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## MEMORANDUM

**TO:** Members, Utah State Board of Education

**FROM:** Brad C. Smith  
Chief Executive Officer

**DATE:** August 6-7, 2015

**ACTION:** R277-533 *Educator Effectiveness Component Requirements (New)*

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### **Background:**

Districts are required to begin full implementation of the Educator Effectiveness program in the 2015-16 school year. The proposed rule gives districts the information needed to achieve full implementation as scheduled.

### **Key Points:**

The proposed rule:

- Delineates the required activities and functions of the multiple components as outlined in R277-531 *Professional Performance, Student Growth, and Stakeholder Input*.
- Outlines the approved process for scoring each component and for computing the Annual Educator Effectiveness Summative Rating.
- Specifies the process by which the ratings will be reported for each educator and how additional data will be gathered as needed by USOE for program review, alignment, and evaluation.

### **Anticipated Action:**

It is proposed that the Law and Licensing Committee consider approving R277-533 on first reading and, if approved by the Committee, the Board consider approving R277-533 on second reading.

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1 **R277. Education, Administration.**

2 **R277-533. District Educator Evaluation Systems.**

3 **R277-533-1. 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 of public education in the Board;

7 (b) Title 53A, Chapter 8a, Part 4, Educator Evaluations, which requires the  
8 Board to make rules to establish a framework for the evaluation of educators and set  
9 policies and procedures related to educator evaluations; and

10 (c) Subsection 53A-1-401(3), which permits the Board to adopt rules in  
11 accordance with its responsibilities.

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

13 (a) specify the requirements for district Educator Evaluation Systems Policies;

14 (b) describe the required components of district Educator Evaluation Systems;

15 and

16 (c) establish requirements for how the Annual Summative Educator  
17 Evaluation Rating shall be computed and reported.

18 **R277-533-2. Definitions.**

19 (1) “Attribute” means the process of linking the results of student growth and  
20 learning to a specific educator or group of educators using the same SLO or SGP.

21 (2) “Evaluator” means a person who is responsible for an educator’s overall  
22 evaluation, including:

23 (a) professional;

24 (b) student growth;

25 (c) stakeholder input; and

26 (d) other indicators of professional improvement.

27 (3) “PEER Committee” means the Public Educator Evaluation Requirements  
28 Committee established by the Superintendent.

29 (4) “Rater” means a person who conducts an observation of an educator  
30 related to an educator’s evaluation.

31 (5) “Student learning objective” or “SLO” means a content and grade/course

32 specific measurable learning objective that can be used to document student  
33 learning over a defined period of time.

34 (6) "Student growth percentile" or "SGP" means an analytic approach  
35 (statistical method) for transforming student assessment results into an  
36 accountability metric.

37 (7) "System" means a school district's educator evaluation system.

38 (8) "Tested subject" means a subject with an end of course examination in  
39 SAGE.

40 **R277-533-3. School District Educator Evaluation Systems.**

41 (1) A local school board shall adopt a district educator evaluation system in  
42 consultation with a joint committee established by the local school board as  
43 described in Section 53A-8a-403.

44 (2) A district educator evaluation system shall:

45 (a) include the components required in Section 53A-8a-405;

46 (b) include the following four differentiated levels of performance:

47 (i) highly effective;

48 (ii) effective;

49 (iii) emerging/minimally effective; and

50 (iv) not effective;

51 (c) use multiple lines of evidence in evaluation, including:

52 (i) professional performance, as described in Section R277-533-4;

53 (ii) student growth, as described in Section R277-533-5;

54 (iii) stakeholder input, as described in Section R277-533-5; and

55 (iv) other indicators of professional improvement as required by the school  
56 district;

57 (d) require regular conferences between an educator and an evaluator;

58 (e) provide a process for an educator to contribute additional information to  
59 inform the educator's evaluation at several intervals throughout the process;

60 (f) measure an educator's professional performance wherever the educator  
61 is working in a professional capacity with students, parents, colleagues, or  
62 community members;

