


# Intradistrict Communication

DATE: Thursday, March 22, 2018

TO: All Principals

FROM: Laura Finlinson, Administrator of Curriculum and Staff Development  
Ben Jameson, Director of Evaluation, Research and Accountability 

SUBJECT: USBE Guiding Document for R277-404 SAGE Opt-in Changes

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Principals are asked to communicate the following information as well as provide the USBE Guiding Document that accompanies this memo to their teachers.

On January 4, 2018, the State Board of Education amended R277-404 to read: *“In accordance with Subsection 53G-15-1403(1)(a), an LEA shall reasonably accommodate a parent’s or guardian’s request to allow a student’s demonstration of proficiency on a state required assessment to fulfill a requirement in a course.”* This opened a 30-day public comment period, which closed on March 12, 2018. This amendment has since become official and USBE has provided a guiding document to assist schools and teachers as they implement this change in Board Rule.

The guiding document is comprised of two sections. The first section discusses the various components of Board Rule and Utah Code that play into the Board’s decision to ratify this change. This section is meant for LEA and school administrators. Specifically, because of provisions in Utah Code 53G-6-803 that allow parents to have the “right to reasonable academic accommodations from the student’s LEA” including an accommodation that “shall allow a student to earn course credit towards high school graduation without completing a course in school by testing out of the course; or demonstrating competency in course standards.” It was the consideration of this statute in particular that led the USBE to pass the amendment to R277-404.

The second section is meant for teachers to use as an example of how they might word this amendment in an addendum to their disclosure for this year and their disclosure statement for next year. Essentially, teachers can choose the course requirement in which they will accept a student’s proficiency rating of a 3 or 4 on the SAGE as a substitute. Please note that a 3 or 4 on the SAGE for that content area would mean that the student received 100% of the value of the selected course requirement. If a student does not score a 3 or higher, the score from the course requirement will be used. Teachers must have a parent’s signature opting their student into this procedure. Teachers also need to provide a copy of the signed form for the student’s CUM file just like we do for an opt-out form.

As teachers implement this change, the other rules surrounding the administration of state-mandated tests apply.

Teachers may NOT:

- Use statewide assessments to reward or punish a student.
- Allow a statewide assessment to have a negative impact on the student's academic grade.
- Penalize a student who has been opted out of the statewide assessment.
- Independent of the parent or guardian, use the demonstrated proficiency of a student on a statewide assessment to fulfill a requirement in a course.

Teachers are not required to implement this amendment to Board Rule; however, they are required to reasonably accommodate a parent's request to allow demonstrated proficiency on a statewide assessment to fulfill a course requirement. If teachers do not articulate up front what the reasonable accommodation is for their course, they will need to determine what is reasonable on a case-by-case basis at the request of parents.

Please contact Ben Jameson in the Evaluation, Research & Accountability department with any questions.