

HB0081S01 compared with HB0081

~~{deleted text}~~ shows text that was in HB0081 but was deleted in HB0081S01.

inserted text shows text that was not in HB0081 but was inserted into HB0081S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Michael S. Kennedy proposes the following substitute bill:

PARENTAL REVIEW OF STATEWIDE SUMMATIVE TEST QUESTIONS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael S. Kennedy

Senate Sponsor: _____

LONG TITLE

General Description:

This bill ~~{allows}~~ modifies provisions related to the ~~{parent or guardian of a public school student to review test questions of summative tests administered statewide}~~ parental review of statewide summative test questions.

Highlighted Provisions:

This bill:

- ▶ ~~{allows the parent or guardian of a public school student to review test questions of any or all summative tests administered statewide;~~
- ~~prohibits a parent or guardian from making a copy or distributing a test question;~~
- ~~allows a parent or guardian to:~~

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- ~~• make notes while reviewing test questions; and~~
- ~~• discuss the content, but not the complete text, of a test question with any person; and~~
- ~~→ requires a school district or charter school to notify~~ expands a committee of parents or guardians of ~~{their right to review test questions}~~ Utah public education students that reviews computer adaptive test questions; and
- ▶ requires the State Board of Education to prepare, and publish on the State Board of Education's website, a report containing information about test questions identified by the committee for certain reasons.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

~~{ENACTS}~~ AMENDS:

~~{53A-1-614}~~ 53A-1-603, as last amended by Laws of Utah ~~{Code Annotated~~
~~1953}~~ 2013, Chapter 161

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

Section 1. 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 and charter school 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 achievement tests or online computer adaptive tests, college readiness assessments, an online writing assessment for grades 5 and 8, and a test for students in grade 3 to measure reading grade level to the board for approval and adoption and distribution to each school district and charter school by the state superintendent;
 - (c) develop an assessment method to uniformly measure statewide performance, school district performance, and school performance of students in grades 3 through 12 in mastering

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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) Except as provided in Subsection (3) and Subsection 53A-1-611(3), under U-PASS, the State Board of Education shall annually require each school district and charter school, as applicable, to administer:

(a) as determined by the State Board of Education, statewide criterion-referenced tests or online computer adaptive tests in grades 3 through 12 and courses in basic skill areas of the core curriculum;

(b) an online writing assessment to all students in grades 5 and 8;

(c) college readiness assessments as detailed in Section 53A-1-611; and

(d) a test to all students in grade 3 to measure reading grade level.

(3) Beginning with the 2014-15 school year, the State Board of Education shall annually require each school district and charter school, as applicable, to administer a computer adaptive assessment system that is:

(a) adopted by the State Board of Education; and

(b) aligned to Utah's common core.

(4) 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, online computer adaptive, and online 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;

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(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, test scores from the previous school year of students who have been assigned to the teacher's class for the new school year;

(e) allowing a school district or charter school to have its tests administered and scored electronically to accelerate the review of test scores and their usefulness to parents and educators under Subsection (4)(d), without violating the integrity of U-PASS; and

(f) providing that scores on the tests and assessments required under Subsection (2)(a) and Subsection (3) 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.

(5) (a) A school district or charter school, as applicable, is encouraged to administer an online writing assessment to students in grade 11.

(b) The State Board of Education may award a grant to a school district or charter school to pay for an online writing assessment and instruction program that may be used to assess the writing of students in grade 11.

(6) The State Board of Education shall make rules:

(a) establishing procedures for applying for and awarding money for computer adaptive tests;

(b) specifying how money for computer adaptive tests shall be allocated among school districts and charter schools that qualify to receive the money; and

(c) requiring reporting of the expenditure of money awarded for computer adaptive testing and evidence that the money was used to implement computer adaptive testing.

(7) The State Board of Education shall assure that computer adaptive tests are administered in compliance with the requirements of Chapter 13, Part 3, Utah Family Educational Rights and Privacy Act.

(8) (a) The State Board of Education shall establish a committee consisting of 15 to 30 parents or guardians of Utah public education students to review all computer adaptive test questions.

(b) (i) The committee established in Subsection (8)(a) shall include the following parent or guardian members:

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~~[(i) five]~~ (A) 5 to 10 members appointed by the chair of the State Board of Education;

~~[(ii) five]~~ (B) 5 to 10 members appointed by the speaker of the House of Representatives; and

~~[(iii) five]~~ (C) 5 to 10 members appointed by the president of the Senate.

(ii) The chair of the State Board of Education, speaker of the House of Representatives, and president of the Senate each shall appoint approximately one-third of the committee members.

(c) The State Board of Education shall provide staff support to the parent or guardian committee.

(d) The term of office of each member appointed in Subsection (8)(b) is ~~four~~ two years.

(e) The chair of the State Board of Education, ~~the~~ speaker of the House of Representatives, and ~~the~~ president of the Senate shall adjust the length of terms to stagger the terms of committee members so that approximately 1/2 of the committee members are appointed every ~~two years~~ year.

(f) No member may receive compensation or benefits for the member's service on the committee.

(g) (i) The State Board of Education shall prepare, and publish on the State Board of Education's website, a report on test questions:

(A) identified by the committee as having a grammatical, spelling, factual, or other error;

(B) identified by the committee as biased; or

(C) for which the committee has a concern for another reason.

(ii) The report shall include the number of identified test questions categorized by:

(A) grade level and course;

(B) source of the test question;

(C) reason identified; and

(D) action taken with respect to an identified test question, including elimination from the test bank, revision, or no change.

(iii) The report may not reveal test content or specific test questions.

(9) (a) School districts and charter schools shall require each licensed employee to

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complete two hours of professional development on youth suicide prevention within their license cycle in accordance with Section 53A-6-104.

(b) The State Board of Education shall develop or adopt sample materials to be used by a school district or charter school for professional development training on youth suicide prevention.

(c) The training required by this Subsection (9) shall be incorporated into professional development training required by rule in accordance with Section 53A-6-104.

~~{ Section 1. Section 53A-1-614 is enacted to read:~~

~~53A-1-614. Review of summative test questions by a parent or guardian:~~

~~(1) As used in this section:~~

~~(a) "Public school student" means a student who:~~

~~(i) is enrolled in a public school in Utah; or~~

~~(ii) may take a summative test as provided by rules of the State Board of Education;~~

~~(b) "Summative test" means a criterion-referenced or online computer adaptive test administered statewide in grades 3 through 12 in basic skill areas of the core curriculum pursuant to Section 53A-1-603.~~

~~(2) The parent or guardian of a public school student may review any or all test questions for any or all summative tests.~~

~~(3) The State Board of Education shall allow a parent or guardian access to summative test questions at least 90 days before the test is administered.~~

~~(4) A parent or guardian:~~

~~(a) may not copy, distribute, or otherwise disclose the complete text of any summative test question;~~

~~(b) may make notes while reviewing test questions; and~~

~~(c) may discuss the content and topic, but not the complete text, of a summative test question with any person.~~

~~(5) A school district or charter school shall notify parents or guardians of public school students of their right to review summative test questions by providing notification:~~

~~(a) on the school district's or charter school's website;~~

~~(b) in a school district or charter school newsletter to parents and guardians; or~~

~~(c) by email to parents and guardians.~~

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Legislative Review Note

~~as of 1-27-14 1:19 PM~~

~~Office of Legislative Research and General Counsel}~~