1 **R277. Education, Administration.**

2 **R277-925. Effective Teachers in High Poverty Schools Incentive Program.**

3 **R277-925-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution Article X, Section 3, which vests general control and

6 supervision over public education in the Board;

7 (b) Subsection 53E-3-401(4), which allows the Board to make rules to execute

8 the Board's duties and responsibilities under the Utah Constitution and state law; and

9 (c) Subsection 53F-2-513(2)(b), which requires the Board to make rules for the

10 administration of the Effective Teachers in High Poverty Schools Incentive Program.

11 (2) The purpose of this rule is to:

12 (a) provide standards and procedures for the administration of the Effective

13 Teachers in High Poverty Schools Incentive Program; and

14 (b) establish a method for determining teacher eligibility for salary bonuses

15 awarded in the 2022-2023 school year for teachers in grade 4 as required in Subsection

16 53F-2-513(2)(b)(iv).

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18 **R277-925-2. Definitions.**

19 (1) "Benchmark assessment" means the same as that term is defined

20 [assessment described] in Section [53E-4-307]53F-2-513.

21 (2) "Eligible teacher" means:

22 (a) the same as that term is defined in Section 53F-2-513; and

23 (b) a teacher who is a regular or special education classroom teacher.

24 (3) "High poverty school" means the same as that term is defined in Section

25 53F-2-513.

26 (4) "Local education agency" or "LEA" includes, for purposes of this rule, the

27 Utah Schools for the Deaf and the Blind.

28 (5) "Median growth percentile" or "MGP" means the same as that term is defined

29 in Section 53F-2-513.

30   (6) "Program" means the Effective Teachers in High Poverty Schools Incentive

31   Program.

32   (7) "Standards assessment" means the assessment described in Section 53E-4-

33   303.

34   (8) "State-assessed subject" means English language arts, mathematics, or

35   science.

36

37   **R277-925-3. Administration of the Program.**

38   (1) On or before December 1, the Superintendent shall:

39   (a) identify high poverty schools and eligible teachers in accordance with

40   Subsection (2);

41   (b) distribute a list of eligible teachers to LEAs; and

42   (c) inform LEAs of program requirements and the timeline for applying on behalf

43   of an eligible teacher.

44   (2) The Superintendent shall identify:

45   (a) high poverty schools based on the proportion of students who:

46   (i) qualify for free or reduced lunch in the current school year, based on:

47   (A) the most recent end of school year enrollment headcounts for existing

48   schools; or

49   (B) the October 1 enrollment headcounts for new schools; and

50   (ii) are classified as children affected by intergenerational poverty, as determined

51   by the Utah Department of Workforce Services, for the most recent year data is

52   available; and

53   (b) eligible teachers by determining:

54   (i) whether the teacher's MGP was greater than or equal to 70:

55   (A) for at least one state-assessed subject taught by the teacher;

56   (B) as measured by student performance on a standards assessment for the

57   teacher's students who were taught by the teacher for a full academic year;

58   (C) two years before the current school year; and

59   (D) excluding subjects or teachers with less than ten tested students; or

60   (ii) for a teacher in kindergarten or grade 1, 2, or 3, whether at least 85% of the

61 teacher's students assess as typical or better on an end of year benchmark

62 assessment.

63   (3) An eligible teacher who is part-time in a regular or special education

64 classroom assignment in the current year shall receive a partial salary bonus based on

65 the number of hours worked in the classroom assignment.

66   (4) To receive matching funds for the program, on or before January 15, an LEA

67 shall:

68   (a) apply on behalf of an eligible teacher; and

69   (b) provide assurances that the LEA will pay half of the:

70   (i) teacher salary bonus; and

71   (ii) employer-paid benefits described in Section 53F-2-513.

72   (5)(a) Subject to legislative appropriations, on or before June 1, the

73 Superintendent shall:

74   (i) ensure that a teacher who was determined eligible under Subsections (1) and

75 (2) taught at a high poverty school for the full school year; and

76   (ii) distribute to an LEA that meets the criteria described in Subsection (4) half of

77 the:

78   (A) teacher salary bonus; and

79   (B) employer-paid benefits described in Section 53F-2-513.

80   (b) Consistent with Section 53F-2-513, the Superintendent may distribute the

81 funds on a pro rata basis if the number of eligible applicants exceeds the amount of

82 available funds.

83   (6)(a) An LEA or an eligible teacher may appeal eligibility to the Superintendent

84 on the basis that the teacher:

85   (i) is teaching at a high poverty school;

86   (ii) is an eligible teacher; or

87   (iii) has less than ten tested students, but can demonstrate extenuating

88   circumstances that merit an exception.

89   (b) An LEA or eligible teacher shall provide documentation to the Superintendent

90   to assist the Superintendent in deciding on the appeal.

91   (7) For purposes of determining whether a teacher who teaches grade 4 is

92   eligible for a salary bonus in the 2022-2023 school year, a teacher is eligible if at least

93   85% of the teacher's students' progress is assessed as typical or better based on the

94   beginning of year to end of year benchmark assessment [described in Section 53F-2-

95   503] for 2020-2021 school year.

96   (8) An LEA that intends to apply on behalf of an eligible teacher who teaches

97   grade 4 for a salary bonus for the 2022-2023 school year, shall provide the

98   Superintendent grade 4 benchmark assessment data necessary to determine whether

99   the LEA's grade 4 teachers meet the criteria described in Subsection (7).

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101   **KEY: teachers, poverty schools, incentives, student growth**

102   **Date of Last Change: December 22, 2022**

103   **Notice of Continuation: November 5, 2021**

104   **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53F-**

105   **2-513**