

1 **R277. Education, Administration.**

2 **R277-920. School Improvement and Leadership Development.**

3 **R277-920-1. 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  
8 the Board's duties and responsibilities under the Utah Constitution and state law; and

9 (c) Title 53E, Chapter 5, Part 3, School Improvement and Leadership  
10 Development, which requires the Board to make rules to establish:

11 (i) an appeal process for the denial of a school improvement plan;

12 (ii) provisions regarding funding distributed to a springboard school or elevate  
13 school;

14 (iii) criteria for granting an extension to a springboard school;

15 (iv) criteria for exiting a school that has demonstrated sufficient improvement;

16 (v) implications for a springboard school; and

17 (vi) eligibility criteria, application procedures, selection criteria, and procedures  
18 for awarding incentive pay for the School Leadership Development Program.

19 (2) The purpose of this rule is to:

20 (a) enact provisions governing school improvement efforts; and

21 (b) implement and administer Title 53E, Chapter 5, Part 3, School Improvement  
22 and Leadership Development.

23

24 **R277-920-2. Definitions.**

25 (1) "Appeal committee" means the committee established by Section R277-920-  
26 6.

27 (2) "Baseline performance" means the percentage of possible points earned by  
28 a school through the school accountability system in the year the school was identified  
29 as a springboard school.

30 (3) "Committee" means a school improvement committee established in  
31 accordance with Subsection 53E-5-303(1) or 53E-5-304(4).

32 (4) "Continuous improvement expert" means the same as that term is defined in  
33 Section 53E-5-301.

34 (5) "Elevate school" means the same as that term is defined in Section 53E-5-  
35 301.

36 (6) "High performing charter school" means the same as that term is defined in  
37 Section 53E-5-306.

38 (7) "Non-Title I school" means a school that does not receive funds under the  
39 Elementary and Secondary Education Act of 1965, Title I, 20 U.S.C. Sec. 6301 et seq.

40 (8) "School improvement grant" means a Title I grant under the Elementary and  
41 Secondary Education Act, 20 U.S.C. Sec. 6303(g).

42 (9) "School in critical needs status" means a school that is a:

43 (a) high school with a four-year adjusted cohort graduation rate of less than or  
44 equal to 67% for three school years on average;

45 (b) Title I school that does not exit targeted needs status; or

46 (c) Title I school that:

47 (i) has not been identified as a school meeting the definition of Subsection (9)(a),  
48 (9)(b), or (14); and

49 (ii) performed in the lowest 5% of Title I schools over the past three years on  
50 average according to the percentage of points earned under the school accountability  
51 system.

52 (10) "School in targeted needs status" means a school that is identified as a  
53 targeted support and improvement school with one or more student groups as  
54 described in Section R277-920-5.

55 (11) "School leader" means the same as that term is defined in Section 53E-5-  
56 309.

57 (12) "School improvement plan" means a school improvement plan described in  
58 Section R277-920-8.

59 (13) "School improvement program" means the school improvement and  
60 leadership development program described in Title 53G, Chapter 5, Part 3.

61 (14) "Springboard school" means the same as that term is defined in Section  
62 53E-5-301.

63 (15) "State review panel" means a state review panel appointed by the  
64 Superintendent that includes at least three members who each have demonstrated  
65 expertise in two or more of the following fields:

66 (a) leadership at the school district or school level;

67 (b) standards-based elementary or secondary curriculum instruction and  
68 assessment;

69 (c) instructional data management and analysis;

70 (d) educational program evaluation;

71 (e) educational program management;

72 (f) teacher leadership;

73 (g) change management;

74 (h) organizational management; or

75 (i) school budgeting and finance.

76 (16) "Title I school" means a school that receives funds under the Elementary  
77 and Secondary Education Act of 1965, Title I, 20 U.S.C. Sec. 6301 et seq.

78 (17) "ESSA state plan" means the Revised State Template for the Consolidated  
79 State Plan: The Elementary and Secondary Education Act of 1965, Every Student  
80 Succeeds Act incorporated by reference in Section R277-920-3.