63 (g) provide a process for an educator to:  
64 (i) analyze stakeholder input, including input from a parent, student, or  
65 teacher;  
66 (ii) analyze data related to performance; and  
67 (iii) develop appropriate responses to the information;  
68 (h) provide a procedure to include an educator's response to stakeholder data  
69 in the rating calculation;  
70 (i) include a process for an evaluator to give an educator specific,  
71 measurable, actionable, and written direction regarding an educator's needed  
72 improvement and recommended course of action;  
73 (j) provide a process for an educator to request a review of the  
74 implementation of the educator's evaluation, as described in:  
75 (i) Subsection 53A-8a-406(3); and  
76 (ii) Section R277-533-8;  
77 (k) include multiple observations as described in Section R277-533-4; and  
78 (l) provide a description of the methods for gathering, using, and protecting  
79 educator data.  
80 (3) To form the school district's system, a local school board may adopt:  
81 (a) the Utah Model Educator Evaluator System established by the Board;  
82 (b) an adapted system; or  
83 (c) a school district-developed system approved by the PEER Committee,  
84 consistent with Rules R277-530, R277-531, and this rule;  
85 (4) The PEER Committee, as described in Rule R277-531, shall review and  
86 approve a school district's educator effectiveness plan including:  
87 (a) professional performance;  
88 (b) rater-reliability;  
89 (c) student growth; and  
90 (d) stakeholder input.  
91 (5) The PEER Committee shall approve a school district's system.  
92 (6) An educator is responsible for:  
93 (a) improving the educator's performance, using resources provided by the  
94 school district; and

95 (b) demonstrating acceptable levels of improvement in any designated area  
96 of deficiency.

97 **R277-533-4. Evaluators and Standards for Education Observations.**

98 (1) A school district's system shall include observations.

99 (2) The school district shall use observation tools that:

100 (a) are aligned with the Utah Effective Teaching Standards and the  
101 Educational Leadership Standards described in Rule R277-530 at the indicator level;  
102 and

103 (b) include multiple observations at appropriate intervals.

104 (3) A school district's evaluation system shall:

105 (a) include an orientation for all educators conducted by the principal or  
106 designee as required in Section 53A-8a-404;

107 (b) include multiple observation items;

108 (c) a final rating for each observation item described in Subsection (3)(b); and

109 (d) include an opportunity for an educator to contribute additional information  
110 to inform their rating at several intervals throughout the process.

111 (4) To ensure a valid evaluation system, a school district shall provide  
112 professional development opportunities to all raters and evaluators of licensed  
113 educators to:

114 (a) improve a rater or evaluator's abilities; and

115 (b) give the rater or evaluator an opportunity to demonstrate the rater's  
116 abilities to rate an educator in accordance with:

117 (i) the Utah Effective Teaching Standards described in Rule R277-530; and

118 (ii) the Utah Educational Leadership Standards described in Rule R277-530.

119 (5) A school district shall establish a school district rater reliability plan.

120 (6) A school district rater reliability plan shall:

121 (a) require school district to compare a rater's decisions to standardized  
122 ratings established by a committee of expert raters;

123 (b) require a school district to measure a rater's skills and reassess the rater's  
124 skills at appropriate intervals to maintain system quality;

125 (c) assure that an educator is rated by a certified rater;

- 126 (d) require a school district to offer a rater opportunities to improve the rater's  
127 skills through instruction and practice; and  
128 (e) maintain high standards of rater accuracy.

129 **R277-533-5. Student Growth Calculations and Stakeholder Input.**

130 (1) A Utah educator's contribution to a student's growth and learning shall be  
131 delineated into one of the following sets of measures:

- 132 (a) SGPs;  
133 (b) SLOs; or  
134 (c) a combination of SGPs and SLOs.

135 (2) A school district may attribute an SLO to an educator as part of an  
136 educator's evaluation in accordance with the school district's system policies.

137 (3) If a school district attributes an SLO to an educator, the school district  
138 shall:

- 139 (a) ensure that the SLO includes:  
140 (i) three required components:  
141 (A) learning goals;  
142 (B) assessments; and  
143 (C) targets; and  
144 (ii) learning goals for an educator linked to the appropriate specific content  
145 knowledge and skills from the Utah Core Standards;

146 (b) provide professional development to an educator for the educator to gain  
147 the knowledge and skills necessary to sustain wide-scale implementation of an SLO  
148 process;

149 (c) establish a local review process to assist the school district in developing  
150 comparability and consistency of SLOs at each grade level or span;

151 (d) design a structure and process for providing professional development to  
152 the school district's educators and administrators;

153 (4) A school district may attribute an SGP to:

154 (a) an educator as part of the educator's evaluation if the educator teaches  
155 a tested subject; and

156 (b) an administrator.

