

EDUCATION ASSESSMENT AND ACCOUNTABILITY**AMENDMENTS**

2017 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill amends and enacts provisions related to assessments and accountability in the public education system.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ repeals outdated references to the Utah Performance Assessment System for Students or "U-PASS";
- ▶ amends provisions related to the administration of statewide assessments;
- ▶ enacts provisions related to a high school assessment;
- ▶ repeals and reenacts provisions related to:
 - State Board of Education (board) duties related to assessments; and
 - standards assessments;
- ▶ amends other provisions related to assessments;
- ▶ requires the board to establish a school accountability system;
- ▶ enacts provisions related to the school accountability system, including provisions related to:
 - the indicators used to determine a school's rating under the school accountability system;
 - required rulemaking by the board;
 - a required report on proposed rules for the school accountability system by the board to the Education Interim Committee; and
 - other required reports;
- ▶ amends provisions in the School Turnaround and Leadership Development Act;
- ▶ repeals and reenacts provisions related to youth suicide prevention training for

32 technical purposes; and
33 ▶ makes technical and conforming changes.

34 **Money Appropriated in this Bill:**

35 None

36 **Other Special Clauses:**

37 This bill provides a special effective date.

38 **Utah Code Sections Affected:**

39 AMENDS:

- 40 **53A-1-402.6**, as last amended by Laws of Utah 2015, Chapter 415
- 41 **53A-1-413**, as last amended by Laws of Utah 2016, Chapter 144
- 42 **53A-1-601**, as last amended by Laws of Utah 2000, Chapter 219
- 43 **53A-1-602**, as last amended by Laws of Utah 2015, Chapters 222 and 415
- 44 **53A-1-603.5**, as enacted by Laws of Utah 2006, Chapter 147
- 45 **53A-1-605**, as last amended by Laws of Utah 2015, Chapter 222
- 46 **53A-1-607**, as last amended by Laws of Utah 2009, Chapter 299
- 47 **53A-1-608**, as enacted by Laws of Utah 1990, Chapter 267
- 48 **53A-1-610**, as enacted by Laws of Utah 1990, Chapter 267
- 49 **53A-1-611**, as last amended by Laws of Utah 2016, Chapter 203
- 50 **53A-1-613**, as enacted by Laws of Utah 2013, Chapter 161
- 51 **53A-1-708**, as last amended by Laws of Utah 2016, Chapters 144 and 221
- 52 **53A-1-1202**, as last amended by Laws of Utah 2016, Chapter 241
- 53 **53A-1-1203**, as last amended by Laws of Utah 2016, Chapter 241
- 54 **53A-1-1206**, as last amended by Laws of Utah 2016, Chapter 241
- 55 **53A-1-1207**, as last amended by Laws of Utah 2016, Chapter 241
- 56 **53A-1-1209**, as last amended by Laws of Utah 2016, Chapter 331
- 57 **53A-1a-106**, as last amended by Laws of Utah 2012, Chapter 315
- 58 **53A-1a-504**, as last amended by Laws of Utah 2016, Chapter 213
- 59 **53A-1a-510**, as last amended by Laws of Utah 2015, Chapter 449
- 60 **53A-17a-166**, as enacted by Laws of Utah 2011, Chapter 359
- 61 **53A-25b-304**, as last amended by Laws of Utah 2012, Chapter 291
- 62 **63A-3-402**, as last amended by Laws of Utah 2015, Chapters 215, 226, and 283

63 **63I-2-253**, as last amended by Laws of Utah 2016, Chapters 128, 229, 236, 271, and

64 318

65 ENACTS:

66 **53A-1-611.5**, Utah Code Annotated 1953

67 **53A-1-1601**, Utah Code Annotated 1953

68 **53A-1-1602**, Utah Code Annotated 1953

69 **53A-1-1603**, Utah Code Annotated 1953

70 **53A-1-1604**, Utah Code Annotated 1953

71 **53A-1-1605**, Utah Code Annotated 1953

72 **53A-1-1606**, Utah Code Annotated 1953

73 **53A-1-1607**, Utah Code Annotated 1953

74 **53A-1-1608**, Utah Code Annotated 1953

75 **53A-15-1303**, Utah Code Annotated 1953

76 REPEALS AND REENACTS:

77 **53A-1-603**, as last amended by Laws of Utah 2016, Chapters 203 and 221

78 **53A-1-604**, as last amended by Laws of Utah 2013, Chapter 161

79 REPEALS:

80 **53A-1-1101**, as enacted by Laws of Utah 2011, Chapter 417

81 **53A-1-1102**, as last amended by Laws of Utah 2015, Chapter 452

82 **53A-1-1103**, as last amended by Laws of Utah 2015, Chapter 415

83 **53A-1-1104**, as last amended by Laws of Utah 2015, Chapters 258 and 452

84 **53A-1-1105**, as last amended by Laws of Utah 2013, Chapter 478 and last amended by

85 Coordination Clause, Laws of Utah 2013, Chapter 478

86 **53A-1-1106**, as last amended by Laws of Utah 2013, Chapter 478

87 **53A-1-1107**, as last amended by Laws of Utah 2014, Chapter 403

88 **53A-1-1108**, as last amended by Laws of Utah 2014, Chapter 403

89 **53A-1-1109**, as enacted by Laws of Utah 2011, Chapter 417

90 **53A-1-1110**, as last amended by Laws of Utah 2016, Chapter 349

91 **53A-1-1111**, as enacted by Laws of Utah 2011, Chapter 417

92 **53A-1-1112**, as last amended by Laws of Utah 2013, Chapter 478

- 93 **53A-1-1113**, as enacted by Laws of Utah 2011, Chapter 417
94 **53A-3-601**, as last amended by Laws of Utah 2000, Chapter 219
95 **53A-3-602.5**, as last amended by Laws of Utah 2015, Chapter 415
96 **53A-3-603**, as last amended by Laws of Utah 2016, Chapter 144
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97
98 *Be it enacted by the Legislature of the state of Utah:*

99 Section 1. Section **53A-1-402.6** is amended to read:

100 **53A-1-402.6. Core standards for Utah public schools.**

101 (1) (a) In establishing minimum standards related to curriculum and instruction
102 requirements under Section 53A-1-402, the State Board of Education shall, in consultation
103 with local school boards, school superintendents, teachers, employers, and parents implement
104 core standards for Utah public schools that will enable students to, among other objectives:

- 105 (i) communicate effectively, both verbally and through written communication;
106 (ii) apply mathematics; and
107 (iii) access, analyze, and apply information.

108 (b) Except as provided in this title, the State Board of Education may recommend but
109 may not require a local school board or charter school governing board to use:

- 110 (i) a particular curriculum or instructional material; or
111 (ii) a model curriculum or instructional material.

112 (2) The ~~[board]~~ State Board of Education shall, in establishing the core standards for
113 Utah public schools:

114 (a) identify the basic knowledge, skills, and competencies each student is expected to
115 acquire or master as the student advances through the public education system; and

116 (b) align with each other the core standards for Utah public schools and ~~[tests~~
117 ~~administered under the Utah Performance Assessment System for Students (U-PASS) with~~
118 ~~each other.]~~ the assessments described in Section 53A-1-604.

119 (3) The basic knowledge, skills, and competencies identified pursuant to Subsection
120 (2)(a) shall increase in depth and complexity from year to year and focus on consistent and
121 continual progress within and between grade levels and courses in the basic academic areas of:

- 122 (a) English, including explicit phonics, spelling, grammar, reading, writing,
123 vocabulary, speech, and listening; and

- 124 (b) mathematics, including basic computational skills.
- 125 (4) Before adopting core standards for Utah public schools, the State Board of
126 Education shall:
- 127 (a) publicize draft core standards for Utah public schools on the State Board of
128 Education's website and the Utah Public Notice website created under Section 63F-1-701;
- 129 (b) invite public comment on the draft core standards for Utah public schools for a
130 period of not less than 90 days; and
- 131 (c) conduct three public hearings that are held in different regions of the state on the
132 draft core standards for Utah public schools.
- 133 (5) Local school boards shall design their school programs, that are supported by
134 generally accepted scientific standards of evidence, to focus on the core standards for Utah
135 public schools with the expectation that each program will enhance or help achieve mastery of
136 the core standards for Utah public schools.
- 137 (6) Except as provided in Section 53A-13-101, each school may select instructional
138 materials and methods of teaching, that are supported by generally accepted scientific standards
139 of evidence, that [it] the school considers most appropriate to meet the core standards for Utah
140 public schools.
- 141 (7) The state may exit any agreement, contract, memorandum of understanding, or
142 consortium that cedes control of the core standards for Utah public schools to any other entity,
143 including a federal agency or consortium, for any reason, including:
- 144 (a) the cost of developing or implementing the core standards for Utah public schools;
- 145 (b) the proposed core standards for Utah public schools are inconsistent with
146 community values; or
- 147 (c) the agreement, contract, memorandum of understanding, or consortium:
- 148 (i) was entered into in violation of Part 9, Implementing Federal or National Education
149 Programs Act, or Title 63J, Chapter 5, Federal Funds Procedures Act;
- 150 (ii) conflicts with Utah law;
- 151 (iii) requires Utah student data to be included in a national or multi-state database;
- 152 (iv) requires records of teacher performance to be included in a national or multi-state
153 database; or
- 154 (v) imposes curriculum, assessment, or data tracking requirements on home school or

155 private school students.

156 (8) The State Board of Education shall annually report to the Education Interim
157 Committee on the development and implementation of the core standards for Utah public
158 schools, including the time line established for the review of the core standards for Utah public
159 schools by a standards review committee and the recommendations of a standards review
160 committee established under Section 53A-1-402.8.

161 Section 2. Section **53A-1-413** is amended to read:

162 **53A-1-413. Student Achievement Backpack -- Utah Student Record Store.**

163 (1) As used in this section:

164 (a) "Authorized LEA user" means a teacher or other person who is:

165 (i) employed by an LEA that provides instruction to a student; and

166 (ii) authorized to access data in a Student Achievement Backpack through the Utah
167 Student Record Store.

168 (b) "LEA" means a school district, charter school, or the Utah Schools for the Deaf and
169 the Blind.

