

R277-324 received final approval by the Utah State Board of Education on November 7, 2019. R277-324 is published in the December 15, 2019 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of January 21, 2020.

R277. Education, Administration.

R277-324. Paraprofessional/Paraeducator Programs, Assignments, and Qualifications.

R277-324-1. Authority and Purpose.

(1) This rule is authorized by:

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

(b) Subsection 53E-3-401(4), which gives the Board authority to adopt rules in accordance with its responsibilities; and

(c) 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

(d) Subsection 53F-2-411(4), which requires the Board to establish a rule that creates the funding distribution for money appropriated to paraeducator programs.

(2) The purpose of this rule is to:

(a) designate appropriate assignments of paraprofessionals and qualifications for paraprofessionals;

(b) establish the formula for distribution of Paraeducator funding under Section 53F-2-411 to eligible schools; and

(c) provide minimum standards for use of funds and reporting requirements.

R277-324-2. Definitions.

(1) "Direct supervision of a licensed teacher" means:

(a) 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

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

(2) "Eligible school," means the same as the term is defined in Subsection 53F-2-

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411(1)(a).

(3) "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.

(4) "Paraprofessional" or "paraeducator" means the same as the term is defined in Subsection 53F-2-411(1)(b).

R277-324-3. Appropriate Assignments or Duties for Paraprofessionals.

Paraprofessionals may:

(1) 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;

(2) assist with classroom organization and management, such as organizing instructional or other materials;

(3) provide assistance in computer laboratories;

(4) conduct parental involvement activities;

(5) provide support in library or media centers;

(6) act as translators; or

(7) provide supervision for students in non-instructional settings.

R277-324-4. Requirements for Paraprofessionals.

(1) Paraprofessionals hired before January 6, 2002 who function under Subsection R277-504-3(1), and work in programs supported by Title I funds shall meet at least one of the following requirements:

(a) complete at least two years (minimum of 48 semester hours) at an accredited higher education institution;

(b) obtain an associates (or higher) degree from an accredited higher education

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institution; or

(c) satisfy a rigorous state assessment, approved by the Board or LEA governing board, that demonstrates:

(i) knowledge of, and the ability to assist in instructing, reading, writing, and mathematics; or

(ii) knowledge of, and the ability to assist in instructing, reading readiness, writing readiness, and mathematics readiness, as appropriate.

(2) Paraprofessionals hired after January 6, 2002 in programs supported by Title I funds shall meet at least one of the following requirements:

(a) earn a secondary school diploma or a recognized equivalent;

(b) complete at least two years (minimum of 48 semester hours) at an accredited higher education institution;

(c) obtain an associates (or higher) degree from an accredited higher education institution; or

(d) has satisfy a rigorous state or local assessment about the individual's knowledge of an ability to assist students in core courses under state or federal law.

(3) The individual shall satisfactorily complete a criminal background check consistent with Section 53G-11-402 and Rule R277-516.

R277-324-5. Variances.

The provisions of this rule do not apply to:

(1) a paraprofessional who is proficient in English and a language other than English who provides translator services; or

(2) a paraprofessional who is involved as a parent or similar responsibilities.

R277-324-6. Use of Funds.

An LEA may use Title I funds in addition to other funds available and identified by the LEA to support ongoing training and professional development for paraprofessionals.

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R277-324-7. Funding Distribution.

The Superintendent shall divide the funds provided under Section 53F-2-411 equally to eligible schools.

R277-324-8. Responsibilities of Eligible Schools Receiving Paraeducator Funding.

(1) A paraeducator hired with paraeducator funding shall:

(a) meet the qualifications described in Section R277-324-4; and

(b) provides additional aid in the classroom to assist students in achieving academic success.

(2) Schools accepting these funds shall provide an annual report as directed by the Superintendent that includes the following:

(a) the number of paraeducators hired with program money;

(b) school funding, in addition to funds provided under this rule, the school used to supplement program money to hire paraeducators; and

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

KEY: paraprofessional qualifications

Date of Enactment or Last Substantive Amendment:

Notice of Continuation: March 14, 2019

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-3-401(4); 53E-3-501(1)(a)(i); 53F-2-411(4)