

R277-523 received final approval by the Utah State Board of Education on August 1, 2019. R277-523 is published in the September 1, 2019 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of October 8, 2019.

**~~[R277. Education, Administration.~~**

**~~R277-523. Teacher Salary Supplement Program.~~**

**~~R277-523-1. Authority and Purpose.~~**

~~—— (1) This rule is authorized by:~~

~~—— (a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;~~

~~—— (b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and~~

~~—— (c) Section 53F-2-504, which directs the Board to make rules regarding the administration of the Teacher Salary Supplement Program.~~

~~—— (2) The purpose of this rule is to establish application and appeal procedures for administration of the Teacher Salary Supplement Program.~~

**~~R277-523-2. Definitions.~~**

~~—— (1) "Certificate teacher" means the same as that term is defined in Subsection 53F-2-504(1)(b).~~

~~—— (2) "Eligible teacher" means the same as that term is defined in Subsection 53F-2-504(1)(c).~~

~~—— (3) "Substantially equivalent" means commonly recognized by a Utah university for a degree in a specific subject.~~

~~—— (4) "Teacher Salary Supplement Program" or "TSSP" means the salary supplement program authorized by the Legislature in Section 53F-2-504.~~

**~~R277-523-3. Program Administration.~~**

~~—— (1) The Superintendent shall allocate funds for salary supplements to eligible teachers and certificate teachers in accordance with Subsection 53F-2-504(3).~~

~~—— (2) The Superintendent shall maintain an online application system for the TSSP and make it available to educators no later than October 1 each school year.~~

~~—— (3) An applicant for the TSSP shall apply to the Superintendent by the following~~

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deadlines:

~~—— (a) Trimester payments, prior to November 15;~~

~~—— (b) Semester payments, prior to January 31; and~~

~~—— (c) Annual payments, prior to April 30.~~

~~—— (4) A Title I certificate teacher shall receive a partial award if the certificate teacher has a partial assignment in a Title I school or works less than the full school year, which shall be proportional to the teacher's assignment, the portion of the assignment worked in a Title I school, and the overall portion of the school year worked:~~

~~—— (5)(a) If an applicant is denied funds under this Section R277-523-3, the applicant may submit a written appeal to the Superintendent prior to June 1.~~

~~—— (b) An appeal under Subsection (5)(a) is limited to the following issues:~~

~~—— (i) whether the applicant has a degree or degree major with course requirements that are substantially equivalent to the course requirements for a degree listed in Section 53F-2-504;~~

~~—— (ii) whether the applicant holds a current National Board Certification;~~

~~—— (iii) whether the applicant was assigned to teach at a Title I school during the period covered by the TSSP award;~~

~~—— (iv) whether the Superintendent's initial denial was inconsistent with Section 53F-2-504 or this Rule R277-523; or~~

~~—— (v) whether the Superintendent's initial denial was based on inaccurate or missing information.~~

~~—— (c) The Superintendent may designate a panel of at least two Board staff members to review an appeal made under Subsection (5)(a) and make a recommendation to the Superintendent.~~

~~—— (i) A panel designated in accordance with Subsection (5)(c) shall make a recommendation in accordance with the provisions of Section 53F-2-504 or this Rule R277-523.~~

~~—— (ii) The panel shall make a recommendation on an appeal within 30 days of receipt of the written appeal.~~

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~~——(6) The Superintendent shall issue a ruling on an appeal within 15 days of receipt of the panel's recommendation:~~

~~——(d) The decision of the Superintendent on an appeal is the final Board administrative action:~~

~~——(7) If the appropriation for TSSP is insufficient to cover all eligible teachers and certificate teachers entitled to awards, the Superintendent shall reduce all awards by the same ratio and proportion:~~

**KEY: TSSP, salary**

**Date of Enactment of Last Substantive Amendment: 2018**

**Authorizing, and Implemented or Interpreted Law: ~~Art X Sec 3; 53E-3-401; 53F-2-504~~**