170 (c) "Statewide assessment" means the same as that term is defined in Section
171 53A-1-602.

172 [~~(c)~~] (d) "Student Achievement Backpack" means, for a student from kindergarten
173 through grade 12, a complete learner profile that:

174 (i) is in electronic format;

175 (ii) follows the student from grade to grade and school to school; and

176 (iii) is accessible by the student's parent or guardian or an authorized LEA user.

177 [~~(d) "U-PASS" means the Utah Performance Assessment System for Students~~
178 ~~established in Part 6, Achievement Tests.~~]

179 (e) "Utah Student Record Store" means a repository of student data collected from
180 LEAs as part of the state's longitudinal data system that is:

181 (i) managed by the State Board of Education;

182 (ii) cloud-based; and

183 (iii) accessible via a web browser to authorized LEA users.

184 (2) (a) The State Board of Education shall use the State Board of Education's robust,
185 comprehensive data collection system, which collects longitudinal student transcript data from

186 LEAs and the unique student identifiers as described in Section 53A-1-603.5, to allow the
187 following to access a student's Student Achievement Backpack:

188 (i) the student's parent or guardian; and

189 (ii) each LEA that provides instruction to the student.

190 (b) The State Board of Education shall ensure that a Student Achievement Backpack:

191 (i) provides a uniform, transparent reporting mechanism for individual student
192 progress;

193 (ii) provides a complete learner history for postsecondary planning;

194 (iii) provides a teacher with visibility into a student's complete learner profile to better
195 inform instruction and personalize education;

196 (iv) assists a teacher or administrator in diagnosing a student's learning needs through
197 the use of data already collected by the State Board of Education;

198 (v) facilitates a student's parent or guardian taking an active role in the student's
199 education by simplifying access to the student's complete learner profile; and

200 (vi) serves as additional disaster mitigation for LEAs by using a cloud-based data
201 storage and collection system.

202 (3) Using existing information collected and stored in the State Board of Education's
203 data warehouse, the State Board of Education shall create the Utah Student Record Store where
204 an authorized LEA user may:

205 (a) access data in a Student Achievement Backpack relevant to the user's LEA or
206 school; or

207 (b) request student records to be transferred from one LEA to another.

208 (4) The State Board of Education shall implement security measures to ensure that:

209 (a) student data stored or transmitted to or from the Utah Student Record Store is
210 secure and confidential pursuant to the requirements of the Family Educational Rights and
211 Privacy Act, 20 U.S.C. Sec. 1232g; and

212 (b) an authorized LEA user may only access student data that is relevant to the user's
213 LEA or school.

214 (5) A student's parent or guardian may request the student's Student Achievement
215 Backpack from the LEA or the school in which the student is enrolled.

216 (6) ~~[No later than June 30, 2014, an]~~ An authorized LEA user shall be able to access

217 student data in a Student Achievement Backpack, which shall include the following data, or
 218 request the data be transferred from one LEA to another:

219 (a) student demographics;

220 (b) course grades;

221 (c) course history; and

222 (d) results ~~[for an]~~ of a statewide assessment [administered under U-PASS].

223 (7) ~~[No later than June 30, 2015, an]~~ An authorized LEA user shall be able to access

224 student data in a Student Achievement Backpack, which shall include the data listed in

225 Subsections (6)(a) through (d) and the following data, or request the data be transferred from
 226 one LEA to another:

227 (a) section attendance;

228 (b) the name of a student's teacher for classes or courses the student takes;

229 (c) teacher qualifications for a student's teacher, including years of experience, degree,
 230 license, and endorsement;

231 (d) results of ~~[formative, interim, and summative computer adaptive assessments~~

232 ~~administered pursuant to Section 53A-1-603]~~ statewide assessments;

233 ~~[(e) detailed data demonstrating a student's mastery of the core standards for Utah~~

234 ~~public schools and objectives as measured by computer adaptive assessments administered~~

235 ~~pursuant to Section 53A-1-603;]~~

236 ~~[(f)]~~ (e) a student's writing sample written for ~~[an online]~~ a writing assessment

237 administered pursuant to Section ~~[53A-1-603]~~ 53A-1-604;

238 ~~[(g)]~~ (f) student growth scores ~~[for U-PASS tests]~~ on a statewide assessment, as

239 applicable;

240 ~~[(h)]~~ (g) a school's grade assigned pursuant to Part 11, School Grading Act;

241 ~~[(i)]~~ (h) results of benchmark assessments of reading administered pursuant to Section

242 53A-1-606.6; and

243 ~~[(j)]~~ (i) a student's reading level at the end of grade 3.

244 (8) No later than June 30, 2017, the State Board of Education shall ensure that data

245 collected in the Utah Student Record Store for a Student Achievement Backpack ~~[shall be]~~ is

246 integrated into each LEA's student information system and shall be made available to a

247 student's parent or guardian and an authorized LEA user in an easily accessible viewing format.

248 Section 3. Section **53A-1-601** is amended to read:

249 **Part 6. Achievement Assessments**

250 **53A-1-601. Legislative intent.**

251 (1) It is the intent of the Legislature in enacting this part to determine the effectiveness
252 of school districts and schools in assisting students to master the fundamental educational skills
253 ~~[towards]~~ toward which instruction is directed.

254 (2) (a) ~~[The Utah Performance Assessment System for Students enacted under this~~
255 ~~part] A statewide assessment~~ shall provide the public, the Legislature, the ~~[State Board of~~
256 ~~Education]~~ board, school districts, public schools, and school teachers evaluative information
257 regarding the various levels of proficiency achieved by students, so that they may have an
258 additional tool to plan, measure, and evaluate the effectiveness of programs in the public
259 schools.

260 (b) The information may also be used to recognize excellence and to identify the need
261 for additional resources or to reallocate educational resources in a manner to ~~[assure]~~ ensure
262 educational opportunities for all students and to improve existing programs.

263 Section 4. Section **53A-1-602** is amended to read:

264 **53A-1-602. Definitions.**

265 As used in this part:

266 ~~[(1) "Basic academic subject" means a subject that requires mastery of specific~~
267 ~~functions, as defined under rules made by the State Board of Education, to include reading,~~
268 ~~language arts, mathematics, science in grades 4 through 12, and effectiveness of written~~
269 ~~expression.]~~

270 (1) "Board" means the State Board of Education.

271 (2) "Core standards for Utah public schools" means the standards ~~[developed and~~
272 ~~adopted by the State Board of Education that define the knowledge and skills students should~~
273 ~~have in kindergarten through grade 12 to enable students to be prepared for college or~~
274 ~~workforce training.]~~ established by the board as described in Section 53A-1-402.6.

275 (3) "Individualized education program" or "IEP" means a written statement for a
276 student with a disability that is developed, reviewed, and revised in accordance with the
277 Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.

278 ~~[(4) "Utah Performance Assessment System for Students" or "U-PASS" means:]~~

279 ~~[(a) as determined by the State Board of Education, criterion-referenced achievement~~
 280 ~~testing or online computer adaptive testing of students in grades 3 through 12 in basic academic~~
 281 ~~subjects;]~~

282 ~~[(b) an online writing assessment in grades 5 and 8;]~~

283 (4) "Statewide assessment" means one or more of the following, as applicable:

284 (a) a standards assessment described in Section 53A-1-604;

285 (b) a high school assessment described in Section 53A-1-611.5;

286 (c) a college readiness [assessments as detailed] assessment described in Section
 287 53A-1-611; [and] or

288 (d) [testing] an assessment of students in grade 3 to measure reading grade level
 289 described in Section 53A-1-606.6.

290 Section 5. Section **53A-1-603** is repealed and reenacted to read:

291 **53A-1-603. Statewide assessments -- Duties of State Board of Education.**

292 (1) The board shall:

293 (a) require the state superintendent of public instruction to:

294 (i) submit and recommend statewide assessments to the board for adoption by the
 295 board; and

296 (ii) distribute the statewide assessments adopted by the board to a school district or
 297 charter school;

298 (b) provide for the state to participate in the National Assessment of Educational
 299 Progress state-by-state comparison testing program; and

300 (c) require a district school or charter school to administer statewide assessments.

301 (2) The board may use the expert services of any person in the public or private sector
 302 in:

303 (a) evaluating current assessments and assessment programs; or

304 (b) developing and publishing new assessments.

305 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
 306 board shall make rules for the administration of statewide assessments.

307 (4) The board shall ensure that statewide assessments are administered in compliance
 308 with the requirements of Part 14, Student Data Protection Act, and Chapter 13, Part 3, Utah
 309 Family Educational Rights and Privacy Act.

310 Section 6. Section **53A-1-603.5** is amended to read:

311 **53A-1-603.5. Unique student identifier -- Coordination of higher education and**
312 **public education information technology systems.**

313 (1) As used in this section, "unique student identifier" means an alphanumeric code
314 assigned to each public education student for identification purposes, which:

315 (a) is not assigned to any former or current student; and

316 (b) does not incorporate personal information, including a birth date or Social Security
317 number.

318 (2) The [~~State Board of Education~~] board, through the superintendent of public
319 instruction, shall assign each public education student a unique student identifier, which shall
320 be used to track individual student performance on achievement tests administered under this
321 part.

322 (3) The [~~State Board of Education~~] board and the State Board of Regents shall
323 coordinate public education and higher education information technology systems to allow
324 individual student academic achievement to be tracked through both education systems in
325 accordance with this section and Section 53B-1-109.

326 (4) The [~~State Board of Education~~] board and State Board of Regents shall coordinate
327 access to the unique student identifier of a public education student who later attends an
328 institution within the state system of higher education.

329 Section 7. Section **53A-1-604** is repealed and reenacted to read:

330 **53A-1-604. Utah standards assessments -- Administration -- Review committee.**

331 (1) As used in this section, "computer adaptive assessment" means an assessment that
332 measures the range of a student's ability by adapting to the student's responses, selecting more
333 difficult or less difficult questions based on the student's responses.

334 (2) The board shall:

335 (a) adopt a standards assessment that:

336 (i) measures a student's proficiency in:

337 (A) mathematics for students in each of grades 3 through 8;

338 (B) English language arts for students in each of grades 3 through 8;

339 (C) science for students in each of grades 4 through 8; and

340 (D) writing for students in at least grades 5 and 8; and

- 341 (ii) except for the writing measurement described in Subsection (2)(a)(i)(D), is a
342 computer adaptive assessment; and
- 343 (b) ensure that an assessment described in Subsection (2)(a) is:
344 (i) a criterion referenced assessment;
345 (ii) administered online; and
346 (iii) aligned with the core standards for Utah public schools.
- 347 (3) A school district or charter school shall annually administer the standards
348 assessment adopted by the board under Subsection (2) to all students in the subjects and grade
349 levels described in Subsection (2).
- 350 (4) A student's score on the standards assessment adopted under Subsection (2) may
351 not be considered in determining:
352 (a) the student's academic grade for the appropriate course; or
353 (b) whether the student may advance to the next grade level.
- 354 (5) (a) The board shall establish a committee consisting of 15 parents of Utah public
355 education students to review all standards assessment questions.
- 356 (b) The committee established in Subsection (5)(a) shall include the following parent
357 members:
358 (i) five members appointed by the chair of the board;
359 (ii) five members appointed by the speaker of the House of Representatives or the
360 speaker's designee; and
361 (iii) five members appointed by the president of the Senate or the president's designee.
- 362 (c) The board shall provide staff support to the parent committee.
363 (d) The term of office of each member appointed in Subsection (5)(b) is four years.
364 (e) The chair of the board, the speaker of the House of Representatives, and the
365 president of the Senate shall adjust the length of terms to stagger the terms of committee
366 members so that approximately half of the committee members are appointed every two years.
- 367 (f) No member may receive compensation or benefits for the member's service on the
368 committee.

369 Section 8. Section **53A-1-605** is amended to read:

370 **53A-1-605. Analysis of results -- Staff professional development.**

371 (1) The [~~State Board of Education~~] board, through the state superintendent of public

372 instruction, shall develop ~~[a plan]~~ an online data reporting tool to analyze the results of ~~[the~~
 373 ~~U-PASS scores for all grade levels and courses required under Section 53A-1-603.]~~ statewide
 374 assessments.

375 (2) The ~~[plan]~~ online data reporting tool shall include components designed to:

376 (a) assist school districts and individual schools to use the results of the analysis in
 377 planning, evaluating, and enhancing programs; ~~[and]~~

378 (b) identify schools not achieving state-established acceptable levels of student
 379 performance in order to assist those schools in raising ~~[their]~~ student performance levels~~[-(3)-~~
 380 ~~The plan shall include provisions]; and~~

381 (c) provide for statistical reporting of ~~[criterion-referenced or online computer adaptive~~
 382 ~~test]~~ statewide assessment results at state, school district, school, and grade or course levels,
 383 and shall include actual levels of performance on ~~[tests]~~ statewide assessments.

384 ~~[(4) Each]~~ (3) A local school board ~~[and]~~ or charter school governing board shall
 385 provide for:

386 (a) evaluation of the ~~[U-PASS test]~~ statewide assessment results and use of the
 387 evaluations in setting goals and establishing programs; and

388 (b) a professional development program that provides teachers, principals, and other
 389 professional staff with the training required to successfully establish and maintain ~~[U-PASS]~~
 390 statewide assessments.

391 Section 9. Section **53A-1-607** is amended to read:

392 **53A-1-607. Scoring -- Reports of results.**

393 (1) ~~[Each]~~ For a statewide assessment that requires the use of a student answer sheet, a
 394 local school board ~~[and]~~ or charter school governing board shall submit all answer sheets ~~[for~~
 395 ~~the achievement tests administered under U-PASS]~~ on a per-school and per-class basis to the
 396 state superintendent of public instruction for scoring unless the ~~[test]~~ assessment requires
 397 scoring by a national testing service.

398 (2) The district, school, and class results of the ~~[U-PASS testing program]~~ statewide
 399 assessments, but not the score or relative position of individual students, shall be reported to
 400 each local school board or charter school governing board annually at a regularly scheduled
 401 meeting.

402 (3) ~~[Each local board and]~~ A local school board or charter school governing board:

403 (a) shall make copies of the report available to the general public upon request~~[-(4)~~
404 ~~The board~~]; and

405 (b) may charge a fee for the copying costs.

406 ~~[(5) The State Board of Education]~~

407 (4) (a) The board shall annually provide to school districts and charter schools a
408 comprehensive report for each of ~~[their]~~ the school district's and charter school's students
409 showing the student's ~~[U-PASS test]~~ statewide assessment results for each year the student took
410 a ~~[U-PASS test. School districts and charter schools]~~ statewide assessment.

411 (b) A school district or charter school shall give a copy of the comprehensive report to
412 the student's parents and make the report available to school staff, as appropriate.

413 Section 10. Section **53A-1-608** is amended to read:

414 **53A-1-608. Preparation for tests.**

415 (1) School district employees may not carry on any specific instruction or preparation
416 of students which would be a breach of testing ethics, such as the teaching of specific test
417 questions.

418 (2) School district employees who administer the test shall follow the standardization
419 procedures in the ~~[publisher's]~~ test administration manual for an assessment and any additional
420 specific instructions developed by the ~~[State Board of Education]~~ board.

421 (3) The ~~[State Board of Education]~~ board may revoke the certification of an individual
422 who violates this section.

423 Section 11. Section **53A-1-610** is amended to read:

424 **53A-1-610. Grade specification replacement.**

425 (1) The ~~[State Board of Education]~~ board may replace the grade specification for the
426 administration of specific tests under this part with a specification of age or time elapsed since
427 the student entered school if the replacement specification is more consistent with patterns of
428 school organization.

429 (2) ~~[The]~~ (a) If the board replaces a grade specification described in Subsection (1),
430 the board shall submit a report to the Legislature explaining the reasons for replacing the grade
431 specification.

432 (b) The board shall submit the report at least six months prior to the anticipated
433 change.

434 Section 12. Section **53A-1-611** is amended to read:

435 **53A-1-611. College readiness assessments.**

436 (1) The Legislature recognizes the need for the [~~State Board of Education~~] board to
 437 develop and implement standards and assessment processes to ensure that student progress is
 438 measured and that school boards and school personnel are accountable.

439 [~~(2) In addition to its responsibilities under Sections 53A-1-603 through 53A-1-605,~~
 440 ~~the State Board of Education shall:]~~

441 [~~(a) adopt college readiness assessments for secondary students; and]~~

442 [~~(b) require a school district or charter school to administer the college readiness~~
 443 ~~assessments adopted by the State Board of Education.]~~

444 [~~(3) A college readiness assessment adopted by the State Board of Education:]~~

445 [~~(a) shall include the college admissions test that includes an assessment of language~~
 446 ~~arts, mathematics, and science that is]~~

447 (2) The board shall adopt a college readiness assessment for secondary students that:

448 (a) is the college readiness assessment most commonly submitted to local universities;

449 and

450 (b) may include:

451 (i) the Armed Services Vocational Aptitude Battery; [~~and~~] or

452 (ii) a battery of assessments that are predictive of success in higher education.

453 [~~(4)~~] (3) (a) Except as provided in Subsection [(4)(b), the State Board of Education
 454 shall require] (3)(b), a school district or charter school [to] shall annually administer [a test] the
 455 college readiness assessment adopted under Subsection [(3)(a)] (2) to all students in grade 11.

456 (b) A student with an IEP may take an appropriate college readiness assessment other
 457 than [~~a test] the assessment~~ adopted by the [~~State Board of Education~~] board under Subsection
 458 [~~(3)(a)] (2)~~, as determined by the student's IEP.

459 Section 13. Section **53A-1-611.5** is enacted to read:

460 **53A-1-611.5. High school assessments.**

461 (1) The board shall adopt a high school assessment that:

462 (a) is predictive of a student's college readiness as measured by the college readiness
 463 assessment described in Section 53A-1-611; and

464 (b) provides a growth score for a student from grade 9 to 10.

465 (2) A school district or charter school shall annually administer the high school
 466 assessment adopted by the board under Subsection (1) to all students in grades 9 and 10.

467 Section 14. Section **53A-1-613** is amended to read:

468 **53A-1-613. Online test preparation program.**

469 (1) The [~~State Board of Education~~] board shall contract with a provider, selected
 470 through a request for proposals process, to provide an online [~~program to prepare students to~~
 471 ~~take the college admissions test that includes an assessment of language arts, mathematics, and~~
 472 ~~science~~] college readiness diagnostic tool that is aligned with the college readiness assessment
 473 that is most commonly submitted to local universities.

474 (2) An online test preparation program described in Subsection (1):

475 (a) (i) shall allow a student to independently access online materials and learn at the
 476 student's own pace; and

477 (ii) may be used to provide classroom and teacher-assisted instruction;

478 (b) shall provide online study materials, diagnostic exams, drills, and practice tests in
 479 an approach that is engaging to high school students;

480 (c) shall enable electronic reporting of student progress to administrators, teachers,
 481 parents, and other facilitators;

482 (d) shall record a student's progress in an online dashboard that provides diagnostic
 483 assessment of the content areas tested and identifies mastery of corresponding skill sets; and

484 (e) shall provide training and professional development to personnel in school districts
 485 and charter schools on how to utilize the online test preparation program and provide
 486 teacher-assisted instruction to students.

487 [~~(3) To be eligible to administer a college admissions test provided by the State Board~~
 488 ~~of Education from funds appropriated for college readiness assessments, a school district or~~
 489 ~~charter school shall:]~~

490 [~~(a) promote the use of the online test preparation program; and]~~

491 [~~(b) inform parents and students of the availability of, and how to access and use, the~~
 492 ~~online test preparation program. (4) The State Board of Education,]~~

493 (3) The board, school districts, and charter schools shall make the online test
 494 preparation program available to a student:

495 (a) beginning in the 2013-14 school year; and

496 (b) for at least one full year ~~[, except a student in grade 11 in the 2013-14 school year~~
 497 ~~shall have access to the online test preparation program as soon as the program can be made~~
 498 ~~operational].~~

499 Section 15. Section **53A-1-708** is amended to read:

500 **53A-1-708. Grants for online delivery of statewide assessments.**

501 (1) As used in this section:

502 (a) "Adaptive tests" means tests administered during the school year using an online
 503 adaptive test system.

