

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

31 (b) criterion-referenced achievement testing of students in all grade levels in basic
32 skills courses[~~; except as otherwise provided for science in Subsection (2), to include~~
33 ~~constructed responses to questions on a pilot basis for tests administered during the 2002-03~~
34 ~~and 2003-04 school years, except science tests, and the inclusion of constructed response~~
35 ~~questions on all criterion-referenced tests, except science tests, administered during the~~
36 ~~2004-05 school year and for each year thereafter];~~

37 (c) beginning with the 2001-02 school year, a direct writing assessment in grades 6 and
38 9;

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

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

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

44 **53A-1-605. Analysis of results -- Submission of annual budget -- Staff**
45 **professional development.**

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

50 (2) The plan shall include components designed to:

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

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

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

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

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

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

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

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

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

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

69 (5) Each local school board shall provide for:

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

72 (b) a professional development program that:

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

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

76 **Section 3. Intent statement.**

77 It is the intent of the Legislature that the savings generated in fiscal year 2002-03 from
78 elimination of the requirement for constructed responses to questions in criterion-referenced
79 achievement tests be used to pay the costs of online test administration.

80 **Section 4. Effective date.**

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

Legislative Review Note

as of 12-18-02 8:48 AM

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

Office of Legislative Research and General Counsel