

1 **R277. Education, Administration.**

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

3 **R277-531-1. 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) Subsections [53E-3-501\(1\)\(a\)\(i\)](#) and (ii), which require the Board to establish rules
10 and minimum standards for the qualification and certification of educators and for required
11 school administrative and supervisory services; and

12 (d) Section [53G-11-504](#), which directs that the Board adopt rules to guide school
13 district employee evaluations.

14 (2) The purpose of this rule is to provide a statewide educator evaluation system
15 framework that includes required Board directed expectations and components and
16 additional school district determined components and procedures to ensure the availability
17 of data about educator effectiveness.

18 (3) The process shall:

19 (a) focus on the improvement of high quality instruction and improved student
20 achievement;

21 (b) include common data that can be aggregated and disaggregated to inform Board
22 and school district decisions about retention, preparation, recruitment, and improved
23 professional learning practices; and

24 (c) ensure school districts engage in a consistent process statewide of educator
25 evaluation.

26

27 **R277-531-2. Definitions.**

28 (1) "Educator" means an individual licensed under Section [53E-6-201](#) and who
29 meets the requirements of Rule [R277-301](#).

30 (2) "Educator Evaluation Program" means a school district's process, policies, and
31 procedures for evaluating an educator's performance according to the educator's various
32 assignments.

33 (3) "Formative evaluation" means an evaluation that provides an educator with
34 information and assessments on how to improve the educator's performance.

35 (4) "Instructional quality data" means data acquired through observation of an
36 educator's instructional practices.

37 (5) "Joint educator evaluation committee" means the local committee described
38 under Section [53G-11-506](#) that develops and assesses a school district evaluation program.

39 (6) "School administrator" means an educator:

40 (a) serving in a position that requires a Utah Educator License with an Administrative
41 area of concentration; and

42 (b) who supervises Level 2 educators.

43 (7) "Summative evaluation" means an evaluation that is used to make annual
44 decisions or ratings of an educator's performance and may inform decisions on salary,
45 confirmed employment, personnel assignments, transfers, or dismissals.

46 (9) "Utah Effective Educator Standards" means:

47 (a) the Effective Teaching Standards established in Section [R277-530-5](#);

48 (b) the Educational Leadership Standards established in Section [R277-530-6](#); and

49 (c) the Educational School Counselor Standards established in Section [R277-530-](#)

50 7.

51 (10) "Valid and reliable measurement tool" means an instrument that has proved
52 consistent over time and uses non-subjective criteria that require minimal interpretation.

53

54 **R277-531-3. Public Educator Evaluation Framework.**

55 (1) The Board provides the public education evaluation framework described in this
56 section, which includes general evaluation system areas and additional discretionary
57 components required in a school district's educator evaluation system.

58 (2) A school district shall:

- 59 (a) have a joint educator evaluation committee;
- 60 (b) base the school district's educator evaluation system on the Utah Effective
61 Educator Standards in Rule [R277-530](#);
- 62 (c) establish and articulate performance expectations individually for all licensed
63 school district educators;
- 64 (d) use valid and reliable measurement tools including, at a minimum:
- 65 (i) observations of instructional quality;
- 66 (ii) evidence of student growth;
- 67 (iii) parent and student input; and
- 68 (iv) other indicators as determined by the school district;
- 69 (e) provide an annual rating of educator performance using uniform statewide
70 terminology and definitions, and include summative and formative components;
- 71 (f) direct the revision or alignment of all related school district policies, as necessary,
72 to be consistent with the school district Educator Evaluation System;
- 73 (g) use valid, reliable, and research-based measurements that shall:
- 74 (i) employ a variety of measurement tools;
- 75 (ii) measure student growth for educators;
- 76 (iii) provide evaluation for non-instructional licensed educators and administrators;
- 77 and
- 78 (h) provide both formative and summative evaluation data.
- 79 (3) A school district may consider data gathered from tools to inform decisions about
80 employment and professional learning.
- 81 (4) A school district shall discuss and protect the confidentiality of educator data in
82 the evaluation process.
- 83 (5)(a) A school district evaluation system shall provide for clear and timely notice to
84 educators of the components, timelines, and consequences of the evaluation process; and
- 85 (b) A school district evaluation system shall provide for timely discussion with
86 evaluated educators to include professional growth plans as required in Rule [R277-500](#) and
87 evaluation conferences.

88 (6) A school district evaluation system shall provide support for instructional
89 improvement, including:

90 (a) assessing the professional learning needs of educators; and

91 (b) identifying educators who do not meet expectations for instructional quality and
92 providing support as appropriate at the school district level, which may include providing
93 educators with mentors, coaches, and specialists in effective instruction, and setting
94 timelines and benchmarks to assist educators toward greater improved instructional
95 effectiveness and student achievement.

96 (7) A school district evaluation system shall maintain records and documentation of
97 required educator evaluation information.

98 (8) A school district evaluation system shall require the evaluation of all licensed
99 educators at least once a year in accordance with Section [R277-533](#).

100 (9) A school district evaluation system shall provide at least an annual rating for each
101 licensed educator, including teachers, school administrators, and other non-teaching
102 licensed positions, using Board-directed statewide evaluation terminology and definitions.

103 (10) A school district evaluation system shall include the following specific educator
104 performance criteria:

105 (a) school district-determined instructional quality measures;

106 (b) complete integration of student academic growth score; and

107 (c) other measures as determined by the school district, including data required from
108 student or parent input.

109 (11) A school district evaluation system shall identify potential employment
110 consequences, including discipline and termination, if an educator fails to meet performance
111 expectations.

112 (12) A school district evaluation system shall include a review or appeals procedure
113 for an educator to challenge the process of a summative evaluation that provides for
114 adequate and timely due process for the educator consistent with Subsection [53G-11-](#)
115 [508\(2\)](#).

116 (13) A school district may include additional components in its evaluation system.

117 (14) A local board of education shall review and approve its school district's proposed
118 evaluation systems in an open meeting prior to the local board's submission to the Board.

119 (15) A school district shall report educator effectiveness data to the Superintendent
120 annually, on or before June 30.

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122 **R277-531-4. Board Support and Monitoring of LEA Evaluation Systems.**

123 The Superintendent, under supervision of the Board, shall:

124 (1) develop a model educator evaluation system that includes performance
125 expectations consistent with this rule;

126 (2) evaluate and recommend tools and measures for use by school districts as they
127 develop and initiate their local educator evaluation systems; and

128 (3) annually monitor 25% of the school districts' evaluation systems.

129

130 **R277-531-5. Compensation.**

131 (1) A school district shall implement an employee compensation system, no later
132 than the 2018-19 school year, that is aligned to the school district's educator evaluation
133 system.

134 (2) An educator's annual advancement on an adopted salary schedule shall be
135 based primarily upon an evaluation system that differentiates among four levels of
136 performance as described in Section [53G-11-507](#) and [R277-533](#), unless the educator:

137 (a) is a provisional educator; or

138 (b) is in the first year of an assignment, including a new subject, grade level, or
139 school.

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141 **R277-531-6. Sunset Date.**

142 This rule will sunset on June 30, 2024 and be superseded by Rule R277-323.

143

144 **KEY: educators, evaluations, requirements**

145 **Date of Last Change: November 26, 2021**

146 Notice of Continuation: June 4, 2021

147 Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-501\(1\)\(a\)\(i\)](#);

148 [53E-3-4014](#))