504 (b) "Core standards for Utah public schools" means the standards [~~developed and~~
 505 ~~adopted by the State Board of Education that define the knowledge and skills students should~~
 506 ~~have in kindergarten through grade 12 to enable students to be prepared for college or~~
 507 ~~workforce training.] established by the State Board of Education as described in Section
 508 53A-1-402.6.~~

509 (c) "Statewide assessment" means the same as that term is defined in Section
 510 53A-1-602.

511 [~~(c)~~] (d) "Summative tests" means tests administered near the end of a course to assess
 512 overall achievement of course goals.

513 [~~(d)~~] (e) "Uniform online summative test system" means a single system for the online
 514 delivery of summative tests required [~~under U-PASS~~] as statewide assessments that:

- 515 (i) is coordinated by the State Board of Education;
- 516 (ii) ensures the reliability and security of [~~U-PASS tests~~] statewide assessments; and
- 517 (iii) is selected through collaboration between the State Board of Education and school
 518 district representatives with expertise in technology, assessment, and administration.

519 [~~(e)~~] ~~"U-PASS" means the Utah Performance Assessment System for Students.;~~

520 (2) The State Board of Education may award grants to school districts and charter
 521 schools to implement [~~one or both of the following~~]:

522 (a) a uniform online summative test system to enable [~~parents of students and~~] school
 523 staff and parents of students to review [~~U-PASS test~~] statewide assessment scores by the end of
 524 the school year; or

525 (b) an online adaptive test system to enable parents of students and school staff to
 526 measure and monitor a student's academic progress during a school year.

527 (3) (a) Grant money may be used to pay for any of the following, provided it is directly
528 related to implementing a uniform online summative test system, an online adaptive test
529 system, or both:

530 (i) computer equipment and peripherals, including electronic data capture devices
531 designed for electronic test administration and scoring;

532 (ii) software;

533 (iii) networking equipment;

534 (iv) upgrades of existing equipment or software;

535 (v) upgrades of existing physical plant facilities;

536 (vi) personnel to provide technical support or coordination and management; and

537 (vii) teacher professional development.

538 (b) Equipment purchased in compliance with Subsection (3)(a), when not in use for the
539 online delivery of summative tests or adaptive tests required ~~[under U-PASS]~~ as statewide
540 assessments, may be used for other purposes.

541 (4) ~~[The]~~ In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
542 Act, the State Board of Education shall make rules:

543 (a) establishing procedures for applying for and awarding grants;

544 (b) specifying how grant money ~~[shall be]~~ is allocated among school districts and
545 charter schools;

546 (c) requiring reporting of grant money expenditures and evidence showing that the
547 grant money has been used to implement a uniform online summative test system, an online
548 adaptive test system, or both;

549 (d) establishing technology standards for an online adaptive testing system;

550 (e) requiring a school district or charter school that receives a grant under this section
551 to implement, in compliance with ~~[Chapter 1,]~~ Part 14, Student Data Protection Act, and
552 Chapter 13, Part 3, Utah Family Educational Rights and Privacy Act, an online adaptive test
553 system by the 2014-15 school year that:

554 (i) meets the technology standards established under Subsection (4)(d); and

555 (ii) is aligned with the core standards for Utah public schools;

556 (f) requiring a school district or charter school to provide matching funds to implement
557 a uniform online summative test system, an online adaptive test system, or both in an amount

558 that is greater than or equal to the amount of a grant received under this section; and

559 (g) ensuring that student identifiable data is not released to any person, except as
560 provided by [~~Chapter 1,~~] Part 14, Student Data Protection Act, Section 53A-13-301, and rules
561 of the State Board of Education adopted under that section.

562 (5) If a school district or charter school uses grant money for purposes other than those
563 stated in Subsection (3), the school district or charter school is liable for reimbursing the State
564 Board of Education in the amount of the grant money improperly used.

565 (6) A school district or charter school may not use federal funds to provide the
566 matching funds required to receive a grant under this section.

567 (7) A school district may not impose a tax rate above the certified tax rate for the
568 purpose of generating revenue to provide matching funds for a grant under this section.

569 Section 16. Section **53A-1-1202** is amended to read:

570 **53A-1-1202. Definitions.**

571 As used in this part:

572 (1) "Board" means the State Board of Education.

573 (2) "Charter school authorizer" means the same as that term is defined in Section
574 53A-1a-501.3.

575 (3) "District school" means a public school under the control of a local school board
576 elected under Title 20A, Chapter 14, Nomination and Election of State and Local School
577 Boards.

578 (4) "Educator" means the same as that term is defined in Section 53A-6-103.

579 (5) "Final remedial year" means the second school year following the initial remedial
580 year.

581 (6) "Initial remedial year" means the school year a district school or charter school is
582 designated as a low performing school under Section 53A-1-1203.

583 (7) "Low performing school" means a district school or charter school that has been
584 designated as a low performing school by the board [~~because the school is: (a) in the lowest~~
585 ~~performing 3% of schools statewide according to the percentage of possible points earned~~
586 ~~under the school grading system; and (b) a low performing school according to other~~
587 ~~outcome-based measures as may be defined in rules made by the board in accordance with Title~~
588 ~~63G, Chapter 3, Utah Administrative Rulemaking Act.] in accordance with Section~~

589 53A-1-1203.

590 (8) "School accountability system" means the system established by the board in
591 accordance with Part 16, School Accountability System.

592 ~~[(8)]~~ (9) "School grade" or "grade" means the letter grade assigned to a school as the
593 school's overall rating under the school [grading] accountability system.

594 ~~[(9) "School grading system" means the system established under Part 11, School~~
595 ~~Grading Act, of assigning letter grades to schools.]~~

596 ~~[(10) "Statewide assessment" means a test of student achievement in basic academic~~
597 ~~subjects, including a test administered in a computer adaptive format that is administered~~
598 ~~statewide under Part 6, Achievement Tests.]~~

599 Section 17. Section **53A-1-1203** is amended to read:

600 **53A-1-1203. State Board of Education to designate low performing schools.**

601 ~~[(1)]~~ (1) Except as provided in Subsection (2), on or before September 1, the board
602 shall annually designate a school as a low performing school if the school is:

603 ~~[(1)]~~ (a) in the lowest performing 3% of schools statewide according to the [percentage
604 of possible points earned] school's performance under the school [grading] accountability
605 system; and

606 ~~[(2)]~~ (b) a low performing school according to other outcome-based measures as may
607 be defined in rules made by the board in accordance with Title 63G, Chapter 3, Utah
608 Administrative Rulemaking Act.

609 (2) The board is not required to designate as a low performing school a school for
610 which an academic growth indicator has been excluded under the school accountability system
611 in accordance with Section 53A-1-1605.

612 Section 18. Section **53A-1-1206** is amended to read:

613 **53A-1-1206. State Board of Education to identify independent school turnaround**
614 **experts -- Review and approval of school turnaround plans -- Appeals process.**

615 (1) On or before August 30, the board shall identify at least two ~~[or more]~~ approved
616 independent school turnaround experts, through a request for proposals process, that a low
617 performing school may select from to partner with to:

618 (a) collect and analyze data on the low performing school's student achievement,
619 personnel, culture, curriculum, assessments, instructional practices, governance, leadership,

620 finances, and policies;

621 (b) recommend changes [~~to the low performing school's culture, curriculum,~~
622 ~~assessments, instructional practices, governance, finances, policies, or other areas~~] based on
623 data collected under Subsection (1)(a);

624 (c) develop and implement, in partnership with the school turnaround committee, a
625 school turnaround plan that meets the criteria described in Subsection 53A-1-1204(3);

626 (d) monitor the effectiveness of a school turnaround plan through reliable means of
627 evaluation, including on-site visits, observations, surveys, analysis of student achievement data,
628 and interviews;

629 (e) provide ongoing implementation support and project management for a school
630 turnaround plan;

631 (f) provide high-quality professional development personalized for school staff that is
632 designed to build the:

633 (i) leadership capacity of the school principal; and

634 (ii) instructional capacity of school staff; and

635 (g) leverage support from community partners to coordinate an efficient delivery of
636 supports to students both inside and outside the classroom.

637 (2) In identifying independent school turnaround experts under Subsection (1), the
638 board shall identify experts that:

639 (a) have a credible track record of improving student academic achievement in public
640 schools with various demographic characteristics, as measured by statewide assessments
641 described in Section 53A-1-602;

642 (b) have experience designing, implementing, and evaluating data-driven instructional
643 systems in public schools;

644 (c) have experience coaching public school administrators and teachers on designing
645 data-driven school improvement plans;

646 (d) have experience working with the various education entities that govern public
647 schools;

648 (e) have experience delivering high-quality professional development in instructional
649 effectiveness to public school administrators and teachers;

650 (f) are willing to be compensated for professional services based on performance as

651 described in Subsection (3); and

652 (g) are willing to partner with any low performing school in the state, regardless of
653 location.

654 (3) (a) When awarding a contract to an independent school turnaround expert selected
655 by a local school board under Subsection 53A-1-1204(2) or by a charter school governing
656 board under Subsection 53A-1-1205(4)(b), the board shall ensure that a contract between the
657 board and the independent school turnaround expert specifies that the board will:

658 (i) pay an independent school turnaround expert no more than 50% of the expert's
659 professional fees at the beginning of the independent school turnaround expert's work for the
660 low performing school; and

661 (ii) pay the remainder of the independent school turnaround expert's professional fees
662 upon completion of the independent school turnaround expert's work for the low performing
663 school if:

664 (A) the independent school turnaround expert fulfills the terms of the contract; and

665 (B) the low performing school's grade improves by at least one letter grade, as
666 determined by the board under Subsection (3)(b).

667 (b) The board shall determine whether a low performing school's grade has improved
668 under Subsection (3)(a)(ii) by comparing the school's letter grade for the school year prior to
669 the initial remedial year to the school's letter grade:

670 (i) for the final remedial year; or

671 (ii) for the last school year of the extension period if, as described in Section
672 53A-1-1207:

673 (A) a school is granted an extension; and

674 (B) the board extends the contract of the school's independent school turnaround
675 expert.

