

SB0067S01 compared with SB0067

~~{deleted text}~~ shows text that was in SB0067 but was deleted in SB0067S01.

inserted text shows text that was not in SB0067 but was inserted into SB0067S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will not be completely accurate. Therefore, you need to read the actual bill. This automatically generated document could experience abnormalities caused by: limitations of the compare program; bad input data; the timing of the compare; and other potential causes.

Senator J. Stuart Adams proposes the following substitute bill:

TEACHER EFFECTIVENESS AND OUTCOMES BASED COMPENSATION

2012 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: J. Stuart Adams

House Sponsor: _____

LONG TITLE

General Description:

This bill prescribes requirements for teacher evaluations and directs that teacher evaluations be used as a basis for ~~{termination,}~~ compensation ~~{, and attaining professional teacher status}~~.

Highlighted Provisions:

This bill:

- ~~→ provides for reporting of noncompliance, and enforcement of compliance, of certain State Board of Education rules;~~
- ~~→ limits an employment contract entered into by a local school board to one year, with exceptions;~~

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- ‡ ▶ requires that summative evaluations of teachers:
 - differentiate among four levels of performance; and
 - be based on student learning growth and the extent to which a teacher meets teacher effectiveness standards;
- ▶ requires reporting on the number and percentage of a school's teachers in each of the four summative evaluation rating categories;
- ~~{ → prohibits a student from being assigned for two consecutive years to a teacher whose rating is ineffective, without notice to the student's parent;~~
- ‡ ▶ requires a local school board to develop and implement salary schedules for teachers based on a teacher's performance;
- ▶ ~~{ establishes a professional teacher standard, requirements to attain professional teacher status, and causes for losing professional teacher status;~~
- ~~→ establishes a probationary teacher standard and provides that a school district may decline to renew a probationary teacher's contract without cause;~~
- ~~→ addresses the authority of a~~ provides that the assignment of personnel to a school is subject to the approval of the school principal ~~{ regarding the hiring and termination of school personnel};~~ and
- ▶ makes technical amendments.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-1-1112, as enacted by Laws of Utah 2011, Chapter 417

~~{ 53A-3-411, as last amended by Laws of Utah 2005, Chapter 285~~

~~→ 53A-8-102, as last amended by Laws of Utah 2011, Chapter 420~~

~~→ 53A-8-104, as last amended by Laws of Utah 2011, Chapter 286~~

‡ 53A-10-102, as last amended by Laws of Utah 2011, Chapter 434

53A-10-103, as last amended by Laws of Utah 2011, Chapter 434

~~{ 53A-10-106, as last amended by Laws of Utah 2011, Chapter 434~~

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~~53A-10-106.5~~, as last amended by Laws of Utah 2011, Chapter 434

~~53A-10-107~~, as last amended by Laws of Utah 2011, Chapter 434

ENACTS:

~~53A-1-410~~, Utah Code Annotated 1953

53A-3-430, Utah Code Annotated 1953

53A-3-431, Utah Code Annotated 1953

~~53A-8-108~~, Utah Code Annotated 1953

53A-10-106.1, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section ~~53A-1-410~~ 53A-1-1112 is ~~enacted to read:~~

~~53A-1-410. Report of noncompliance to the State Board of Education:~~

~~(1) The state superintendent shall report to the State Board of Education any report made to a member of the staff of the State Board of Education regarding noncompliance of the following:~~

~~(a) Subsection 53A-3-411(1);~~

~~(b) Section 53A-3-430;~~

~~(c) Section 53A-3-431;~~

~~(d) Chapter 8, Utah Orderly School Termination Procedures Act; or~~

~~(e) Chapter 10, Educator Evaluation;~~

~~(2) In accordance with the powers granted to the State Board of Education under Section 53A-1-401, the State Board of Education may take action to enforce compliance with State Board of Education rules related to the provisions listed in Subsections (1)(a) through (1)(e):~~

~~Section 2. Section 53A-1-1112 is amended to read:~~

~~amended to read:~~

53A-1-1112. Reporting.

(1) For the 2011-12 school year and thereafter, the State Board of Education, in collaboration with school districts and charter schools, shall annually develop a school report card to be delivered to parents of students in public schools.

