

**SCHOOL GRADING REVISIONS**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: J. Stuart Adams**

House Sponsor: Gregory H. Hughes

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**LONG TITLE**

**General Description:**

This bill modifies procedures and standards for assigning a letter grade to a school based on the proficiency, learning gains, or college and career readiness of the school's students.

**Highlighted Provisions:**

This bill:

- ▶ modifies the definition of sufficient growth;
- ▶ requires the State Board of Education to establish a growth target for a student for each statewide assessment the student takes;
- ▶ requires the State Board of Education to create an alignment of scale scores when transitioning between assessment systems;
- ▶ exempts from school grading a school that is designated as an alternative school by the State Board of Education;
- ▶ requires the State Board of Education to annually evaluate an alternative school in accordance with an accountability plan developed by the State Board of Education;
- ▶ exempts certain schools from school grading;
- ▶ defines a combination school and requires the State Board of Education to assign two school grades to a combination school;
- ▶ modifies the calculation of a high school's graduation rate;
- ▶ establishes a standard for determining whether a student is college ready for the



28 purpose of school grading;

29       ▶ requires the State Board of Education to lower a school grade by one letter grade if  
30 student participation in testing is less than 95%; ~~and~~

30a       ▶ provides for exceptions to certain requirements for the purpose of determining  
30b school grades for the 2013-14 school year; and ~~and~~

31       ▶ makes technical amendments.

32 **Money Appropriated in this Bill:**

33       None

34 **Other Special Clauses:**

35       None

36 **Utah Code Sections Affected:**

37 AMENDS:

38       **53A-1-1102**, as last amended by Laws of Utah 2013, Chapter 478

39       **53A-1-1103**, as last amended by Laws of Utah 2013, Chapter 478 and last amended by  
40 Coordination Clause, Laws of Utah 2013, Chapter 478

41       **53A-1-1104**, as enacted by Laws of Utah 2011, Chapter 417

42       **53A-1-1107**, as repealed and reenacted by Laws of Utah 2013, Chapter 478

43       **53A-1-1108**, as last amended by Laws of Utah 2013, Chapter 478 and last amended by  
44 Coordination Clause, Laws of Utah 2013, Chapter 478

45       **53A-1-1110**, as last amended by Laws of Utah 2013, Chapter 478

46 ENACTS:

47       **53A-1-1104.5**, Utah Code Annotated 1953

48       **53A-1-1107.5**, Utah Code Annotated 1953

48a       ~~and~~ **53A-1-1114, Utah Code Annotated 1953** ~~and~~

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

51       Section 1. Section **53A-1-1102** is amended to read:

52       **53A-1-1102. Definitions.**

53       As used in this part:

54       (1) "Alternative school" means a school:

55       (a) established to serve youth who are not succeeding in a traditional school

56 environment; and

57       (b) designated as an alternative school by the State Board of Education.

58       (2) "Board" means the State Board of Education.

59 (3) "Combination school" means a school that includes:

60 (a) grade 12; and

61 (b) a grade lower than grade 7.

62 [~~(1)~~] (4) "High school" means:

63 (a) a school that:

64 (i) includes grade 12[-]; and

65 (ii) does not include any grade lower than grade 7; or

66 (b) grades 9 through 12 of a combination school.

67 (5) "Individualized education program" or "IEP" means a written statement, for a  
 68 student with a disability, that is developed, reviewed, and revised in accordance with the  
 69 Individuals with Disabilities Education Act, 20 U.S.C. Sec. 1400 et seq.

70 [~~(2)~~] (6) "Statewide assessment" means[-(a)] a criterion-referenced test of student  
 71 achievement in language arts, mathematics, or science, including a test administered in a  
 72 computer adaptive format[-; and (b)], which is administered statewide under Part 6,  
 73 Achievement Tests.

74 [~~(3)~~] "Student growth percentile" means the result of a statistical model that calculates  
 75 each student's change in achievement between two or more points in time on a statewide  
 76 assessment and compares each student's performance to that of similarly achieving students.]

77 [~~(4)~~] (7) "Sufficient growth" means [a measurement of growth greater than or equal to  
 78 growth at a specific percentile in the 2011-12 year adopted by the State Board of Education in  
 79 rule.] a student's scale score on a statewide assessment is equal to or exceeds the student's  
 80 growth target established pursuant to Section [53A-1-1107.5](#).

81 (8) "Year 1" means the first year of two consecutive years in which a student takes a  
 82 statewide assessment in the same subject.

83 (9) "Year 2" means the second year of two consecutive years in which a student takes a  
 84 statewide assessment in the same subject.