676 (c) In negotiating a contract with an independent school turnaround expert, the board
677 shall offer:

678 (i) differentiated amounts of funding based on student enrollment; and

679 (ii) a higher amount of funding for schools that are in the lowest performing 1% of
680 schools statewide according to ~~[the percentage of possible points earned]~~ school performance
681 under the school ~~[grading]~~ accountability system.

- 682 (4) The board shall:
- 683 (a) review a school turnaround plan submitted for approval under Subsection
- 684 53A-1-1204(5)(b) or under Subsection 53A-1-1205(7)(b) within 30 days of submission;
- 685 (b) approve a school turnaround plan that:
- 686 (i) is timely;
- 687 (ii) is well-developed; and
- 688 (iii) meets the criteria described in Subsection 53A-1-1204(3); and
- 689 (c) subject to legislative appropriations, provide funding to a low performing school for
- 690 interventions identified in an approved school turnaround plan if the local school board or
- 691 charter school governing board provides matching funds or an in-kind contribution of goods or
- 692 services in an amount equal to the funding the low performing school would receive from the
- 693 board.
- 694 (5) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
- 695 the board shall make rules to establish an appeals process for:
- 696 (i) a low performing district school that is not granted approval from the district
- 697 school's local school board under Subsection 53A-1-1204(5)(b);
- 698 (ii) a low performing charter school that is not granted approval from the charter
- 699 school's charter school governing board under Subsection 53A-1-1205(7)(b); and
- 700 (iii) a local school board or charter school governing board that is not granted approval
- 701 from the board under Subsection (4)(b).
- 702 (b) The board shall ensure that rules made under Subsection (5)(a) require an appeals
- 703 process described in:
- 704 (i) Subsections (5)(a)(i) and (ii) to be resolved on or before April 1 of the initial
- 705 remedial year; and
- 706 (ii) Subsection (5)(a)(iii) to be resolved on or before May 15 of the initial remedial
- 707 year.
- 708 (6) (a) Subject to Subsection (6)(b), the board shall balance the need to prioritize
- 709 funding appropriated by the Legislature to carry out the provisions of this part to contract with
- 710 highly qualified independent school turnaround experts with the need to fund:
- 711 (i) interventions to facilitate the implementation of a school turnaround plan under
- 712 Subsection (4)(c);

713 (ii) the School Recognition and Reward Program created under Section 53A-1-1208;
714 and

715 (iii) the School Leadership Development Program created under Section 53A-1-1209.

716 (b) The board may use up to 4% of the funds appropriated by the Legislature to carry
717 out the provisions of this part for administration if the amount for administration is approved
718 by the board in an open meeting.

719 Section 19. Section **53A-1-1207** is amended to read:

720 **53A-1-1207. Consequences for failing to improve the school grade of a low**
721 **performing school.**

722 (1) As used in this section, "high performing charter school" means a charter school
723 that:

724 (a) satisfies all requirements of state law and board rules;

725 (b) meets or exceeds standards for student achievement established by the charter
726 school's charter school authorizer; and

727 (c) has received at least a "B" grade under the school [~~grading~~] accountability system in
728 the previous two school years.

729 (2) (a) A low performing school may petition the board for an extension to continue
730 school improvement efforts for up to two years if the low performing school's grade does not
731 improve by at least one letter grade, as determined by comparing the school's letter grade for
732 the school year prior to the initial remedial year to the school's letter grade for the final
733 remedial year.

734 (b) The board may only grant an extension under Subsection (2)(a) if the low
735 performing school has [~~increased the number of points awarded~~] a statistically significant
736 improvement in the school's performance under the school [~~grading~~] accountability system [~~by~~
737 ~~at least~~].

738 [~~(i) 25% for a school that is not a high school; and~~]

739 [~~(ii) 10% for a high school.~~]

740 [~~(c) The board shall determine whether a low performing school has increased the~~
741 ~~number of points awarded under the school grading system by the percentages described in~~
742 ~~Subsection (2)(b) by comparing the number of points awarded for the school year prior to the~~
743 ~~initial remedial year to the number of points awarded for the final remedial year.]~~

744 ~~[(d)]~~ (c) The board may extend the contract of an independent school turnaround expert
745 of a low performing school that is granted an extension under this Subsection (2).

746 ~~[(e)]~~ (d) A school that has been granted an extension under this Subsection (2) is
747 eligible for:

748 (i) continued funding under Subsection 53A-1-1206(4)(c); and

749 (ii) the School Recognition and Reward Program under Section 53A-1-1208.

750 (3) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
751 board shall make rules establishing consequences for a low performing school that:

752 (a) (i) does not improve the school's grade by at least one letter grade, as determined by
753 comparing the school's letter grade for the school year prior to the initial remedial year to the
754 school's letter grade for the final remedial year; and

755 (ii) is not granted an extension under Subsection (2); or

756 (b) (i) is granted an extension under Subsection (2); and

757 (ii) does not improve the school's grade by at least one letter grade, as determined by
758 comparing the school's letter grade for the school year prior to the initial remedial year to the
759 school's letter grade for the last school year of the extension period.

760 (4) The board shall ensure that the rules established under Subsection (3) include a
761 mechanism for:

762 (a) restructuring a district school that may include:

763 (i) contract management;

764 (ii) conversion to a charter school; or

765 (iii) state takeover; and

766 (b) restructuring a charter school that may include:

767 (i) termination of a school's charter;

768 (ii) closure of a charter school; or

769 (iii) transferring operation and control of the charter school to:

770 (A) a high performing charter school; or

771 (B) the school district in which the charter school is located.

772 Section 20. Section **53A-1-1209** is amended to read:

773 **53A-1-1209. School Leadership Development Program.**

774 (1) As used in this section, "school leader" means a school principal or assistant

775 principal.

776 (2) There is created the School Leadership Development Program to increase the
777 number of highly effective school leaders capable of:

778 (a) initiating, achieving, and sustaining school improvement efforts; and

779 (b) forming and sustaining community partnerships as described in Section 53A-4-303.

780 (3) The board shall identify one or more providers, through a request for proposals
781 process, to develop or provide leadership development training for school leaders that:

782 (a) may provide in-depth training in proven strategies to turn around low performing
783 schools;

784 (b) may emphasize hands-on and job-embedded learning;

785 (c) aligns with the state's leadership standards established by board rule;

786 (d) reflects the needs of a school district or charter school where a school leader serves;

787 (e) may include training on using student achievement data to drive decisions;

788 (f) may develop skills in implementing and evaluating evidence-based instructional
789 practices;

790 (g) may develop skills in leading collaborative school improvement structures,
791 including professional learning communities; and

792 (h) includes instruction on forming and sustaining community partnerships as
793 described in Section 53A-4-303.

794 (4) Subject to legislative appropriations, the State Board of Education shall provide
795 incentive pay to a school leader who:

796 (a) completes leadership development training under this section; and

797 (b) agrees to work, for at least five years, in a school that received an "F" grade or "D"
798 grade under the school ~~[grading]~~ accountability system in the school year previous to the first
799 year the school leader:

800 (i) completes leadership development training; and

801 (ii) begins to work, or continues to work, in a school described in this Subsection

802 (4)(b).

803 (5) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
804 board shall make rules specifying:

805 (a) eligibility criteria for a school leader to participate in the School Leadership

806 Development Program;

807 (b) application procedures for the School Leadership Development Program;

808 (c) criteria for selecting school leaders from the application pool; and

809 (d) procedures for awarding incentive pay under Subsection (4).

810 Section 21. Section **53A-1-1601** is enacted to read:

811 **Part 16. School Accountability System**

812 **53A-1-1601. Title.**

813 This part is known as "School Accountability System."

814 Section 22. Section **53A-1-1602** is enacted to read:

815 **53A-1-1602. Definitions.**

816 As used in this part:

817 (1) "Board" means the State Board of Education.

818 (2) "Statewide assessment" means one or more of the following, as applicable:

819 (a) a standards assessment described in Section 53A-1-604;

820 (b) a high school assessment described in Section 53A-1-611.5;

821 (c) a college readiness assessment described in Section 53A-1-611; or

822 (d) an alternate assessment administered to a student with a disability.

823 Section 23. Section **53A-1-1603** is enacted to read:

824 **53A-1-1603. School accountability system effective school year.**

825 (1) (a) The school grading system described in Part 11, School Grading Act, is in effect
826 for the 2016-2017 school year.

827 (b) The board:

828 (i) shall calculate a school's grade for the 2016-2017 school year in accordance with
829 Part 11, School Grading Act; and

830 (ii) may not calculate a school's grade for the 2017-2018 school year or a school year
831 thereafter in accordance with Part 11, School Grading Act.

832 (2) The school accountability system described in this part is effective for the
833 2017-2018 school year and a school year thereafter.

834 Section 24. Section **53A-1-1604** is enacted to read:

835 **53A-1-1604. Board to establish school accountability system -- Reporting.**

836 (1) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
837 board shall make rules to establish a school accountability system in accordance with this part.

838 (2) Before filing the rules described in Subsection (1) with the Office of Administrative
839 Rules created in Section 63G-3-401, the board shall present the proposed rules to the Education
840 Interim Committee during or before the Education Interim Committee's July 2017 meeting.

841 Section 25. Section **53A-1-1605** is enacted to read:

842 **53A-1-1605. Indicators -- Rating schools.**

843 (1) The board shall ensure that the school accountability system established under this
844 part includes an indicator for each of the following:

845 (a) academic achievement as measured by performance on a statewide assessment of
846 language arts, mathematics, and science;

847 (b) except as provided in Subsection (3)(a), academic growth as measured by progress
848 on a statewide assessment of language arts, mathematics, and science;

849 (c) college and career readiness of students as measured by at least the following, as
850 applicable to a grade level:

851 (i) performance on a college readiness assessment described in Section 53A-1-611;

852 (ii) high school graduation;

853 (iii) performance in advanced courses and secondary core courses, as determined by the
854 board; and

855 (iv) grade 1 through 3 literacy; and

856 (d) equitable educational opportunity as measured by:

857 (i) student access to resources and conditions that influence student learning outcomes;

858 (ii) student, parent, or community engagement in schooling; or

859 (iii) the success of students who are at risk of academic failure.

