

Senator Ann Millner proposes the following substitute bill:

SCHOOL GRADING AMENDMENTS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Ann Millner

House Sponsor: Bradley G. Last

LONG TITLE

General Description:

This bill amends provisions related to 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:

- ▶ allows the State Board of Education to exempt certain schools from school grading;
- ▶ requires the State Board of Education to evaluate a school that is exempted from school grading in accordance with an accountability plan;
- ▶ amends provisions related to calculating student growth;
- ▶ requires the State Board of Education to make recommendations to the Education Interim Committee on calculating student growth;
- ▶ provides an alternative grade distribution for the 2014-15 school year only; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:



26 AMENDS:

27 [53A-1-1102](#), as last amended by Laws of Utah 2014, Chapter 403

28 [53A-1-1104](#), as last amended by Laws of Utah 2014, Chapter 403

29 [53A-1-1107.5](#), as enacted by Laws of Utah 2014, Chapter 403

30 [53A-1-1114](#), as enacted by Laws of Utah 2014, Chapter 403

31

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

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

34 **53A-1-1102. Definitions.**

35 As used in this part:

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

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

38 environment; and

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

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

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

42 (a) grade 12; and

43 (b) a grade lower than grade 7.

44 (4) "High school" means:

45 (a) a school that:

46 (i) includes grade 12; and

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

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

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

52 (6) "Statewide assessment" means a criterion-referenced test of student achievement in
53 language arts, mathematics, or science, including a test administered in a computer adaptive
54 format, which is administered statewide under Part 6, Achievement Tests.

55 (7) "Sufficient growth" means a student's scale score on a statewide assessment is
56 equal to or exceeds the student's growth target established pursuant to Section [53A-1-1107.5](#).

57 ~~[(8) "Year 1" means the first year of two consecutive years in which a student takes a~~
58 ~~statewide assessment in the same subject.]~~

59 ~~[(9) "Year 2" means the second year of two consecutive years in which a student takes~~
60 ~~a statewide assessment in the same subject.]~~

61 Section 2. Section **53A-1-1104** is amended to read:

62 **53A-1-1104. Schools included in grading system.**

63 (1) Except as provided in Subsections (2) through (5), a school that has students who
64 take statewide assessments shall receive a school grade.

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

69 ~~[(3) (a) An alternative school is exempt from school grading.]~~

70 ~~[(b) The board shall annually:]~~

71 ~~[(i) evaluate an alternative school in accordance with an accountability plan approved~~
72 ~~by the board; and]~~

73 ~~[(ii) report the results on a school report card.]~~

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

78 ~~[(4)]~~ (3) The ~~[State Board of Education]~~ board shall exempt a school from school
79 grading in the school's first year of operations if the school's local school board or charter
80 school governing board requests the exemption.

81 ~~[(5)]~~ (4) The ~~[State Board of Education]~~ board shall exempt a high school from school
82 grading or exempt a combination school from the school grading requirement described in
83 Subsection [53A-1-1104.5](#)(2) in the high school's or combination school's second year of
84 operations if the school's local school board or charter school governing board requests the
85 exemption.

86 (5) (a) The board may exempt a school from school grading if the school:

87 (i) (A) is an alternative school; or

88 (B) is a special needs school, as defined by rules made by the board in accordance with
89 Title 63G, Chapter 3, Utah Administrative Rulemaking Act; and

90 (ii) requests the exemption with the approval of:

91 (A) the school's governing board; or

92 (B) for the Utah Schools for the Deaf and the Blind, the school's advisory committee.

93 (b) If the board exempts a school under Subsection (5)(a), the board shall annually:

94 (i) evaluate the school in accordance with an accountability plan established by the

95 board through rules made in accordance with Title 63G, Chapter 3, Utah Administrative

96 Rulemaking Act;

97 (ii) report the results on a school report card; and

98 (iii) electronically publish the school report card in the same manner and at the same

99 time as other school report cards under Section [53A-1-1112](#).

100 (c) If a school is granted an exemption from school grading under Subsection (5)(a),
101 the school shall:

102 (i) provide to a parent or guardian the school report card described in Subsection

103 (5)(b)(ii); and

104 (ii) electronically publish the school report card in the same manner and at the same

105 time as other school report cards under Section [53A-1-1112](#).

106 Section 3. Section **53A-1-1107.5** is amended to read:

107 **53A-1-1107.5. Growth target established to determine whether a student**

108 **demonstrates sufficient growth in a subject.**

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

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

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

118 ~~[(d)(i) The board shall establish a 2013-14 growth target based on actual student~~

119 growth in the 2011-12 school year as measured by statewide assessments administered at the
120 end of the 2010-11 and 2011-12 school years.]