85 Section 2. Section **53A-1-1103** is amended to read:

86 **53A-1-1103. State Board of Education to establish school grading system --**

87 **Report to Education Interim Committee.**

88 (1) (a) The State Board of Education shall establish a school grading system in  
 89 accordance with this part in which a school annually is designated a grade of A, B, C, D, or F

90 based on the performance of the school's students on statewide assessments, and for a high  
91 school, the graduation rate and, except for the 2012-13 school year, student performance on a  
92 college admissions test administered pursuant to Section [53A-1-611](#).

93 (b) The school grading system established in this part shall be known and referred to as  
94 "school grading."

95 (2) The State Board of Education shall:

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

98 (b) study modifications to the school grading system; and

99 (c) make recommendations for proposed legislation to the Education Interim

100 Committee on modifications to the school grading system by the committee's September 2012  
101 meeting.

102 (3) The school grading system shall take effect for the 2012-13 school year and shall  
103 replace the U-PASS accountability system developed and implemented by the State Board of  
104 Education.

105 (4) For the purposes of school grading, the State Board of Education shall create an  
106 alignment mapping of scale scores when transitioning to a new assessment system to reflect the  
107 standards of academic achievement set by the State Board of Education.

108 Section 3. Section **53A-1-1104** is amended to read:

109 **53A-1-1104. Schools included in grading system.**

110 (1) Except as provided in [~~Subsection~~] Subsections (2) through (5), a school that has  
111 students who take statewide assessments shall receive a school grade.

112 (2) A school may not receive a school grade, if the number of a school's students tested  
113 is less than the minimum sample size necessary, based on accepted professional practice for  
114 statistical reliability or the prevention of the unlawful release of personally identifiable student  
115 data under 20 U.S.C. Sec. 1232h.

116 (3) (a) An alternative school is exempt from school grading.

117 (b) The board shall annually:

118 (i) evaluate an alternative school in accordance with an accountability plan approved  
119 by the board; and

120 (ii) report the results on a school report card.

121 (c) The State Board of Education, a local school board, and a charter school governing  
122 board shall provide to a parent or guardian a school report card for an alternative school and  
123 electronically publish the school report card in the same manner and at the same time as other  
124 school report cards are provided and published pursuant to Section 53A-11-1112.

125 (4) The State Board of Education shall exempt a school from school grading in the  
126 school's first year of operations if the school's local school board or charter school governing  
127 board requests the exemption.

128 (5) The State Board of Education shall exempt a high school from school grading or  
129 exempt a combination school from the school grading requirement described in Subsection  
130 53A-1-1104.5(2) in the high school's or combination school's second year of operations if the  
131 school's local school board or charter school governing board requests the exemption.

132 Section 4. Section **53A-1-1104.5** is enacted to read:

133 **53A-1-1104.5. Two school grades assigned to a combination school.**

134 The board shall assign two school grades to a combination school as follows:

135 (1) the board shall assign a school grade based on the proficiency and learning gains of  
136 students who are enrolled in a grade below grade 9 as described in Sections 53A-1-1106 and  
137 53A-1-1107; and

138 (2) the board shall assign a school grade based on:

139 (a) the proficiency and learning gains of students who are enrolled in grades 9 through  
140 12, as described in Sections 53A-1-1106 and 53A-1-1107;

141 (b) the school's graduation rate calculated in accordance with Section 53A-1-1108; and

142 (c) the percentage of students considered college ready calculated in accordance with  
143 Section 53A-1-1108.

144 Section 5. Section **53A-1-1107** is amended to read:

145 **53A-1-1107. Calculation of points earned for students demonstrating sufficient**  
146 **growth in language arts, mathematics, and science.**

147 (1) A school shall receive points for a school's students demonstrating sufficient  
148 growth in language arts, mathematics, and science~~[, and writing]~~ as follows:

149 (a) A school shall receive 0.5 points for each percentage of the school's students who  
150 take a statewide assessment of language arts achievement and make sufficient growth.

151 (b) A school shall receive 0.5 points for each percentage of the school's students who

152 take a statewide assessment of mathematics achievement and make sufficient growth.

153 (c) A school shall receive 0.5 points for each percentage of the school's students who  
154 take a statewide assessment of science achievement and make sufficient growth.

155 (2) A school shall receive points for a school's students who scored below the  
156 proficient level on statewide achievement tests in the prior year and who demonstrate sufficient  
157 growth in language arts, mathematics, and science as follows:

158 (a) A school shall receive 0.5 points for each percentage of the school's nonproficient  
159 students, as determined by prior year language arts test scores, who take a statewide assessment  
160 of language arts achievement and make sufficient growth.