860 (2) The board may include other indicators in addition to the indicators described in
861 Subsection (1).

862 (3) (a) Subject to Subsection (3)(b), the board may exclude the academic growth
863 indicator described in Subsection (1)(b) for a school year in which the board determines it is
864 necessary to establish a new baseline to calculate growth due to:

865 (i) a transition to a new assessment; or

866 (ii) a qualifying event, as determined by the board.

867 (b) The board may only exclude an academic growth indicator for a school for which
868 an academic growth indicator is unavailable due to a transition to a new assessment or
869 qualifying event described in Subsection (3)(a).

870 (4) (a) Using the accountability system established under this part, except as provided
871 in Subsection (4)(b), the board shall annually assign:

872 (i) an overall rating to a school using an A through F letter grading scale; and

873 (ii) a rating for each of the indicators described in Subsections (1) and (2) using an A
874 through F letter grading scale.

875 (b) For a school for which an academic growth indicator has been excluded in
876 accordance with Subsection (3), the board is not required to assign:

877 (i) an overall rating described in Subsection (4)(a)(i); or

878 (ii) a rating for an academic growth indicator in accordance with Subsection (4)(a)(ii).

879 Section 26. Section **53A-1-1606** is enacted to read:

880 **53A-1-1606. Methodology for determining a school's rating -- Metrics and weights**

881 **-- Formula for calculating growth.**

882 (1) The board shall use an evidence-based methodology for determining a school's
883 ratings described in Section 53A-1-1605 by establishing the:

884 (a) metrics that are used to assess performance on an indicator described in Section
885 53A-1-1605; and

886 (b) relative weight assigned to:

887 (i) an indicator described in Section 53A-1-1605; and

888 (ii) within an indicator that has more than one metric described in Subsection (1)(a), a
889 metric.

890 (2) In establishing a metric to assess performance on the academic growth indicator
891 described in Subsection 53A-1-1605(1)(b), the board shall establish a formula for a growth
892 target for a student's performance on a statewide assessment that enables an individual to
893 know, at the beginning of a school year, the growth a student would need to achieve to reach
894 the student's growth target by the end of the school year.

895 Section 27. Section **53A-1-1607** is enacted to read:

896 **53A-1-1607. Schools included in the school accountability system.**

897 (1) The board shall include all public schools in the state in the school accountability

898 system established under this part.

899 (2) The board may use different metrics and weights, described in Section 53A-1-1606,

900 to appropriately assess the educational impact of:

901 (a) a school that serves a special student population;

902 (b) a newly opened school; or

903 (c) a small school in which the total number of students tested is fewer than the

904 minimum number of students necessary for statistical reporting purposes.

905 Section 28. Section **53A-1-1608** is enacted to read:

906 **53A-1-1608. Reporting.**

907 (1) The board shall annually publish on the board's website a report card for each

908 school that includes:

909 (a) the school's overall rating described in Subsection 53A-1-1605(4)(a)(i);

910 (b) the school's ratings for each of the indicators described in Subsection

911 53A-1-1605(4)(a)(ii);

912 (c) the methodology for determining a school's rating described in Section

913 53A-1-1606; and

914 (d) (i) the percentage of students who participated in statewide assessments; and

915 (ii) the percentage of non-proficient students, as determined by prior year statewide

916 assessment scores, who participated in statewide assessments.

917 (2) (a) The board shall develop an individualized student achievement report that

918 includes:

919 (i) information on a student's level of proficiency as measured by a statewide

920 assessment; and

921 (ii) a comparison of a student's expected learning growth and actual learning growth as

922 measured by a statewide assessment.

923 (b) The board shall make the individualized student achievement report described in

924 Subsection (2)(a) available for a school district or charter school to access electronically, in

925 accordance with the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g.

926 (c) A school district or charter school shall distribute an individualized student

927 achievement report to the parent or guardian of each student.

928 Section 29. Section **53A-1a-106** is amended to read:

929 **53A-1a-106. School district and individual school powers -- Student**
930 **education/occupation plan (SEOP) definition.**

931 (1) In order to acquire and develop the characteristics listed in Section 53A-1a-104,
932 each school district and each public school within its respective district shall implement a
933 comprehensive system of accountability in which students advance through public schools by
934 demonstrating competency in [~~required skills and mastery of required knowledge~~] the core
935 standards for Utah public schools through the use of diverse assessment instruments such as
936 authentic [~~and criterion referenced tests~~] assessments, projects, and portfolios.

937 (2) (a) Each school district and public school shall:

938 (i) develop and implement programs integrating technology into the curriculum,
939 instruction, and student assessment;

940 (ii) provide for teacher and parent involvement in policymaking at the school site;

941 (iii) implement a public school choice program to give parents, students, and teachers
942 greater flexibility in designing and choosing among programs with different focuses through
943 schools within the same district and other districts, subject to space availability, demographics,
944 and legal and performance criteria;

945 (iv) establish strategic planning at both the district and school level and site-based
946 decision making programs at the school level;

947 (v) provide opportunities for each student to acquire and develop academic and
948 occupational knowledge, skills, and abilities;

949 (vi) participate in ongoing research and development projects primarily at the school
950 level aimed at improving the quality of education within the system; and

951 (vii) involve business and industry in the education process through the establishment
952 of partnerships with the business community at the district and school level.

953 (b) (i) As used in this title, "student education/occupation plan" or "SEOP" means a
954 plan developed by a student and the student's parent or guardian, in consultation with school
955 counselors, teachers, and administrators that:

956 (A) is initiated at the beginning of grade 7;

957 (B) identifies a student's skills and objectives;

958 (C) maps out a strategy to guide a student's course selection; and

959 (D) links a student to post-secondary options, including higher education and careers.

960 (ii) Each local school board, in consultation with school personnel, parents, and school
961 community councils or similar entities shall establish policies to provide for the effective
962 implementation of a personalized student education plan (SEP) or student
963 education/occupation plan (SEOP) for each student at the school site.

964 (iii) The policies shall include guidelines and expectations for:

965 (A) recognizing the student's accomplishments, strengths, and progress [~~towards~~]
966 toward meeting student achievement standards as defined in [~~U-PASS~~] the core standards for
967 Utah public schools;

968 (B) planning, monitoring, and managing education and career development; and

969 (C) involving students, parents, and school personnel in preparing and implementing
970 SEPs and SEOPs.

971 (iv) A parent may request conferences with school personnel in addition to SEP or
972 SEOP conferences established by local school board policy.

973 (v) Time spent during the school day to implement SEPs and SEOPs is considered part
974 of the school term referred to in Subsection 53A-17a-103(4).

975 (3) A school district or public school may submit proposals to modify or waive rules or
976 policies of a supervisory authority within the public education system in order to acquire or
977 develop the characteristics listed in Section 53A-1a-104.

978 (4) (a) Each school district and public school shall make an annual report to its patrons
979 on its activities under this section.

980 (b) The reporting process shall involve participation from teachers, parents, and the
981 community at large in determining how well the district or school is performing.

982 Section 30. Section **53A-1a-504** is amended to read:

983 **53A-1a-504. Charter school application -- Applicants -- Contents.**

984 (1) (a) An application to establish a charter school may be submitted by:

985 (i) an individual;

986 (ii) a group of individuals; or

987 (iii) a nonprofit legal entity organized under Utah law.

988 (b) An authorized charter school may apply under this chapter for a charter from
989 another charter school authorizer.

990 (2) A charter school application shall include:

- 991 (a) the purpose and mission of the school;
- 992 (b) except for a charter school authorized by a local school board, a statement that,
993 after entering into a charter agreement, the charter school will be organized and managed under
994 Title 16, Chapter 6a, Utah Revised Nonprofit Corporation Act;
- 995 (c) a description of the governance structure of the school, including:
- 996 (i) a list of the governing board members that describes the qualifications of each
997 member; and
- 998 (ii) an assurance that the applicant shall, within 30 days of authorization, provide the
999 authorizer with the results of a background check for each member;
- 1000 (d) a description of the target population of the school that includes:
- 1001 (i) the projected maximum number of students the school proposes to enroll;
- 1002 (ii) the projected school enrollment for each of the first three years of school operation;
- 1003 and
- 1004 (iii) the ages or grade levels the school proposes to serve;
- 1005 (e) academic goals;
- 1006 (f) qualifications and policies for school employees, including policies that:
- 1007 (i) comply with the criminal background check requirements described in Section
1008 53A-1a-512.5;
- 1009 (ii) require employee evaluations; and
- 1010 (iii) address employment of relatives within the charter school;
- 1011 (g) a description of how the charter school will provide, as required by state and federal
1012 law, special education and related services;
- 1013 (h) for a public school converting to charter status, arrangements for:
- 1014 (i) students who choose not to continue attending the charter school; and
- 1015 (ii) teachers who choose not to continue teaching at the charter school;
- 1016 (i) a statement that describes the charter school's plan for establishing the charter
1017 school's facilities, including:
- 1018 (i) whether the charter school intends to lease or purchase the charter school's facilities;
- 1019 and
- 1020 (ii) financing arrangements;
- 1021 (j) a market analysis of the community the school plans to serve;

- 1022 (k) a capital facility plan;
- 1023 (l) a business plan;
- 1024 (m) other major issues involving the establishment and operation of the charter school;
- 1025 and
- 1026 (n) the signatures of the governing board members of the charter school.
- 1027 (3) A charter school authorizer may require a charter school application to include:
- 1028 (a) the charter school's proposed:
- 1029 (i) curriculum;
- 1030 (ii) instructional program; or
- 1031 (iii) delivery methods;
- 1032 (b) a method for assessing whether students are reaching academic goals, including, at
- 1033 a minimum, [~~participation in the Utah Performance Assessment System for Students under~~
- 1034 ~~Chapter 1, Part 6, Achievement Tests]~~ administering the statewide assessments described in
- 1035 Section 53A-1-602;
- 1036 (c) a proposed calendar;
- 1037 (d) sample policies;
- 1038 (e) a description of opportunities for parental involvement;
- 1039 (f) a description of the school's administrative, supervisory, or other proposed services
- 1040 that may be obtained through service providers; or
- 1041 (g) other information that demonstrates an applicant's ability to establish and operate a
- 1042 charter school.

