

SCHOOL GRADING SYSTEM

2011 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Wayne L. Niederhauser

House Sponsor: Gregory H. Hughes

LONG TITLE

General Description:

This bill establishes a school grading system based on the performance of a school's students on statewide assessments, and for high schools, the graduation rate and measures that indicate college and career readiness.

Highlighted Provisions:

This bill:

- ▶ defines terms;
- ▶ requires the State Board of Education to establish a school grading system in which a school receives 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 measures that indicate college and career readiness;
- ▶ specifies the criteria upon which a school grade is based and procedures for determining a school's grade;
- ▶ imposes requirements for the reporting of a school's grade; and
- ▶ directs the State Board of Education to:
 - make rules, as necessary, to implement the school grading system; and
 - make reports and recommendations for proposed legislation to the Education Interim Committee.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

30 **Utah Code Sections Affected:**

31 AMENDS:

32 **63A-3-402**, as last amended by Laws of Utah 2009, Chapter 310

33 ENACTS:

34 **53A-1-1101**, Utah Code Annotated 1953

35 **53A-1-1102**, Utah Code Annotated 1953

36 **53A-1-1103**, Utah Code Annotated 1953

37 **53A-1-1104**, Utah Code Annotated 1953

38 **53A-1-1105**, Utah Code Annotated 1953

39 **53A-1-1106**, Utah Code Annotated 1953

40 **53A-1-1107**, Utah Code Annotated 1953

41 **53A-1-1108**, Utah Code Annotated 1953

42 **53A-1-1109**, Utah Code Annotated 1953

43 **53A-1-1110**, Utah Code Annotated 1953

44 **53A-1-1111**, Utah Code Annotated 1953

45 **53A-1-1112**, Utah Code Annotated 1953

46 **53A-1-1113**, Utah Code Annotated 1953



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

49 Section 1. Section **53A-1-1101** is enacted to read:

50 **Part 11. School Grading Act**

51 **53A-1-1101. Title.**

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

53 Section 2. Section **53A-1-1102** is enacted to read:

54 **53A-1-1102. Definitions.**

55 As used in this part:

56 (1) "High school" means a school that includes grade 12.

57 (2) "Statewide assessment" means any of the following assessments that are

58 administered statewide under Part 6, Achievement Tests:

59 (a) a criterion-referenced test of student achievement in language arts, mathematics, or
60 science, including a test administered in a computer adaptive format; or

61 (b) an online writing assessment.

62 Section 3. Section **53A-1-1103** is enacted to read:

63 **53A-1-1103. State Board of Education to establish school grading system --**

64 **Report to Education Interim Committee.**

65 (1) The State Board of Education shall establish a school grading system in accordance
66 with this part in which a school annually is designated a grade of A, B, C, D, or F based on the
67 performance of the school's students on statewide assessments, and for a high school, the
68 graduation rate and measures that indicate college and career readiness.

69 (2) The State Board of Education shall:

70 (a) model the school grading system described in this part using school performance
71 data for the 2010-11 school year;

72 (b) make periodic reports to the Education Interim Committee on the results of the
73 modeling and suggested modifications to the school grading system; and

74 (c) make recommendations for proposed legislation to the Education Interim
75 Committee on modifications to the school grading system by the committee's November
76 meeting.

77 (3) The school grading system shall take effect for the 2011-12 school year and shall
78 replace the U-PASS accountability system developed and implemented by the State Board of
79 Education.

80 Section 4. Section **53A-1-1104** is enacted to read:

81 **53A-1-1104. Schools included in grading system.**

82 (1) Except as provided in Subsection (2), a school that has students who take statewide
83 assessments shall receive a school grade.

84 (2) A school may not receive a school grade, if the number of a school's students tested
85 is less than the minimum sample size necessary, based on accepted professional practice for

86 statistical reliability or the prevention of the unlawful release of personally identifiable student
87 data under 20 U.S.C. Sec. 1232.

88 Section 5. Section **53A-1-1105** is enacted to read:

89 **53A-1-1105. Criteria for determining school grades.**

90 A school's grade shall be based on:

91 (1) the proficiency of a school's students in language arts, mathematics, science, and
92 writing as measured by statewide assessments;

93 (2) learning gains of a school's students on statewide assessments of language arts,
94 mathematics, and science achievement; and

95 (3) for a high school:

96 (a) the graduation rate; and

97 (b) measures indicating college and career readiness.

