

**SCHOOL BOARD ALTERNATIVES TO BASIC
SKILLS COMPETENCY TEST**

2007 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Bradley M. Daw

Senate Sponsor: _____

LONG TITLE

General Description:

This bill allows the State Board of Education to use certain tests to satisfy the basic skills competency test requirement.

Highlighted Provisions:

This bill:

- ▶ allows the State Board of Education to use a nationally norm-referenced test to satisfy the basic skills competency test requirement;
- ▶ removes a grade level requirement for the test; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-1-602, as last amended by Chapter 7, Laws of Utah 2002, Sixth Special Session

53A-1-603, as last amended by Chapter 7, Laws of Utah 2002, Fifth Special Session

53A-1-611, as last amended by Chapter 7, Laws of Utah 2002, Fifth Special Session

53A-3-602.5, as last amended by Chapters 210 and 244, Laws of Utah 2002



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) "Achievement test" means a standardized test which measures or attempts to measure the level of performance which a student has attained in one or more courses of study. Achievement tests shall include norm-referenced and criterion-referenced tests.

(2) "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 through geometry, science, in grades 4 through 12, and effectiveness of written expression.

(3) "Utah Performance Assessment System for Students" or "U-PASS" means:

(a) systematic norm-referenced achievement testing of all students in grades 3, 5, 8, and 11 required by this part in all schools within each school district by means of tests designated by the State Board of Education;

(b) criterion-referenced achievement testing of students in all grade levels in basic skills courses;

(c) ~~[beginning with the 2001-02 school year,]~~ a direct writing assessment in grades 6 and 9;

(d) ~~[beginning with the 2003-04 school year, a tenth grade]~~ a basic skills competency test as detailed in Section 53A-1-611; and

(e) ~~[beginning with the 2002-03 school year,]~~ the use of student behavior indicators in assessing student performance.

Section 2. 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 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 and norm-referenced achievement tests, a ~~[tenth grade]~~ basic skills

competency test, and a direct writing assessment for grades 6 and 9 to the board for approval and adoption and distribution to each school district by the state superintendent;

(c) develop an assessment method to uniformly measure statewide performance, school district performance, and school performance of students in grades 1 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) Under U-PASS, the state office shall [~~annually~~] require that each district annually administer:

(a) a statewide norm-referenced test to all students in grades 3, 5, 8, and 11;

(b) statewide criterion-referenced tests in all grade levels and courses in basic skill areas of the core curriculum;

(c) a direct writing assessment to all students in grades 6 and 9 [~~with the first assessment to be administered during the 2001-02 school year~~]; and

(d) a [~~tenth grade~~] basic skills competency test as detailed in Section 53A-1-611 [~~with the first test to be administered during the 2003-04 school year~~].

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

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

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

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

(d) compiling of criterion-referenced and direct writing test scores and test score averages at the classroom level to allow for:

(i) an annual review of those scores by parents of students and professional and other appropriate staff at the classroom level [~~at the earliest point in time and consistent with the timeline of the phase-in referred to in Section 53A-1-602 and this section, but no later than by~~

the end of the school year beginning with the 2003-04 school year];

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

(iii) a teacher to review, prior to the beginning of a new school year for the 2003-04 school year and for each school year thereafter, test scores from the previous school year of students who have been assigned to the teacher's class for the new school year; and

(iv) allowing a school district to have its tests administered and scored electronically to accelerate the review of test scores and their usefulness to parents and educators under Subsections (3)(d)(i), (ii), and (iii), without violating the integrity of U-PASS; and

(e) providing that:

(i) scores on the tests and assessments required under Subsection (2)(b) shall be considered in determining a student's academic grade for the appropriate course and whether a student shall advance to the next grade level; and

(ii) the student's score on the ~~[tenth grade]~~ basic skills competency test shall be recorded on the student's transcript of credits.

Section 3. Section **53A-1-611** is amended to read:

53A-1-611. Standards and assessment processes to measure student performance -- Basic skills competency test.

(1) The Legislature recognizes the need for the State Board of Education to develop and implement standards and assessment processes to ensure that student progress is measured and that school boards and school personnel are accountable.

(2) (a) In addition to its responsibilities under Sections 53A-1-603 through 53A-1-605, the State Board of Education, through the state superintendent of public instruction, shall design provide for a basic skills competency test ~~[to be administered in the tenth grade]~~ or tests.

(b) A student must pass the basic skills competency test or tests, in addition to the established requirements of the state and local board of education of the district in which the student attends school, in order to receive a basic high school diploma of graduation.

(c) The state board shall include in the test or tests, at a minimum, components on English language arts and reading and mathematics.

(d) In providing for a basic skills competency test or tests under Subsection (2)(a), the

state board may:

(i) design a basic skills competency test; or

(ii) use a nationally norm-referenced exam, including a college entrance exam.

~~[(d)]~~ (e) A student who fails to pass all components of the test or tests may not receive a basic high school diploma but may receive a certificate of completion or alternative completion diploma under rules made by the State Board of Education in accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act.

