

1                   **PARENT REVIEW OF INSTRUCTIONAL MATERIALS AND**  
2   **CURRICULUM**

3   2014 GENERAL SESSION

4   STATE OF UTAH

5                                   **Chief Sponsor: Howard A. Stephenson**

6                                   House Sponsor: Gregory H. Hughes

---

---

8   **LONG TITLE**

9   **General Description:**

10           This bill provides for review by a committee of parents or guardians of a complaint  
11 related to curriculum or instructional materials.

12 **Highlighted Provisions:**

13           This bill:

- 14           ▶ expands the duties of a committee of parents responsible to review computer  
15 adaptive test questions to include the review of a complaint submitted by a parent or  
16 guardian of a public school student related to curriculum or instructional materials;
- 17           ▶ requires the State Board of Education to prepare, and publish on the State Board of  
18 Education's website, a report containing information about complaints related to  
19 curriculum and instructional materials; and
- 20           ▶ makes technical changes.

21 **Money Appropriated in this Bill:**

22           None

23 **Other Special Clauses:**

24           None

25 **Utah Code Sections Affected:**

26 AMENDS:

27           **53A-1-603**, as last amended by Laws of Utah 2013, Chapter 161



28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58

---

---

*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 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)~~(4), 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.

59 (4) The board shall adopt rules for the conduct and administration of U-PASS to  
60 include the following:

61 (a) the computation of student performance based on information that is disaggregated  
62 with respect to race, ethnicity, gender, limited English proficiency, and those students who  
63 qualify for free or reduced price school lunch;

64 (b) security features to maintain the integrity of the system, which could include  
65 statewide uniform testing dates, multiple test forms, and test administration protocols;

66 (c) the exemption of student test scores, by exemption category, such as limited  
67 English proficiency, mobility, and students with disabilities, with the percent or number of  
68 student test scores exempted being publically reported at a district level;

69 (d) compiling of criterion-referenced, online computer adaptive, and online writing test  
70 scores and test score averages at the classroom level to allow for:

71 (i) an annual review of those scores by parents of students and professional and other  
72 appropriate staff at the classroom level at the earliest point in time;

73 (ii) the assessment of year-to-year student progress in specific classes, courses, and  
74 subjects;

75 (iii) a teacher to review, prior to the beginning of a new school year, test scores from  
76 the previous school year of students who have been assigned to the teacher's class for the new  
77 school year;

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

81 (f) providing that scores on the tests and assessments required under Subsection (2)(a)  
82 and Subsection (3) shall be considered in determining a student's academic grade for the  
83 appropriate course and whether a student shall advance to the next grade level.

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

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

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

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

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

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

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

99 (8) (a) The State Board of Education shall establish a committee consisting of 15  
100 parents or guardians of Utah public education students to review:

101 (i) all computer adaptive test questions[-]; and

102 (ii) a complaint submitted by a parent or guardian of a public school student related to  
103 curriculum or instructional materials.

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

106 (i) five members appointed by the chair of the State Board of Education;

107 (ii) five members appointed by the speaker of the House of Representatives; and

108 (iii) five members appointed by the president of the Senate.

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

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

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

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

118 (g) (i) The State Board of Education shall prepare, and publish on the State Board of  
119 Education's website, a report on complaints related to curriculum and instructional materials,  
120 including:

- 121           (A) a complaint of a factual or other error;
- 122           (B) a complaint of bias; or
- 123           (C) a complaint made for another reason.
- 124           (ii) The report shall include the number of complaints categorized by:
- 125           (A) grade level and course;
- 126           (B) reason identified; and
- 127           (C) action taken by a school district or school with respect to a complaint.
- 128           (9) (a) School districts and charter schools shall require each licensed employee to
- 129 complete two hours of professional development on youth suicide prevention within their
- 130 license cycle in accordance with Section [53A-6-104](#).
- 131           (b) The State Board of Education shall develop or adopt sample materials to be used by
- 132 a school district or charter school for professional development training on youth suicide
- 133 prevention.
- 134           (c) The training required by this Subsection (9) shall be incorporated into professional
- 135 development training required by rule in accordance with Section [53A-6-104](#).

---

---

**Legislative Review Note**  
as of 2-25-14 10:08 AM

**Office of Legislative Research and General Counsel**