

1 **STANDARDS AND ASSESSMENT PROCESSES**
2 **TO MEASURE STUDENT PERFORMANCE**

3 1999 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Susan J. Koehn**

6 AN ACT RELATING TO PUBLIC EDUCATION; REQUIRING THE STATE BOARD OF
7 EDUCATION TO DEVELOP AND ESTABLISH ACADEMIC STANDARDS FOR STUDENT
8 PERFORMANCE TOGETHER WITH ASSESSMENT TECHNIQUES AND INSTRUMENTS
9 TO MEASURE ACHIEVEMENT OF THOSE STANDARDS; PROVIDING FOR A BASIC
10 SKILLS COMPETENCY TEST TO BE ADMINISTERED IN THE TENTH GRADE WHICH
11 A STUDENT MUST PASS IN ORDER TO RECEIVE A BASIC HIGH SCHOOL DIPLOMA.

12 This act affects sections of Utah Code Annotated 1953 as follows:

13 AMENDS:

14 **53A-1-609**, as enacted by Chapter 267, Laws of Utah 1990

15 ENACTS:

16 **53A-1-611**, Utah Code Annotated 1953

17 *Be it enacted by the Legislature of the state of Utah:*

18 Section 1. Section **53A-1-609** is amended to read:

19 **53A-1-609. Construction of part.**

20 [Nothing] Except as otherwise provided in Section 53A-1-611, nothing in this part shall
21 be construed to mean or represented to require that graduation from a high school or promotion
22 to another grade is in any way dependent upon successful performance of any test administered
23 as a part of the testing program established under this part.

24 Section 2. Section **53A-1-611** is enacted to read:

25 **53A-1-611. Standards and assessment processes to measure student performance**

26 **--Basic skills competency test.**

27 (1) The Legislature recognizes the need for the State Board of Education to develop and

28 implement standards and assessment processes to ensure that student progress is measured and that
29 school boards and school personnel are accountable.

30 (2) (a) In addition to its responsibilities under Sections 53A-1-603 through 53A-1-605, the
31 State Board of Education, through the State Superintendent of Public Instruction, shall:

32 (i) develop and establish academic standards for student performance within the state's
33 public education system; and

34 (ii) develop appropriate assessment techniques and instruments to measure the
35 achievement of performance standards established under Subsection (2)(a)(i).

36 (b) (i) As part of the assessment program required under Subsection (2)(a)(ii), the state
37 board shall design a basic skills competency test to be administered in the tenth grade.

38 (ii) A student must pass the basic skills competency test in order to receive a basic high
39 school diploma of graduation.

40 (iii) The state board shall include in the test, at a minimum, components on:

41 (A) English language arts;

42 (B) mathematics;

43 (C) science; and

44 (D) social studies.

45 (iv) A student who fails to pass all components of the test may not receive a basic high
46 school diploma but may receive a certificate of completion or alternative completion diploma
47 under rules made by the State Board of Education in accordance with Title 63, Chapter 46a, Utah
48 Administrative Rulemaking Act.

49 (v) The state board shall make rules to allow students who initially fail the test to retake
50 all or part of the test.

51 (vi) The state board shall make separate provisions for testing students with disabilities,
52 to include the awarding of special diplomas by local school boards to students with disabilities
53 who complete the requirements of their individualized education programs.

54 (c) The state board shall consult with local school boards and district superintendents in
55 designing and implementing the standards and assessment program required under Subsections
56 (2)(a) and (b).

57 (3) The State Board of Education shall implement the standards and assessment program
58 established under this section, including the tenth grade basic skills competency test, no later than

59 the beginning of the 2001-2002 school year.

60 (4) The state board shall design and operate the assessment program to provide the
61 Legislature, the governor, local school boards, educational administrators, teachers, parents of
62 students, and the general public with timely and accurate information on student performance
63 within the state's public education system.

64 (5) The requirements of this section are to be complementary to the other achievement
65 testing provisions of this part.

Legislative Review Note
as of 1-15-99 1:11 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel