

EDUCATION TESTING AMENDMENTS

2002 SIXTH SPECIAL SESSION

STATE OF UTAH

Sponsor: Matt Throckmorton

This act modifies statutes governing achievement testing for public education students by eliminating the requirement to include constructed response test items in certain achievement tests. This act takes effect immediately.

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

AMENDS:

53A-1-602, as last amended by Chapter 7, Laws of Utah 2002, Fifth Special Session

53A-1-605, as last amended by Chapter 93, Laws of Utah 2001

This act enacts uncodified material.

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

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

53A-1-602. Definitions.

As used in this part:

(1) "Achievement test" means a standardized test which measures or attempts to measure the level of performance which a student has attained in one or more courses of study. Achievement tests shall include norm-referenced and criterion-referenced tests.

(2) "Basic skills course" means a subject which requires mastery of specific functions, as defined under rules made by the State Board of Education, to include reading, language arts, mathematics through geometry, science, in grades 4 through 12, and effectiveness of written expression.

~~[(3) "Constructed response" means an answer to a question on a criterion-referenced test that requires a student to provide other than a "true-false" or "multiple choice" response.]~~

~~[(4)]~~ (3) "Utah Performance Assessment System for Students" or "U-PASS" means:

(a) systematic norm-referenced achievement testing of all students in grades 3, 5, 8, and 11 required by this part in all schools within each school district by means of tests designated by the State Board of Education;

(b) criterion-referenced achievement testing of students in all grade levels in basic skills courses[, except as otherwise provided for science in Subsection (2), to include constructed responses to questions on a pilot basis for tests administered during the 2002-03 and 2003-04 school years, except science tests, and the inclusion of constructed response questions on all criterion-referenced tests, except science tests, administered during the 2004-05 school year and for each year thereafter];

(c) beginning with the 2001-02 school year, a direct writing assessment in grades 6 and 9;

(d) beginning with the 2003-04 school year, a tenth grade basic skills competency test as detailed in Section 53A-1-611; and

(e) beginning with the 2002-03 school year, the use of student behavior indicators in assessing student performance.

Section 2. Section **53A-1-605** is amended to read:

53A-1-605. Analysis of results -- Submission of annual budget -- Staff professional development.

(1) The State Board of Education, through the state superintendent of public instruction, shall develop a plan to analyze the results of the U-PASS scores for all grade levels and courses required under Section 53A-1-603 and the student behavior indicators referred to in Subsection 53A-1-602[~~(4)(e)~~] (3)(e).

(2) The plan shall include components designed to:

(a) assist school districts and individual schools to use the results of the analysis in planning, evaluating, and enhancing programs within the district; and

(b) for the 2003-04 school year and for each year thereafter, identify schools not achieving state-established acceptable levels of student performance in order to assist those schools in raising their student performance levels.

(3) The plan shall include provisions for statistical reporting of data as follows:

(a) norm-referenced tests results shall be reported at the state, district, school, and grade levels, and shall include actual levels of performance on tests; and

(b) criterion-referenced tests results shall be reported at state, district, school, and grade or course levels, and shall include actual levels of performance on tests.

(4) (a) The State Board of Education shall submit to the Legislature, annually, a budget to implement and maintain U-PASS.

(b) As part of the budget recommendation, the state board shall include:

(i) evaluation of U-PASS and proposed modifications if appropriate;

(ii) anticipated costs for staff professional development programs required to effectively implement U-PASS at the school and classroom levels; and

(iii) resources required to assist schools identified under Subsection (2)(b) in raising their performance levels.

(5) Each local school board shall provide for:

(a) district evaluation of the U-PASS test results and use of the evaluations in setting goals and establishing programs for the district and each school within the district; and

(b) a professional development program that:

(i) is funded in whole or in part from monies received under Subsection (4)(b)(ii); and

(ii) provides teachers, principals, and other professional staff employed by the school district with the training required to successfully establish and maintain U-PASS.

Section 3. Effective date.

If approved by two-thirds of all the members elected to each house, this act takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.