161 (b) A school shall receive 0.5 points for each percentage of the school's nonproficient  
162 students, as determined by prior year mathematics test scores, who take a statewide assessment  
163 of mathematics achievement and make sufficient growth.

164 (c) A school shall receive 0.5 points for each percentage of the school's nonproficient  
165 students, as determined by prior year science test scores, who take a statewide assessment of  
166 science achievement and make sufficient growth.

167 (3) A school may earn a maximum of 50 points for each of the criteria listed in  
168 Subsections (1)(a), (b), and (c) and (2)(a), (b), and (c).

169 (4) The State Board of Education shall:

170 (a) model the school grading system based on awarding points as described in  
171 Subsection (2) for students in the lowest quartile, as determined by prior year test scores, who  
172 make sufficient growth; and

173 (b) submit a report on the model results to the Education Interim Committee no later  
174 than the committee's November 2013 meeting.

175 Section 6. Section **53A-1-1107.5** is enacted to read:

176 **53A-1-1107.5. Growth target established to determine whether a student**  
177 **demonstrates sufficient growth in a subject.**

178 (1) (a) For the purpose of determining whether a student demonstrates sufficient  
179 growth in the 2013-14 school year in language arts, mathematics, or science as provided in  
180 Section [53A-1-1107](#), the board shall establish a growth target for a student for each statewide  
181 assessment the student takes.

182 (b) A student demonstrates sufficient growth in the 2013-14 school year if the student's

183 scale score on a statewide assessment administered in the 2013-14 school year is equal to or  
184 exceeds the growth target established pursuant to Subsections (1)(c) and (1)(d).

185 (c) The board shall establish a 2013-14 growth target for each cohort of students with  
186 the same scale score on a particular statewide assessment in the 2012-13 school year.

187 (d) (i) The board shall establish a 2013-14 growth target based on actual student  
188 growth in the 2011-12 school year as measured by statewide assessments administered at the  
189 end of the 2010-11 and 2011-12 school years.

190 (ii) Among a cohort of students with the same scale score on a particular statewide  
191 assessment in the 2010-11 school year, the scale score of the student who scores in the 2011-12  
192 school year, at a percentile determined by the board in rule, becomes the 2013-14 growth target  
193 for any student with a scale score in the 2012-13 school year that is the same as the cohort's  
194 scale score in the 2010-11 school year.

195 (2) (a) For the purpose of determining whether a student demonstrates sufficient  
196 growth in the 2014-15 school year, or a succeeding school year, in language arts, mathematics,  
197 or science as provided in Section [53A-1-1107](#), the board shall establish a year 2 growth target  
198 for a student for each statewide assessment the student takes.

199 (b) A student demonstrates sufficient growth if the student's scale score on a statewide  
200 assessment in year 2 is equal to or exceeds the year 2 growth target established pursuant to  
201 Subsections (2)(c) and (2)(d).

202 (c) The board shall establish a year 2 growth target for each cohort of students with the  
203 same scale score on a particular statewide assessment in year 1.

204 (d) (i) The board shall establish a year 2 growth target based on actual student growth  
205 in the 2014-15 school year as measured by statewide assessments administered at the end of the  
206 2013-14 and 2014-15 school years.

207 (ii) Among a cohort of students with the same scale score on a particular statewide  
208 assessment in the 2013-14 school year, the scale score of the student who scores on a similar  
209 statewide assessment in the 2014-15 school year, at a percentile determined by the board in  
210 rule, becomes the year 2 growth target for statewide assessments administered in the 2014-15  
211 school year and succeeding years for any student with a year 1 scale score that is the same as  
212 the cohort's scale score in the 2013-14 school year.

213 Section 7. Section **53A-1-1108** is amended to read:

214 **53A-1-1108. Calculation of additional points earned for high school graduation**  
 215 **and college and career readiness.**

216 (1) In addition to the points described in Sections 53A-1-1106 and 53A-1-1107 [~~and~~  
 217 ~~subject to Subsection (2)~~], a high school shall receive points, as determined by the State Board  
 218 of Education, for:

219 (a) the percentage of students who graduate from high school; and

220 (b) except for the 2012-13 school year, the percentage of students who are considered  
 221 college ready as measured by a college admissions test administered pursuant to Section  
 222 53A-1-611.

223 (2) ~~[It]~~ (a) Except as provided in Subsection (2)(b), in calculating the percentage of  
 224 students who graduate, the State Board of Education shall use the same graduation rate for a  
 225 high school that is used under the federal ~~[No Child Left Behind accountability]~~ four-year  
 226 cohort system.

227 (b) In calculating a high school graduation rate for the purpose of school grading, the  
 228 State Board of Education shall exclude from the four-year cohort for the graduating class a  
 229 student with a disability who has an individualized education program that includes a plan to  
 230 complete graduation requirements in more than four years.