(2) The report card shall include:

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- (a) the school's grade;
- (b) the percent of the maximum number of points that may be earned; ~~[and]~~
- (c) information indicating the school's performance on the various criteria upon which the grade is based[-]; and
- (d) for schools of a school district, the number and percentage of teachers on staff in each of the four rating categories ~~{listed}~~ referred to in Section 53A-10-106.1 based on a teacher's summative evaluation.

(3) On or before August 15, the State Board of Education shall annually publish, on the State Board of Education's website, a report card for each school with the information required in Subsection (2).

(4) On or before August 15, a school district shall annually publish on the school district's website, and a school's website[-];

- (a) a school report card with the grade for the prior school year[-; ~~together with~~];
- (b) the current school improvement plan established in accordance with Section 53A-1a-108.5[-]; and

(c) teachers' ratings as described in Subsection (2)(d).

(5) On or before August 15, a charter school shall annually publish on the charter school's website a school report card with the grade for the prior school year.

Section ~~{3}~~2. Section ~~{53A-3-411}~~53A-3-430 is ~~{amended to read:~~

~~———— 53A-3-411. Employment of school personnel -- Length of contract -- Termination for cause -- Individual contract of employment -- Employee acknowledgment of liability protection:~~

~~———— (1) [A] Except as provided in Sections 53A-3-301 and 53A-3-302, a local school board may enter into a written employment contract for a term not to exceed [five years] one year.~~

~~———— (2) Nothing in the terms of the contract shall restrict the power of a local school board to terminate the contract for cause at any time.~~

~~———— (3) (a) A local school board may not enter into a collective bargaining agreement that prohibits or limits individual contracts of employment.~~

~~———— (b) Subsection (3)(a) does not apply to an agreement that was entered into before May 5, 2003.~~

~~———— (4) Each local school board shall:~~

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~~_____ (a) ensure that each employment contract complies with the requirements of Section 34-32-1.1;~~

~~_____ (b) comply with the requirements of Section 34-32-1.1 in employing any personnel, whether by employment contract or otherwise; and~~

~~_____ (c) ensure that at the time an employee enters into an employment contract, the employee shall sign a separate document acknowledging that the employee:~~

~~_____ (i) has received:~~

~~_____ (A) the disclosure required under Subsection 63A-4-204(4)(d) if the school district participates in the Risk Management Fund; or~~

~~_____ (B) written disclosure similar to the disclosure required under Section 63A-4-204 if the school district does not participate in the Risk Management Fund; and~~

~~_____ (ii) understands the legal liability protection provided to the employee and what is not covered, as explained in the disclosure.~~

~~_____ Section 4. Section 53A-3-430 is enacted to read:~~

~~} enacted to read:~~

53A-3-430. Teacher salary schedules.

(1) A local school board shall develop and, beginning with the 2014-15 school year, implement salary schedules for teachers that award salary increases based on a teacher's performance as evaluated with a summative evaluation administered pursuant to Chapter 10, Educator Evaluation, in the previous school year.

(2) Beginning with the 2014-15 school year, a salary schedule for teachers:

(a) may not award a salary increase, including a cost of living increase, to a teacher whose rating on a summative evaluation is ~~{ineffective}~~ at the lowest or ~~{improvement necessary;}~~ second lowest performance level; and

(b) shall award a higher salary increase to a teacher whose rating is ~~{highly effective}~~ at the highest performance level than a teacher whose rating is ~~{effective; and}~~ below the highest performance level.

~~{c}3} ~~{may base up to 10%}~~ The percentage of a salary increase that is based on years of experience, degree earned, or course credits earned may not exceed the following:~~

(a) 50% in the 2014-15 school year;

(b) 40% in the 2015-16 school year;

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(c) 30% in the 2016-17 school year;

(d) 20% in the 2017-18 school year;

(e) 10% in the 2018-19 school year; and

(f) 0% in the 2019-20 school year and thereafter.

(~~3~~4) A local school board may award a salary supplement to a teacher who meets one or more of the following criteria:

(a) the teacher is assigned to a school where the school district has difficulty in recruiting qualified teachers;

(b) the teacher has a teaching assignment in a critical shortage area; or

(c) the teacher has additional academic responsibilities.

(~~4~~5) The State Board of Education may create a salary model for teachers which a local school board may chose to adopt.

(~~5~~6) The State Board of Education shall:

(a) require a school district to annually submit to the State Board of Education a school district's salary schedule for teachers; and

(b) publish a school district's salary schedule for teachers on the State Board of Education's website.