98 Section 6. Section **53A-1-1106** is enacted to read:

99 **53A-1-1106. Calculation of points earned for students' proficiency in language**
100 **arts, mathematics, science, and writing.**

101 (1) A school shall receive points for the proficiency of a school's students in language
102 arts, mathematics, science, and writing as follows:

103 (a) A school shall receive one point for each percent of the school's students who take a
104 statewide assessment of language arts achievement and score at or above the proficient level.

105 (b) A school shall receive one point for each percent of the school's students who take
106 a statewide assessment of mathematics achievement and score at or above the proficient level.

107 (c) A school shall receive one point for each percent of the school's students who take a
108 statewide assessment of science achievement and score at or above the proficient level.

109 (d) A school shall receive 0.5 points for each percent of the school's students who take
110 a statewide assessment of writing achievement and score at or above the proficient level.

111 (2) (a) A school may earn a maximum of 100 points for each of the criteria listed in
112 Subsections (1)(a), (b), and (c).

113 (b) A school may earn a maximum of 50 points for the criteria listed in Subsection

114 (1)(d).

115 Section 7. Section **53A-1-1107** is enacted to read:

116 **53A-1-1107. Calculation of points earned for students' learning gains in language**
117 **arts, mathematics, and science.**

118 (1) Subject to Subsection (2), a school shall receive points, as determined by the State
119 Board of Education, for students who take a statewide assessment of language arts,
120 mathematics, or science achievement in two successive years and:

121 (a) maintain a proficient level or higher from one school year to the next; or

122 (b) improve their achievement level from one school year to the next.

123 (2) Points assigned for students who score below the proficient level in the prior school
124 year and improve their achievement level or score at the proficient level or higher in the current
125 year shall be double the number of points assigned for students who maintain a proficient level
126 from one school year to the next.

127 (3) A school may earn a maximum of 350 points for the criteria described in
128 Subsection (1).

129 Section 8. Section **53A-1-1108** is enacted to read:

130 **53A-1-1108. Calculation of additional points earned for high school graduation**
131 **and college and career readiness.**

132 (1) In addition to the points described in Sections 53A-1-1106 and 53A-1-1107 and
133 subject to Subsection (2), a high school shall receive points, as determined by the State Board
134 of Education, for:

135 (a) the percent of students who graduate from high school; and

136 (b) indicators of college and career readiness.

137 (2) In calculating the percent of students who graduate, the State Board of Education
138 shall use the same graduation rate for a high school that is used to determine whether the high
139 school makes Adequate Yearly Progress under the federal No Child Left Behind accountability
140 system.

141 (3) A school may earn a maximum of 200 points for the criteria described in

142 Subsection (1) with two-thirds of the maximum number of points allotted to high school
143 graduation and one-third allotted to indicators of college and career readiness.

144 Section 9. Section **53A-1-1109** is enacted to read:

145 **53A-1-1109. Calculation of percent of maximum points earned.**

146 (1) The percent of the maximum number of points a school that is not a high school
147 may earn shall be calculated by:

148 (a) dividing the sum of the points earned for the criteria listed in Sections 53A-1-1106
149 and 53A-1-1107 by the maximum number of points that a school may earn as provided in
150 Sections 53A-1-1106 and 53A-1-1107; and

151 (b) multiplying the quotient calculated under Subsection (1)(a) by 100.

152 (2) The percent of the maximum number of points a high school may earn shall be
153 calculated by:

154 (a) dividing the sum of the points earned for the criteria listed in Sections 53A-1-1106,
155 53A-1-1107, and 53A-1-1108 by the maximum number of points that a school may earn as
156 provided in Sections 53A-1-1106, 53A-1-1107, and 53A-1-1108; and

157 (b) multiplying the quotient calculated under Subsection (2)(a) by 100.

158 Section 10. Section **53A-1-1110** is enacted to read:

159 **53A-1-1110. Letter grade based on percent of maximum points earned.**

160 (1) Except as provided in Subsection (2), a school shall receive a letter grade based on
161 the percent of the maximum number of points the school may earn as calculated under Section
162 53A-1-1109 as follows:

163 (a) A, 100% - 90%;

164 (b) B, 89% - 80%;

165 (c) C, 79% - 70%;

166 (d) D, 69% - 50%; and

167 (e) F, 49% or less.

168 (2) If student participation in a statewide assessment is fewer than 95%, the school
169 shall receive an F.

