

**SCHOOL REPORTING AMENDMENTS**

2010 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Karen W. Morgan**

House Sponsor: Marie H. Poulson

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**LONG TITLE**

**General Description:**

This bill modifies the information to be reported in the state superintendent's annual report of the public school system and a school performance report.

**Highlighted Provisions:**

This bill:

- ▶ modifies the state superintendent's annual report of the public school system by:
  - requiring reporting of data on average class sizes calculated in accordance with State Board of Education rule;
  - modifying the reporting of pupil-teacher ratios; and
  - deleting the reporting of pupil-adult ratios;
- ▶ directs the State Board of Education to adopt rules for the calculation of average class size and specifies certain requirements for the rules;
- ▶ requires the State Board of Education, a school district, and a charter school to calculate and report average class size in a school performance report in accordance with rules adopted by the State Board of Education; and
- ▶ makes technical amendments.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

30           **53A-1-301**, as last amended by Laws of Utah 2007, Chapter 112

31           **53A-3-602.5**, as last amended by Laws of Utah 2009, Chapters 299 and 300



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

34           Section 1. Section **53A-1-301** is amended to read:

35           **53A-1-301. Appointment -- Qualifications -- Duties.**

36           (1) (a) The State Board of Education shall appoint a superintendent of public  
37 instruction, hereinafter called the state superintendent, who is the executive officer of the  
38 board and serves at the pleasure of the board.

39           (b) The board shall appoint the state superintendent on the basis of outstanding  
40 professional qualifications.

41           (c) The state superintendent shall administer all programs assigned to the State Board  
42 of Education in accordance with the policies and the standards established by the board.

43           (2) The superintendent shall develop a statewide education strategy focusing on core  
44 academics, including the development of:

45           (a) core curriculum and graduation requirements;

46           (b) a process to select instructional materials that best correlate to the core curriculum  
47 and graduation requirements that are supported by generally accepted scientific standards of  
48 evidence;

49           (c) professional development programs for teachers, superintendents, and principals;

50           (d) remediation programs;

51           (e) a method for creating individual student learning targets, and a method of  
52 measuring an individual student's performance toward those targets;

53           (f) progress-based assessments for ongoing performance evaluations of districts and  
54 schools;

55           (g) incentives to achieve the desired outcome of individual student progress in core  
56 academics, and which do not create disincentives for setting high goals for the students;

57           (h) an annual report card for school and district performance, measuring learning and

58 reporting progress-based assessments;

59 (i) a systematic method to encourage innovation in schools and school districts as they

60 strive to achieve improvement in their performance; and

61 (j) a method for identifying and sharing best demonstrated practices across districts

62 and schools.

63 (3) The superintendent shall perform duties assigned by the board, including the

64 following:

65 (a) investigating all matters pertaining to the public schools;

66 (b) adopting and keeping an official seal to authenticate the superintendent's official

67 acts;

68 (c) holding and conducting meetings, seminars, and conferences on educational

69 topics;

70 (d) presenting to the governor and the Legislature each December a report of the

71 public school system for the preceding year to include:

72 (i) data on the general condition of the schools with recommendations considered

73 desirable for specific programs;

74 (ii) a complete statement of fund balances;

75 (iii) a complete statement of revenues by fund and source;

76 (iv) a complete statement of adjusted expenditures by fund, the status of bonded

77 indebtedness, the cost of new school plants, and school levies;

78 (v) a complete statement of state funds allocated to each [~~of the state's 40 school~~

79 ~~districts]~~ school district and charter school by source, including supplemental appropriations,

80 and a complete statement of expenditures by each school district and charter school, including

81 supplemental appropriations, by function and object as outlined in the U.S. Department of

82 Education publication "Financial Accounting for Local and State School Systems";

83 (vi) a complete statement, by school district and charter school, of the amount of and

84 percentage increase or decrease in expenditures from the previous year attributed to:

85 (A) wage increases, with expenditure data for base salary adjustments identified

86 separately from step and lane expenditures;

87 (B) medical and dental premium cost adjustments; and

88 (C) adjustments in the number of teachers and other staff;

89 (vii) a statement that includes data on fall enrollments, average membership, high  
90 school graduates, licensed and classified employees, pupil-teacher ratios [~~by grade, pupil-adult~~  
91 ~~ratios by grade, class sizes by grade~~], average class sizes calculated in accordance with State  
92 Board of Education rules adopted under Subsection 53A-3-602.5(4), average salaries,  
93 applicable private school data, and data from standardized norm-referenced tests in grades 5,  
94 8, and 11 on each school and district;

95 (viii) statistical information regarding incidents of delinquent activity in the schools or  
96 at school-related activities with separate categories for:

97 (A) alcohol and drug abuse;

98 (B) weapon possession;