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

(i) to allow students who initially fail the test to retake all or part of the test or tests; and

(ii) that take into account and are consistent with federal law relating to students with disabilities in the administration of the test or tests.

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

~~[(4)]~~ (3) The requirements of this section are to be complementary to the other achievement testing provisions of this part.

Section 4. Section **53A-3-602.5** is amended to read:

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

(1) The State Board of Education, in collaboration with the state's ~~[40]~~ 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 shall be written and include the following statistical data for each school in each school district, as applicable, and shall also aggregate the data at the district and state level:

(a) except as provided in Subsection (2)(a)(ii), test scores over the previous year on:

(i) norm-referenced achievement tests;

(ii) criterion-referenced tests ~~[beginning with the 2001-02 school year]~~, to include the scores aggregated for all students 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;

152 (iii) writing assessments required under Section 53A-1-603; and
153 (iv) ~~tenth-grade~~ basic skills competency tests required under Section 53A-1-603;
154 (b) college entrance examinations, including the number and percentage of each
155 graduating class taking the examinations for the previous four years;
156 (c) advanced placement and concurrent enrollment data, including:
157 (i) the number of students taking advanced placement and concurrent enrollment
158 courses;
159 (ii) the number and percent of students taking a specific advanced placement course
160 who take advanced placement tests to receive college credit for the course;
161 (iii) of those students taking the test referred to in Subsection (2)(c)(ii), the number and
162 percent who pass the test; and
163 (iv) of those students taking a concurrent enrollment course, the number and percent of
164 those who receive college credit for the course;
165 (d) the number and percent of students through grade ten reading at or above grade
166 level;
167 (e) the number and percent of students who were absent from school ten days or more
168 during the school year;
169 (f) achievement gaps that reflect the differences in achievement of various student
170 groups as defined by State Board of Education rule;
171 (g) the number and percent of "student dropouts" within the district as defined by State
172 Board of Education rule;
173 (h) course-taking patterns and trends in secondary schools;
174 (i) student mobility;
175 (j) staff qualifications, to include years of professional service and the number and
176 percent of staff who have a degree or endorsement in their assigned teaching area and the
177 number and percent of staff who have a graduate degree;
178 (k) the number and percent of parents who participate in SEP, SEOP, and
179 parent-teacher conferences;
180 (l) average class size by grade level and subject;
181 (m) average daily attendance as defined by State Board of Education rule, including
182 every period in secondary schools; and

(n) enrollment totals disaggregated with respect to race, ethnicity, gender, limited English proficiency, and those students who qualify for free or reduced price school lunch.

(3) The State Board of Education, in collaboration with the state's school districts, shall provide for the collection and electronic reporting of the following data for each school in each school district:

(a) test scores and trends over the previous four years on the tests referred to in Subsection (2)(a);

(b) the average grade given in each math, science, and English course in grades 9 through 12 for which criteria-referenced tests are required under Section 53A-1-603;

(c) incidents of student discipline as defined by State Board of Education rule, including suspensions, expulsions, and court referrals; and

(d) the number and percent of students receiving fee waivers and the total dollar amount of fees waived.

(4) (a) The State Board of Education shall adopt common definitions and data collection procedures for local school boards to use in collecting and forwarding the data required under Subsections (2) and (3) to the state superintendent of public instruction.

(b) The state board, through the state superintendent of public instruction, shall adopt standard reporting forms and provide a common template for collecting and reporting the data, which shall be used by all school districts.

(c) The state superintendent shall use the automated decision support system referred to in Section 53A-1-301 to collect and report the data required under Subsections (2) and (3).

(5) (a) For the school year ending June 30, 2003, and for each year thereafter, the state board, through the state superintendent of public instruction, shall issue its report annually by October 1 to include the required data from the previous school year or years as indicated in Subsections (2) and (3).

(b) The state board shall determine the nature and extent of longitudinal data to be reported under Subsections (2)(b), (c), and (d) and (3)(a) during the first three years of the reporting program, with the baseline reporting year beginning July 1, 2002 and ending June 30, 2003.

(6) (a) Each local school board shall receive a written or an electronic copy of the report from the state superintendent of public instruction containing the data for that school

214 district in a clear summary format and have it distributed, on a one per household basis, to the
215 residence of students enrolled in the school district before November 30th of each year.
216 (b) Each local school board and the state board shall have a complete report of the
217 statewide data available for copying or in an electronic format at their respective offices.

Legislative Review Note
as of 1-16-07 12:21 PM

Office of Legislative Research and General Counsel

H.B. 331 - School Board Alternatives to Basic Skills Competency Test

Fiscal Note

2007 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations. Provisions of this bill may require reallocation of monies for the Utah Basic Skills Competency Test to administration of other tests.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments. Depending on State Board action, there may be some financial benefit to certain test providers and possibly some cost savings to individual test takers.

1/29/2007, 8:25:43 AM, Lead Analyst: Schoenfeld, J.D.

Office of the Legislative Fiscal Analyst