

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 ~~53[A-1-401]~~[E-3-401\(4\)](#), which allows the Board to make rules to  
8 execute the Board's duties and responsibilities under the Utah Constitution and state law;  
9 and

10 (c) ~~[Section 53A-17a-173]~~ Subsection [53F-2-513\(2\)\(b\)](#), which requires the Board to  
11 make rules for the administration of the Effective Teachers in High Poverty Schools  
12 Incentive Program.

13 (2) The purpose of this rule is to provide standards and procedures for the  
14 administration of the Effective Teachers in High Poverty Schools Incentive Program.

15 **R277-925-2. Definitions.**

16 (1) "Benchmark assessment" means the assessment described in Section [53E-4-](#)  
17 [307](#).

18 ([1]2) "Eligible teacher" means the same as that term is defined in Section  
19 ~~[53A-17a-173]~~ [53F-2-513](#).

20 ([2]3) "High poverty school" means the same as that term is defined in Section  
21 ~~[53A-17a-173]~~ [53F-2-513](#).

22 ([3]4) "Local education agency" or "LEA" includes, for purposes of this rule, the Utah  
23 Schools for the Deaf and the Blind.

24 ([4]5) "Median growth percentile" or "MGP" means the same as that term is defined  
25 in Section ~~[53A-17a-173]~~ [53F-2-513](#).

26 ([5]6) "Program" means the Effective Teachers in High Poverty Schools Incentive  
27 Program.

28 ([6]7) "Standards assessment" means the ~~[same as that term is defined in Section~~  
29 ~~53A-1-604]~~ assessment described in Section 53E-4-303.

30 ([7]8) "State-assessed subject" means English language arts, mathematics, ~~[and]~~  
31 or science.

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

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

34 (a) identify high poverty schools and eligible teachers in accordance with Subsection  
35 (2);

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

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

39 (2) The Superintendent shall identify:

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

41 (i) qualify for free or reduced lunch in the current school year, based on the October  
42 1 enrollment headcounts; and

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

46 (b) eligible teachers by determining:

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

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

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

50 (i)C) two years before the current school year; and

51 (i)D) excluding subjects or teachers with less than 10 tested students~~[-];~~ or

52 (ii) for a teacher in grades 1-3, whether at least 85% of the teacher's students  
53 assess as typical or better on an end of year benchmark assessment.

54 (3) To receive matching funds for the program, on or before January 15, an LEA

55 shall:

56 (a) apply on behalf of an eligible teacher; and

57 (b) provide assurances that the LEA will pay half of the:

58 (i) teacher salary bonus; and

59 (ii) employer-paid benefits described in Section ~~[53A-17a-173]~~ [53F-2-513](#).

60 (4)(a) Subject to legislative appropriations, ~~[On]~~ on or before June 1, the

61 Superintendent shall:

62 (i) ensure that a teacher who was determined eligible under Subsection (1) and (2)  
63 taught at a high poverty school for the full school year; and

64 (ii) distribute to an LEA that meets the criteria described in Subsection (3) half of  
65 the:

66 (A) teacher salary bonus; and

67 (B) employer-paid benefits described in Section ~~[53A-17a-173]~~ [53F-2-513](#).

68 (b) Consistent with Section ~~[53A-17a-173]~~ [53F-2-513](#), the Superintendent may  
69 distribute the funds on a pro rata basis if the number of eligible applicants exceeds the  
70 amount of available funds.

71 (5)(a) An LEA or an eligible teacher may appeal eligibility to the Superintendent on  
72 the basis that the teacher:

73 (i) is teaching at a high poverty school;

74 (ii) is an eligible teacher; or

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

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

79 **KEY: teachers, poverty schools, incentive**

80 **Date of Enactment of Last Substantive Amendment: September 21, 2017**

81 **Authorizing, and Implemented, or Interpreted Law: [Art X Sec 3](#); ~~53[A-1-401]E-3-~~**

82 401(4); [~~53A-17a-173~~] 53F-2-513