Section ~~5~~3. Section 53A-3-431 is enacted to read:

53A-3-431. ~~Authority of school}~~ School principal to ~~hire and terminate school personnel:~~

~~— (1) A local school board shall delegate authority to a school principal to hire and terminate teachers and other employees who are under the supervision of the school principal.~~

~~— (2) } approve of personnel assigned to the school.~~

A school district may not assign to a school a teacher or other employee who is supervised by the school principal without the approval of the school principal.

Section ~~6~~. Section 53A-8-102 is amended to read:

~~— 53A-8-102. Definitions.~~

~~— As used in this chapter:~~

~~— (1) (a) "Career employee" means an employee of a school district who has obtained a reasonable expectation of continued employment based upon Section 53A-8-106 and an~~

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~~agreement with the employee or the employee's association, district practice, or policy.~~

~~—— (b) "Career employee" does not include:~~

~~—— (i) a professional teacher; or~~

~~—— (ii) a probationary teacher.~~

~~—— (2) "Contract term" or "term of employment" means the period of time during which an employee is engaged by the school district under a contract of employment, whether oral or written.~~

~~—— (3) "Dismissal" or "termination" means:~~

~~—— (a) termination of the status of employment of an employee;~~

~~—— (b) failure to renew or continue the employment contract of a career employee beyond the then-current school year;~~

~~—— (c) reduction in salary of an employee not generally applied to all employees of the same category employed by the school district during the employee's contract term; or~~

~~—— (d) change of assignment of an employee with an accompanying reduction in pay, unless the assignment change and salary reduction are agreed to in writing.~~

~~—— (4) "Employee" means [a career or provisional] an employee of a school district, but does not include:~~

~~—— (a) the district superintendent, or the equivalent at the Schools for the Deaf and the Blind;~~

~~—— (b) the district business administrator or the equivalent at the Schools for the Deaf and the Blind; or~~

~~—— (c) a temporary employee.~~

~~—— (5) "Last-hired, first-fired layoff policy" means a staff reduction policy that mandates the termination of an employee who started to work for the district most recently before terminating a more senior employee.~~

~~—— (6) "Provisional employee" means an individual[, other than a career employee or a temporary employee,] who is employed by a school district[.], except:~~

~~—— (a) a career employee;~~

~~—— (b) a temporary employee;~~

~~—— (c) a professional teacher; or~~

~~—— (d) a probationary teacher.~~

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~~—— (7) "School board" or "board" means a district school board or its equivalent at the Schools for the Deaf and the Blind.~~

~~—— (8) "School district" or "district" means:~~

~~—— (a) a public school district; or~~

~~—— (b) the Schools for the Deaf and the Blind.~~

~~—— (9) "Temporary employee" means an individual who is employed on a temporary basis as defined by policies adopted by the local board of education. If the class of employees in question is represented by an employee organization recognized by the local board, the board shall adopt its policies based upon an agreement with that organization. Temporary employees serve at will and have no expectation of continued employment.~~

~~—— Section 7. Section **53A-8-104** is amended to read:~~

~~—— **53A-8-104. Dismissal procedures.**~~

~~—— (1) A district shall provide employees with a written statement specifying:~~

~~—— (a) the causes under which a career employee's or professional teacher's contract may not be renewed or continued beyond the current school year;~~

~~—— (b) the causes under which a career or provisional employee's or a professional or probationary teacher's contract may be terminated during the contract term; and~~

~~—— (c) the orderly dismissal procedures that are used by the district in cases of contract termination, discontinuance, or nonrenewal.~~

~~—— (2) If the district intends to terminate a career employee's contract during its term for reasons of unsatisfactory performance or discontinue a career employee's contract beyond the current school year for reasons of unsatisfactory performance, the unsatisfactory performance must be documented in at least two evaluations conducted at any time within the preceding three years in accordance with district policies or practices.~~

~~—— (3) (a) A district shall notify a career employee or a professional teacher, at least 30 days prior to issuing under Subsection (3)(d) notice of intent not to renew or continue the career employee's or professional teacher's contract beyond the current school year, that continued employment is in question and the reasons for the anticipated nonrenewal or discontinuance.~~

~~—— (b) If a career employee or professional teacher receives a notice under Subsection (3)(a) that continued employment is in question, the board:~~

