

1 **R277. Education, Administration.**

2 **R277-323. Public Educator Evaluation.**

3 **R277-323-1. 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 the
8 Board's duties and responsibilities under the Utah Constitution and state law;

9 _____ (c) Title [53G, Chapter 11, Part 5](#), School District and Utah Schools for the Deaf
10 and the Blind Employee Requirements, which requires the Board to make rules to
11 establish a framework for the evaluation of educators and set policies and procedures
12 related to educator evaluations; and

13 _____ (d) Subsections [53E-3-501\(1\)\(a\)\(i\)](#) and (ii), which require the Board to establish
14 rules and minimum standards for the qualification and certification of educators and for
15 required school administrative and supervisory services.

16 _____ (1) The purpose of this rule is to:

17 _____ (a) provide a framework for educator evaluation systems;

18 _____ (b) describe the requirements for district policies related to educator evaluation;
19 and

20 _____ (c) establish requirements for determining and reporting annual summative
21 educator effectiveness ratings.

22
23 **R277-323-2. Definitions.**

24 _____ (1) "Academic growth" means demonstration of student learning through
25 formative assessment measures identified by the LEA, school, or educator within the
26 school year.

27 _____ (2) "Administrator" has the same meaning as that term is defined in Section [53G-](#)
28 [11-501](#).

29 (3) “Certified evaluator” means an educator with training in evaluating educator
30 performance and demonstrated competency in using an educator evaluation tool to rate
31 educator performance according to established standards.

32 (4) “Chronically absent” means that a student:

33 (a) was enrolled in an LEA for at least 60 calendar days; and

34 (b) missed 10% or more of the student’s instructional days, whether the absence
35 was excused or not.

36 (5) “Continued professional growth” means incremental measures of
37 improvement relevant to the Utah Effective Educator Standards.

38 (6) “Educator” has the same meaning as that term is defined in Section [53G-11-](#)
39 [501](#).

40 (7) “Educator evaluation system” means a school district’s process, policies, and
41 procedures for evaluating an educator’s performance in the educator’s assignments.

42 (8) “Formative assessment measures” means planned, ongoing processes used
43 for educators to engage in reflection and growth of professional skills and includes
44 opportunities to receive feedback on strengths or weaknesses of specific knowledge,
45 skills, and abilities.

46 (9) “Evaluator” means an individual who is responsible for an educator’s
47 summative evaluation in accordance with this Rule R277-323.

48 (10) “Local board” means a school district’s elected board of education or for the
49 Utah Schools of the Deaf and the Blind, the Board.

50 (11) “Observation” means a formal or informal visit made by an administrator to
51 an educator’s classroom for the purpose of gathering formative information, providing
52 feedback for growth, and informing decisions related to the educator’s summative
53 evaluation.

54 (12) “Performance” means the combination of an educator’s professionalism
55 consistent with:

56 (a) the Utah Effective Educator Standards;

57 (b) student academic growth; and

58 (c) continued professional growth as an educator.

59 (13) “Summative evaluation” means an evaluation that is used to make decisions
60 or ratings of an educator’s performance and that may inform decisions on salary,
61 continued employment, personnel assignments, transfers, or dismissals, consistent with
62 a school district’s policies.

63 (13) “Summative evaluation rating” means an annual rating of an educator’s
64 performance that assigns one of three levels:

65 (a) One – The educator did not meet performance expectations;

66 (b) Two – The educator partially met performance expectations by demonstrating
67 evidence of continued professional growth or demonstrating evidence of student
68 academic growth;

69 (c) Three – The educator met performance expectations by demonstrating
70 evidence of continued professional growth and demonstrating evidence of student
71 academic growth.

72 (14) “Unsatisfactory performance” means a level one summative evaluation
73 rating.

74 (15) “Utah Effective Educator Standards” means the standards established in
75 Rule R277-330, as applicable to the assignment for which an evaluator evaluates an
76 educator.

77

78 **R277-323-3. School District Educator Evaluation Systems.**

79 (1) A local board shall adopt a district educator evaluation system in consultation
80 with a joint committee established by the local board as required by Section [53G-11-](#)
81 [506](#).

82 (2) A local board shall review and approve its educator evaluation system in an
83 open meeting.

84 (3) A district educator evaluation system shall:

85 (a) evaluate educators based on the Utah Effective Educator Standards;

86 (b) include a description of school district processes for gathering, using, and
87 protecting individual educator evaluation data;

88 (c) include valid and reliable methods and tools to implement an evaluation;

89 (d) include a systematic process for evaluating all educators holding an educator
90 license during an evaluation cycle of up to four years;

91 (e) include a summative evaluation rating consistent with this Rule R277-323;
92 and

93 (f) take into account multiple inputs as required by Section [53G-11-507](#),
94 including:

95 (i) self-evaluation of performance in relation to the Utah Effective Educator
96 Standards;

97 (ii) student and parent input;

98 (iii) for administrators, feedback from teachers, including input on the
99 effectiveness of evaluating employee performance in a school or school district for
100 which the administrator has responsibility;

101 (iv) results of multiple observations done with tools aligned to the Utah Effective
102 Educator Standards;

103 (v) evidence of student academic growth, as specified by the school district; and

104 (vi) other indicators of professional improvement as specified by the school
105 district.

106 (4) A school district may use an evaluation cycle extending up to four years,
107 which includes:

108 (a) a summative evaluation at least once every four years; and

109 (b) annual formative assessment measures, including:

110 (i) at least one observation conducted by an administrator;

111 (ii) additional observations, with feedback, which may be provided by a peer,
112 mentor, instructional coach, administrator or other professional designated by the
113 district; and

114 (iii) a planned ongoing process for the educator to engage in reflection and
115 growth related to the Utah Effective Teaching Standards.