99 (C) assaults; and

100 (D) arson;

101 (ix) information about:

102 (A) the development and implementation of the strategy of focusing on core  
103 academics;

104 (B) the development and implementation of competency-based education and  
105 progress-based assessments; and

106 (C) the results being achieved under Subsections (3)(d)(ix)(A) and (B), as measured  
107 by individual progress-based assessments and [~~the~~] a comparison of Utah [~~Students'~~] students'  
108 progress with the progress of students in other states using standardized norm-referenced tests  
109 as benchmarks; and

110 (x) other statistical and financial information about the school system which the state  
111 superintendent considers pertinent;

112 (e) collecting and organizing education data into an automated decision support  
113 system to facilitate school district and school improvement planning, accountability reporting

114 [~~and~~], performance recognition, and the evaluation of educational policy and program  
115 effectiveness to include:

116 (i) data that are:

117 (A) comparable across schools and school districts;

118 (B) appropriate for use in longitudinal studies; and

119 (C) comprehensive with regard to the data elements required under applicable state or  
120 federal law or state board rule;

121 (ii) features that enable users, most particularly school administrators, teachers, and  
122 parents, to:

123 (A) retrieve school and school district level data electronically;

124 (B) interpret the data visually; and

125 (C) draw conclusions that are statistically valid; and

126 (iii) procedures for the collection and management of education data that:

127 (A) require the state superintendent of public instruction to:

128 (I) collaborate with school districts in designing and implementing uniform data  
129 standards and definitions;

130 (II) undertake or sponsor research to implement improved methods for analyzing  
131 education data;

132 (III) provide for data security to prevent unauthorized access to or contamination of  
133 the data; and

134 (IV) protect the confidentiality of data under state and federal privacy laws; and

135 (B) require all school districts and schools to comply with the data collection and  
136 management procedures established under Subsection (3)(e);

137 (f) administering and implementing federal educational programs in accordance with  
138 Title 53A, Chapter 1, Part 9, Implementing Federal Programs Act; and

139 (g) with the approval of the board, preparing and submitting to the governor a budget  
140 for the board to be included in the budget that the governor submits to the Legislature.

141 (4) Upon leaving office, the state superintendent shall deliver to [~~his~~] the state

142 superintendent's successor all books, records, documents, maps, reports, papers, and other  
143 articles pertaining to [his] the state superintendent's office.

144 ~~[(5) For the purpose of Subsection (3)(d)(vii):]~~

145 ~~[(a) a pupil-teacher ratio shall be calculated by dividing the total number of students in~~  
146 ~~a grade at a school by the total number of licensed classroom teachers in that grade at the~~  
147 ~~school; and]~~

148 ~~[(b) an adult-student ratio shall be calculated by dividing the total number of students~~  
149 ~~in a grade at a school by the total number of adults who work with students in an instructional~~  
150 ~~setting in that grade at the school.]~~

151 (5) (a) For the purpose of Subsection (3)(d)(vii):

152 (i) the pupil-teacher ratio for a school shall be calculated by dividing the number of  
153 students enrolled in a school by the number of full-time equivalent teachers assigned to the  
154 school, including regular classroom teachers, school-based specialists, and special education  
155 teachers;

156 (ii) the pupil-teacher ratio for a school district shall be the median pupil-teacher ratio  
157 of the schools within a school district;

158 (iii) the pupil-teacher ratio for charter schools aggregated shall be the median  
159 pupil-teacher ratio of charter schools in the state; and

160 (iv) the pupil-teacher ratio for the state's public schools aggregated shall be the median  
161 pupil-teacher ratio of public schools in the state.

162 (b) The printed copy of the report required by Subsection (3)(d) shall:

163 (i) include the pupil-teacher ratio for:

164 (A) each school district;

165 (B) the charter schools aggregated; and

166 (C) the state's public schools aggregated; and

167 (ii) indicate the Internet website where pupil-teacher ratios for each school in the state  
168 may be accessed.

169 Section 2. Section **53A-3-602.5** is amended to read:

170 **53A-3-602.5. School performance report -- Components -- Annual filing.**

171 (1) The State Board of Education in collaboration with the state's school districts and  
172 charter schools shall develop a school performance report to inform the state's residents of the  
173 quality of schools and the educational achievement of students in the state's public education  
174 system.

