

Effective 1/24/2018

**Part 2
Standards**

53E-4-201 Definitions.

Reserved

Enacted by Chapter 1, 2018 General Session

53E-4-202 Core standards for Utah public schools -- Notice and hearing requirements.

- (1)
 - (a) In establishing minimum standards related to curriculum and instruction requirements under Section 53E-3-501, the state board shall, in consultation with local school boards, school superintendents, teachers, employers, and parents implement core standards for Utah public schools that will enable students to, among other objectives:
 - (i) communicate effectively, both verbally and through written communication;
 - (ii) apply mathematics; and
 - (iii) access, analyze, and apply information.
 - (b) Except as provided in this public education code, the state board may recommend but may not require a local school board or charter school governing board to use:
 - (i) a particular curriculum or instructional material; or
 - (ii) a model curriculum or instructional material.
- (2) The state board shall, in establishing the core standards for Utah public schools:
 - (a) identify the basic knowledge, skills, and competencies each student is expected to acquire or master as the student advances through the public education system; and
 - (b) align with each other the core standards for Utah public schools and the assessments described in Section 53E-4-303.
- (3) The basic knowledge, skills, and competencies identified pursuant to Subsection (2)(a) shall increase in depth and complexity from year to year and focus on consistent and continual progress within and between grade levels and courses in the basic academic areas of:
 - (a) English, including explicit phonics, spelling, grammar, reading, writing, vocabulary, speech, and listening; and
 - (b) mathematics, including basic computational skills.
- (4) Before adopting core standards for Utah public schools, the state board shall:
 - (a) publicize draft core standards for Utah public schools for the state, as a class A notice under Section 63G-30-102, for at least 90 days;
 - (b) invite public comment on the draft core standards for Utah public schools for a period of not less than 90 days; and
 - (c) conduct three public hearings that are held in different regions of the state on the draft core standards for Utah public schools.
- (5) LEA governing boards shall design their school programs, that are supported by generally accepted scientific standards of evidence, to focus on the core standards for Utah public schools with the expectation that each program will enhance or help achieve mastery of the core standards for Utah public schools.
- (6) Except as provided in Sections 53G-10-103 and 53G-10-402, each school may select instructional materials and methods of teaching, that are supported by generally accepted

scientific standards of evidence, that the school considers most appropriate to meet the core standards for Utah public schools.

- (7) The state may exit any agreement, contract, memorandum of understanding, or consortium that cedes control of the core standards for Utah public schools to any other entity, including a federal agency or consortium, for any reason, including:
 - (a) the cost of developing or implementing the core standards for Utah public schools;
 - (b) the proposed core standards for Utah public schools are inconsistent with community values; or
 - (c) the agreement, contract, memorandum of understanding, or consortium:
 - (i) was entered into in violation of Chapter 3, Part 8, Implementing Federal or National Education Programs, or Title 63J, Chapter 5, Federal Funds Procedures Act;
 - (ii) conflicts with Utah law;
 - (iii) requires Utah student data to be included in a national or multi-state database;
 - (iv) requires records of teacher performance to be included in a national or multi-state database; or
 - (v) imposes curriculum, assessment, or data tracking requirements on home school or private school students.
- (8) The state board shall submit a report in accordance with Section 53E-1-203 on the development and implementation of the core standards for Utah public schools, including the time line established for the review of the core standards for Utah public schools by a standards review committee and the recommendations of a standards review committee established under Section 53E-4-203.

Amended by Chapter 435, 2023 General Session

53E-4-203 Standards review committee.

- (1) Subject to Subsection (4), the state board shall establish:
 - (a) a time line for the review by a standards review committee of the core standards for Utah public schools for:
 - (i) English language arts;
 - (ii) mathematics;
 - (iii) science;
 - (iv) social studies;
 - (v) fine arts;
 - (vi) physical education and health; and
 - (vii) early childhood education; and
 - (b) a separate standards review committee for each subject area described in Subsection (1)(a) to review, and recommend to the state board revisions to, the core standards for Utah public schools for the subject area.
- (2)
 - (a) At least one year before the state board takes formal action to adopt new core standards for Utah public schools, the state board shall establish a standards review committee.
 - (b) The state board shall notify the speaker of the House of Representatives and the president of the Senate at least 30 business days before establishing a standards review committee.
- (3) A standards review committee shall meet at least twice during the time period described in Subsection (2)(a).
- (4) In establishing a time line for the review of core standards for Utah public schools by a standards review committee, the state board shall give priority to establishing a standards

review committee to review, and recommend revisions to, the mathematics core standards for Utah public schools.

