

SCHOOL GRADING REVISIONS

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: J. Stuart Adams

House Sponsor: Gregory H. Hughes

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 purpose of school grading;
- ▶ 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%;
31 ▶ provides for exceptions to certain requirements for the purpose of determining
32 school grades for the 2013-14 school year; and
33 ▶ makes technical amendments.

34 **Money Appropriated in this Bill:**

35 None

36 **Other Special Clauses:**

37 None

38 **Utah Code Sections Affected:**

39 AMENDS:

40 **53A-1-1102**, as last amended by Laws of Utah 2013, Chapter 478
41 **53A-1-1103**, as last amended by Laws of Utah 2013, Chapter 478 and last amended by
42 Coordination Clause, Laws of Utah 2013, Chapter 478
43 **53A-1-1104**, as enacted by Laws of Utah 2011, Chapter 417
44 **53A-1-1107**, as repealed and reenacted by Laws of Utah 2013, Chapter 478
45 **53A-1-1108**, as last amended by Laws of Utah 2013, Chapter 478 and last amended by
46 Coordination Clause, Laws of Utah 2013, Chapter 478
47 **53A-1-1110**, as last amended by Laws of Utah 2013, Chapter 478

48 ENACTS:

49 **53A-1-1104.5**, Utah Code Annotated 1953
50 **53A-1-1107.5**, Utah Code Annotated 1953
51 **53A-1-1114**, Utah Code Annotated 1953

52

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

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

55 **53A-1-1102. Definitions.**

56 As used in this part:

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

58 (a) established to serve youth who are not succeeding in a traditional school
59 environment; and

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

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

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

63 (a) grade 12; and

64 (b) a grade lower than grade 7.

65 ~~[(1)]~~ (4) "High school" means:

66 (a) a school that:

67 (i) includes grade 12~~[-];~~ and

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

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

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

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

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

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

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

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

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

89 **53A-1-1103. State Board of Education to establish school grading system --**
90 **Report to Education Interim Committee.**

91 (1) (a) The State Board of Education shall establish a school grading system in
92 accordance with this part in which a school annually is designated a grade of A, B, C, D, or F
93 based on the performance of the school's students on statewide assessments, and for a high
94 school, the graduation rate and, except for the 2012-13 school year, student performance on a
95 college admissions test administered pursuant to Section **53A-1-611**.

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

98 (2) The State Board of Education shall:

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

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

102 (c) make recommendations for proposed legislation to the Education Interim
103 Committee on modifications to the school grading system by the committee's September 2012
104 meeting.

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

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

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

112 **53A-1-1104. Schools included in grading system.**

113 (1) Except as provided in [~~Subsection~~] Subsections (2) through (5), a school that has

114 students who take statewide assessments shall receive a school grade.

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

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

120 (b) The board shall annually:

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

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

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

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

131 (5) The State Board of Education shall exempt a high school from school grading or
132 exempt a combination school from the school grading requirement described in Subsection
133 [53A-1-1104.5](#)(2) in the high school's or combination school's second year of operations if the
134 school's local school board or charter school governing board requests the exemption.

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

136 **53A-1-1104.5. Two school grades assigned to a combination school.**

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

138 (1) the board shall assign a school grade based on the proficiency and learning gains of
139 students who are enrolled in a grade below grade 9 as described in Sections [53A-1-1106](#) and
140 [53A-1-1107](#); and

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

142 (a) the proficiency and learning gains of students who are enrolled in grades 9 through
143 12, as described in Sections 53A-1-1106 and 53A-1-1107;

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

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

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

148 **53A-1-1107. Calculation of points earned for students demonstrating sufficient**
149 **growth in language arts, mathematics, and science.**

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

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

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

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

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

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

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

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

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

172 (4) The State Board of Education shall:

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

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

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

179 **53A-1-1107.5. Growth target established to determine whether a student**
180 **demonstrates sufficient growth in a subject.**

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

185 (b) A student demonstrates sufficient growth in the 2013-14 school year if the student's
186 scale score on a statewide assessment administered in the 2013-14 school year is equal to or
187 exceeds the growth target established pursuant to Subsections (1)(c) and (1)(d).

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

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

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

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

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

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

207 (d) (i) The board shall establish a year 2 growth target based on actual student growth
208 in the 2014-15 school year as measured by statewide assessments administered at the end of the
209 2013-14 and 2014-15 school years.

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

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

217 **53A-1-1108. Calculation of additional points earned for high school graduation**
218 **and college and career readiness.**

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

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

223 (b) except for the 2012-13 school year, the percentage of students who are considered
224 college ready as measured by a college admissions test administered pursuant to Section
225 53A-1-611.

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

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

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

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

240 ~~[(3)]~~ (4) (a) Except as provided in Subsection ~~[(3)]~~ (4)(b), a school may earn a
241 maximum of 300 points for the criteria described in Subsection (1) with one-half of the
242 maximum number of points allotted to high school graduation and one-half allotted to the
243 percentage of students who are considered college ready as measured by a college admissions
244 test administered pursuant to Section 53A-1-611.

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

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

248 **53A-1-1110. Letter grade based on percentage of maximum points earned.**

249 (1) Except as provided in Subsections (2) and (3), a school shall receive a letter grade
250 based on the percentage of the maximum number of points the school may earn as calculated
251 under Section 53A-1-1109 as follows:

252 (a) A, 100% - 80%;

253 (b) B, 79% - 70%;

254 (c) C, 69% - 60%;

255 (d) D, 59% - 50%; and

256 (e) F, 49% or less.

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

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

262 (a) student participation in a statewide assessment is fewer than 95%; or

263 (b) the participation of nonproficient students as determined by prior year test scores is
264 fewer than 95%.

265 Section 9. Section **53A-1-1114** is enacted to read:

266 **53A-1-1114. Exceptions applicable to determining school grades for the 2013-14**
267 **school year.**

268 (1) Notwithstanding the requirements of Subsection [53A-1-1102\(7\)](#), Subsection
269 [53A-1-1103\(4\)](#), Section [53A-1-1107.5](#), Subsection [53A-1-1110\(1\)](#), and Subsections
270 [53A-1-1112\(5\)](#) through (7), for the purposes of determining school grades for the 2013-14
271 school year, when schools transition to a new assessment system:

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

275 (b) the State Board of Education shall determine, by rule:

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

278 (ii) a standard for sufficient growth;

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

281 (d) the State Board of Education, school districts, and charter schools shall publish on

282 their websites school grades for the 2013-14 school year on or before December 15, 2014.

283 (2) (a) Before the State Board of Education adopts a rule pursuant to Subsection (1)(c),
284 the board shall submit one or more proposals to the Executive Appropriations Committee to
285 adjust the maximum number of points required to earn A through F letter grades for the
286 2013-14 school year.

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

289 (c) The Executive Appropriations Committee may:

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

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

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