

**Effective 5/10/2016**

**53A-1-708 Grants for online delivery of U-PASS tests.**

- (1) As used in this section:
  - (a) "Adaptive tests" means tests administered during the school year using an online adaptive test system.
  - (b) "Core standards for Utah public schools" means the standards developed and adopted by the State Board of Education that define the knowledge and skills students should have in kindergarten through grade 12 to enable students to be prepared for college or workforce training.
  - (c) "Summative tests" means tests administered near the end of a course to assess overall achievement of course goals.
  - (d) "Uniform online summative test system" means a single system for the online delivery of summative tests required under U-PASS that:
    - (i) is coordinated by the State Board of Education;
    - (ii) ensures the reliability and security of U-PASS tests; and
    - (iii) is selected through collaboration between the State Board of Education and school district representatives with expertise in technology, assessment, and administration.
  - (e) "U-PASS" means the Utah Performance Assessment System for Students.
- (2) The State Board of Education may award grants to school districts and charter schools to implement one or both of the following:
  - (a) a uniform online summative test system to enable parents of students and school staff to review U-PASS test scores by the end of the school year; or
  - (b) an online adaptive test system to enable parents of students and school staff to measure and monitor a student's academic progress during a school year.
- (3)
  - (a) Grant money may be used to pay for any of the following, provided it is directly related to implementing a uniform online summative test system, an online adaptive test system, or both:
    - (i) computer equipment and peripherals, including electronic data capture devices designed for electronic test administration and scoring;
    - (ii) software;
    - (iii) networking equipment;
    - (iv) upgrades of existing equipment or software;
    - (v) upgrades of existing physical plant facilities;
    - (vi) personnel to provide technical support or coordination and management; and
    - (vii) teacher professional development.
  - (b) Equipment purchased in compliance with Subsection (3)(a), when not in use for the online delivery of summative tests or adaptive tests required under U-PASS may be used for other purposes.
- (4) The State Board of Education shall make rules:
  - (a) establishing procedures for applying for and awarding grants;
  - (b) specifying how grant money shall be allocated among school districts and charter schools;
  - (c) requiring reporting of grant money expenditures and evidence showing that the grant money has been used to implement a uniform online summative test system, an online adaptive test system, or both;
  - (d) establishing technology standards for an online adaptive testing system;
  - (e) requiring a school district or charter school that receives a grant under this section to implement, in compliance with Chapter 1, Part 14, Student Data Protection Act, and Chapter

13, Part 3, Utah Family Educational Rights and Privacy Act, an online adaptive test system by the 2014-15 school year that:

- (i) meets the technology standards established under Subsection (4)(d); and
  - (ii) is aligned with the core standards for Utah public schools;
  - (f) requiring a school district or charter school to provide matching funds to implement a uniform online summative test system, an online adaptive test system, or both in an amount that is greater than or equal to the amount of a grant received under this section; and
  - (g) ensuring that student identifiable data is not released to any person, except as provided by Chapter 1, Part 14, Student Data Protection Act, Section 53A-13-301, and rules of the State Board of Education adopted under that section.
- (5) If a school district or charter school uses grant money for purposes other than those stated in Subsection (3), the school district or charter school is liable for reimbursing the State Board of Education in the amount of the grant money improperly used.
- (6) A school district or charter school may not use federal funds to provide the matching funds required to receive a grant under this section.
- (7) A school district may not impose a tax rate above the certified tax rate for the purpose of generating revenue to provide matching funds for a grant under this section.

Amended by Chapter 144, 2016 General Session

Amended by Chapter 221, 2016 General Session