

- imposing requirements regarding the data that may be accessed by the public, professional, and other appropriate staff, and a student's parent or guardian;
- modifies the content of a school performance report, which includes information about the academic achievement and demographic characteristics of a school's students;
- modifies procedures for publicly disclosing a school performance report; and
- requires the State Board of Education, in meeting reporting requirements of a school performance report, to protect each student's privacy by not revealing personally identifiable information about a student.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:****AMENDS:**

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

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

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

**§→ ENACTS:**

**53A-1-607.5, Utah Code Annotated 1953 ←§**

**REPEALS AND REENACTS:**

**53A-1-607**, as last amended by Laws of Utah 2009, Chapter 299

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*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) "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, science in grades 4 through 12, and effectiveness of written expression.

~~[(2) "Utah's common core" means the core set of English language arts and mathematics standards developed and adopted by the State Board of Education which define the knowledge and skills students should have in kindergarten through grade 12 to enable them~~

the school district, school, grade or course, classroom, and student levels.

(c) Access to the data system described in this Subsection (3) shall:

(i) be limited to professional and other appropriate staff; and

(ii) comply with the requirements of the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g.

(4) A school district or school shall provide a password protected electronic information system to allow a student's parent or guardian to access all of the student's U-PASS assessment results.

**§→ Section 4. Section 53A-1-607.5 is enacted to read:**

**53A-1-607.5. Release of class level test scores to a parent or guardian -- Exception.**

**(1) Except as provided in Subsection (2), a school principal shall release U-PASS test scores aggregated at a class level to the parent or guardian of a student enrolled in the school upon the request of the student's parent or guardian.**

**(2) Test scores aggregated at the class level may not be revealed if fewer than 10 test scores are in the group of aggregated test scores. ←§**

Section **§→ [4] 5 ←§** . Section 53A-3-602.5 is amended to read:

**53A-3-602.5. School performance report -- Components -- Annual filing.**

(1) [~~For a school year beginning with or after the 2010-11 school year, the~~] The State Board of Education in collaboration with the state's school districts and charter schools shall develop a school performance report to inform the state's residents of the quality of schools and the educational achievement of students in the state's public education system.

(2) [~~The report described in Subsection (1) shall be written and~~] A school performance report shall include the following statistical data for each school in a school district and each charter school, as applicable, [~~except as provided by Subsection (2)(g),~~] and shall also aggregate the data at the school district and state level:

(a) test scores over the previous [~~year~~] four years on:

(i) criterion-referenced or online computer adaptive tests to include the scores aggregated for all students[~~:(A)]~~ by grade level or course [~~for the previous two years and an indication of whether there was a sufficient magnitude of gain in the scores between the two years; and~~], except grade level or course scores for a school may not be reported if fewer than two classes of a course, or within a grade level, are taught;

[~~(B) by class;~~]

(ii) online writing assessments required under Section 53A-1-603; and

(iii) the tenth grade basic skills competency [~~tests~~] test required under Section

on a one per household basis, to the residence of students enrolled in the school district or charter school before November 30th of each year.]

~~[(b) Each local school board, each charter school, and the State Board of Education shall have a complete report of the statewide data available for copying or in an electronic format at their respective offices.]~~

(b) A school district shall maintain a link to the website described in Subsection (4)(a) on the school district's website and the website of each school in the district.

(c) A charter school shall maintain a link to the website described in Subsection (4)(a) on the school's website.

(5) In meeting the reporting requirements of this section, the State Board of Education shall **§→ :**

(a) ←§ protect each student's privacy by not revealing personally identifiable information about a student **§→ [:] ; and**

(b) prohibit the reporting of student test scores aggregated by teacher or by class to assure that student test score data that may constitute a portion of a teacher's performance evaluation is not revealed. **←§**

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Legislative Review Note  
as of 2-8-13 3:13 PM

Office of Legislative Research and General Counsel