

Representative Michael S. Kennedy proposes the following substitute bill:

**PARENTAL REVIEW OF STATEWIDE SUMMATIVE TEST
QUESTIONS**

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael S. Kennedy

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill modifies provisions related to the parental review of statewide summative test questions.

Highlighted Provisions:

This bill:

- ▶ expands a committee of parents or guardians of Utah public education students that reviews computer adaptive test questions; and
- ▶ requires the State Board of Education to prepare, and publish on the State Board of Education's website, a report containing information about test questions identified by the committee for certain reasons.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-1-603, as last amended by Laws of Utah 2013, Chapter 161



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

Section 1. Section **53A-1-603** is amended to read:

53A-1-603. Duties of State Board of Education.

(1) The State Board of Education shall:

(a) require each school district and charter school to implement the Utah Performance Assessment System for Students, hereafter referred to as U-PASS;

(b) require the state superintendent of public instruction to submit and recommend criterion-referenced achievement tests or online computer adaptive tests, college readiness assessments, an online writing assessment for grades 5 and 8, and a test for students in grade 3 to measure reading grade level to the board for approval and adoption and distribution to each school district and charter school by the state superintendent;

(c) develop an assessment method to uniformly measure statewide performance, school district performance, and school performance of students in grades 3 through 12 in mastering basic skills courses; and

(d) provide for the state to participate in the National Assessment of Educational Progress state-by-state comparison testing program.

(2) Except as provided in Subsection (3) and Subsection [53A-1-611\(3\)](#), under U-PASS, the State Board of Education shall annually require each school district and charter school, as applicable, to administer:

(a) as determined by the State Board of Education, statewide criterion-referenced tests or online computer adaptive tests in grades 3 through 12 and courses in basic skill areas of the core curriculum;

(b) an online writing assessment to all students in grades 5 and 8;

(c) college readiness assessments as detailed in Section [53A-1-611](#); and

(d) a test to all students in grade 3 to measure reading grade level.

(3) Beginning with the 2014-15 school year, the State Board of Education shall annually require each school district and charter school, as applicable, to administer a computer adaptive assessment system that is:

(a) adopted by the State Board of Education; and

(b) aligned to Utah's common core.

57 (4) The board shall adopt rules for the conduct and administration of U-PASS to
58 include the following:

59 (a) the computation of student performance based on information that is disaggregated
60 with respect to race, ethnicity, gender, limited English proficiency, and those students who
61 qualify for free or reduced price school lunch;

62 (b) security features to maintain the integrity of the system, which could include
63 statewide uniform testing dates, multiple test forms, and test administration protocols;

64 (c) the exemption of student test scores, by exemption category, such as limited
65 English proficiency, mobility, and students with disabilities, with the percent or number of
66 student test scores exempted being publically reported at a district level;

67 (d) compiling of criterion-referenced, online computer adaptive, and online writing test
68 scores and test score averages at the classroom level to allow for:

69 (i) an annual review of those scores by parents of students and professional and other
70 appropriate staff at the classroom level at the earliest point in time;

71 (ii) the assessment of year-to-year student progress in specific classes, courses, and
72 subjects;

73 (iii) a teacher to review, prior to the beginning of a new school year, test scores from
74 the previous school year of students who have been assigned to the teacher's class for the new
75 school year;

76 (e) allowing a school district or charter school to have its tests administered and scored
77 electronically to accelerate the review of test scores and their usefulness to parents and
78 educators under Subsection (4)(d), without violating the integrity of U-PASS; and

79 (f) providing that scores on the tests and assessments required under Subsection (2)(a)
80 and Subsection (3) shall be considered in determining a student's academic grade for the
81 appropriate course and whether a student shall advance to the next grade level.

82 (5) (a) A school district or charter school, as applicable, is encouraged to administer an
83 online writing assessment to students in grade 11.

84 (b) The State Board of Education may award a grant to a school district or charter
85 school to pay for an online writing assessment and instruction program that may be used to
86 assess the writing of students in grade 11.

87 (6) The State Board of Education shall make rules:

88 (a) establishing procedures for applying for and awarding money for computer adaptive
89 tests;

90 (b) specifying how money for computer adaptive tests shall be allocated among school
91 districts and charter schools that qualify to receive the money; and

92 (c) requiring reporting of the expenditure of money awarded for computer adaptive
93 testing and evidence that the money was used to implement computer adaptive testing.

94 (7) The State Board of Education shall assure that computer adaptive tests are
95 administered in compliance with the requirements of Chapter 13, Part 3, Utah Family
96 Educational Rights and Privacy Act.

97 (8) (a) The State Board of Education shall establish a committee consisting of 15 to 30
98 parents or guardians of Utah public education students to review all computer adaptive test
99 questions.

100 (b) (i) The committee established in Subsection (8)(a) shall include the following
101 parent or guardian members:

102 [~~(i) five~~] (A) 5 to 10 members appointed by the chair of the State Board of Education;

103 [~~(ii) five~~] (B) 5 to 10 members appointed by the speaker of the House of
104 Representatives; and

105 [~~(iii) five~~] (C) 5 to 10 members appointed by the president of the Senate.

106 (ii) The chair of the State Board of Education, speaker of the House of Representatives,
107 and president of the Senate each shall appoint approximately one-third of the committee
108 members.

109 (c) The State Board of Education shall provide staff support to the parent or guardian
110 committee.

111 (d) The term of office of each member appointed in Subsection (8)(b) is [~~four~~] two
112 years.

113 (e) The chair of the State Board of Education, [~~the~~] speaker of the House of
114 Representatives, and [~~the~~] president of the Senate shall adjust the length of terms to stagger the
115 terms of committee members so that approximately 1/2 of the committee members are
116 appointed every [~~two years~~] year.

117 (f) No member may receive compensation or benefits for the member's service on the
118 committee.

119 (g) (i) The State Board of Education shall prepare, and publish on the State Board of
120 Education's website, a report on test questions:

121 (A) identified by the committee as having a grammatical, spelling, factual, or other
122 error;

123 (B) identified by the committee as biased; or

124 (C) for which the committee has a concern for another reason.

125 (ii) The report shall include the number of identified test questions categorized by:

126 (A) grade level and course;

127 (B) source of the test question;

128 (C) reason identified; and

129 (D) action taken with respect to an identified test question, including elimination from
130 the test bank, revision, or no change.

131 (iii) The report may not reveal test content or specific test questions.

132 (9) (a) School districts and charter schools shall require each licensed employee to
133 complete two hours of professional development on youth suicide prevention within their
134 license cycle in accordance with Section [53A-6-104](#).

135 (b) The State Board of Education shall develop or adopt sample materials to be used by
136 a school district or charter school for professional development training on youth suicide
137 prevention.

138 (c) The training required by this Subsection (9) shall be incorporated into professional
139 development training required by rule in accordance with Section [53A-6-104](#).