231 (3) (a) Except as provided in Subsection (3)(b), for the purpose of school grading, a  
 232 student is considered college ready if the student's ~~Score~~ composite ~~score~~ in each subject  
 232a area ~~on the ACT is at least 18~~ on the ACT is at least 18 ~~or above the College Readiness Benchmark as defined~~  
 232b by the ACT .

233 (b) The ~~board~~ board ~~in consultation with the State Board of Regents~~  
 233a1 may adopt by rule a higher  
 233a composite subject area ~~score threshold on the ACT to be~~  
 234 considered college ready for school grading purposes.

235 ~~(4)~~ (4) (a) Except as provided in Subsection ~~(4)~~ (4)(b), a school may earn a  
 236 maximum of 300 points for the criteria described in Subsection (1) with one-half of the  
 237 maximum number of points allotted to high school graduation and one-half allotted to the  
 238 percentage of students who are considered college ready as measured by a college admissions  
 239 test administered pursuant to Section 53A-1-611.

240 (b) For the 2012-13 school year, a school may earn a maximum of 150 points for the  
 241 percentage of students who graduate from high school.

242 Section 8. Section 53A-1-1110 is amended to read:

243 **53A-1-1110. Letter grade based on percentage of maximum points earned.**

244 (1) Except as provided in Subsections (2) and (3), a school shall receive a letter grade



245 based on the percentage of the maximum number of points the school may earn as calculated  
 246 under Section 53A-1-1109 as follows:

- 247 (a) A, 100% - 80%;
- 248 (b) B, 79% - 70%;
- 249 (c) C, 69% - 60%;
- 250 (d) D, 59% - 50%; and
- 251 (e) F, 49% or less.

252 (2) When 85% of schools receive an A or B, the State Board of Education shall  
 253 increase the endpoints of the ranges listed in Subsections (1)(a) through (1)(e) by five  
 254 percentage points, except the lower endpoint of the A range may not be greater than 90%.

255 (3) ~~[A school shall receive an F]~~ The board shall lower a school's grade by one letter  
 256 grade if:

- 257 (a) student participation in a statewide assessment is fewer than 95%; or
- 258 (b) the participation of nonproficient students as determined by prior year test scores is  
 259 fewer than 95%.

259a **H→ Section 9. Section 53A-1-1114 is enacted to read:**

259b **53A-1-1114. Exceptions applicable to determining school grades for the 2013-14**  
 259c **school year.**

259d **(1) Notwithstanding the requirements of Subsection 53A-1-1102(7),**  
 259e **Subsection 53A-1-1103(4), Section 53A-1-1107.5, Subsection 53A-1-1110(1), and**  
 259f **Subsections 53A-1-1112(5) through (7), for the purposes of determining school grades for the**  
 259g **2013-14 school year, when schools transition to a new assessment system:**

259h **(a) the State Board of Education is not required to create an alignment mapping of**  
 259i **scale scores between assessments administered in the 2012-13 school year and those**  
 259j **administered in the 2013-14 school year;**

259k **(b) the State Board of Education shall determine, by rule:**

259l **(i) how to measure growth of a school's students on statewide assessments of language**  
 259m **arts, mathematics, and science achievement; and**

259n **(ii) a standard for sufficient growth;**

259o **(c) the State Board of Education may, by rule, adjust the percentage of the maximum**  
 259p **number of points required to earn A through F letter grades; and**

259q **(d) the State Board of Education, schools districts, and charter schools shall publish on**  
 259r **their websites school grades for the 2013-14 school year on or before December 15, 2014.**

259s **(2)(a) Before the State Board of Education adopts a rule pursuant to Subsection**

259t (1)(c), the board shall submit one or more proposals to the Executive Appropriations  
259u Committee to adjust the maximum number of points required to earn A through F letter  
259v grades for the 2013-14 school year.

259w (b) For each proposal submitted to the Executive Appropriations Committee, the board  
259x shall model the projected distribution of schools earning each letter grade.

259y (c) The Executive Appropriations Committee may:

259z (i) recommend that the board adopt a proposal to adjust the maximum number of  
259aa points required to earn A through F letter grades for the 2013-14 school year;

259ab (ii) recommend that the board modify a proposal to adjust the maximum number of  
259ac points required to earn A through F letter grades for the 2013-14 school year; or

259ad (iii) recommend that no adjustment be made to the maximum number of points  
259ae required to earn A through F letter grades for the 2013-14 school year. ←H

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Legislative Review Note  
as of 2-18-14 10:16 AM

Office of Legislative Research and General Counsel