

1 **UTAH BASIC SKILLS COMPETENCY TEST**

2 **ALTERNATIVES**

3 2005 GENERAL SESSION

4 STATE OF UTAH

5 **Sponsor: Paul Ray**

7 **LONG TITLE**

8 **General Description:**

9 This bill allows alternatives and exemptions to the requirement of passing the Utah
10 Basic Skills Competency Test in order to receive a basic high school diploma.

11 **Highlighted Provisions:**

12 This bill:

- 13 ▶ allows special education and certain adult education students to pass an alternative
- 14 competency test approved by the State Board of Education in lieu of the Utah Basic
- 15 Skills Competency Test in order to receive a basic high school diploma;
- 16 ▶ exempts certain students from the requirement of passing the Utah Basic Skills
- 17 Competency Test in order to receive a basic high school diploma; and
- 18 ▶ makes technical corrections.

19 **Monies Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 **AMENDS:**

25 **53A-1-602**, as last amended by Chapter 7, Laws of Utah 2002, Sixth Special Session

26 **53A-1-611**, as last amended by Chapter 7, Laws of Utah 2002, Fifth Special Session



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

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

30 **53A-1-602. Definitions.**

31 As used in this part:

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

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

39 (3) "Utah Performance Assessment System for Students" or "U-PASS" means:

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

43 (b) criterion-referenced achievement testing of students in all grade levels in basic
44 skills courses;

45 (c) beginning with the 2001-02 school year, a direct writing assessment in grades 6 and
46 9;

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

49 (e) beginning with the 2006-07 school year, an alternative competency test as described
50 in Section 53A-1-611; and

51 [~~(e)~~] (f) beginning with the 2002-03 school year, the use of student behavior indicators
52 in assessing student performance.

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

54 **53A-1-611. Standards and assessment processes to measure student performance**
55 **-- Basic skills competency test.**

56 (1) The Legislature recognizes the need for the State Board of Education to develop
57 and implement standards and assessment processes to ensure that student progress is measured
58 and that school boards and school personnel are accountable.

59 (2) (a) In addition to its responsibilities under Sections 53A-1-603 through 53A-1-605,
60 the State Board of Education, through the state superintendent of public instruction, shall
61 design a basic skills competency test and an alternative competency test, to be administered in
62 the tenth grade.

63 (b) An alternative competency test provided for in this section may be taken in lieu of
64 the basic skills competency test by:

65 (i) a student with a disability, as determined pursuant to Title 53A, Chapter 15, Part 3,
66 Education of Children with Disabilities; and

67 (ii) an adult education student, as determined pursuant to Title 53A, Chapter 15, Part 4,
68 Adult Education, whose class graduated after 2006.

69 ~~[(b) A]~~ (c) Unless exempted under Subsection (2)(d), a student [must] shall pass the
70 basic skills competency test or alternative competency test, as provided in Subsection (2)(b), in
71 addition to the established requirements of the state and local board of education of the district
72 in which the student attends school, in order to receive a basic high school diploma of
73 graduation.

74 (d) The following students may receive a basic high school diploma of graduation
75 without passing the basic skills competency test or alternative competency test required under
76 this section:

77 (i) a student who has passed a comparable test in another state that is approved by
78 board rule;

79 (ii) a student who moves into this state from another state if the student shall have less
80 than two opportunities to pass the basic skills competency test or alternative competency test;

81 (iii) an adult education student, as determined pursuant to Title 53A, Chapter 15, Part
82 4, Adult Education, whose class graduated before 2006; and

83 (iv) a student who has passed the general educational development test (GED).

84 ~~[(e)]~~ (e) The state board shall include in the test, at a minimum, components on English
85 language arts and reading and mathematics.

86 ~~[(f)]~~ (f) A student who fails to pass all components of the test may not receive a basic
87 high school diploma but may receive a certificate of completion or alternative completion
88 diploma under rules made by the State Board of Education in accordance with Title 63,
89 Chapter 46a, Utah Administrative Rulemaking Act.

90 [~~e~~] (g) The state board shall make rules:
91 (i) to allow students who initially fail the test to retake all or part of the test; [~~and~~]
92 (ii) that take into account and are consistent with federal law relating to students with
93 disabilities in the administration of the test[-];
94 (iii) establishing standards and procedures for a student requesting to take the
95 alternative competency test rather than the basic skills competency test pursuant to Subsection
96 (2)(b); and
97 (iv) approving comparable tests from other states pursuant to Subsection (2)(d)(i).
98 (3) The state board shall implement:
99 (a) the tenth grade basic skills competency test, no later than the beginning of the
100 2003-04 school year[-]; and
101 (b) the alternative competency test no later than the 2006-07 school year.
102 (4) The requirements of this section are to be complementary to the other achievement
103 testing provisions of this part.

Legislative Review Note
as of 1-21-05 9:40 AM

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

Office of Legislative Research and General Counsel