

28 • from the Education Fund, \$850,000.

29 **Other Special Clauses:**

30 This bill provides an effective date.

30a **§→ This bill provides for retrospective operation. ←§**

31 **Utah Code Sections Affected:**

32 AMENDS:

33 **53A-1-602**, as last amended by Laws of Utah 2012, Chapter 394

34 **53A-1-603**, as last amended by Laws of Utah 2012, Chapters 394 and 407

35 **53A-1-604**, as last amended by Laws of Utah 2010, Chapter 11

36 **53A-1-609**, as last amended by Laws of Utah 1999, Chapter 336

37 **53A-1-611**, as last amended by Laws of Utah 2012, Chapter 394

38 **53A-3-602.5**, as last amended by Laws of Utah 2011, Chapter 321

39 ENACTS:

40 **53A-1-613**, Utah Code Annotated 1953

41 REPEALS:

42 **53A-1-612**, as last amended by Laws of Utah 2011, Chapter 342

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

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

46 **53A-1-602. Definitions.**

47 As used in this part:

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

50a **§→ (2) "IEP" means a written statement for a student with a disability that is**
50b **developed, reviewed, and revised in accordance with the Individuals with Disabilities**

50c **Education Act, 20 U.S.C. Sec. 1400 et seq.**

51 ~~[(2)] (3) ←§~~ "Utah's common core" means the core set of English language arts
51a and mathematics

52 standards developed and adopted by the State Board of Education which define the knowledge
53 and skills students should have in kindergarten through grade 12 to enable them to be prepared
54 for college or workforce training.

55 **§→ [(3)] (4) ←§** "Utah Performance Assessment System for Students" or "U-PASS" means:

56 (a) as determined by the State Board of Education, criterion-referenced achievement
57 testing or online computer adaptive testing of students in grades 3 through 12 in basic skills
58 courses;

183 53A-1-605, the State Board of Education[; through the state superintendent of public
184 instruction, shall design a basic skills competency test to be administered in the tenth grade.]
185 shall:

186 (a) adopt college readiness assessments for secondary students; and
187 (b) require school districts and charter schools to administer the college readiness
188 assessments adopted by the State Board of Education beginning with the 2013-14 school year.

189 (3) The college readiness assessments adopted by the State Board of Education:

190 (a) shall include the college admissions test that includes an assessment of language
191 arts, mathematics, and science that is most commonly submitted to local universities; and

192 (b) may include:

193 (i) the Armed Services Vocational Aptitude Battery; and

194 (ii) a battery of assessments that are predictive of success in higher education.

195 (4) ~~It~~ **→ [The] (a) Except as provided in Subsection (4)(b), the** ~~← It~~ State Board of
195a Education shall require school districts and charter schools to
196 administer a test adopted under Subsection (3)(a) to all students in grade 11.

196a **It** **→ (b) A student with an IEP may take an appropriate college readiness assessment**
196b **other than a test adopted by the State Board of Education under Subsection (3)(a), as**
196c **determined by the student's IEP.** ~~← It~~

197 ~~[(b) Except as provided in Subsection (5) and Section 53A-1-1001, a student must pass~~
198 ~~the basic skills competency test, in addition to the established requirements of the state and~~
199 ~~local board of education of the district in which the student attends school, in order to receive a~~
200 ~~basic high school diploma of graduation.]~~

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

203 ~~[(d) Except as provided in Subsection (5) and Section 53A-1-1001, a student who fails~~
204 ~~to pass all components of the test may not receive a basic high school diploma but may receive~~
205 ~~a certificate of completion or alternative completion diploma under rules made by the State~~
206 ~~Board of Education in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking~~
207 ~~Act.]~~

208 ~~[(e) The state board shall make rules:]~~

209 ~~[(i) to allow students who initially fail the test to retake all or part of the test; and]~~

210 ~~[(ii) that take into account and are consistent with federal law relating to students with~~
211 ~~disabilities in the administration of the test.]~~

212 ~~[(3) The state board shall implement the tenth grade basic skills competency test, no~~
213 ~~later than the beginning of the 2003-04 school year.]~~

369 shall have a complete report of the statewide data available for copying or in an electronic
370 format at their respective offices.

371 Section 8. **Repealer.**

372 This bill repeals:

373 Section **53A-1-612, Basic Skills Education Stipend Program.**

374 Section 9. **Appropriation.**

375 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
376 the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money
377 are appropriated from resources not otherwise appropriated, or reduced from amounts
378 previously appropriated, out of the funds or accounts indicated. These sums of money are in
379 addition to any amounts previously appropriated for fiscal year 2014.

380 To State Board of Education - Utah State Office of Education

381 From Education Fund

\$850,000

382 Schedule of Programs:

383 Assessment and Accountability \$850,000

384 The Legislature intends that of the money appropriated under this section:

385 (1) \$700,000 shall be used for college readiness assessments, including the State Board
386 of Education's administration and evaluation of college readiness assessments; and

387 (2) \$150,000 shall be used for an online test preparation program as provided in
388 Section 53A-1-613.

389 Section 10. **Effective date** ~~§~~ → -- **Retrospective operation** ← ~~§~~ .

390 (1) Except as provided in Subsection (2), if approved by two-thirds of all the members
391 elected to each house, this bill takes effect upon approval by the governor, or the day following
392 the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's
393 signature, or in the case of a veto, the date of veto override.

394 (2) Uncodified Section 9, Appropriation, takes effect on July 1, 2013.

394a ~~§~~ → **(3) The amendments to the following sections have retrospective operation to July 1,**
394b **2012.**

394c **(a) Section 53A-1-602;**

394d **(b) Section 53A-1-603;**

394e **(c) Section 53A-1-604;**

394f **(d) Section 53A-1-609;**

394g **(e) Section 53A-1-611; and**

394h **(f) Section 53A-3-602.5. ←** ~~§~~