121 [~~(ii) Among a cohort of students with the same scale score on a particular statewide
122 assessment in the 2010-11 school year, the scale score of the student who scores in the 2011-12
123 school year, at a percentile determined by the board in rule, becomes the 2013-14 growth target
124 for any student with a scale score in the 2012-13 school year that is the same as the cohort's
125 scale score in the 2010-11 school year.]~~

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

130 [(b)] (2) A student demonstrates sufficient growth if the student's scale score on a
131 statewide assessment [in year 2] is equal to or exceeds the [year 2] student's growth target
132 established pursuant to Subsections [(2)(c)] (3) and [(2)(d)] (4).

133 [(c)] (3) The board shall establish a [year 2] formula for a growth target for each
134 [~~cohort of students with]~~ student based on:

135 (a) the statewide cohort of students with the same scale score on a particular statewide
136 assessment [in year 1.]; and

137 [(d)(i) The board shall establish a year 2 growth target based on]

138 (b) actual student growth in the 2014-15 school year as measured by statewide
139 assessments administered at the end of the 2013-14 and 2014-15 school years and for each
140 succeeding school year.

141 [~~(ii) Among a cohort of students with the same scale score on a particular statewide
142 assessment in the 2013-14 school year, the scale score of the student who scores on a similar
143 statewide assessment in the 2014-15 school year, at a percentile determined by the board in
144 rule, becomes the year 2 growth target for statewide assessments administered in the 2014-15
145 school year and succeeding years for any student with a year 1 scale score that is the same as
146 the cohort's scale score in the 2013-14 school year.]~~

147 (4) On or before November 30, 2015, the State Board of Education shall make
148 recommendations to the Legislature's Education Interim Committee on the method for
149 determining whether a student demonstrates sufficient growth for the 2015-16 school year and

150 succeeding school years.

151 Section 4. Section **53A-1-1114** is amended to read:

152 **53A-1-1114. Exceptions applicable to determining school grades for the 2014-15**
153 **school year.**

154 [(†)] Notwithstanding the requirements of [~~Subsection 53A-1-1102(7), Subsection~~
155 ~~53A-1-1103(4), Section 53A-1-1107.5,~~] Subsection 53A-1-1110(1)[~~, and Subsections~~
156 ~~53A-1-1112(5) through (7)~~], for the purposes of determining school grades for the [2013-14]
157 2014-15 school year, [when] as schools transition to a new assessment system[:], a school's
158 grade is based on the percentage of the maximum number of points the school may earn as
159 calculated under Section 53A-1-1109 as follows:

160 [~~(a) the State Board of Education is not required to create an alignment mapping of~~
161 ~~scale scores between assessments administered in the 2012-13 school year and those~~
162 ~~administered in the 2013-14 school year;~~]

163 [~~(b) the State Board of Education shall determine, by rule:~~]

164 [~~(i) how to measure growth of a school's students on statewide assessments of language~~
165 ~~arts, mathematics, and science achievement; and]~~

166 [~~(ii) a standard for sufficient growth;~~]

167 [~~(c) the State Board of Education may, by rule, adjust the percentage of the maximum~~
168 ~~number of points required to earn A through F letter grades; and]~~

169 [~~(d) the State Board of Education, school districts, and charter schools shall publish on~~
170 ~~their websites school grades for the 2013-14 school year on or before December 15, 2014.]~~

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

175 [~~(b) For each proposal submitted to the Executive Appropriations Committee, the~~
176 ~~board shall model the projected distribution of schools earning each letter grade:]~~

177 [~~(c) The Executive Appropriations Committee may:]~~

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

180 [~~(ii) recommend that the board modify a proposal to adjust the maximum number of~~

181 ~~points required to earn A through F letter grades for the 2013-14 school year; or]~~
182 ~~[(iii) recommend that no adjustment be made to the maximum number of points~~
183 ~~required to earn A through F letter grades for the 2013-14 school year.]~~
184 (1) for a school that is not a high school:
185 (a) A, 100%-64%;
186 (b) B, 63%-51%;
187 (c) C, 50%-39%;
188 (d) D, 38%-30%; and
189 (e) F, 30% or less; and
190 (2) for a high school:
191 (a) A, 100%-64%;
192 (b) B, 63%-51%;
193 (c) C, 50%-43%;
194 (d) D, 42%-40%; and
195 (e) F, 40% or less.