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MEMORANDUM

TO: Members, Utah State Board of Education

FROM: Angie Stallings, Deputy Superintendent
Policy and Communication

DATE: November 3-4, 2016

ACTION: R277-526 *Paraeducator to Teacher Scholarship Program* (Amendment and Continuation)

Background:

R277-526 was discussed by the USBE Advisory Committee Review Task Force. The Task Force recommended changes clarifying Board involvement in the scholarship committee. Additional changes have been made in accordance with the rulewriting style manual. Finally, the rule is continued in accordance with Board policies and administrative rulemaking requirements.

Board Strategic Plan:

This item supports the following imperative and strategies in the Board's Strategic Plan:
Oversight - Monitor, review, and provide general supervision to all public education institutions and other entities for which the State Board has responsibility.

Anticipated Action:

It is proposed that the Law and Licensing Committee consider approving R277-526, as amended and continued, on first reading and, if approved by the Committee, the Board consider approving R277-526, as amended and continued, on second reading.

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1 **R277. Education, Administration.**

2 **R277-526. Paraeducator to Teacher Scholarship Program.**

3 **R277-526-[2]1. Authority and Purpose.**

4 ~~[A.](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)~~ Section 53A-1-401[~~(3)~~], which permits the Board to ~~[adopt rules in~~
8 ~~accordance with its responsibilities]~~ make rules to execute the Board's duties and
9 responsibilities under the Utah Constitution and state law[;]; and

10 ~~(c)~~ Subsection 53A-6-802(8) which requires the Board to make rules to
11 administer the Paraeducator to Teacher Scholarship Program.

12 ~~[B.](2)~~ The purpose of this rule is to:

13 ~~(a)~~ distribute funds to paraeducators seeking to become licensed educators;
14 and

15 ~~(b)~~ ~~[to]~~ establish application and accountability procedures to provide funding
16 to prospective educators directly and fairly.

17 **R277-526-[4]2. Definitions.**

18 ~~[A. "Board" means the Utah State Board of Education.]~~

19 ~~[B.](1)~~ "LEA" ~~[means a local education agency, including local school~~
20 ~~boards/public school districts, charter schools, and]~~includes, for purposes of this
21 rule, the Utah Schools for the Deaf and the Blind.

22 ~~[C.](2)~~ "Paraeducator" ~~[for purposes of this rule means a school employee~~
23 ~~who:~~

24 ~~—— (1) delivers instruction under the direct supervision of a teacher; and~~

25 ~~—— (2) works in an area where there is a shortage of qualified teachers, such as~~
26 ~~special education, Title I, English as a Second Language, reading remediation,~~
27 ~~math, or science.]~~ means the same as that term is defined in Section 53A-6-801.

28 ~~[D.](3)~~ "Paraeducator Scholarship Selection Committee" ~~"or "[C.]committee]"~~
29 means the committee established by the Board to select scholarship recipients as
30 required by Subsection 53A-6-802(4).

31 ~~[E.](4)~~ "Scholarship" ~~[for purposes of this rule]~~ means funds ~~[provided by the~~

32 Board] paid directly to a Utah institution of higher education on behalf of [the]a
33 paraeducator [to pay only for the actual and documented costs for tuition toward an
34 associate's or a bachelor's degree program to become a licensed teacher:] in
35 accordance with Section 53A-6-802.

36 [F. "USOE" means the Utah State Office of Education.]

37 **R277-526-3. Scholarship Amounts and Requirements.**

38 [A.](1) A paraeducator shall use a stipend awarded under this rule [shall be
39 used] solely [and completely] for expenses approved by Section 53A-6-802 and this
40 rule annually between July 1 and the following June 30.

41 [B.](2) A scholarship recipient shall remain continuously employed[, consistent
42 with the employment agreement and] by an LEA in accordance with Subsection 53A-
43 6-802(7).

44 [C.](3) A scholarship recipient shall provide documentation of progress toward
45 graduation, as requested by the scholarship recipient's employer or the Board.

46 [D.](4) A scholarship recipient who does not remain employed for the duration
47 of the scholarship period or who does not satisfactorily complete funded courses
48 [may] shall be responsible to reimburse the Board for the amount of scholarship
49 funding.

50 [E. ~~The Committee shall determine funding for applicants from applications~~
51 ~~received from LEAs after considering the number of applications received and the~~
52 ~~amount of funding available.~~

53 ~~—— F. The Committee may develop and consider selection criteria including:~~

54 ~~—— (1) support from the recommending LEA; and~~

55 ~~—— (2) geographical distribution of recipients.]~~

56 **R277-526-4. Applicant Scholarships Recipient and LEA Responsibilities.**

57 [A.](1) An LEA shall employ a [S]scholarship recipient[s shall be employed]
58 for a minimum of 10 hours per week [by a public LEA] at the time of application for
59 the [Paraeducator S]scholarship and during any year in which the paraeducator
60 receives the scholarship.

61 [B.](2) A [S]scholarship applicant[s] shall submit a completed application[s]

62 found on the [USOE] Board website to the[ir employers] applicant's LEA.

63 [E-](3) An [A]applicant[s] shall provide university transcripts and information
64 about tuition expenses [only] on the [completed] application based on the most
65 recent information available from the Utah institution of higher education to which the
66 applicant has either been admitted or made application.

67 [D-](4) An LEA[s] shall submit all applications to the [USOE] Superintendent
68 on or before May 15 annually.

69 [E-](5) A [S]scholarship recipient[s] and the LEA[s] whose employee[s]
70 receives funding under this program shall cooperate on any assessment required by
71 the Board.

72 **R277-526-5. State Board of Education Staff/Committee Responsibilities.**

73 ~~[A. The Board shall establish a Paraeducator Scholarship Selection~~
74 ~~Committee and working procedures for the Committee consistent with 53A-6-802(4)~~
75 ~~by May 15, 2008.]~~

- 76 [B-](1) The [E]committee shall consist of:
77 ([1]a) one representative of the Board [member] designated by the Board;
78 ([2]b) one representative of the Board of Regents designated by the Board of
79 Regents;
80 ([3]c) one representative of the largest parent/teacher association in the state;
81 ([4]d) no more than two additional representatives of the general public
82 designated by the Board [~~consistent with Section 53A-6-802(4)~~].

83 [E-](2) The [E]committee shall receive completed applications from LEAs
84 consistent with R277-526-4.

85 (3) The committee shall determine funding for applicants from applications
86 received from LEAs after considering the number of applications received and the
87 amount of funding available.

88 (4) The committee may develop and consider additional selection criteria
89 including:

- 90 (a) support from the recommending LEA; and
91 (b) geographical distribution of recipients.

92 [D-](5) The [E]committee shall provide names of scholarship recipients to the

93 Board for review and comment by August 1, annually.

94 ~~[E.](6)~~ The ~~[C]~~committee or the Board may require a summary assessment
95 of the increased number of paraeducators who become educators and other
96 program results from participating scholarship recipients and LEAs.

97 **KEY: paraeducator, scholarship**

98 **Date of Enactment or Last Substantive Amendment: ~~[April 7, 2014]~~2017**

99 **Notice of Continuation: ~~[August 2, 2013]~~2016**

100 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53A-1-401~~[(3)]~~;**

101 **53A-6-802(8)**