R277. Education, Administration.

R277-531. Public Educator Evaluation Requirements (PEER).

R277-531-1. Definitions.

A. "Board" means the Utah State Board of Education.

B. "Comprehensive Administration of Credentials for Teachers in Utah Schools (CACTUS)" means the electronic file maintained on all licensed Utah educators. The file includes information such as:

(1) personal directory information;

(2) educational background;

(3) endorsements;

(4) employment history;

(5) professional development information; and

(6) a record of disciplinary action taken against the educator.

C. "Educator" means an individual licensed under Section 53A-6-104 and who meets the requirements of R277-501.

D. "Formative evaluation" means evaluations that provide educators with feedback on how to improve their performance.

E. "Instructional quality data" means data acquired through observation of educator's instructional practices.

F. "Joint educator evaluation committee" means the local committee described under Section 53A-10-106 that develops and assesses an LEA evaluation program.

G. "LEA" means a local education agency directly responsible for the public education of Utah students, including traditional local school boards and school districts.

H. "LEA Educator Evaluation Program" means an LEA's process, policies and procedures for evaluating educators' performance according to their various assignments; those policies and procedures shall align with R277-531.

I. "School administrator" means an educator serving in a position that requires a Utah Educator License with an

35 Administrative area of concentration and who supervises Level
36 2 educators.
37 J. “Student growth score” means a measurement of a
38 student’s achievement towards educational goals in the course
39 of a school year.
40 K. “Summative evaluation” means evaluations that are used
41 to make annual decisions or ratings of educator performance
42 and may inform decisions on salary, confirmed employment,
43 personnel assignments, transfers, or dismissals.
44 L. “USOE” means the Utah State Office of Education.
45 M. "Utah Consolidated Application (UCA)" means the
46 web-based grants management tool employed by the Utah State
47 Office of Education by which local education agencies submit
48 plans and budgets for approval of the Utah State Office of
49 Education.
50 N. “Utah Effective Teaching Standards” means the teaching
51 standards identified and adopted in R277-530.
52 O. “Utah Educational Leadership Standards” means the
53 standards for educational leadership identified and adopted in
54 R277-530.
55 P. “Valid and reliable measurement tool(s)” means an
56 instrument that has proved consistent over time and uses non-
57 subjective criteria that require minimal interpretation.

58 **R277-531-2. Authority and Purpose.**
59 A. This rule is authorized under Utah Constitution
60 Article X, Section 3 which vests general control and
61 supervision over public education in the Board, by Sections
62 53A-1-402(1)(a)(i) and (ii) which require the Board to
63 establish rules and minimum standards for the qualification
64 and certification of educators and for required school
65 administrative and supervisory services, and Section 53A-1-
66 401(3) which allows the Board to make rules in accordance with
67 its responsibilities.

68 B. The purpose of this rule is to provide a statewide
69 educator evaluation system framework that includes required
70 Board directed expectations and components and additional LEA
71 determined components and procedures to ensure the
72 availability of data about educator effectiveness are
73 available. The process shall focus on the improvement of high
74 quality instruction and improved student achievement.
75 Additionally, the process shall include common data that can
76 be aggregated and disaggregated to inform Board and LEA
77 decisions about retention, preparation, recruitment, improved
78 professional development practices and ensure LEAs engage in
79 a consistent process statewide of educator evaluation.

80 **R277-531-3. Public Educator Evaluation Process Framework.**
81 A. The Board shall provide a framework that includes five
82 general evaluation system areas and additional discretionary
83 components of an LEA's educator evaluation system.
84 B. Alignment with Board expectations and standards and
85 required consistency of LEA policies with evaluation process:
86 (1) An LEA educator evaluation system shall be based on
87 rigorous performance expectations aligned with the Utah
88 Effective Teaching Standards and the Utah Educational
89 Leadership Standards.
90 (2) An LEA evaluation system shall establish and
91 articulate performance expectations individually for all
92 licensed LEA educators.
93 (3) An LEA evaluation system shall include valid and
94 reliable measurement tools including, at a minimum,
95 observations of instructional quality, evidence of student
96 growth, parent and student input and other indicators as
97 determined by the LEA.
98 (4) An LEA evaluation system shall provide a summative
99 yearly rating of educator performance using uniform statewide
100 terminology and definitions. An LEA evaluation system shall