81

82 **R277-920-3. Revised State Template for the Consolidated State Plan: The**  
83 **Elementary and Secondary Education Act of 1965 Incorporated by Reference.**

84 (1) This rule incorporates by reference the Revised State Template for the  
85 Consolidated State Plan: The Elementary and Secondary Education Act of 1965, Every  
86 Student Succeeds Act, which provides clarification of the requirements and the state's  
87 plan for seven federal Title programs including school improvement.

88 (2) A copy of the manual is located at:

89 (a) <https://www.schools.utah.gov/file/e803c7a4-3c13-459c-97a6-da92b4579c52>;

90 and

91 (b) the Utah State Board of Education.

92

93 **R277-920-4. Superintendent's Identification of Schools for Critical Needs Status**  
94 **and Springboard Schools -- Readiness Review.**

95 (1) Subject to Subsection (2), on or before October 31, the Superintendent shall  
96 identify schools for critical needs status and springboard schools.

97 (2) The Superintendent shall make the identification under:

98 (a) Subsection R277-920-2(9)(a) beginning with the 2021-22 school  
99 accountability results and every three years thereafter, consistent with the ESSA state  
100 plan;

101 (b) Subsection R277-920-2(9)(b) beginning with the 2023-24 school  
102 accountability results and every year thereafter, consistent with the ESSA state plan;

103 (c) Subsection R277-920-2(9)(c) beginning with the 2021-2022 school  
104 accountability results and every three years thereafter, consistent with the ESSA state  
105 plan; and

106 (d) Subsection R277-920-2(14) beginning with the 2024-25 school accountability  
107 results and every four years thereafter, consistent with Subsection 53E-5-302(1)(a).

108 (3)(a) Except as provided in Subsection (3)(b), schools in critical needs status  
109 are required to comply with Title 53E, Chapter 5, Part 3, School Improvement and  
110 Leadership Development.

111 (b) A school in critical needs status is exempt from the requirement to contract  
112 with continuous improvement expert described in Section 53E-5-305.

113

114 **R277-920-5. Superintendent's Identification of Schools for Targeted Needs Status**  
115 **and Elevate Schools.**

116 (1) As used in this section, "student groups" means a group of ten or more  
117 students:

118 (a) who are economically disadvantaged;

119 (b) with disabilities;

120 (c) who are English learners;

121 (d) who are African American;

122 (e) who are American Indian;

123 (f) who are Asian;

124 (g) who are Hispanic;

125 (h) who are Multiple races;

126 (i) who are Pacific Islander; or

127 (j) who are White.

128 (2)(a) Subject to Subsection (2)(b), the Superintendent shall identify for targeted  
129 needs status any school with one or more student groups who:

130 (i) for two consecutive years, is assigned a percentage of possible points in the  
131 state's accountability system that is equal to or below the percentage of possible points  
132 associated with the lowest rating in the state's accountability system; and

133 (ii) is not currently identified for critical needs status under Section R277-920-4.

134 (b) The Superintendent shall make the identification under Subsection (2)(a)  
135 beginning with the 2018-2019 school accountability results and every year thereafter.

136 (3) A school identified under Subsection (2) shall develop and implement a plan  
137 to improve performance of the student group that was the subject of the identification  
138 under Subsection (2), in accordance with the Elementary and Secondary Education Act  
139 of 1965, 20 U.S.C. Sec. 6301 et seq.

140 (4) To exit targeted needs status, a school shall demonstrate that the school no  
141 longer meets the criteria for which the school was identified for two consecutive years  
142 within four school years after the month in which the school was identified.

143 (5) The Superintendent shall identify a Title I school that does not meet the exit  
144 criteria described in Subsection (4) as a school with chronically underperforming student  
145 groups as described in Section R277-920-4.

146 (6) For each year the Board is required to identify elevate schools as described  
147 in Section 53E-5-302.1, the Superintendent shall:

148 (a) accept applications as described in Subsection 53E-5-302.1(1)(a);

149 (b) identify elevate schools as described in Subsection 53E-5-302.1(1)(b); and

150 (c) conduct a needs assessment for each elevate school as described in  
151 Subsection 53E-5-302.1(1)(c).