- (5)
- (a) The membership of a standards review committee consists of:
 - (i) seven individuals, with expertise in the subject of the core standards being reviewed, appointed by the state board chair, including teachers, business representatives, faculty of higher education institutions in Utah, and others as determined by the state board chair;
 - (ii) except as provided in Subsection (5)(b)(i), five parents of public education students appointed by the speaker of the House of Representatives; and
 - (iii) except as provided in Subsection (5)(b)(ii), five parents of public education students appointed by the president of the Senate.
 - (b) The state board chair may appoint a parent of a public education student to a standards review committee in place of:
 - (i) an appointment described in Subsection (5)(a)(ii), if the speaker of the House of Representatives does not make the appointment within 30 days of the state board providing the notification described in Subsection (2)(b); or
 - (ii) an appointment described in Subsection (5)(a)(iii), if the president of the Senate does not make the appointment within 30 days of the state board providing the notification described in Subsection (2)(b).
- (6) The state board shall provide staff support to a standards review committee.
- (7) A member of a standards review committee may not receive compensation or benefits for the member's service on the standards review committee.
- (8) Among the criteria a standards review committee shall consider when reviewing the core standards for Utah public schools is giving students an adequate foundation to successfully pursue college, technical education, a career, or other life pursuits.
- (9) A standards review committee shall submit, to the state board, comments and recommendations for revision of the core standards for Utah public schools.
- (10) The state board shall take into consideration the comments and recommendations of a standards review committee in adopting the core standards for Utah public schools.
- (11)
- (a) Nothing in this section prohibits the state board from amending or adding individual core standards for Utah public schools as the need arises in the state board's ongoing responsibilities.
 - (b) If the state board makes changes as described in Subsection (11)(a), the state board shall include the changes in the annual report the state board submits to the Education Interim Committee described in Section 53E-4-202.

Amended by Chapter 296, 2021 General Session

53E-4-204 Standards and graduation requirements.

- (1) The state board shall establish rigorous core standards for Utah public schools and graduation requirements under Section 53E-3-501 for grades 9 through 12 that:
- (a) are consistent with state law and federal regulations;
 - (b) use competency-based standards and assessments;
 - (c) include instruction that stresses general financial literacy from basic budgeting to financial investments, including bankruptcy education and a general financial literacy test-out option; and
 - (d) include graduation requirements in language arts, mathematics, and science that exceed:

- (i) 3.0 units in language arts including up to 0.5 units emphasizing verbal communication completed in a course or a school sponsored activity;
 - (ii) 2.0 units in mathematics; and
 - (iii) and 2.0 units in science.
- (2) The state board shall establish competency-based standards and assessments for elective courses.
- (3) The state board shall study requiring all LEAs to issue a high school diploma to students who receive:
- (a) an associate's degree with at least 60 credit hours from an accredited post-secondary institution; or
 - (b) an industry certification with at least 500 hours of instruction from a business, trade association, or other industry group in accordance with Section 53E-3-501.

Amended by Chapter 346, 2023 General Session

Amended by Chapter 527, 2023 General Session

53E-4-204.1 Ethnic studies core standards and curriculum requirements.