170 Section 11. Section **53A-1-1111** is enacted to read:

171 **53A-1-1111. Students with disabilities.**

172 (1) In implementing the school grading system, the State Board of Education shall
173 provide for the inclusion of the test scores of a student with a disability.

174 (2) Test scores on an alternative assessment administered to a student with a disability
175 may substitute for a statewide assessment as defined in Section 53A-1-1102.

176 Section 12. Section **53A-1-1112** is enacted to read:

177 **53A-1-1112. Reporting.**

178 (1) For the 2011-12 school year and thereafter, the State Board of Education, in
179 collaboration with school districts and charter schools, shall annually develop a school report
180 card to be delivered to parents of students in public schools.

181 (2) The report card shall include:

182 (a) the school's grade;

183 (b) the percent of the maximum number of points that may be earned; and

184 (c) information indicating the school's performance on the various criteria upon which
185 the grade is based.

186 (3) On or before August 15, the State Board of Education shall annually publish, on the
187 State Board of Education's website, a report card for each school with the information required
188 in Subsection (2).

189 (4) On or before August 15, a school district shall annually publish on the school
190 district's website, and a school's website, a school report card with the grade for the prior
191 school year, together with the current school improvement plan established in accordance with
192 Section 53A-1a-108.5.

193 (5) On or before August 15, a charter school shall annually publish on the charter
194 school's website a school report card with the grade for the prior school year.

195 Section 13. Section **53A-1-1113** is enacted to read:

196 **53A-1-1113. Rules.**

197 The State Board of Education shall make rules, as necessary, to implement a school

198 grading system in accordance with this part.

199 Section 14. Section **63A-3-402** is amended to read:

200 **63A-3-402. Utah Public Finance Website -- Establishment and administration --**

201 **Records disclosure.**

202 (1) There is created the Utah Public Finance Website to be administered by the
203 Division of Finance with the technical assistance of the Department of Technology Services.

204 (2) The Utah Public Finance Website shall:

205 (a) permit Utah taxpayers to:

206 (i) view, understand, and track the use of taxpayer dollars by making public financial
207 information available on the Internet for participating state entities' and participating local
208 entities, using the Utah Public Finance Website; and

209 (ii) link to websites administered by participating local entities that do not use the Utah
210 Public Finance Website for the purpose of providing participating local entities' public
211 financial information as required by this part and by rule under Section 63A-3-404;

212 (b) allow a person who has Internet access to use the website without paying a fee;

213 (c) allow the public to search public financial information on the Utah Public Finance
214 Website using those criteria established by the board;

215 (d) provide access to financial reports, financial audits, budgets, or other financial
216 documents that are used to allocate, appropriate, spend, and account for the government funds,
217 as may be established by rule under Section 63A-3-404;

218 (e) have a unique and simplified website address;

219 (f) be directly accessible via a link from the main page of the official state website;

220 [~~and~~]

221 (g) include other links, features, or functionality that will assist the public in obtaining
222 and reviewing public financial information, as may be established by rule under Section

223 63A-3-404[-]; and

224 (h) include a link to school report cards published on the State Board of Education's
225 website pursuant to Section 53A-1-1112.

226 (3) The division shall:
227 (a) establish and maintain the website, including the provision of equipment, resources,
228 and personnel as is necessary;
229 (b) maintain an archive of all information posted to the website;
230 (c) coordinate and process the receipt and posting of public financial information from
231 participating state entities;
232 (d) coordinate and regulate the posting of public financial information by participating
233 local entities; and
234 (e) provide staff support for the advisory committee.

235 (4) (a) A participating state entity shall permit the public to view the participating
236 entity's public financial information via the website, beginning with information that is
237 generated not later than the fiscal year that begins July 1, 2008, except that public financial
238 information for an institution of higher education shall be provided beginning with information
239 generated for the fiscal year beginning July 1, 2009.

240 (b) Not later than May 15, 2009, the website shall:
241 (i) be operational; and
242 (ii) permit public access to participating state entities' public financial information,
243 except as provided in Subsection (4)(c).

244 (c) An institution of higher education that is a participating state entity shall submit the
245 entity's public financial information at a time allowing for inclusion on the website no later
246 than May 15, 2010.

247 (5) A person who negligently discloses a record that is classified as private, protected,
248 or controlled by Title 63G, Chapter 2, Government Records Access and Management Act, is
249 not criminally or civilly liable for an improper disclosure of the record if the record is disclosed
250 solely as a result of the preparation or publication of the Utah Public Finance Website.