157 (5)(a) A school district's system shall include a component for stakeholder  
158 input for educators, principals, and administrators, which includes annual input from  
159 students and parents.

160 (b) In addition to the stakeholder input described in Subsection (5)(a),  
161 stakeholder input for principals and other administrators shall include input from  
162 teachers and support professionals.

163 (c) A school district may attribute stakeholder input to an educator, principal,  
164 or other administrator if the data gathered for the stakeholder input is gathered  
165 using:

166 (i) appropriate methods of gathering data as described in the school district's  
167 system plan; and

168 (ii) quality practices.

169 **R277-533-6. Computing the Annual Summative Rating.**

170 (1) A school district shall base an educator's component ratings on:

171 (a) actual observations of the educator's performance; and

172 (b) educator, evaluator, or other stakeholder data gathered, calculated, or  
173 observed that is aligned with standards and rubrics.

174 (2) A school district shall combine an educator's component ratings using the  
175 following formula:

176 (a) 70 percent for professional performance;

177 (b) 20 percent for student growth; and

178 (c) ten percent for stakeholder input.

179 (3) A school district shall round component outcomes to the nearest whole  
180 number prior to calculating the summative score.

181 (4) A school district shall report summative scores annually for all educators  
182 using the following approved terminology for reporting:

183 (d) highly Effective 3;

184 (c) effective 2;

185 (b) minimal/emerging effective 1; and

186 (a) not effective 0.

187 **R277-533-7. Minimal or Emerging Effective Category.**

188 (1) If an evaluator rates an educator's performance within the minimal or  
189 emerging effective category, the rater shall determine the appropriate designation  
190 for the educator based on the requirements of this section.

191 (2) An evaluator may designate an educator as emerging effective if:

192 (a) the educator:

193 (i) holds a Level 1 educator license; or

194 (ii) is being served by the school district's Entry Years Enhancement (EYE)  
195 program described in Rule R277-522; or

196 (b) the educator:

197 (i) received a new or different teaching or leadership assignment within the  
198 last school year; or

199 (ii) is developing in that area.

200 (3) An evaluator shall designate an educator as minimally effective if the  
201 educator:

202 (a) holds a Level 2 educator license; and

203 (b) is teaching or leading in a familiar assignment.

204 **R277-533-8. Evaluation Reviews.**

205 (1) An educator who is not satisfied with a summative evaluation may request  
206 a review in writing of the summative evaluation within 15 calendar days after  
207 receiving the written summative evaluation.

208 (2) A school district shall conduct a review of an educator's summative  
209 evaluation:

210 (a) as described in this section; and

211 (b) the requirements of Section 53A-8a-406.

212 (3) A review described in Subsection (2) shall be conducted:

213 (a) by a certified rater:

214 (i) with experience evaluating educators; and

215 (ii) not employed by the school district; and

216 (b) in accordance with the Utah Effective Teacher and Educational  
217 Leadership Standards described in Rule R277-531.

218 (4) A certified rater described in Subsection (3) shall review:  
219 (a) the school district's educator evaluation policies and procedures;  
220 (b) the evaluation process conducted for the educator; and  
221 (c) the evaluation data from the professional performance, student growth,  
222 and stakeholder input components.

223 (5) The school district shall determine if the initial educator evaluation was  
224 issued in accordance with:

225 (a) the school district's educator evaluation policies;  
226 (b) the requirements of the performance standards;  
227 (c) Title 53A, Chapter 8a, Public Education Human Resource Management  
228 Act;

229 (d) Rule R277-531,; and  
230 (e) this rule.

231 (6) A certified rater described in Subsection (3) shall report the certified rater's  
232 recommendations in writing to the school district's superintendent for action.

233 **R277-533-9. Educator Evaluation Data.**

234 (1) A school district shall report to the Board annually on or before June 30,  
235 an annual summative rating for each educator delineated by one of the four rating  
236 categories listed in Subsection R277-533-6(4).

237 (2) A school district shall maintain confidential records of the educator  
238 effectiveness component data of individual educators in accordance with:

239 (a) Rule R277-487; and  
240 (b) state law.

241 (3) A school district's system may be monitored by the Board.

242 **KEY: educator, evaluation**

243 **Date of Enactment of Last Substantive Amendment: 2015**

244 **Authorizing, Implemented, or Interpreted Law: Art X Sec 3; 53A-1-401(3)**