EDUCATION MODIFICATIONS

2020 THIRD SPECIAL SESSION

STATE OF UTAH

Chief Sponsor: Deidre M. Henderson

House Sponsor: V. Lowry Snow

LONG TITLE

General Description:

This bill waives certain statutory requirements impacted by school closures in the 2019-20 school year.

Highlighted Provisions:

This bill:

▸ waives the requirement to pass a basic civics test or alternate assessment as a condition of graduation for certain students graduating between January 1, 2020, and September 30, 2020;

▸ waives the requirement for school districts to complete employee evaluations for the 2019-20 school year;

▸ waives statutory requirements to administer assessments not administered before school closures on March 16, 2020; and

▸ requires the State Board of Education (state board) to submit a report to the Education Interim Committee that:

• identifies statutory requirements impacted by assessment waivers; and

• provides an explanation for statutory requirements with which the state board or local education agencies will not fully comply due to the assessment waivers.

Money Appropriated in this Bill:

None

Other Special Clauses:

28   This bill provides a special effective date.

29   **Utah Code Sections Affected:**

30   ENACTS:

31   **53E-1-204**, Utah Code Annotated 1953

32   **53E-4-205.1**, Utah Code Annotated 1953

33   **53E-4-315**, Utah Code Annotated 1953

34   **53G-11-504.1**, Utah Code Annotated 1953

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

37   Section 1. Section **53E-1-204** is enacted to read:

38   **53E-1-204. State board report to Education Interim Committee on statutory**

39   **requirements impacted by assessment waivers.**

40   (1) As used in this section, "assessment waiver" means the waiver of assessments

41   described in Section 53E-4-315.

42   (2) On or before the Education Interim Committee's October 2020 meeting, the state

43   board shall submit a written or oral report to the Education Interim Committee that:

44   (a) (i) identifies the statutory requirements, including programs, reports, evaluations,

45   and accountability measures, impacted by the assessment waiver; and

46   (ii) describes how each statutory requirement described in Subsection (2)(a)(i) is

47   impacted by the assessment waiver;

48   (b) (i) describes the data which the state board:

49   (A) has not collected or will not collect because of the assessment waiver; and

50   (B) has collected or will collect despite the assessment waiver; and

51   (ii) if the state board has collected or will collect data that it will not publish or report,

52   explains why the state board will not publish or report the data;

53   (c) identifies the statutory requirements with which the state board or an LEA has not

54   fully complied or will not fully comply because of the assessment waiver;

55   (d) describes the extent to which the state board or an LEA has complied or will

56   comply with statutory requirements described in Subsection (2)(c); and

57   (e) explains why the state board or an LEA has not fully complied or will not fully

58   comply with the requirements described in Subsection (2)(c).

59   (3) Notwithstanding anything to the contrary in Utah law, submission of the written or
60   oral report described in Subsection (2) fulfills a statutory requirement:
61   (a) that the state board addresses in accordance with Subsection (2); and
62   (b) with which the state board or an LEA has not fully complied as described in
63   Subsection (2)(c).
64   (4) This section supersedes any conflicting provisions of Utah law.
65   Section 2. Section **53E-4-205.1** is enacted to read:
66   **53E-4-205.1. Waiver of basic civics test graduation requirement.**
67   (1) As used in this section, "basic civics test" means the same as that term is defined in
68   Section 53E-4-205 or an alternate assessment described in Subsection 53E-4-205(2)(b).
69   (2) A student who graduates high school between January 1, 2020, and September 30,
70   2020, is not required to meet the requirements of Section 53E-4-205 as a condition of receiving
71   a high school diploma if:
72   (a) the student is unable to complete the basic civics test due to public health related
73   school closures;
74   (b) the student's LEA submits an application to the state board for a waiver of the
75   requirement to complete the basic civics test that includes an explanation for why the student
76   was unable to complete the basic civics test due to public health related school closures; and
77   (c) the state board grants a waiver requested under Subsection (2)(b).
78   (3) The state board may grant a waiver under this section if the state board determines
79   that a student who graduates between January 1, 2020, and September 30, 2020, was unable to
80   complete the basic civics test due to public health related school closures.
81   (4) This section supersedes conflicting provisions of Utah law.
82   Section 3. Section **53E-4-315** is enacted to read:
83   **53E-4-315. Waiver of requirement to administer certain assessments.**
84   (1) A statutory requirement to administer an assessment with which an LEA or the
85   state board has not fully complied at the time of statewide school closures beginning on March
86   16, 2020, is waived for the 2019-20 school year.
87   (2) Nothing in this section prohibits an LEA or the state board from administering an
88   assessment.
89   (3) This section supersedes any conflicting provisions of Utah law.

90   Section 4. Section **53G-11-504.1** is enacted to read:

91   **53G-11-504.1. Waiver of employee evaluation requirement.**

92   (1) For the 2019-20 school year, a school district is not required to evaluate the

93   performance of each school district employee in accordance with rules of the state board

94   adopted in accordance with this part.

95   (2) This section supersedes any conflicting provisions of Utah law.

96   Section 5. **Effective date.**

97   If approved by two-thirds of all the members elected to each house, this bill takes effect

98   upon approval by the governor, or the day following the constitutional time limit of Utah

99   Constitution, Article VII, Section 8, without the governor's signature, or in the case of a veto,

100 the date of veto override.