- (1) As used in this section:
- (a) "Core standards for Utah public schools" or "core standards" means the standards the state board establishes as described in Section 53E-4-202.
 - (b) "Ethnic studies" means the interdisciplinary social and historical study of how different populations have experienced and participated in building the United States of America, including the study of the culture, history, and contributions of Utahns of diverse ethnicities.
 - (c) "Ethnic Studies Commission" means the Ethnic Studies Commission created in Section 63C-28-201.
 - (d) "Utahns of diverse ethnicities" means individuals who are residents of Utah and:
 - (i) Native American;
 - (ii) Alaska Native;
 - (iii) Native Hawaiian;
 - (iv) Pacific Islander;
 - (v) Hispanic or Latino;
 - (vi) Black or African American;
 - (vii) Asian or Asian American; or
 - (viii) from diverse backgrounds and experiences.
- (2)
- (a) The state board shall incorporate ethnic studies into the core standards for Utah public schools.
 - (b) Before the state board takes formal action to incorporate ethnic studies into the core standards, the state board shall:
 - (i) consult with the Ethnic Studies Commission; and
 - (ii) submit the proposed core standards incorporating ethnic studies to the Ethnic Studies Commission for review and recommendations.
- (3) In incorporating ethnic studies into the core standards, the state board shall consider, at a minimum:
- (a) existing core standards that increase cultural awareness of, and focus on the character traits described in Section 53G-10-204 for, all Utah communities;
 - (b) opportunities to recognize and incorporate into the ethnic studies core standards the histories, contributions, and perspectives of Utahns of diverse ethnicities; and

- (c) recommendations of the Ethnic Studies Commission.
- (4) Subject to legislative appropriations, the state board shall provide funding for professional learning in ethnic studies for teachers.
- (5)
 - (a) By August 1, 2024, an LEA shall select curriculum and instructional materials for teaching ethnic studies to students in kindergarten through grade 12 that:
 - (i) align with the core standards incorporating ethnic studies described in this section; and
 - (ii) are integrated with regular school work.
 - (b) An LEA shall implement an ethnic studies curriculum that, at a minimum:
 - (i) focuses on shared identity and honoring unique cultural differences, including:
 - (A) that each individual student has unique characteristics;
 - (B) the common elements that unite Utahns; and
 - (C) respect for distinct socio-cultural identities; and
 - (ii) includes themes including cultural histories within the context of United States history and global history.
 - (c) An LEA shall:
 - (i) modify or revise as needed the ethnic studies instructional materials and curriculum the LEA selects as described in Subsection (5)(a), to ensure alignment with core standards incorporating ethnic studies; and
 - (ii) submit a report to the state board that provides evidence that the LEA is complying with the requirements of Subsections (5)(a) and (b).
 - (d) In fulfilling the requirements of this section, an LEA may offer a course on ethnic studies.
- (6) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules:
 - (a) to develop guidelines and methods for LEAs to more fully incorporate ethnic studies into other core standards for Utah public schools courses; and
 - (b) for the report described in Subsection (5)(c).
- (7) The guidelines and methods described in Subsection (6)(a) may not change:
 - (a) the number of instructional hours required for elementary and secondary students; or
 - (b) the number of instructional hours dedicated to the existing curriculum.

Enacted by Chapter 472, 2022 General Session

53E-4-205 American civics education initiative.

- (1) As used in this section:
 - (a) "Adult education program" means an organized educational program below the postsecondary level, other than a regular full-time K-12 secondary education program, provided by an LEA or nonprofit organization that provides the opportunity for an adult to further the adult's high school level education.
 - (b) "Basic civics test" means a test that includes 50 of the questions on the civics test form used by the United States Citizenship and Immigration Services:
 - (i) to determine that an individual applying for United States citizenship meets the basic citizenship skills specified in 8 U.S.C. Sec. 1423; and
 - (ii) in accordance with 8 C.F.R. Sec. 312.2.
- (2)
 - (a) Except as provided in Subsection (2)(b), the state board shall require:
 - (i) a public school student who graduates on or after January 1, 2016, to pass a basic civics test as a condition for receiving a high school diploma; and

- (ii) a student enrolled in an adult education program to pass a basic civics test as a condition for receiving an adult education secondary diploma.
- (b) The state board may require a public school student to pass an alternate assessment instead of a basic civics test if the student qualifies for an alternate assessment, as defined in state board rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (3) An individual who correctly answers a minimum of 35 out of the 50 questions on a basic civics test passes the test and an individual who correctly answers fewer than 35 out of 50 questions on a basic civics test does not pass the test.
- (4) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules that:
 - (a) require an LEA that serves secondary students to administer a basic civics test or alternate assessment to a public school student enrolled in the LEA;
 - (b) require an adult education program provider to administer a basic civics test to an individual who intends to receive an adult education secondary diploma;
 - (c) allow an individual to take a basic civics test as many times as needed in order to pass the test; and
 - (d) for the alternate assessment described in Subsection (2)(b), describe:
 - (i) the content of an alternate assessment;
 - (ii) how a public school student qualifies for an alternate assessment; and
 - (iii) how an LEA determines if a student passes an alternate assessment.

Amended by Chapter 114, 2021 General Session

53E-4-205.1 Waiver of basic civics test graduation requirement.

- (1) As used in this section, "basic civics test" means the same as that term is defined in Section 53E-4-205 or an alternate assessment described in Subsection 53E-4-205(2)(b).
- (2) A student who graduates high school between January 1, 2020, and September 30, 2020, is not required to meet the requirements of Section 53E-4-205 as a condition of receiving a high school diploma if:
 - (a) the student is unable to complete the basic civics test due to public health related school closures;
 - (b) the student's LEA submits an application to the state board for a waiver of the requirement to complete the basic civics test that includes an explanation for why the student was unable to complete the basic civics test due to public health related school closures; and
 - (c) the state board grants a waiver requested under Subsection (2)(b).
- (3) The state board may grant a waiver under this section if the state board determines that a student who graduates between January 1, 2020, and September 30, 2020, was unable to complete the basic civics test due to public health related school closures.
- (4) This section supersedes conflicting provisions of Utah law.

Enacted by Chapter 10, 2020 Special Session 3

53E-4-206 Career and college readiness mathematics competency standards.

- (1) As used in this section, "qualifying score" means a score established as described in Subsection (4), that, if met by a student, qualifies the student to receive college credit for a mathematics course that satisfies the state system of higher education quantitative literacy requirement.

- (2) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the state board shall make rules that:
 - (a)
 - (i) establish the mathematics competency standards described in Subsection (3) as a graduation requirement beginning with the 2016-17 school year; and
 - (ii) include the qualifying scores described in Subsection (4); and
 - (b) establish systematic reporting of college and career ready mathematics achievement.
- (3) In addition to other graduation requirements established by the state board, a student shall fulfill one of the following requirements to demonstrate mathematics competency that supports the student's future college and career goals as outlined in the student's college and career plan:
 - (a) for a student pursuing a college degree after graduation:
 - (i) receive a score that at least meets the qualifying score for:
 - (A) an Advanced Placement calculus or statistics exam;
 - (B) an International Baccalaureate higher level mathematics exam;
 - (C) a college-level math placement test described in Subsection (5);
 - (D) a College Level Examination Program precalculus or calculus exam; or
 - (E) the ACT Mathematics Test; or
 - (ii) receive at least a "C" grade in a concurrent enrollment mathematics course that satisfies the state system of higher education quantitative literacy requirement;
 - (b) for a non college degree-seeking student, the student shall complete appropriate math competencies for the student's career goals as described in the student's college and career plan;
 - (c) for a student with an individualized education program prepared in accordance with the Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq., the student shall meet the mathematics standards described in the student's individualized education program; or
 - (d) for a senior student with special circumstances as described in state board rule made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the student shall fulfill a requirement associated with the student's special circumstances, as established in state board rule.
- (4) The Utah Board of Higher Education shall, in consultation with the state board, determine qualifying scores for the tests and exams described in Subsection (3)(a)(i).
- (5) The Utah Board of Higher Education shall make a policy to select at least two tests for college-level math placement.
- (6) The Utah Board of Higher Education shall, in consultation with the state board, make policies to:
 - (a) develop mechanisms for a student who completes a math competency requirement described in Subsection (3)(a) to:
 - (i) receive college credit; and
 - (ii) satisfy the state system of higher education quantitative literacy requirement;
 - (b) allow a student, upon completion of required high school mathematics courses with at least a "C" grade, entry into a mathematics concurrent enrollment course;
 - (c) increase access to a range of mathematics concurrent enrollment courses;
 - (d) establish a consistent concurrent enrollment course approval process; and
 - (e) establish a consistent process to qualify high school teachers with an upper level mathematics endorsement to teach entry level mathematics concurrent enrollment courses.

Amended by Chapter 365, 2020 General Session

Amended by Chapter 408, 2020 General Session