1043 Section 31. Section **53A-1a-510** is amended to read:

1044 **53A-1a-510. Termination of a charter.**

- 1045 (1) Subject to the requirements of Subsection (3), a charter school authorizer may
- 1046 terminate a school's charter for any of the following reasons:
- 1047 (a) failure of the charter school to meet the requirements stated in the charter;
- 1048 (b) failure to meet generally accepted standards of fiscal management;
- 1049 (c) subject to Subsection (8), failure to make adequate yearly progress under the No
- 1050 Child Left Behind Act of 2001, 20 U.S.C. Sec. 6301 et seq.;
- 1051 (d) (i) designation as a low performing school under Chapter 1, [~~Part 11, School~~
- 1052 ~~Grading Act]~~ Part 12, School Turnaround and Leadership Development Act; and

1053 (ii) failure to improve the school's grade under the conditions described in Chapter 1,
1054 Part 12, School Turnaround and Leadership Development Act;

1055 (e) violation of requirements under this part or another law; or

1056 (f) other good cause shown.

1057 (2) (a) The authorizer shall notify the following of the proposed termination in writing,
1058 state the grounds for the termination, and stipulate that the governing board may request an
1059 informal hearing before the authorizer:

1060 (i) the governing board of the charter school; and

1061 (ii) if the charter school is a qualifying charter school with outstanding bonds issued in
1062 accordance with Chapter 20b, Part 2, Charter School Credit Enhancement Program, the Utah
1063 Charter School Finance Authority.

1064 (b) Except as provided in Subsection (2)(e), the authorizer shall conduct the hearing in
1065 accordance with Title 63G, Chapter 4, Administrative Procedures Act, within 30 days after
1066 receiving a written request under Subsection (2)(a).

1067 (c) If the authorizer, by majority vote, approves a motion to terminate a charter school,
1068 the governing board of the charter school may appeal the decision to the State Board of
1069 Education.

1070 (d) (i) The State Board of Education shall hear an appeal of a termination made
1071 pursuant to Subsection (2)(c).

1072 (ii) The State Board of Education's action is final action subject to judicial review.

1073 (e) (i) If the authorizer proposes to terminate the charter of a qualifying charter school
1074 with outstanding bonds issued in accordance with Chapter 20b, Part 2, Charter School Credit
1075 Enhancement Program, the authorizer shall conduct a hearing described in Subsection (2)(b)
1076 120 days or more after notifying the following of the proposed termination:

1077 (A) the governing board of the qualifying charter school; and

1078 (B) the Utah Charter School Finance Authority.

1079 (ii) Prior to the hearing described in Subsection (2)(e)(i), the Utah Charter School
1080 Finance Authority shall meet with the authorizer to determine whether the deficiency may be
1081 remedied in lieu of termination of the qualifying charter school's charter.

1082 (3) An authorizer may not terminate the charter of a qualifying charter school with
1083 outstanding bonds issued in accordance with Chapter 20b, Part 2, Charter School Credit

1084 Enhancement Program, without mutual agreement of the Utah Charter School Finance
1085 Authority and the authorizer.

1086 (4) (a) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,
1087 the State Board of Education shall make rules that require a charter school to report any threats
1088 to the health, safety, or welfare of its students to the State Charter School Board in a timely
1089 manner.

1090 (b) The rules under Subsection (4)(a) shall also require the charter school report to
1091 include what steps the charter school has taken to remedy the threat.

1092 (5) Subject to the requirements of Subsection (3), the authorizer may terminate a
1093 charter immediately if good cause has been shown or if the health, safety, or welfare of the
1094 students at the school is threatened.

1095 (6) If a charter is terminated during a school year, the following entities may apply to
1096 the charter school's authorizer to assume operation of the school:

1097 (a) the school district where the charter school is located;

1098 (b) the governing board of another charter school; or

1099 (c) a private management company.

1100 (7) (a) If a charter is terminated, a student who attended the school may apply to and
1101 shall be enrolled in another public school under the enrollment provisions of Chapter 2, Part 2,
1102 District of Residency, subject to space availability.

1103 (b) Normal application deadlines shall be disregarded under Subsection (7)(a).

1104 (8) Subject to the requirements of Subsection (3), an authorizer may terminate a charter
1105 pursuant to Subsection (1)(c) under the same circumstances that local educational agencies are
1106 required to implement alternative governance arrangements under 20 U.S.C. Sec. 6316.

1107 Section 32. Section **53A-15-1303** is enacted to read:

1108 **53A-15-1303. Youth suicide prevention training for employees.**

1109 (1) A school district or charter school shall require a licensed employee to complete
1110 two hours of professional development training on youth suicide prevention within the
1111 employee's license cycle described in Section 53A-6-104.

1112 (2) The board shall:

1113 (a) develop or adopt sample materials to be used by a school district or charter school
1114 for professional development training on youth suicide prevention; and

1115 (b) in rule made in accordance with Title 63G, Chapter 3, Utah Administrative
1116 Rulemaking Act, incorporate the training described in Subsection (1) into professional
1117 development training described in Section 53A-6-104.

1118 Section 33. Section **53A-17a-166** is amended to read:

1119 **53A-17a-166. Enhancement for At-Risk Students Program.**

1120 (1) (a) Subject to the requirements of Subsection (1)(b), the State Board of Education
1121 shall distribute money appropriated for the Enhancement for At-Risk Students Program to
1122 school districts and charter schools according to a formula adopted by the State Board of
1123 Education, after consultation with school districts and charter schools.

1124 (b) (i) The State Board of Education shall appropriate \$1,200,000 from the
1125 appropriation for Enhancement for At-Risk Students for a gang prevention and intervention
1126 program designed to help students at-risk for gang involvement stay in school.

1127 (ii) Money for the gang prevention and intervention program shall be distributed to
1128 school districts and charter schools through a request for proposals process.

1129 (2) In establishing a distribution formula under Subsection (1)(a), the State Board of
1130 Education shall use the following criteria:

1131 (a) low performance on [~~U-PASS tests~~] statewide assessments described in Section
1132 53A-1-602;

1133 (b) poverty;

1134 (c) mobility; and

1135 (d) limited English proficiency.

1136 (3) A school district or charter school shall use money distributed under this section to
1137 improve the academic achievement of students who are at risk of academic failure.

1138 (4) The State Board of Education shall develop performance criteria to measure the
1139 effectiveness of the Enhancement for At-Risk Students Program and make an annual report to
1140 the Public Education Appropriations Subcommittee on the effectiveness of the program.

1141 Section 34. Section **53A-25b-304** is amended to read:

1142 **53A-25b-304. Administration of statewide assessments.**

1143 The Utah Schools for the Deaf and the Blind shall annually administer, as applicable,
1144 the [~~U-PASS tests specified~~] statewide assessments described in Section 53A-1-602, except a
1145 student may take an alternative test in accordance with the student's IEP.

1146 Section 35. Section **63A-3-402** is amended to read:

1147 **63A-3-402. Utah Public Finance Website -- Establishment and administration --**
1148 **Records disclosure -- Exceptions.**

1149 (1) There is created the Utah Public Finance Website to be administered by the
1150 Division of Finance with the technical assistance of the Department of Technology Services.

1151 (2) The Utah Public Finance Website shall:

1152 (a) permit Utah taxpayers to:

1153 (i) view, understand, and track the use of taxpayer dollars by making public financial
1154 information available on the Internet for participating state entities, independent entities, and
1155 participating local entities, using the Utah Public Finance Website; and

1156 (ii) link to websites administered by participating local entities or independent entities
1157 that do not use the Utah Public Finance Website for the purpose of providing participating
1158 local entities' or independent entities' public financial information as required by this part and
1159 by rule under Section 63A-3-404;

1160 (b) allow a person who has Internet access to use the website without paying a fee;

1161 (c) allow the public to search public financial information on the Utah Public Finance
1162 Website using criteria established by the board;

1163 (d) provide access to financial reports, financial audits, budgets, or other financial
1164 documents that are used to allocate, appropriate, spend, and account for government funds, as
1165 may be established by rule under Section 63A-3-404;

1166 (e) have a unique and simplified website address;

1167 (f) be directly accessible via a link from the main page of the official state website;

1168 (g) include other links, features, or functionality that will assist the public in obtaining
1169 and reviewing public financial information, as may be established by rule under Section
1170 63A-3-404; and

1171 (h) include a link to school report cards published on the State Board of Education's
1172 website under Section [~~53A-1-1112~~] 53A-1-1608.

1173 (3) The division shall:

1174 (a) establish and maintain the website, including the provision of equipment, resources,
1175 and personnel as necessary;

1176 (b) maintain an archive of all information posted to the website;

1177 (c) coordinate and process the receipt and posting of public financial information from
1178 participating state entities;

1179 (d) coordinate and regulate the posting of public financial information by participating
1180 local entities and independent entities; and

1181 (e) provide staff support for the advisory committee.

1182 (4) (a) A participating state entity and each independent entity shall permit the public
1183 to view the entity's public financial information via the website, beginning with information
1184 that is generated not later than the fiscal year that begins July 1, 2008, except that public
1185 financial information for an:

1186 (i) institution of higher education shall be provided beginning with information
1187 generated for the fiscal year beginning July 1, 2009; and

1188 (ii) independent entity shall be provided beginning with information generated for the
1189 entity's fiscal year beginning in 2014.

1190 (b) No later than May 15, 2009, the website shall:

1191 (i) be operational; and

1192 (ii) permit public access to participating state entities' public financial information,
1193 except as provided in Subsections (4)(c) and (d).

1194 (c) An institution of higher education that is a participating state entity shall submit the
1195 entity's public financial information at a time allowing for inclusion on the website no later
1196 than May 15, 2010.

1197 (d) No later than the first full quarter after July 1, 2014, an independent entity shall
1198 submit the entity's public financial information for inclusion on the Utah Public Finance
1199 Website or via a link to its own website on the Utah Public Finance Website.

1200 (5) (a) The Utah Educational Savings Plan, created in Section 53B-8a-103, shall
1201 provide the following financial information to the division for posting on the Utah Public
1202 Finance Website:

1203 (i) administrative fund expense transactions from its general ledger accounting system;
1204 and

1205 (ii) employee compensation information.

