

1 **R277. Education, Administration.**

2 **R277-925. Effective Teachers in High Poverty Schools Incentive Program.**

3 **R277-925-1. 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) Subsection [53F-2-513](#)(2)(b), which requires the Board to make rules for the
10 administration of the Effective Teachers in High Poverty Schools Incentive Program.

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

12 (a) provide standards and procedures for the administration of the Effective
13 Teachers in High Poverty Schools Incentive Program; and

14 (b) establish a method for determining teacher eligibility for salary bonuses
15 awarded in the 2022-2023 school year for teachers in grade 4 as required in Subsection
16 53F-2-513(2)(b)(iv).

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18 **R277-925-2. Definitions.**

19 (1) "Benchmark assessment" means the assessment described in Section 53E-
20 4-307.

21 (2) "Eligible teacher" means:

22 (a) the same as that term is defined in Section [53F-2-513](#); and

23 (b) a teacher who is a regular or special education classroom teacher.

24 (3) "High poverty school" means the same as that term is defined in Section
25 53F-2-513.

26 (4) "Local education agency" or "LEA" includes, for purposes of this rule, the
27 Utah Schools for the Deaf and the Blind.

28 (5) "Median growth percentile" or "MGP" means the same as that term is defined

29 in Section 53F-2-513.

30 (6) "Program" means the Effective Teachers in High Poverty Schools Incentive
31 Program.

32 (7) "Standards assessment" means the assessment described in Section 53E-4-
33 303.

34 (8) "State-assessed subject" means English language arts, mathematics, or
35 science.

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37 **R277-925-3. Administration of the Program.**

38 (1) On or before December 1, the Superintendent shall:

39 (a) identify high poverty schools and eligible teachers in accordance with
40 Subsection (2);

41 (b) distribute a list of eligible teachers to LEAs; and

42 (c) inform LEAs of program requirements and the timeline for applying on behalf
43 of an eligible teacher.

44 (2) The Superintendent shall identify:

45 (a) high poverty schools based on the proportion of students who:

46 (i) qualify for free or reduced lunch in the current school year, based on:

47 (A) the most recent end of school year enrollment headcounts for existing
48 schools; or

49 (B) the October 1 enrollment headcounts for new schools; and

50 (ii) are classified as children affected by intergenerational poverty, as determined
51 by the Utah Department of Workforce Services, for the most recent year data is
52 available; and

53 (b) eligible teachers by determining:

54 (i) whether the teacher's MGP was greater than or equal to 70:

55 (A) for at least one state-assessed subject taught by the teacher;

56 (B) as measured by student performance on a standards assessment;

- 57 (C) two years before the current school year; and
58 (D) excluding subjects or teachers with less than 10 tested students; or
59 (ii) for a teacher in grades 1-3, whether at least 85% of the teacher's students
60 assess as typical or better on an end of year benchmark assessment.

61 (3) An eligible teacher who is part-time in a regular or special education
62 classroom assignment in the current year shall receive a partial salary bonus based on
63 the number of hours worked in the classroom assignment.

64 ~~[(3)]~~(4) To receive matching funds for the program, on or before January 15, an
65 LEA shall:

- 66 (a) apply on behalf of an eligible teacher; and
67 (b) provide assurances that the LEA will pay half of the:
68 (i) teacher salary bonus; and
69 (ii) employer-paid benefits described in Section [53F-2-513](#).

70 ~~[(4)]~~(a) Subject to legislative appropriations, on or before June 1, the
71 Superintendent shall:

- 72 (i) ensure that a teacher who was determined eligible under Subsection (1) and
73 (2) taught at a high poverty school for the full school year; and
74 (ii) distribute to an LEA that meets the criteria described in Subsection ~~[(3)]~~(4) half
75 of the:

- 76 (A) teacher salary bonus; and
77 (B) employer-paid benefits described in Section [53F-2-513](#).
78 (b) Consistent with Section [53F-2-513](#), the Superintendent may distribute the
79 funds on a pro rata basis if the number of eligible applicants exceeds the amount of
80 available funds.

81 ~~[(5)]~~(6)(a) An LEA or an eligible teacher may appeal eligibility to the
82 Superintendent on the basis that the teacher:

- 83 (i) is teaching at a high poverty school;
84 (ii) is an eligible teacher; or

85 (iii) has less than 10 tested students, but can demonstrate extenuating
86 circumstances that merit an exception.

87 (b) An LEA or eligible teacher shall provide documentation to the Superintendent
88 to assist the Superintendent in deciding on the appeal.

89 (7) For purposes of determining whether a teacher who teaches grade 4 is
90 eligible for a salary bonus in the 2022-2023 school year, a teacher is eligible if at least
91 85% of the teacher's students' progress is assessed as typical or better based on the
92 beginning of year to end of year benchmark assessment described in Section
93 53F-2-503 for 2020-21 school year.

94 (8) An LEA that intends to apply on behalf of an eligible teacher who teaches
95 grade 4 for a salary bonus for the 2022-2023 school year, shall provide the
96 Superintendent grade 4 benchmark assessment data necessary to determine whether
97 the LEA's grade 4 teachers meet the criteria described in Subsection (7).

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99 **KEY: teachers, poverty schools, incentives**

100 **Date of Enactment or Last Substantive Amendment: August 12, 2021**

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

102 **Authorizing, and Implemented or Interpreted Law: Art X Sec 3; [53E-3-401\(4\)](#); [53F-](#)**
103 **[2-513](#)**