

Part 11 School Grading Act

53A-1-1101 Title.

This part is known as the "School Grading Act."

Enacted by Chapter 417, 2011 General Session

53A-1-1102 Definitions.

As used in this part:

- (1) "Alternative school" means a school:
 - (a) established to serve youth who are not succeeding in a traditional school environment; and
 - (b) designated as an alternative school by the State Board of Education.
- (2) "Board" means the State Board of Education.
- (3) "Combination school" means a school that includes:
 - (a) grade 12; and
 - (b) a grade lower than grade 7.
- (4) "High school" means:
 - (a) a school that:
 - (i) includes grade 12; and
 - (ii) does not include any grade lower than grade 7; or
 - (b) grades 9 through 12 of a combination school.
- (5) "Individualized education program" or "IEP" means a written statement, for a student with a disability, that is developed, reviewed, and revised in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.
- (6) "Statewide assessment" means a criterion-referenced test of student achievement in language arts, mathematics, or science, including a test administered in a computer adaptive format, which is administered statewide under Part 6, Achievement Tests.
- (7) "Sufficient growth" means a student's scale score on a statewide assessment is equal to or exceeds the student's growth target established pursuant to Section 53A-1-1107.5.

Amended by Chapter 452, 2015 General Session

53A-1-1103 State Board of Education to establish school grading system -- Report to Education Interim Committee.

- (1)
 - (a) The State Board of Education shall establish a school grading system in accordance with this part in which a school annually is designated a grade of A, B, C, D, or F based on the performance of the school's students on statewide assessments, and for a high school, the graduation rate and, except for the 2012-13 school year, student performance on a college admissions test administered pursuant to Section 53A-1-611.
 - (b) The school grading system established in this part shall be known and referred to as "school grading."
- (2) The State Board of Education shall:
 - (a) model the school grading system described in this part using school performance data for the 2010-11 school year;
 - (b) study modifications to the school grading system; and

- (c) make recommendations for proposed legislation to the Education Interim Committee on modifications to the school grading system by the committee's September 2012 meeting.
- (3) The school grading system shall take effect for the 2012-13 school year and shall replace the U-PASS accountability system developed and implemented by the State Board of Education.
- (4) For the purposes of school grading, the State Board of Education shall create an alignment mapping of scale scores when transitioning to a new assessment system to reflect the core standards for Utah public schools set by the State Board of Education.

Amended by Chapter 415, 2015 General Session

53A-1-1104 Schools included in grading system.

- (1) Except as provided in Subsections (2) through (5), a school that has students who take statewide assessments shall receive a school grade.
- (2) A school may not receive a school grade, if the number of a school's students tested is less than the minimum sample size necessary, based on accepted professional practice for statistical reliability or the prevention of the unlawful release of personally identifiable student data under 20 U.S.C. Sec. 1232h.
- (3) The board shall exempt a school from school grading in the school's first year of operations if the school's local school board or charter school governing board requests the exemption.
- (4) The board shall exempt a high school from school grading or exempt a combination school from the school grading requirement described in Subsection 53A-1-1104.5(2) in the high school's or combination school's second year of operations if the school's local school board or charter school governing board requests the exemption.
- (5)
 - (a) The board may exempt a school from school grading if the school:
 - (i)
 - (A) is an alternative school; or
 - (B) is a special needs school, as defined by rules made by the board in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and
 - (ii) requests the exemption with the approval of:
 - (A) the school's governing board; or
 - (B) for the Utah Schools for the Deaf and the Blind, the school's advisory committee.
 - (b) If the board exempts a school under Subsection (5)(a), the board shall annually:
 - (i) evaluate the school in accordance with an accountability plan established by the board through rules made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act;
 - (ii) report the results on a school report card; and
 - (iii) electronically publish the school report card in the same manner and at the same time as other school report cards under Section 53A-1-1112.
 - (c) If a school is granted an exemption from school grading under Subsection (5)(a), the school shall:
 - (i) provide to a parent or guardian the school report card described in Subsection (5)(b)(ii); and
 - (ii) electronically publish the school report card in the same manner and at the same time as other school report cards under Section 53A-1-1112.

Amended by Chapter 258, 2015 General Session

Amended by Chapter 452, 2015 General Session

53A-1-1104.5 Two school grades assigned to a combination school.

The board shall assign two school grades to a combination school as follows:

- (1) the board shall assign a school grade based on the proficiency and learning gains of students who are enrolled in a grade below grade 9 as described in Sections 53A-1-1106 and 53A-1-1107; and
- (2) the board shall assign a school grade based on:
 - (a) the proficiency and learning gains of students who are enrolled in grades 9 through 12, as described in Sections 53A-1-1106 and 53A-1-1107;
 - (b) the school's graduation rate calculated in accordance with Section 53A-1-1108; and
 - (c) the percentage of students considered college ready calculated in accordance with Section 53A-1-1108.

Enacted by Chapter 403, 2014 General Session

53A-1-1105 Criteria for determining school grades.