116 (5) A school district may not use year-end state testing data in determining an
117 educator's summative evaluation rating.

118 (6) A school district may not use data from a student who is chronically absent in
119 determining an educator's summative evaluation rating.

120 (5) A school district shall align its employee compensation system, with the
121 district's educator evaluation system in accordance with Subsection [53G-11-518\(1\)](#).

122 (6) To form the school district's educator evaluation system, a local school board
123 may adopt:

124 (a) the Utah Model Educator Evaluation System approved by the Board;

125 (b) an adapted system; or

126 (c) a system developed by the school district consistent with this rule and Rule
127 [R277-330](#).

128

129 **R277-323-4. Systems Reliability.**

130 (1) A school district shall establish an evaluator reliability process to ensure the
131 reliability of its educator evaluation system that:

132 (a) identifies criteria for use in assigning evaluation ratings

133 (b) provides professional development opportunities for all evaluators that:

134 (i) acquaint evaluators with the Utah Effective Educator Standards;

135 (ii) improve evaluator proficiency in recognizing the criteria described in
136 Subsection (1)(a); and

137 (iii) give the evaluator an opportunity to demonstrate their abilities to rate an
138 educator in accordance with the Utah Effective Educator Standards;

139 (c) designate qualified raters as certified;

140 (d) assure that each educator is rated by a certified evaluator; and

141 (e) include a process for maintaining a certified evaluator's skills.

142

143 **R277-323-5. Notice and Review.**

144 (1) At least 15 days prior to an educator's first evaluation, a school district shall
145 provide an educator with:

146 (a) notification of the evaluation process;

147 (b) access to relevant evaluation instruments; and

148 (c) notice of potential consequences, including discipline and termination, if an
149 educator fails to meet performance expectations.

150 (2) A school district's educator evaluation system shall:

151 (a) provide for clear and timely discussion of an evaluation with the educator;

152 (b) provide a written copy of the evaluation to the educator;

153 (c) allow an educator to respond to any part of the evaluation; and

154 (d) attach the educator's response to the evaluation if the response is provided in
155 writing.

156 (3) An educator who is dissatisfied with an evaluation may submit a written
157 request for review within 15 days after receiving notice of the written evaluation.

158 (4) A school district shall conduct a review as described in this section and
159 Section [53G-11-508](#).

160 (5) A school district conducting a review under Subsection (4) shall:

161 (a) use a certified evaluator;

162 (i) with experience in evaluating educators; and

163 (ii) who is not employed by the school district; and

164 (b) conduct the review in accordance with Utah Effective Educator Standards.

165 (6) A certified evaluator described in Subsection (5)(a) shall:

166 (a) review the school district's educator evaluation policies and procedures;

167 (b) review the evaluation process conducted for the educator;

168 (c) review the evaluation data from the professional performance, student
169 academic growth, and stakeholder input components;

170 (d) review an educator's written response, if submitted in accordance with
171 Subsection [53G-11-508\(1\)\(b\)](#); and

172 (e) report findings, in writing, to the school district's superintendent for action.

173 (7) The school district superintendent shall determine if the initial educator
174 evaluation was issued in accordance with:

175 (a) the school district's educator evaluation policies;

176 (b) the requirements of the Utah Effective Educator Standards;

177 (c) Title [53G, Chapter 11](#), Employees; and

178 (d) this Rule R277-323.

179

180 **R277-323-6. Support for Educators.**

181 (1) If an educator receives an unsatisfactory performance rating, a school district
182 shall provide the educator with support for academic impact improvement consistent
183 with [Title 53G, Chapter 11, Part 5](#), School District and Utah School for the Deaf and the
184 Blind Employee Requirements, including:

185 (a) assessing the professional learning needs of the educator; and

186 (b) providing mentors, coaches, or instructional specialists to assist the educator
187 in establishing timelines and benchmarks for improving academic impact.

188 (2) A school district may provide assistance to any educator in need of support
189 with professional growth as an educator or student academic growth.

190

191 **R277-323-7. Superintendent Responsibilities.**

192 (1) The Superintendent shall develop a model educator evaluation system that
193 includes performance expectations consistent with this rule.

194 (2) The Superintendent shall evaluate and recommend tools and measures for
195 use by school districts in developing and implementing educator evaluation systems.

196 (3) The Superintendent shall annually monitor 10% of school district educator
197 evaluation systems.

198

199 **R277-323-8. School District Revisions.**

200 A school district shall amend the district educator evaluation system to align with
201 any future revisions to the Utah Effective Educator Standards and implement any
202 changes within two years from the effective date of revisions to Rule [R277-330](#).

203

204 **R277-323-10. Applicability.**

205 (1) This rule shall become effective beginning in the 2024-2025 school year,
206 except for the following subsections, which a district shall implement no later than June
207 30, 2029:

208 (a) Subsection R277-323-3(3)(e);

209 (b) Subsection R277-323-3(4); and

210 (c) Subsection R277-323-3(6).

211 (2) A requirement for a school district under this Rule R277-323 is also applicable
212 to the Utah Schools for the Deaf and the Blind.

213

214 **KEY:**

215 **Date of Enactment or Last Substantive Amendment:**

216 **Authorizing, and Implemented, or Interpreted Law: [Article X, Section 3; 53E-3-](#)**
217 **[401\(4\); 53G, Chapter 11, Part 5; 53E-3-501\(1\)\(a\)\(i\) and \(ii\)](#)**