152

153 **R277-920-6. Identification of New Schools due to Statewide Assessment System**  
154 **Irregularities During the 2020 COVID-19 Pandemic.**

155 The Superintendent may not identify a new school for critical needs status based  
156 on school accountability results from the 2019-20 school year due to the waiver to  
157 administer assessments described in Section 53E-4-315.

158

159 **R277-920-7. Superintendent Review of Continuous Improvement Expert**  
160 **Proposals for Springboard and Elevate Schools.**

161 (1) The Superintendent shall review and approve a springboard or elevate  
162 school's proposal described in Subsection 53E-5-303(1)(d).

163 (2) On or before January 15, a local education board of a springboard or elevate  
164 school shall submit a proposal described in Subsection 53E-5-303(1) or Subsection  
165 53E-5-304(4) to the Superintendent for approval.

166

167 **R277-920-8. School Improvement Plan Submission and Approval Process.**

168 (1) In addition to the requirements described in Subsection 53E-5-303(5), a  
169 springboard school, elevate school, or school in critical needs status shall create a  
170 school improvement plan and include at least the following:

171 (a) a request to the local school board and district superintendent for:

- 172 (i) additional resources;
- 173 (ii) personnel; or
- 174 (iii) exemptions from district policy that may be contributing to the low  
175 performance of the district school; and
- 176 (b) a plan for management of school personnel, including:
- 177 (i) recruitment of an educator or school leader; and
- 178 (ii) professional development for an educator or school leader.
- 179 (2) A local education board shall include in the plan a strategy for sustaining  
180 school improvement efforts after a school exits critical needs status.
- 181 (3)(a) A local education board may approve or deny a plan in whole or in part, if  
182 the part of the plan the board denies is severable from the part of the plan the board  
183 approves.
- 184 (b) A local education board shall give a reason for a denial of each part of a  
185 plan.
- 186 (4) A local education board shall submit a school improvement plan in  
187 accordance with Subsection 53E-5-303(7) or Subsection 53E-5-304(9) to the Board.
- 188 (5) In accordance with Subsection 53E-5-305(3), the Board may review and  
189 approve or deny a school improvement plan in whole or in part, if the part of the school  
190 improvement plan the Board denies is severable from the part of the school  
191 improvement plan the Board approves.

192

193 **R277-920-9. Appeal Process for Denial of a School Improvement Plan.**

- 194 (1) A committee or local education board may appeal the denial of a plan, in  
195 whole or in part, by following the procedures and requirements of this section.
- 196 (2) An appeal authorized by this rule:
- 197 (a) is an informal adjudicative proceeding under Section 63G-4-203; and
- 198 (b) shall be resolved by the date specified in Subsection 53E-5-305(6)(b).
- 199 (3)(a) A principal, on behalf of a committee, may request that the local education  
200 board reconsider the denial of a plan:

- 201 (i) by electronically filing the request:
- 202 (A) with the chair of the local education board; and
- 203 (B) on a form provided on the Board website; and
- 204 (ii) within five calendar days of the denial.
- 205 (b) The reconsideration request may include a modification to the plan if the
- 206 committee approves the modification.
- 207 (c) The local education board shall respond to the request within ten calendar
- 208 days by:
- 209 (i) refusing to reconsider its action;
- 210 (ii) approving a plan, in whole or in part; or
- 211 (iii) denying a plan modification.
- 212 (d) The principal may appeal the denial of a plan under this Subsection (3):
- 213 (i) by electronically filing an appeal with the Superintendent on a form provided
- 214 on the Board website; and
- 215 (ii) within five calendar days of the denial.
- 216 (e) An appeal filed under this subsection shall be resolved in accordance with
- 217 Subsections (4) and (5).
- 218 (4) A district superintendent, on behalf of a local school board, or a charter
- 219 school governing board chair, on behalf of a charter school governing board, may
- 220 appeal the Board's denial of a plan:
- 221 (a) by electronically filing an appeal with the Superintendent on a form provided
- 222 on the Board website; and
- 223 (b) within five calendar days of the denial.
- 224 (5)(a) At least three members of a Board committee, appointed by the Board as
- 225 the appeal committee, shall review the written appeal.
- 226 (b) The appeal committee may ask the principal, district superintendent, local
- 227 school board chair, or charter school governing board chair to:
- 228 (i) provide additional written information; or
- 229 (ii) appear personally and provide information.



230 (c) The appeal committee shall make a written recommendation within five  
231 business days of receipt of the appeal request to the Board to accept, modify, or reject  
232 the plan and give a reason for the recommendation.

233 (6) The Board may accept or reject the appeal committee's recommendation and  
234 the Board's decision is the final administrative action.

235

236 **R277-920-10. Springboard and Elevate School Program Funding.**

237 (1) The Superintendent shall annually designate an amount of funds available  
238 for distribution to springboard and elevate schools under this section, taking into  
239 consideration:

240 (b)(a) encumbered funds; and

241 (c)(b) other program obligations.

242 (2) On or before January 30 of the school year in which a springboard or elevate  
243 school is identified, the Superintendent shall distribute at least \$375,000 per  
244 springboard or elevate school to each local education board of a springboard or elevate  
245 school.

246 (3) The Superintendent shall distribute any funds available for distribution under  
247 Subsection (1) after the allocation of funds described in Subsection (2) to local  
248 education boards of springboard and elevate schools on a prioritized basis taking need  
249 for the funds, as demonstrated by the needs assessment conducted in accordance with  
250 Section 53E-5-302, into account.

251 (4)(a) The local education board shall use at least a portion of the funding  
252 distributed under Subsections (2) and (3) to contract with a continuous improvement  
253 expert, including travel costs, in accordance with Sections 53E-5-303 and 53E-5-304.

254 (b) A local education board shall use funding available after the allocation of  
255 funds under Subsection (4)(a) only for interventions identified in a school improvement  
256 plan.

257 (5) The Superintendent may review uses of funds and contracts with continuous  
258 improvement experts.

259 (6) The Superintendent may provide funding to a school that remains in the  
260 school improvement program beyond the school's identified exit year.

261

262 **R277-920-11. School Leadership Development Program.**

263 (1) A school leader may apply to participate in the School Leadership  
264 Development Program if the school leader:

265 (a) is assigned to a school in critical needs status; or

266 (b) is nominated by the school leader's district superintendent or charter school  
267 governing board to participate.

268 (2) A school leader who meets the requirements of Subsection (1) may apply to  
269 participate in the School Leadership Development Program by electronically submitting  
270 an application to the Superintendent on a form provided on the Board website by the  
271 date specified on the Board website.

272 (3)(a) The Superintendent shall select a school leader to participate in the  
273 School Leadership Development Program based on the following selection criteria:

274 (i) first priority shall be given to a school leader who is assigned to a springboard  
275 school or elevate school;

276 (ii) second priority is given to a school leader who is assigned to a school in  
277 critical needs status that is not a springboard school or elevate school; and

278 (iii) third priority is given to a school leader who is nominated by the school  
279 leader's district superintendent or charter school governing board.

280 (b) Notwithstanding Subsection (3)(a), the Superintendent may give priority to a  
281 school leader who has not received prior leadership training before selecting a school  
282 leader who has received prior leadership training.

283 (4)(a) In accordance with Subsection 53E-5-309(4), the Superintendent shall  
284 award incentive pay to a school leader within 30 days after:

285 (i) the school leader completes the School Leadership Development Program;

286 and

287 (ii) the school leader's LEA verifies that the school leader entered into a written  
288 agreement as described in Subsection 53E-5-309(4).

289 (b) The Superintendent shall distribute \$400 per session to a school leader who  
290 completes at least 75% of the School Leadership Development Program sessions.

291 (5) The Superintendent may award incentive pay to a school leader described in  
292 Subsection (5) for up to five years.

293

294 **R277-920-12. Exit Criteria for a Springboard School and Schools in Critical Needs**  
295 **Status -- Extensions -- More Rigorous Interventions.**

296 (1) To exit the springboard school program, a springboard school shall  
297 demonstrate, in the third or fourth year after which the school was identified as a  
298 springboard school, that the school:

299 (a) meets individualized exit criteria that is calculated by reducing the gap in  
300 performance between the springboard school's baseline performance and the threshold  
301 score for a 'B' letter grade, as described in Section R277-497-2, by one-third; and

302 (b) exceeds the lowest 5% of all schools in the ranking of schools from the year  
303 the school was identified.