A school's grade shall be based on:

- (1) the proficiency of a school's students in language arts, mathematics, and science as measured by statewide assessments;
- (2) learning gains of a school's students on statewide assessments of language arts, mathematics, and science achievement; and
- (3) for a high school:
 - (a) the graduation rate; and
 - (b) except for the 2012-13 school year, student performance on a college admissions test administered pursuant to Section 53A-1-611.

Amended by Chapter 478, 2013 General Session

Amended by Chapter 478, 2013 General Session, (Coordination Clause)

53A-1-1106 Calculation of points earned for students' proficiency in language arts, mathematics, and science.

- (1) A school shall receive points for the proficiency of a school's students in language arts, mathematics, and science as follows:
 - (a) A school shall receive one point for each percent of the school's students who take a statewide assessment of language arts achievement and score at or above the proficient level.
 - (b) A school shall receive one point for each percent of the school's students who take a statewide assessment of mathematics achievement and score at or above the proficient level.
 - (c) A school shall receive one point for each percent of the school's students who take a statewide assessment of science achievement and score at or above the proficient level.
- (2) A school may earn a maximum of 100 points for each of the criteria listed in Subsections (1)(a), (b), and (c).

Amended by Chapter 478, 2013 General Session

53A-1-1107 Calculation of points earned for students demonstrating sufficient growth in language arts, mathematics, and science.

- (1) A school shall receive points for a school's students demonstrating sufficient growth in language arts, mathematics, and science as follows:

- (a) A school shall receive 0.5 points for each percentage of the school's students who take a statewide assessment of language arts achievement and make sufficient growth.
 - (b) A school shall receive 0.5 points for each percentage of the school's students who take a statewide assessment of mathematics achievement and make sufficient growth.
 - (c) A school shall receive 0.5 points for each percentage of the school's students who take a statewide assessment of science achievement and make sufficient growth.
- (2) A school shall receive points for a school's students who scored below the proficient level on statewide achievement tests in the prior year and who demonstrate sufficient growth in language arts, mathematics, and science as follows:
- (a) A school shall receive 0.5 points for each percentage of the school's nonproficient students, as determined by prior year language arts test scores, who take a statewide assessment of language arts achievement and make sufficient growth.
 - (b) A school shall receive 0.5 points for each percentage of the school's nonproficient students, as determined by prior year mathematics test scores, who take a statewide assessment of mathematics achievement and make sufficient growth.
 - (c) A school shall receive 0.5 points for each percentage of the school's nonproficient students, as determined by prior year science test scores, who take a statewide assessment of science achievement and make sufficient growth.
- (3) A school may earn a maximum of 50 points for each of the criteria listed in Subsections (1)(a), (b), and (c) and (2)(a), (b), and (c).
- (4) The State Board of Education shall:
- (a) model the school grading system based on awarding points as described in Subsection (2) for students in the lowest quartile, as determined by prior year test scores, who make sufficient growth; and
 - (b) submit a report on the model results to the Education Interim Committee no later than the committee's November 2013 meeting.

Amended by Chapter 403, 2014 General Session

53A-1-1107.5 Growth target established to determine whether a student demonstrates sufficient growth in a subject.

- (1) For the purpose of determining whether a student demonstrates sufficient growth in the 2014-15 school year, or a succeeding school year, in language arts, mathematics, or science as provided in Section 53A-1-1107, the board shall establish a formula for a growth target for a student for each statewide assessment the student takes.
- (2) A student demonstrates sufficient growth if the student's scale score on a statewide assessment is equal to or exceeds the student's growth target established pursuant to Subsections (3) and (4).
- (3) The board shall establish a formula for a growth target for each student based on:
 - (a) the statewide cohort of students with the same scale score on a particular statewide assessment; and
 - (b) actual student growth in the 2014-15 school year as measured by statewide assessments administered at the end of the 2013-14 and 2014-15 school years and for each succeeding school year.
- (4) On or before November 30, 2015, the State Board of Education shall make recommendations to the Legislature's Education Interim Committee on the method for determining whether a student demonstrates sufficient growth for the 2015-16 school year and succeeding school years.

Amended by Chapter 452, 2015 General Session

53A-1-1108 Calculation of additional points earned for high school graduation and college and career readiness.

- (1) In addition to the points described in Sections 53A-1-1106 and 53A-1-1107, a high school shall receive points, as determined by the State Board of Education, for:
 - (a) the percentage of students who graduate from high school; and
 - (b) except for the 2012-13 school year, the percentage of students who are considered college ready as measured by a college admissions test administered pursuant to Section 53A-1-611.
- (2)
 - (a) Except as provided in Subsection (2)(b), in calculating the percentage of students who graduate, the State Board of Education shall use the same graduation rate for a high school that is used under the federal four-year cohort system.
 - (b) In calculating a high school graduation rate for the purpose of school grading, the State Board of Education shall exclude from the four-year cohort for the graduating class a student with a disability who has an individualized education program that includes a plan to complete graduation requirements in more than four years.
- (3)
 - (a) Except as provided in Subsection (3)(b), for the purpose of school grading, a student is considered college ready if the student's score in each subject area on the ACT is at or above the College Readiness Benchmark as defined by the ACT.
 - (b) The board in consultation with the State Board of Regents may adopt by rule a higher subject area score threshold on the ACT to be considered college ready for school grading purposes.
- (4)
 - (a) Except as provided in Subsection (4)(b), a school may earn a maximum of 300 points for the criteria described in Subsection (1) with one-half of the maximum number of points allotted to high school graduation and one-half allotted to the percentage of students who are considered college ready as measured by a college admissions test administered pursuant to Section 53A-1-611.
 - (b) For the 2012-13 school year, a school may earn a maximum of 150 points for the percentage of students who graduate from high school.