1206 (b) The plan is not required to submit other financial information to the division,
1207 including:

- 1208 (i) revenue transactions;
- 1209 (ii) account owner transactions; and
- 1210 (iii) fiduciary or commercial information, as defined in Section 53B-12-102.
- 1211 (6) (a) The following independent entities shall each provide administrative expense
- 1212 transactions from its general ledger accounting system and employee compensation
- 1213 information to the division for posting on the Utah Public Finance Website or via a link to a
- 1214 website administered by the independent entity:
- 1215 (i) the Utah Capital Investment Corporation, created in Section 63N-6-301;
- 1216 (ii) the Utah Housing Corporation, created in Section 63H-8-201; and
- 1217 (iii) the School and Institutional Trust Lands Administration, created in Section
- 1218 53C-1-201.
- 1219 (b) For purposes of this part, an independent entity described in Subsection (6)(a) is not
- 1220 required to submit to the division, or provide a link to, other financial information, including:
- 1221 (i) revenue transactions of a fund or account created in its enabling statute;
- 1222 (ii) fiduciary or commercial information related to any subject if the disclosure of the
- 1223 information:
- 1224 (A) would conflict with fiduciary obligations; or
- 1225 (B) is prohibited by insider trading provisions;
- 1226 (iii) information of a commercial nature, including information related to:
- 1227 (A) account owners, borrowers, and dependents;
- 1228 (B) demographic data;
- 1229 (C) contracts and related payments;
- 1230 (D) negotiations;
- 1231 (E) proposals or bids;
- 1232 (F) investments;
- 1233 (G) the investment and management of funds;
- 1234 (H) fees and charges;
- 1235 (I) plan and program design;
- 1236 (J) investment options and underlying investments offered to account owners;
- 1237 (K) marketing and outreach efforts;
- 1238 (L) lending criteria;

- 1239 (M) the structure and terms of bonding; and
- 1240 (N) financial plans or strategies; and
- 1241 (iv) information protected from public disclosure by federal law.
- 1242 (7) (a) As used in this Subsection (7):
- 1243 (i) "Local education agency" means a school district or a charter school.
- 1244 (ii) "New school building project" means:
- 1245 (A) the construction of a school or school facility that did not previously exist in a local
- 1246 education agency; or
- 1247 (B) the lease or purchase of an existing building, by a local education agency, to be
- 1248 used as a school or school facility.
- 1249 (iii) "School facility" means a facility, including a pool, theater, stadium, or
- 1250 maintenance building, that is built, leased, acquired, or remodeled by a local education agency
- 1251 regardless of whether the facility is open to the public.
- 1252 (iv) "Significant school remodel" means a construction project undertaken by a local
- 1253 education agency with a project cost equal to or greater than \$2,000,000, including:
- 1254 (A) the upgrading, changing, alteration, refurbishment, modification, or complete
- 1255 substitution of an existing school or school facility in a local education agency; or
- 1256 (B) the addition of a school facility.
- 1257 (b) For each new school building project or significant school remodel, the local
- 1258 education agency shall:
- 1259 (i) prepare an annual school plant capital outlay report; and
- 1260 (ii) submit the report:
- 1261 (A) to the division for publication on the Utah Public Finance Website; and
- 1262 (B) in a format, including any raw data or electronic formatting, prescribed by
- 1263 applicable division policy.
- 1264 (c) The local education agency shall include in the capital outlay report described in
- 1265 Subsection (7)(b)(i) the following information as applicable to each new school building
- 1266 project or significant school remodel:
- 1267 (i) the name and location of the new school building project or significant school
- 1268 remodel;
- 1269 (ii) construction and design costs, including:

1270 (A) the purchase price or lease terms of any real property acquired or leased for the
1271 project or remodel;

1272 (B) facility construction;

1273 (C) facility and landscape design;

1274 (D) applicable impact fees; and

1275 (E) furnishings and equipment;

1276 (iii) the gross square footage of the project or remodel;

1277 (iv) the year construction was completed; and

1278 (v) the final student capacity of the new school building project or, for a significant
1279 school remodel, the increase or decrease in student capacity created by the remodel.

1280 (d) (i) For a cost, fee, or other expense required to be reported under Subsection (7)(c),
1281 the local education agency shall report the actual cost, fee, or other expense.

1282 (ii) The division may require that a local education agency provide further itemized
1283 data on information listed in Subsection (7)(c).

1284 (e) (i) No later than May 15, 2015, a local education agency shall provide the division a
1285 school plant capital outlay report for each new school building project and significant school
1286 remodel completed on or after July 1, 2004, and before May 13, 2014.

1287 (ii) For a new school building project or significant school remodel completed after
1288 May 13, 2014, the local education agency shall provide the school plant capital outlay report
1289 described in this Subsection (7) to the division annually by a date designated by the division.

1290 (8) A person who negligently discloses a record that is classified as private, protected,
1291 or controlled by Title 63G, Chapter 2, Government Records Access and Management Act, is
1292 not criminally or civilly liable for an improper disclosure of the record if the record is disclosed
1293 solely as a result of the preparation or publication of the Utah Public Finance Website.

1294 Section 36. Section **63I-2-253** is amended to read:

1295 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

1296 (1) Section 53A-1-403.5 is repealed July 1, 2017.

1297 (2) Section 53A-1-411 is repealed July 1, 2017.

1298 (3) Section 53A-1-709 is repealed July 1, 2020.

1299 (4) On September 15, 2017:

1300 (a) Title 53A, Chapter 1, Part 11, School Grading Act, is repealed;

1301 (b) the following language in Subsection 53A-1-413(7)(g) is repealed, "pursuant to Part
 1302 11, School Grading Act", and replaced with, "in accordance with Part 16, School
 1303 Accountability System"; and

1304 (c) the following language in Section 53A-1-1603 is repealed:

1305 "(1) (a) The school grading system described in Part 11, School Grading Act, is in
 1306 effect for the 2016-2017 school year.

1307 (b) The board:

1308 (i) shall calculate a school's grade for the 2016-2017 school year in accordance with
 1309 Part 11, School Grading Act; and

1310 (ii) may not calculate a school's grade for the 2017-2018 school year or a school year
 1311 thereafter in accordance with Part 11, School Grading Act.

1312 (2)".

1313 ~~[(4)]~~ (5) Subsection 53A-1a-513(4) is repealed July 1, 2017.

1314 ~~[(5)]~~ (6) Section 53A-1a-513.5 is repealed July 1, 2017.

1315 ~~[(6)]~~ (7) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2019.

1316 ~~[(7)]~~ (8) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is
 1317 repealed July 1, 2017.

1318 ~~[(8)]~~ (9) Sections 53A-24-601 and 53A-24-602 are repealed January 1, 2018.

1319 ~~[(9)]~~ (10) (a) Subsections 53B-2a-103(2) and (4) are repealed July 1, 2019.

1320 (b) When repealing Subsections 53B-2a-103(2) and (4), the Office of Legislative
 1321 Research and General Counsel shall, in addition to its authority under Subsection 36-12-12(3),
 1322 make necessary changes to subsection numbering and cross references.

1323 ~~[(10)]~~ (11) Title 53B, Chapter 18, Part 14, Uintah Basin Air Quality Research Project,
 1324 is repealed July 1, 2023.

1325 Section 37. **Repealer.**

1326 This bill repeals:

1327 Section **53A-1-1101, Title.**

1328 Section **53A-1-1102, Definitions.**

1329 Section **53A-1-1103, State Board of Education to establish school grading system --**

1330 **Report to Education Interim Committee.**

1331 Section **53A-1-1104, Schools included in grading system.**

- 1332 Section **53A-1-1105, Criteria for determining school grades.**
- 1333 Section **53A-1-1106, Calculation of points earned for students' proficiency in**
1334 **language arts, mathematics, and science.**
- 1335 Section **53A-1-1107, Calculation of points earned for students demonstrating**
1336 **sufficient growth in language arts, mathematics, and science.**
- 1337 Section **53A-1-1108, Calculation of additional points earned for high school**
1338 **graduation and college and career readiness.**
- 1339 Section **53A-1-1109, Calculation of percent of maximum points earned.**
- 1340 Section **53A-1-1110, Letter grade based on percentage of maximum points earned.**
- 1341 Section **53A-1-1111, Students with disabilities.**
- 1342 Section **53A-1-1112, Reporting.**
- 1343 Section **53A-1-1113, Rules.**
- 1344 Section **53A-3-601, Legislative findings.**
- 1345 Section **53A-3-602.5, School performance report -- Components -- Annual filing.**
- 1346 Section **53A-3-603, State board models, guidelines, and training.**
- 1347 Section 38. **Effective date.**
- 1348 (1) Except as provided in Subsections (2) and (3), this bill takes effect on May 9, 2017.
- 1349 (2) The following sections take effect on July 1, 2017:
- 1350 (a) Section 53A-1-402.6;
- 1351 (b) Section 53A-1-413;
- 1352 (c) Section 53A-1-601;
- 1353 (d) Section 53A-1-602;
- 1354 (e) Section 53A-1-603;
- 1355 (f) Section 53A-1-603.5;
- 1356 (g) Section 53A-1-604;
- 1357 (h) Section 53A-1-605;
- 1358 (i) Section 53A-1-607;
- 1359 (j) Section 53A-1-608;
- 1360 (k) Section 53A-1-610;
- 1361 (l) Section 53A-1-611;
- 1362 (m) Section 53A-1-611.5;

- 1363 (n) Section 53A-1-613;
- 1364 (o) Section 53A-1-708;
- 1365 (p) Section 53A-1a-106;
- 1366 (q) Section 53A-1a-504;
- 1367 (r) Section 53A-15-1303;
- 1368 (s) Section 53A-17a-166; and
- 1369 (t) Section 53A-25b-304.
- 1370 (3) The following sections take effect on September 15, 2017:
- 1371 (a) Section 53A-1-1202;
- 1372 (b) Section 53A-1-1203;
- 1373 (c) Section 53A-1-1206;
- 1374 (d) Section 53A-1-1207;
- 1375 (e) Section 53A-1-1209; and
- 1376 (f) Section 63A-3-402.