304 (2) In determining whether a school has met the criteria described in Subsection  
305 (1), the Superintendent shall apply the indicators, weightings, and threshold scores  
306 described in the version of Title 53E, Chapter 5, Part 2, School Accountability System  
307 that was in place when the school was identified.

308 (3) If a school does not meet the exit criteria described in Subsection (1) in the  
309 fourth year after which the school was identified as a springboard school, the school  
310 may qualify for an extension to continue current school improvement efforts for up to  
311 two years if the school:

312 (a)(i)(A) reduced the gap in performance between the school's baseline  
313 performance and the threshold for a 'B' letter grade, as described in Section R277-497-  
314 2, by at least one-fourth; and

315 (B) exceeds at least the lowest 3% of all schools in the ranking of schools from  
316 the year the school was scheduled to exit; or

317 (ii) has met only one of the exit criteria described in Subsection (1); and

318 (b) electronically files an extension request with the Superintendent within 15  
319 days of the release of school accountability results, that provides rationale justifying an  
320 extension.

321 (4) If a school identified as a springboard school does not meet the exit criteria  
322 described in Subsection (1) or qualify for an extension as described in Subsection (3)  
323 the following groups shall make a recommendation to the Board on what action the  
324 Board should take:

325 (a) a state review panel, described in Subsection (6);

326 (b) if the school is a district school, the local school board, with input from the  
327 community as described in Subsection (7); and

328 (c) if the school is a charter school, the charter school authorizer with input from  
329 the community as described in Subsection (7).

330 (5) The groups described in Subsection (4) shall make a recommendation within  
331 90 days of the release of school accountability results on whether the Board should:

332 (a) require personnel changes, including replacement of school leaders or  
333 teachers;

334 (b) if the school is a district school:

335 (i) require involuntary transfers of school leaders or teachers;

336 (ii) require the local school board to change school boundaries;

337 (iii) temporarily appoint a public or non-profit entity other than the local school  
338 board to manage and operate the school; or

339 (iv) permanently transfer control of a school to a public or non-profit entity other  
340 than the local education board;

341 (c) if the school is a charter school:

342 (i) require that the charter school governing board be replaced; or

343 (ii) require that the charter school authorizer close the school; or

- 344 (d) if the school is a charter school, require that the charter school authorizer:
- 345 (i) replace some or all members of the charter school governing board;
- 346 (ii) transfer operation and control of the charter school to:
- 347 (A) a high performing charter school; or
- 348 (B) the school district in which the charter school is located; or
- 349 (iii) close the school; or
- 350 (e) take other action.
- 351 (6)(a) The Superintendent shall appoint members of a state review panel.
- 352 (b) The state review panel shall critically evaluate at least:
- 353 (i) whether the local education agency has the capacity to implement the
- 354 changes necessary to improve school performance;
- 355 (ii) whether the school leadership is adequate to implement change to improve
- 356 school performance;
- 357 (iii) whether the school has sufficient authority to implement change;
- 358 (iv) whether the plan is being implemented with fidelity;
- 359 (v) whether the state and local education board provided sufficient resources to
- 360 the school to support school improvement efforts, including whether the local school
- 361 board prioritized school district funding and resources to the school in accordance with
- 362 Section 53E-5-303;
- 363 (vi) the likelihood that performance can be improved within the current
- 364 management structure and staffing; and
- 365 (vii) the necessity that the school remain in operation to serve students.
- 366 (7) ~~[A local school board]~~An LEA and charter school authorizer shall develop
- 367 recommendations under this section in collaboration with:
- 368 (a) parents of students currently attending the springboard school;
- 369 (b) teachers, principals, and other school leaders at the school;
- 370 (c) stakeholders representing the interests of students with disabilities, English
- 371 learners, and other vulnerable student populations; and
- 372 (d) other community members and community partners.

373 (8) A school in critical needs status that does not exit critical needs status shall  
374 engage in more rigorous interventions consistent with the ESSA state plan.