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~~—— (i) shall give the career employee or professional teacher an opportunity to correct the problem in accordance with the district evaluation policies; and~~

~~—— (ii) may grant the career employee or professional teacher assistance to correct the deficiencies, including informal conferences and the services of school personnel within the district.~~

~~—— (c) If a career employee or professional teacher does not correct the deficiencies as determined in accordance with the evaluation and personnel policies of the district and the district intends to not renew or discontinue the contract of employment of the career employee or professional teacher at the end of the current school year, it shall give notice of that intention to the employee.~~

~~—— (d) The district shall issue the notice at least 30 days before the end of the career employee's or professional teacher's contract term.~~

~~—— (4) (a) A district is not required to provide a cause for not offering a contract to:~~

~~—— (i) a provisional employee~~[-]~~; or~~

~~—— (ii) a probationary teacher.~~

~~—— (b) If a district intends to not offer a contract for a subsequent term of employment to a provisional employee or a probationary teacher, the district shall give notice of that intention to the employee at least 60 days before the end of the provisional employee's or probationary teacher's contract term.~~

~~—— (5) In the absence of a notice, an employee is considered employed for the next contract term with a salary based upon the salary schedule applicable to the class of employee into which the individual falls.~~

~~—— (6) If a district intends to not renew or discontinue the contract of a career employee or a professional teacher or to terminate a career or provisional employee's or a professional or probationary teacher's contract during the contract term:~~

~~—— (a) the district shall give written notice of the intent to the employee;~~

~~—— (b) the notice shall be served by personal delivery or by certified mail addressed to the employee's last-known address as shown on the records of the district;~~

~~—— (c) except as provided under Subsection (3), the district shall give notice at least 30 days prior to the proposed date of termination;~~

~~—— (d) the notice shall state the date of termination and the detailed reasons for~~

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termination;

~~—— (e) the notice shall advise the employee that the employee has a right to a fair hearing and that the hearing is waived if it is not requested within 15 days after the notice of termination was either personally delivered or mailed to the employee's most recent address shown on the district's personnel records; and~~

~~—— (f) the notice shall state that failure of the employee to request a hearing in accordance with procedures set forth in the notice constitutes a waiver of that right and that the district may then proceed with termination without further notice.~~

~~—— (7) (a) The procedure under which a contract is terminated during its term may include a provision under which the active service of the employee is suspended pending a hearing if it appears that the continued employment of the individual may be harmful to students or to the district.~~

~~—— (b) Suspension pending a hearing may be without pay if an authorized representative of the district determines, after providing the employee with an opportunity for an informal conference to discuss the allegations, that it is more likely than not that the allegations against the employee are true.~~

~~—— (c) If termination is not subsequently ordered, the employee shall receive back pay for the period of suspension without pay.~~

~~—— (8) The procedure under which an employee's contract is terminated during its term shall provide for a written notice of suspension or final termination including findings of fact upon which the action is based.~~

~~—— (9) A district may decline to renew a probationary teacher's contract if the probationary teacher receives an ineffective rating or two consecutive improvement necessary ratings on a summative evaluation administered pursuant to Chapter 10, Educator Evaluation.~~

~~—— Section 8. Section **53A-8-108** is enacted to read:~~

~~—— **53A-8-108. Probationary teacher -- Professional teacher.**~~

~~—— (1) A probationary teacher is a teacher who:~~

~~—— (a) has not attained career status on or before June 30, 2012; and~~

~~—— (b) (i) has not received a rating, or has received a rating of ineffective, on a summative evaluation administered pursuant to Chapter 10, Educator Evaluation; or~~

~~—— (ii) has not received three ratings in a five-year period of effective or highly effective~~

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~~on a summative evaluation administered pursuant to Chapter 10, Educator Evaluation:~~

~~—— (2) A teacher may not attain career status after June 30, 2012.~~

~~—— (3) Except as provided in Subsection (4), a professional teacher is a teacher who:~~

~~—— (a) has not attained career status on or before June 30, 2012; and~~

~~—— (b) receives three ratings in a five-year period of effective or highly effective on a summative evaluation administered pursuant to Chapter 10, Educator Evaluation:~~

~~—— (4) A probationary teacher who was employed by a school district in the 2011-12 school year may attain professional teacher status after receiving one rating of effective or highly effective on a summative evaluation administered pursuant to Chapter 10, Educator Evaluation:~~

~~—— (5) If a professional teacher receives a rating of ineffective on a summative evaluation administered pursuant to Chapter 10, Educator Evaluation, the teacher's status shall be changed to a probationary teacher beginning in the following school year:~~

~~—— Section 9}4. Section 53A-10-102 is amended to read:~~

53A-10-102. Definitions.

