

**R277. Education, Administration.**

**R277-524. Paraprofessional/Paraeducator Programs, Assignments, and Qualifications.**

**R277-524-1. Authority and Purpose.**

A. This rule is authorized by Utah Constitution, Article X, Section 3 which vests general control and supervision of public education in the Board, Subsection 53E-3-401(4), which gives the Board authority to adopt rules in accordance with its responsibilities, Subsection 53E-3-501(1)(a)(i), which requires the Board to establish rules and minimum standards for the public schools regarding the qualification and certification of educators and ancillary personnel who provide direct student services, and NCLB, P.L. 107-110, Title 1, Sec, 1119 which requires that each local education agency receiving assistance under this part shall ensure that all paraprofessionals shall be appropriately qualified.

B. The purpose of this rule is to designate appropriate assignments of paraprofessionals and qualifications for paraprofessionals hired before and after January 6, 2002 consistent with NCLB requirements.

C. This rule establishes the formula for distribution of Paraeducator funding under Section 53F-2-411 to eligible schools. The rule provides minimum standards for use of funds and reporting requirements.

**R277-524-2. Definitions.**

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

B. "Core academic subjects or areas" means English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography under the Elementary and Secondary Education Act (ESEA), also known as the No Child Left Behind Act (NCLB).

C. "Direct supervision of a licensed teacher" means:

(1) the teacher prepares the lesson and plans the instruction support activities the paraprofessional carries out, and the teacher evaluates the achievement of the students with whom the paraprofessional works; and

(2) the paraprofessional works in close and frequent proximity with the teacher.

D. "Eligible school," for purposes of this rule and the Paraeducator Funding Program, means a Title I school that is one of the state's lowest-performing Title I priority schools as defined by ESEA.

E. "No Child Left Behind (NCLB)" means the federal law under the Elementary and Secondary Education Act, Title IX, Part A, 20 U.S.C. 7801.

F. "Paraeducator funding" means supplemental state funding provided under Section 53F-2-411 to Title I schools identified as in need of improvement under the Elementary and Secondary Education Act (ESEA), Title IX, Part A, 20 U.S.C. 7801 to hire additional paraeducators to assist students in achieving academic success.

G. "Paraprofessional" or "paraeducator" means an individual who works under the supervision of a teacher or other licensed/certificated professional who has identified responsibilities in the public school classroom.

### **R277-524-3. Appropriate Assignments or Duties for Paraprofessionals.**

Paraprofessionals may:

A. provide individual or small group assistance or tutoring to students under the direct supervision of a licensed teacher during times when students would not otherwise be receiving instruction from a teacher.

B. assist with classroom organization and management, such as organizing instructional or other materials;

C. provide assistance in computer laboratories;

D. conduct parental involvement activities;

E. provide support in library or media centers;

F. act as translators;

G. provide supervision for students in non-instructional settings.

### **R277-524-4. Requirements for Paraprofessionals.**

A. Paraprofessionals hired before January 6, 2002 who function under R277-504-3A, and working in programs supported by Title I funds shall satisfy one of the following:

- (1) The individual has completed at least two years (minimum of 48 semester hours) at an accredited higher education institution; or
  - (2) The individual has obtained an associates (or higher) degree from an accredited higher education institution; or
  - (3) The individual has satisfied a rigorous state assessment, approved by the Board, that demonstrates:
    - (a) knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or
    - (b) knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate; or
  - (4) The individual has satisfied a rigorous local assessment, approved by the local board, that demonstrates:
    - (a) knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or
    - (b) knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.
- B. Paraprofessionals hired after January 6, 2002 in programs supported by Title I funds shall satisfy R277-524-4B(1)(2)(3) or (4).
- (1) Individual shall have earned a secondary school diploma or a recognized equivalent; and
  - (2) The individual has completed at least two years (minimum of 48 semester hours) at an accredited higher education institution; or
  - (3) The individual has obtained an associates (or higher) degree from an accredited higher education institution; or
  - (4) The individual has satisfied a rigorous state or local assessment about the individual's knowledge of an ability to assist students in core courses under NCLB.
- C. The individual shall satisfactorily complete a criminal background check consistent with Section 53G-11-402 and R277-516.

**R277-524-5. Variances.**

The provisions of this rule do not apply to:

- A. paraprofessionals who are proficient in English and a language other than English who provide translator services; or
- B. paraprofessionals who have only parental involvement or similar responsibilities.

**R277-524-6. Use of Funds.**

Local education agencies may use Title I funds in addition to other funds available and identified by the local education agency to support ongoing training and professional development for paraprofessionals.

**R277-524-7. Board Responsibilities.**

- A. The Board shall annually distribute funds provided under Section 53F-2-411 to eligible Title I schools. The funds shall be divided equally among eligible schools.
- B. The Board shall submit an annual report to the Public Education Appropriations Subcommittee on the implementation of this program.

**R277-524-8. Responsibilities of Eligible Schools Receiving Paraeducator Funding.**

- A. Paraeducators hired with these funds shall meet the qualifications under R277-524-4.
- B. Paraeducators hired with these funds shall provide additional aid in the classroom to assist students in achieving academic success as defined in R277-524-3A.
- C. Schools that accept the Paraeducator Funding shall demonstrate, as required by USOE reporting, that funds are used to supplement other state and federal funds to provide paraeducator services.
- D. Schools accepting these funds shall provide an annual report as directed by the USOE that includes the following:
  - (1) the number of paraeducators hired with program money;
  - (2) school funding, in addition to funds provided under this rule, the school used to supplement program money to hire paraeducators; and

(3) accountability measures, including student test scores and other student assessment elements for students served by the program.

**KEY: paraprofessional qualifications, NCLB**

**Date of Enactment or Last Substantive Amendment: May 8, 2014**

**Notice of Continuation: March 14, 2014**

**Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53E-3-501(1)(a)(i); P.L. 107-110, Title 1, Sec. 1119**