375

376 **R277-920-13. Exit Criteria for a Schools in Critical Needs Status and Elevate**  
377 **Schools.**

378 (1) A school in critical needs status may exit critical needs status as described in  
379 the ESSA state plan.

380 (2) An elevate school may exit after successful completion of four years  
381 participating in the implementation of a continuous improvement cycle, including  
382 working with the elevate school's continuous improvement expert.

383

384 **R277-920-14. Exit Criteria for Schools in a year with Statewide Assessment**  
385 **System Irregularities.**

386 (1) For a school year where there are statewide assessment system  
387 irregularities or a suspension of the administration of statewide assessments:

388 (a) the Superintendent shall appoint a state review panel; and

389 (b) the state review panel shall review the data of a school eligible to be  
390 considered for exit at the conclusion of the applicable year and make a recommendation  
391 to the Board on whether the school demonstrated adequate progress to exit the  
392 springboard school program ~~or exit critical needs status.~~

393 (2) A state review panel described in Subsection (1) shall review the following  
394 questions to inform the state review panel's recommendation:

395 (a) whether the school provides evidence of substantial progress and growth;  
396 and

397 (b) whether the school has qualitative or quantitative data from the  
398 implementation of the school's school improvement plan that also demonstrate  
399 substantial improvement.

400 (3) For a school whose data are impacted by statewide assessment system  
401 irregularities or a suspension of the administration of statewide assessments during one  
402 or more of the school's designated years in the springboard school program:

403 (a) the Superintendent shall appoint a state review panel;

404 (b) the state review panel shall review the data of the school whose data are  
405 impacted by the statewide assessment system irregularities or suspension of statewide  
406 assessment; and

407 (c) the state review panel shall make a recommendation to the Board whether  
408 the school demonstrated substantial improvement.

409 (4) A state review panel described in Subsection (3) shall review qualitative and  
410 quantitative data from the implementation of the school's improvement plan.

411 (5) The qualitative and quantitative data described in Subsection (4) may  
412 include:

413 (a) local student performance data, including formative assessment data;

414 (b) for a springboard school that is a high school:

415 (i) credit earned;

416 (ii) graduation rate; and

417 (iii) other types of successful completion, such as earning a GED;

418 (c) increased attendance;

419 (d) student engagement or school climate;

420 (e) parent engagement;

421 (f) criteria presented by the school being reviewed;

422 (g) if the springboard school is a charter school, whether the charter school is  
423 meeting all minimum standards described in Section 53G-5-303 in the school's charter  
424 agreement with the authorizer, including:

425 (i) minimum financial standards for operating the charter school;

426 (ii) minimum standards for student achievement;

427 (iii) the mission statement and purpose of the charter school;

428 (iv) the grade levels served;

- 429 (v) the maximum number of students; and  
430 (vi) the charter school governing board and structure; and  
431 (h) additional criteria established by the Superintendent.
- 432 (6)(a) Notwithstanding other provisions in this Section R277-920-14, for a school  
433 year where there are statewide assessment system irregularities or a suspension of the  
434 administration of statewide assessments, a school eligible to be considered for exit at  
435 the conclusion of the applicable year may elect to remain in the springboard school  
436 program an additional year.
- 437 (b) For a school that elects to remain in the program an additional year as  
438 described in Subsection (6)(a), the Superintendent may provide a different standard of  
439 review of the school's data by the state review panel.
- 440 (7) For a school that elects to remain in the program an additional year as  
441 described in Subsection (6):
- 442 (a) the Superintendent may provide a different standard of review of the school's  
443 data by the state review panel; and
- 444 (b) in addition to the information described in Subsection (5), the school shall  
445 provide a request for resources to the Superintendent, including the proposed uses of  
446 the resources, for the school's additional year in the springboard school program.

447

448 **KEY: principals, school improvements, school leaders**

449 **Date of Last Change: October 11, 2022**

450 **Notice of Continuation: June 4, 2021**

451 **Authorizing, and Implemented or Interpreted Law: Art X, Sec 3; 53E-3-401(4); Title**  
452 **53E, Chapter 5, Part 3**