As used in this chapter:

(1) "Career educator" means a licensed employee who has a reasonable expectation of continued employment under the policies of a local school board.

(2) "Educator" means an individual employed by a school district who is required to hold a professional license issued by the State Board of Education, except:

(a) a superintendent; or

(b) an individual who:

(i) works fewer than three hours per day; or

(ii) is hired for less than half of a school year.

~~{(3) "Probationary educator" means an educator employed by a school district who, under local school board policy, has been advised by the district that the educator's performance is inadequate.}}~~

~~{ —— (3) "Probationary teacher" means a teacher as described in Section 58A-8-108.~~

~~—— (4) "Professional teacher" means a teacher as described in Section 53A-8-108.~~

~~‡ { (4) "Provisional educator" means an educator employed by a school district who has not achieved status as a career educator within the school district.}}~~

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(5) "Summative evaluation" means an evaluation that is used to make annual decisions or ratings of educator performance and may inform decisions on salary, confirmed employment, personnel assignments, transfers, or dismissals.

Section ~~{10}~~5. Section **53A-10-103** is amended to read:

53A-10-103. Establishment of educator evaluation program -- Joint committee.

(1) A local school board shall develop an educator evaluation program in consultation with its joint committee.

(2) The joint committee described in Subsection (1) shall consist of an equal number of classroom teachers, parents, and administrators appointed by the local school board.

(3) A local school board may appoint members of the joint committee from a list of nominees:

- (a) voted on by classroom teachers in a nomination election;
- (b) voted on by the administrators in a nomination election; and
- (c) of parents submitted by school community councils within the district.

(4) Subject to Subsection (5), the joint committee may:

(a) develop an evaluation program for teachers based on the Peer Assistance and Review (PAR) model, Teacher Advancement Program (TAP) model, or a model developed by the State Board of Education; or

(b) create its own evaluation program for teachers.

~~[(4)]~~ (5) The evaluation program developed by the joint committee must comply with the requirements of this chapter.

Section ~~{11}~~6. Section **53A-10-106.1** is ~~{amended to read:~~

~~53A-10-106. Components of educator evaluation program.~~

~~(1) An educator evaluation program adopted by a local school board in consultation with a joint committee established in Section 53A-10-103 shall include the following components:~~

~~[(1)] (a) a reliable and valid evaluation program consistent with generally accepted professional standards for personnel evaluation systems;~~

~~[(2) (a)] (b) (i) the evaluation of [provisional and probationary educators] probationary teachers at least twice each school year; and~~

~~[(b)] (ii) the annual evaluation of all career educators and professional teachers;~~

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- ~~— [(3)] (c) systematic evaluation procedures for [both provisional and career] educators;~~
- ~~— [(4)] (d) the use of multiple lines of evidence, such as:~~
 - ~~— [(a)] (i) self-evaluation;~~
 - ~~— [(b)] (ii) student and parent input;~~
 - ~~— [(c)] (iii) peer observation;~~
 - ~~— [(d)] (iv) supervisor observations;~~
 - ~~— [(e)] (v) evidence of professional growth;~~
 - ~~— [(f)] (vi) student achievement data; and~~
 - ~~— [(g)] (vii) other indicators of instructional improvement;~~
- ~~— [(5)] (e) a reasonable number of observation periods for an evaluation to insure adequate reliability;~~
- ~~— [(6)] (f) administration of an educator's evaluation by:~~
 - ~~— [(a)] (i) the principal;~~
 - ~~— [(b)] (ii) the principal's designee;~~
 - ~~— [(c)] (iii) the educator's immediate supervisor; or~~
 - ~~— [(d)] (iv) another person specified in the evaluation program; and~~
- ~~— [(7)] (g) an orientation for educators on the educator evaluation program;~~
- ~~— (2) If an evaluator other than a teacher's principal administers the teacher's evaluation:~~
 - ~~— (a) the principal shall approve the appointment of the evaluator; and~~
 - ~~— (b) the evaluator must:~~
 - ~~— (i) have a record of effective teaching;~~
 - ~~— (ii) receive training in evaluation skills; and~~
 - ~~— (iii) have evaluations as the evaluator's major responsibility.~~
- ~~— Section 12. Section 53A-10-106.1 is enacted to read:~~

~~}{enacted to read:~~

53A-10-106.1. Teachers' summative evaluations -- Levels of performance --

Evaluation based on student learning growth and teacher effectiveness.