Amended by Chapter 403, 2014 General Session

53A-1-1109 Calculation of percent of maximum points earned.

- (1) The percent of the maximum number of points a school that is not a high school may earn shall be calculated by:
 - (a) dividing the sum of the points earned for the criteria listed in Sections 53A-1-1106 and 53A-1-1107 by the maximum number of points that a school may earn as provided in Sections 53A-1-1106 and 53A-1-1107; and
 - (b) multiplying the quotient calculated under Subsection (1)(a) by 100.
- (2) The percent of the maximum number of points a high school may earn shall be calculated by:
 - (a) dividing the sum of the points earned for the criteria listed in Sections 53A-1-1106, 53A-1-1107, and 53A-1-1108 by the maximum number of points that a school may earn as provided in Sections 53A-1-1106, 53A-1-1107, and 53A-1-1108; and
 - (b) multiplying the quotient calculated under Subsection (2)(a) by 100.

Enacted by Chapter 417, 2011 General Session

53A-1-1110 Letter grade based on percentage of maximum points earned.

- (1) A school shall receive a letter grade based on the percentage of the maximum number of points the school may earn as calculated under Section 53A-1-1109 as follows:
 - (a) for a school that is not a high school:
 - (i) A, 100%-64%;
 - (ii) B, 63%-51%;
 - (iii) C, 50%-39%;
 - (iv) D, 38%-30%; and
 - (v) F, 29% or less; and
 - (b) for a high school:
 - (i) A, 100%-64%;
 - (ii) B, 63%-51%;
 - (iii) C, 50%-43%;
 - (iv) D, 42%-40%; and
 - (v) F, 39% or less.
- (2) Notwithstanding Subsection (1), and subject to Subsection (3), for a school year in which at least 65% of schools described in Subsection (1)(a) or (b) receive an A or a B, the board shall increase an endpoint of a range described in Subsection (1)(a) or (b) by five percentage points over the previous school year.
- (3)
 - (a) Subsection (2) applies until the:
 - (i) lower endpoint of the:
 - (A) A range equals 90%;
 - (B) B range equals 80%;
 - (C) C range equals 70%;
 - (D) D range equals 60%; and
 - (ii) upper endpoint of the F range equals 59%.
 - (b) The board may increase an endpoint of a range described in Subsection (1)(a) or (b) by less than five percentage points over the previous school year if increasing the endpoint by five percentage points would increase the endpoint above the applicable percentage described in Subsection (3)(a).
 - (c) If the board increases an endpoint of a range as described in this section, the board shall publish, on the board's website, each letter grade that is assigned to the percentage of points earned.
- (4) Notwithstanding Subsection (1), the board shall lower a school's grade by one letter grade if:
 - (a) student participation in a statewide assessment is fewer than 95%; or
 - (b) the participation of nonproficient students as determined by prior year test scores is fewer than 95%.

Amended by Chapter 349, 2016 General Session

53A-1-1111 Students with disabilities.

- (1) In implementing the school grading system, the State Board of Education shall provide for the inclusion of the test scores of a student with a disability.
- (2) Test scores on an alternative assessment administered to a student with a disability may substitute for a statewide assessment as defined in Section 53A-1-1102.

Enacted by Chapter 417, 2011 General Session

53A-1-1112 Reporting.

- (1) For the 2012-13 school year and thereafter, the State Board of Education, in collaboration with school districts and charter schools, shall annually develop a school report card and a personal student achievement report for each public school student to be delivered to parents of students in public schools.
- (2) The school report card shall include:
 - (a) the school's grade;
 - (b) the percentage of the maximum number of points that may be earned; and
 - (c) information indicating the school's performance on the various criteria upon which the grade is based.
- (3) The personal student achievement report shall include:
 - (a) information on a student's level of proficiency as measured by a statewide assessment; and
 - (b) a comparison of a student's expected learning growth and actual learning growth in a subject as measured by a statewide assessment.
- (4) A school report card and personal student achievement report shall be delivered to the parent or guardian of each student either electronically or by mail.
- (5) On or before September 1, the State Board of Education shall annually publish, on the State Board of Education's website, a report card for each school with the information required in Subsection (2).
- (6) On or before September 1, a school district shall annually publish on the school district's website, and a school's website, a school report card with the grade for the prior school year, together with the current school improvement plan established in accordance with Section 53A-1a-108.5.
- (7) On or before September 1, a charter school shall annually publish on the charter school's website a school report card with the grade for the prior school year.

Amended by Chapter 478, 2013 General Session

53A-1-1113 Rules.

The State Board of Education shall make rules, as necessary, to implement a school grading system in accordance with this part.

Enacted by Chapter 417, 2011 General Session