same as that term is defined in Section R277-404-2.

R277-406-3. Incorporation by Reference of Science of Reading Resources.

(1) This rule incorporates by reference the Science of Reading Elementary English Language Arts Curriculum Checklist, as of June 2025; and

(2) A copy of this document is located at:

(a) the Utah State Board of Education website; and

(b) the offices of the Utah State Board of Education.

R277-406-4. Benchmark Reading and Mathematics Assessments.

(1) Subject to legislative appropriations, and except as provided in Subsection (2), an LEA shall administer the benchmark reading assessment:

(a) annually:

(i) in kindergarten, grade 1, grade 2, and grade 3; and

(b) within the following testing windows:

(i) the first benchmark between the first day of school and September 30;

(ii) the second benchmark between December 1 and January 31; and

(iii) the third benchmark between April 15 and June 15.

(2) An LEA shall annually report benchmark reading assessment results to the Superintendent by:

(a) October 30;

(b) February 28; and

(c) June 30.

(3) If the benchmark reading assessment indicates a student is scoring below or well below benchmark the LEA shall implement the parental notification requirements and evidence-based reading remediation interventions described in Section 53E-4-307;

(4) An LEA shall report benchmark reading assessment results annually to parents of students in kindergarten, grade 1, grade 2, and grade 3 by:

(a) October 30;

(b) February 28; and

(c) June 30.

(5) An LEA shall annually submit to UTREx the following information from the benchmark reading assessment:

(a) whether or not each student received remediation intervention; and

(b) UTREx Special Codes related to the benchmark reading assessment.

R277-406-5. Early Literacy Reporting -- LEA and Superintendent Requirements - Timelines.

(1) An LEA shall submit:

(a) an assurance that:

(i) the LEA has adopted high quality instructional materials and intervention programs aligned with the effective research regarding the science of reading as outlined in Section 53G-10-806; and

(ii) the LEA's reading strategies meet the criteria outlined in Section 53G-11-303;

(b) the reading curriculum currently adopted by the LEA; and

(c) other required materials within established deadlines.

(2) An LEA shall submit its report to the Superintendent before September 1 for approval.

(3) For school year 26-27, if an LEA chooses to administer a benchmark mathematics assessment, access to the manual entry license through the statewide contract will be provided through dedicated USBE funds.

R277-406-6. Accountability and Reporting.

(1) The Superintendent shall use the information provided by an LEA described in Section R277-406-4 to determine the progress of each student in kindergarten through Grade 3 within the following categories:

(i) well-above typical;

(ii) above typical;

(iii) typical;

(iv) below typical; or

(v) well below typical.

(2) The Superintendent shall report the percentage of students reading on grade level in Grade 3 annually.

R277-406-7. Kindergarten Enrollment Reporting.

(1) An LEA shall submit student membership information daily to the Superintendent using the appropriate kindergarten code through UTREx.

(2) The Superintendent shall review October 1 and June 15 kindergarten membership information annually to inform LEA funding allocations.

KEY: reading, improvement, goals
Date of Last Change: October 8, 2026
Notice of Continuation: January 13, 2022
Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53E-3-521; 53E-4-307; 53E-4-307.5; 53G-7-203