



28 Programs, as a one-time appropriation for fiscal year 2012-13:

29 • ~~H~~→ [~~—\$15,000,000~~] \$7,600,000 ←~~H~~ from the Education Fund.

30 **Other Special Clauses:**

31 This bill takes effect on July 1, 2012.

32 **Utah Code Sections Affected:**

33 AMENDS:

34 **53A-1-708**, as last amended by Laws of Utah 2011, Chapters 342 and 359

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

37 Section 1. Section **53A-1-708** is amended to read:

38 **53A-1-708. Grants for online delivery of U-PASS tests.**

39 (1) As used in this section:

40 (a) "Adaptive tests" means tests administered during the school year using an online  
41 adaptive test system.

42 ~~§~~→ [~~(b)~~] "~~Common core~~" means a core set of English language arts and mathematics  
43 standards developed by states and adopted by the State Board of Education that define the  
44 knowledge and skills students should have in kindergarten through grade 12 to enable them to  
45 be prepared for college or workforce training.

46 ~~—~~ [(a)] [(c)] (b) ←~~§~~ "Summative tests" means tests administered near the end of a course to  
46a assess  
47 overall achievement of course goals.

48 [(b)] ~~§~~→ [(d)] (c) ←~~§~~ "Uniform online summative test system" means a single system for  
48a the online

49 delivery of summative tests required under U-PASS that:

50 (i) is coordinated by the Utah State Office of Education;

51 (ii) ensures the reliability and security of U-PASS tests; and

52 (iii) is selected through collaboration between Utah State Office of Education and  
53 school district representatives with expertise in technology, assessment, and administration.

54 [(e)] ~~§~~→ [(e)] (d) ←~~§~~ "U-PASS" means the Utah Performance Assessment System for  
54a Students.

54b ~~§~~→ (e) "Utah's common core" means the core set of English language arts and  
54c mathematics standards developed and adopted by the State Board of Education that define the  
54d knowledge and skills students should have in kindergarten through grade 12 to enable them to  
54e be prepared for college or workforce training. ←~~§~~

59 (b) an online adaptive test system to enable parents of students and school staff to  
 60 measure and monitor a student's academic progress during a school year.

61 (3) (a) Grant money may be used to pay for any of the following, provided it is directly  
 62 related to implementing a uniform online summative test system, an online adaptive test  
 63 system, or both:

64 (i) computer equipment and peripherals, including electronic data capture devices  
 65 designed for electronic test administration and scoring;

66 (ii) software;

67 (iii) networking equipment;

68 (iv) upgrades of existing equipment or software;

69 (v) upgrades of existing physical plant facilities;

70 (vi) personnel to provide technical support or coordination and management; and

71 (vii) teacher professional development.

72 (b) Equipment purchased in compliance with Subsection (3)(a), when not in use for the  
 73 online delivery of summative tests or adaptive tests required under U-PASS may be used for  
 74 other purposes.

75 ~~[(4) The State Board of Education may award grants only to school districts and charter~~  
 76 ~~schools that intend to implement a uniform online summative test system.]~~

77 ~~[(5)]~~ (4) The State Board of Education shall make rules:

78 (a) establishing procedures for applying for and awarding grants;

79 (b) specifying how grant money shall be allocated among school districts and charter  
 80 schools ~~[that qualify to receive grants under Subsection (4); and];~~

81 (c) requiring reporting of grant money expenditures and evidence showing that the  
 82 grant money has been used to implement a uniform online summative test system~~[-]~~, an online  
 83 adaptive test system, or both;

84 (d) establishing technology standards for an online adaptive testing system;

85 (e) requiring a school district or charter school that receives a grant under this section

86 to implement ~~H→~~, in compliance with Chapter 13, Part 3, Utah Family Educational Rights  
 86a and Privacy Act, ~~←H~~ an online adaptive test system by the 2014-15 school year that:

87 (i) meets the technology standards established under Subsection (4)(d); and

88 (ii) is aligned with ~~H→~~ [the] ~~←H~~ ~~S→~~ Utah's ~~←S~~ common core; ~~H→~~ [and] ~~←H~~

89 (f) requiring a school district or charter school to provide matching funds to implement

90 a uniform online summative test system, an online adaptive test system, or both in an amount  
 91 that is greater than or equal to the amount of a grant received under this section ~~H→ [ ]~~ ; and  
 91a (g) assuring that student identifiable data is not released to any person, except as  
 91b provided by Section 53A-13-301 and rules of the State Board of Education adopted under that  
 91c section. ~~←H~~

92 ~~[(6)]~~ (5) If a school district or charter school uses grant money for purposes other than  
 93 those stated in Subsection (3), the school district or charter school is liable for reimbursing the  
 94 State Board of Education in the amount of the grant money improperly used.

94a ~~H→~~ (6) A school district or charter school may not use federal funds to provide the  
 94b matching funds required to receive a grant under this section.

94c (7) A school district may not impose a tax rate above the certified tax rate for the  
 94d purpose of generating revenue to provide matching funds for a grant under this section. ~~←H~~

95 Section 2. **Appropriation.**

96 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
 97 following sums of money are appropriated from resources not otherwise appropriated out of the  
 98 funds or accounts indicated for the fiscal year beginning July 1, 2012, and ending June 30,  
 99 2013. These are additions to amounts previously appropriated for fiscal year 2012-13.

100 To the State Board of Education - Utah State Office of Education - Initiative Programs

101 ~~H→~~ [~~From Education Fund~~ \_\_\_\_\_ ~~\$5,000,000~~] ~~←H~~

102 From Education Fund, One-time ~~H→~~ [~~\$15,000,000~~] \$7,600,000 ~~←H~~

103 Schedule of Programs:

104 Contracts and Grants ~~H→~~ [~~\$20,000,000~~] \$7,600,000 ~~←H~~

105 The Legislature intends that the State Board of Education allocate the ~~H→~~ [~~\$20,000,000~~

105a \$7,600,000 ~~←H~~

106 appropriated for Contracts and Grants to award grants to school districts and charter schools to  
 107 implement a uniform online summative test system, an online adaptive test system, or both  
 108 pursuant to Section 53A-1-708.

109 Section 3. **Effective date.**

110 This bill takes effect on July 1, 2012.