175 (2) The report shall be written and include the following statistical data for each  
176 school in each school district and each charter school, as applicable, and shall also aggregate  
177 the data at the district and state level:

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

179 (i) norm-referenced achievement tests;

180 (ii) criterion-referenced tests to include the scores aggregated for all students:

181 (A) by grade level or course for the previous two years and an indication of whether  
182 there was a sufficient magnitude of gain in the scores between the two years; and

183 (B) by class;

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

185 (iv) tenth grade basic skills competency tests required under Section 53A-1-603;

186 (b) college entrance examinations data, including the number and percentage of each  
187 graduating class taking the examinations for the previous four years;

188 (c) advanced placement and concurrent enrollment data, including:

189 (i) the number of students taking advanced placement and concurrent enrollment  
190 courses;

191 (ii) the number and percent of students taking a specific advanced placement course  
192 who take advanced placement tests to receive college credit for the course;

193 (iii) of those students taking the test referred to in Subsection (2)(c)(ii), the number  
194 and percent who pass the test; and

195 (iv) of those students taking a concurrent enrollment course, the number and percent  
196 of those who receive college credit for the course;

197 (d) the number and percent of students in grade 3 reading at or above grade level;

198 (e) the number and percent of students who were absent from school 10 days or more  
199 during the school year;

200 (f) achievement gaps that reflect the differences in achievement of various student  
201 groups as defined by State Board of Education rule;

202 (g) the number and percent of "student dropouts" within the district as defined by  
203 State Board of Education rule;

204 (h) course-taking patterns and trends in secondary schools;

205 (i) student mobility;

206 (j) staff qualifications, to include years of professional service and the number and  
207 percent of staff who have a degree or endorsement in their assigned teaching area and the  
208 number and percent of staff who have a graduate degree;

209 (k) the number and percent of parents who participate in SEP, SEOP, and  
210 parent-teacher conferences;

211 (l) average class size [~~by grade level and subject~~] calculated in accordance with State  
212 Board of Education rule adopted under Subsection (4);

213 (m) average daily attendance as defined by State Board of Education rule, including  
214 every period in secondary schools; and

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

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

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

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

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



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

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

232 [~~(ii) Average class size by grade and subject shall be calculated for the purposes of~~  
233 ~~Subsection (2)(f) in accordance with the following:]~~

234 [~~(A) for kindergarten through grade six, average class size by grade shall be calculated~~  
235 ~~by dividing grade membership on October 1 by the number of classes in the corresponding~~  
236 ~~grade; and]~~

237 [~~(B) for grades seven through 12, average class size shall be calculated for core~~  
238 ~~language arts, mathematics, and science courses by dividing membership on October 1 in core~~  
239 ~~language arts, mathematics, or science course classes by the number of classes for the~~  
240 ~~corresponding course.]~~

241 (b) (i) In accordance with Subsections (4)(b)(ii) through (4)(b)(iv), the State Board of  
242 Education shall adopt rules specifying how average class size shall be calculated.

243 (ii) (A) Except as provided by Subsections (4)(b)(ii)(B) through (4)(b)(ii)(D) or for  
244 nontraditional classes identified by rule, average class size at the elementary school level shall:

245 (I) be calculated by grade level; and

246 (II) indicate the average number of students who are assigned to a teacher for  
247 instruction together during a designated time period.

248 (B) If students at the elementary school level receive instruction in core classes from  
249 different teachers, average class size may be calculated as provided by Subsection (4)(b)(iii)  
250 for secondary school students.

251 (C) An elementary school class that includes students from multiple grade levels shall  
252 be counted as a single class.

253 (D) An extended day class in which a portion of the class arrives early and the other

254 portion stays late shall be counted as a single class.

255 (iii) (A) Except as provided by Subsection (4)(b)(iii)(B) or for nontraditional classes  
256 identified by rule, average class size at the secondary school level shall:

257 (I) be calculated for core language arts, mathematics, and science courses; and

258 (II) indicate the average number of students who are assigned to a teacher for  
259 instruction together during a designated time period.

260 (B) A secondary school class in which a teacher provides instruction in multiple  
261 courses shall be counted as a single class.

262 (iv) Special education classes and online classes shall be excluded when determining  
263 average class size by grade at the elementary school level or the average class size of core  
264 language arts, mathematics, and science courses at the secondary level.

265 ~~[(b)]~~ (c) The state board, through the state superintendent of public instruction, shall  
266 adopt standard reporting forms and provide a common template for collecting and reporting  
267 the data, which shall be used by all school districts and charter schools.

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

271 (5) The state board, through the state superintendent of public instruction, shall issue  
272 its report annually by October 1 to include the required data from the previous school year or  
273 years as indicated in Subsections (2) and (3).

274 (6) (a) Each local school board and each charter school shall receive a written or an  
275 electronic copy of the report from the state superintendent of public instruction containing the  
276 data for that school district or charter school in a clear summary format and have it distributed,  
277 on a one per household basis, to the residence of students enrolled in the school district before  
278 November 30th of each year.

279 (b) Each local school board, each charter school, and the state board shall have a  
280 complete report of the statewide data available for copying or in an electronic format at their  
281 respective offices.