101 include summative and formative components.
102 (5) An LEA evaluation system shall direct the revision or
103 alignment of all related LEA policies, as necessary, to be
104 consistent with the LEA Educator Evaluation System.
105 C. Valid and reliable tools:
106 (1) An LEA evaluation system shall use valid, reliable
107 and research-based measurement tool(s) for all educator
108 evaluations. Such measurements:
109 (a) employ a variety of measurement tools;
110 (b) adopt differentiated methodologies for measuring
111 student growth for educators in subject areas for which
112 standardized tests are available and in subject areas for
113 which standardized tests are not available;
114 (c) provide evaluation for non-instructional licensed
115 educators and administrators;
116 (2) shall provide for both formative and summative
117 evaluation data;
118 (3) data gathered from tools may be considered by an LEA
119 to inform decisions about employment and professional
120 development.
121 D. Discussion, collaboration and protection of
122 confidentiality with educators regarding evaluation process:
123 (1) An LEA evaluation system shall provide for clear and
124 timely notice to educators of the components, timelines and
125 consequences of the evaluation process.
126 (2) An LEA evaluation system shall provide for timely
127 discussion with evaluated educators to include professional
128 growth plans as required in R277-501 and evaluation
129 conferences.
130 (3) An LEA evaluation system shall protect personal data
131 gathered in the evaluation process.
132 E. Support for instructional improvement:
133 (1) An LEA evaluation system shall assess professional
134 development needs of educators.

135 (2) An LEA evaluation system shall identify educators who
136 do not meet expectations for instructional quality and provide
137 support as appropriate at the LEA level which may include
138 providing educators with mentors, coaches, specialists in
139 effective instruction and setting timelines and benchmarks to
140 assist educators toward greater improved instructional
141 effectiveness and student achievement.
142 F. Records and documentation of required educator
143 evaluation information:
144 (1) An LEA evaluation system shall include the evaluation
145 of all licensed educators at least once a year.
146 (2) An LEA evaluation system shall provide at least an
147 annual rating for each licensed educator, including teachers,
148 school administrators and other non-teaching licensed
149 positions, using Board-directed statewide evaluation
150 terminology and definitions; the rating shall be maintained in
151 the educator's confidential CACTUS file.
152 (3) An LEA evaluation system shall provide for the
153 evaluation of all provisional educators, as defined by the LEA
154 under Section 53A-6-106, at least twice yearly.
155 (4) An LEA evaluation system shall include the following
156 specific educator performance criteria:
157 (a) instructional quality measures to be determined by
158 the LEA;
159 (b) student growth score to be completely phased in by
160 July 1, 2015; and
161 (c) other measures as determined by the LEA including
162 data gathered from student/parent input.
163 (5) the Board shall determine weightings for specific
164 educator performance criteria to be used in the LEA's
165 evaluation system.
166 (6) An LEA evaluation system shall include a plan for
167 recognizing educators who demonstrate exemplary professional
168 effectiveness, at least in part, by improved student

169 achievement.
170 (7) An LEA evaluation system shall identify potential
171 employment consequences, including discipline and termination,
172 if an educator fails to meet performance expectations.
173 (8) An LEA evaluation system shall include a review or
174 appeals process for an educator to challenge the conclusions
175 of a summative evaluation that provides for adequate and
176 timely due process for the educator consistent with Section
177 53A-10-106.5.
178 G. An LEA may include additional components in an
179 evaluation system.
180 H. A local board of education shall review and approve an
181 LEA's proposed evaluation system in an open meeting prior to
182 the local board's submission to the Board for review and
183 approval.

184 **R277-531-4. Board Support and Monitoring of LEA Evaluation**
185 **Systems.**
186 A. The Board shall establish a state evaluation advisory
187 committee to provide ongoing review and support for LEAs as
188 they develop and implement evaluation systems consistent with
189 the law and this Rule. The Committee shall:
190 (1) analyze LEA evaluation data for purposes of:
191 (a) reporting;
192 (b) assessing instructional improvement; and
193 (c) assessing student achievement.
194 (2) review required Board evaluation components regularly
195 and evaluate their usefulness in providing a consistent
196 statewide framework for educator evaluation, instructional
197 improvement and commensurate student achievement;
198 (3) review LEA educator evaluation plans for alignment
199 with Board requirements.
200 B. The USOE, under supervision of the Board, shall
201 develop a model educator evaluation system that includes

202 performance expectations consistent with this rule.
203 C. The USOE shall evaluate and recommend tools and
204 measures for use by LEAs as they develop and initiate their
205 local educator evaluation systems.
206 D. The USOE shall add educator evaluation information to
207 individual educator CACTUS files.
208 E. The USOE shall provide professional development and
209 technical support to LEAs to assist in evaluation procedures
210 and to improve educators' ability to make valid and reliable
211 evaluation judgments.

212 **R277-531-5. Implementation.**
213 A. Each LEA shall have an educator evaluation committee
214 in place by October 2011.
215 B. Each LEA shall design the required evaluation program,
216 including pilot programs as desired.
217 C. Each LEA shall continue to report educator
218 effectiveness data to the USOE in the UCA.
219 D. Final and complete implementation shall be in place
220 for the 2013-2014 school year.

221 **KEY: educator, evaluation, requirements**
222 **Date of Enactment or Last Substantive Amendment: 2011**
223 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3;**
224 **53A-1-402(1)(a)(i); 53A-1-401(3)**