

**INCENTIVES FOR STATEWIDE ASSESSMENT  
PERFORMANCE**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mike Winder**

Senate Sponsor: Keith Grover

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**LONG TITLE**

**General Description:**

This bill amends provisions related to the use of student assessments.

**Highlighted Provisions:**

This bill:

- allows a ~~H~~→ [school district or charter school] teacher ←~~H~~ to use a student's score on certain

assessments to improve the student's academic grade or demonstrate the student's competency;

- prohibits a local education agency from providing a nonacademic reward to a student for taking certain assessments; and
- makes technical changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53E-4-303**, as renumbered and amended by Laws of Utah 2018, Chapter 1

**53E-4-304**, as renumbered and amended by Laws of Utah 2018, Chapter 1

**53E-4-305**, as renumbered and amended by Laws of Utah 2018, Chapter 1



28 53G-6-803, as renumbered and amended by Laws of Utah 2018, Chapter 3

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

31 Section 1. Section 53E-4-303 is amended to read:

32 **53E-4-303. Utah standards assessments -- Administration -- Review committee.**

33 (1) As used in this section, "computer adaptive assessment" means an assessment that  
34 measures the range of a student's ability by adapting to the student's responses, selecting more  
35 difficult or less difficult questions based on the student's responses.

36 (2) The board shall:

37 (a) adopt a standards assessment that:

38 (i) measures a student's proficiency in:

39 (A) mathematics for students in each of grades 3 through 8;

40 (B) English language arts for students in each of grades 3 through 8;

41 (C) science for students in each of grades 4 through 8; and

42 (D) writing for students in at least grades 5 and 8; and

43 (ii) except for the writing measurement described in Subsection (2)(a)(i)(D), is a  
44 computer adaptive assessment; and

45 (b) ensure that an assessment described in Subsection (2)(a) is:

46 (i) a criterion referenced assessment;

47 (ii) administered online;

48 (iii) aligned with the core standards for Utah public schools; and

49 (iv) adaptable to competency-based education as defined in Section 53F-5-501.

50 (3) A school district or charter school shall annually administer the standards  
51 assessment adopted by the board under Subsection (2) to all students in the subjects and grade  
52 levels described in Subsection (2).

53 (4) ~~[A]~~ (a) Except as provided in Subsection (4)(b), a student's score on the standards  
54 assessment adopted under Subsection (2) may not be considered in determining:

55 ~~[(a)]~~ (i) the student's academic grade for a course; or

56 ~~[(b)]~~ (ii) whether the student may advance to the next grade level.

57 (b) A ~~H~~→ [school district or charter school] teacher ←~~H~~ may use a student's score on the  
57a standards

58 assessment adopted under Subsection (2) to improve the student's academic grade ~~H~~→ for ←~~H~~ or

59 demonstrate the student's competency ~~Ĥ~~→ [for] within ←~~Ĥ~~ a relevant course.

60 (5) (a) The board shall establish a committee consisting of 15 parents of Utah public  
61 education students to review all standards assessment questions.

62 (b) The committee established in Subsection (5)(a) shall include the following parent  
63 members:

64 (i) five members appointed by the chair of the board;

65 (ii) five members appointed by the speaker of the House of Representatives or the  
66 speaker's designee; and

67 (iii) five members appointed by the president of the Senate or the president's designee.

68 (c) The board shall provide staff support to the parent committee.

69 (d) The term of office of each member appointed in Subsection (5)(b) is four years.

70 (e) The chair of the board, the speaker of the House of Representatives, and the  
71 president of the Senate shall adjust the length of terms to stagger the terms of committee  
72 members so that approximately half of the committee members are appointed every two years.

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

75 Section 2. Section **53E-4-304** is amended to read:

76 **53E-4-304. High school assessments.**

77 (1) The board shall adopt a high school assessment that:

78 (a) is predictive of a student's college readiness as measured by the college readiness  
79 assessment described in Section 53E-4-305; and

80 (b) provides a growth score for a student from grade 9 to 10.

81 (2) A school district or charter school shall annually administer the high school  
82 assessment adopted by the board under Subsection (1) to all students in grades 9 and 10.

83 (3) A ~~Ĥ~~→ [~~school district or charter school~~] teacher ←~~Ĥ~~ may use a student's score on the  
83a high school

84 assessment adopted under Subsection (1) to improve the student's academic grade ~~Ĥ~~→ for ←~~Ĥ~~ or  
85 demonstrate the student's competency ~~Ĥ~~→ [for] within ←~~Ĥ~~ a relevant course.

86 Section 3. Section **53E-4-305** is amended to read:

87 **53E-4-305. College readiness assessments.**

88 (1) The Legislature recognizes the need for the board to develop and implement  
89 standards and assessment processes to ensure that student progress is measured and that school

90 boards and school personnel are accountable.

91 (2) The board shall adopt a college readiness assessment for secondary students that:

92 (a) is the college readiness assessment most commonly submitted to local universities;

93 and

94 (b) may include:

95 (i) the Armed Services Vocational Aptitude Battery; or

96 (ii) a battery of assessments that are predictive of success in higher education.

97 (3) (a) Except as provided in Subsection (3)(b), a school district or charter school shall

98 annually administer the college readiness assessment adopted under Subsection (2) to all

99 students in grade 11.

100 (b) A student with an IEP may take an appropriate college readiness assessment other

101 than the assessment adopted by the board under Subsection (2), as determined by the student's

102 IEP.

103 (4) A ~~H~~→ [school district or charter school] teacher ←~~H~~ may use a student's score on the

103a college

104 readiness assessment adopted under Subsection (2) to improve the student's academic grade ~~H~~→ for

104a ←~~H~~ or

105 demonstrate the student's competency ~~H~~→ [for] within ←~~H~~ a relevant course.

106 [(4)] (5) In accordance with Section 53F-4-202, the board shall contract with a provider

107 to provide an online college readiness diagnostic tool.

108 Section 4. Section **53G-6-803** is amended to read:

109 **53G-6-803. Parental right to academic accommodations.**

110 (1) (a) A student's parent or guardian is the primary person responsible for the

111 education of the student, and the state is in a secondary and supportive role to the parent or

112 guardian. As such, a student's parent or guardian has the right to reasonable academic

113 accommodations from the student's LEA as specified in this section.

114 (b) Each accommodation shall be considered on an individual basis and no student

115 shall be considered to a greater or lesser degree than any other student.

116 (c) The parental rights specified in this section do not include all the rights or

117 accommodations that may be available to a student's parent or guardian as a user of the public

118 education system.

119 (d) An accommodation under this section may only be provided if the accommodation

120 is: