

R277-110 received final approval by the Utah State Board of Education on April 7, 2022. R277-110 was published in the May 1, 2022, Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of June 7, 2022.

R277. Education, Administration.

R277-110. Educator Salary Adjustment.

R277-110-1. 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) Subsection 53F-2-405(5), which authorizes the Board to make rules to administer the educator salary adjustment program.

(2) The purpose of this rule is to outline a consistent method for enacting educator salary adjustments in accordance with Section 53F-2-405.

R277-110-2. Definitions.

~~[(1) "Comprehensive Administration of Credentials for Teachers in Utah Schools" or "CACTUS" has the same meaning as defined in Subsection R277-512-2(1).]~~

~~[(2)]~~^[1] "Educator" has the same meaning as defined in Subsection 53F-2-405(1).

~~[(3)]~~^[2] "Educator Salary Adjustment" or "Adjustment" means funds allocated by the Board to an LEA in accordance with Subsection 53F-2-405(3).

~~[(4)]~~^[3] "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the Blind.

~~[(5)]~~^[4] "USIMS" has the same meaning as defined in Subsection R277-312-2(6).

R277-110-3. Procedures.

(1) An LEA shall:

(a)(i) have employee evaluation procedures consistent with Title ~~[53A, Chapter 8a, Public Education Human Resource Management Act]~~53G, Chapter 11, Part 5, School District and Utah Schools for the Deaf and the Blind Employee Requirements; or

(ii) if an LEA is exempt from the requirements of Subsection (1)(a)(i), have employee evaluation procedures in place to receive funds under Section 53F-2-405;

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(b) put the adjustment appropriation into the LEA's salary schedule each year that funds are appropriated by the Legislature;

(c) ensure the amount of the adjustment is the same for each eligible full-time-equivalent educator position in the LEA;

(d) ensure that each eligible employee who is not a full-time educator receives a proportional salary adjustment based on the number of hours the employee works in the employee's current assignment as an educator; and

(e) ensure that each educator who receives an adjustment has received a satisfactory or above job performance rating in the educator's most recent evaluation concluded in the school year prior to the year for which the adjustment is made.

(2) Notwithstanding Subsection (1)(e), an LEA may grant an adjustment to a new hire who has successfully completed the position hiring process and been selected for an educator position.

(3) Once an educator qualifies for an adjustment in a designated school year, the adjustment becomes an ongoing part of the educator's salary.

(4) An educator shall receive an annual adjustment of \$4200 based upon legislative funding allocations.

(5) A school building level administrator shall receive an annual adjustment of \$2500 and benefits as provided in Subsection 53F-2-405(7).

(6) Each LEA shall annually note on the appropriate salary schedule:

(a) the amount of the educator salary adjustment;

(b) the positions qualifying for the adjustment; and

(c) performance rating requirements in accordance with Subsection 53F-2-405(4)(c).

(7) Each LEA shall annually maintain record of performance ratings for an educator receiving an adjustment in accordance with this rule.

(8)(a) The Superintendent shall remit to LEAs an estimated educator salary adjustment allotment through monthly bank transfers and allotment memos beginning in July of each year.

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(b) The Superintendent shall adjust the allotment amount in November of each year to match the number of qualified educators in CACTUS or USIMS.

(9) An adjustment to CACTUS or USIMS made after November 15 may not count towards an LEA's amount for educator salary adjustments until the following year.

(10) An LEA may not include educator salary adjustments when calculating the weighted average compensation adjustment for non-administrative licensed staff.

KEY: educators, salary adjustments

Date of Last Change: 2022~~[September 21, 2017]~~

Notice of Continuation: July 19, 2017

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; 53E-~~[1]~~3-401(4); 53F-2-405(5)