~~(1) (a) Beginning with the 2013-14 school year, a summative evaluation for a teacher shall differentiate among four levels of performance {as follows:}.~~

~~{ — (i) highly effective;~~

~~— (ii) effective;~~

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~~(iii) improvement necessary; and~~

~~(iv) ineffective.~~

† (b) To assure that teachers' summative evaluations statewide are uniformly rigorous, the State Board of Education shall make rules providing criteria for establishing the four levels of performance described in Subsection (1)(a).

(2) Beginning with the 2013-14 school year:

(a) at least 60% of a teacher's summative evaluation shall be based on student learning growth, except as provided in Subsection (4); and

(b) up to 40% of a teacher's summative evaluation shall be based on the extent to which the teacher meets teacher effectiveness standards.

(3) (a) Subject to Subsection (3)(b), student learning growth shall be assessed by:

(i) statewide assessments;

(ii) assessments administered pursuant to school district policy; or

(iii) both Subsections (3)(a)(i) and (ii).

(b) For subjects and grades subject to a statewide assessment, the statewide assessment shall be the only assessment used to assess student learning growth under Subsection (2)(a).

(4) An assessment of student proficiency may substitute for an assessment of student learning growth, if an assessment of student learning growth is not available.

(5) An evaluation of the extent to which a teacher meets teacher effectiveness standards may rely on:

(a) a principal's or supervisor's evaluation;

(b) peer evaluations;

(c) parent input;

(d) student input; or

(e) a combination of Subsections (5)(a) through (d).

~~{ (6) A teacher who negatively impacts or is ineffective in enhancing student learning growth or proficiency may not be rated as effective or highly effective.~~

~~(7) (a) Except as provided in Subsection (7)(b), a student may not be assigned for two consecutive years a teacher who is rated as ineffective.~~

~~(b) If a school district is unable to comply with the requirement of Subsection (7)(a), the school district shall notify the student's parent or guardian that the student is being assigned~~

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~~for the second consecutive year to a teacher who is rated as ineffective.~~

~~Section 13. Section 53A-10-106.5 is amended to read:~~

~~53A-10-106.5. Summative evaluation timelines -- Review of summative evaluations:~~

~~(1) The person responsible for administering an educator's summative evaluation shall:~~

~~(a) at least 15 days before an educator's first evaluation:~~

~~(i) notify the educator of the evaluation process; and~~

~~(ii) give the educator a copy of the evaluation instrument, if an instrument is used;~~

~~(b) (i) allow the educator to make a written response to any part of the evaluation; and~~

~~(ii) attach the educator's response to the evaluation;~~

~~(c) within [15] seven days after the evaluation process is completed, discuss the written evaluation with the educator; and~~

~~(d) following any revision of the written evaluation made after the discussion:~~

~~(i) file the evaluation and any related reports or documents in the educator's personnel file; and~~

~~(ii) give a copy of the written evaluation and attachments to the educator.~~

~~(2) An educator who is not satisfied with a summative evaluation may request a review of the evaluation within 15 days after receiving the written evaluation.~~

~~(3) If a review is requested, the school district superintendent or the superintendent's designee shall appoint a person not employed by the school district who has expertise in teacher or personnel evaluation to review and make recommendations to the superintendent regarding the teacher's summative evaluation.~~

~~Section 14. Section 53A-10-107 is amended to read:~~

~~53A-10-107. Deficiencies -- Improvement:~~

~~(1) The person responsible for administering an educator's evaluation shall give an educator whose performance is inadequate or in need of improvement a written document clearly identifying:~~

~~(a) deficiencies;~~

~~(b) the available resources for improvement; [and]~~

~~(c) a recommended course of action that will improve the educator's performance[.];~~

~~and~~

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~~———— (d) the time period in which the educator is expected to improve performance.~~

~~———— (2) An educator is responsible for improving performance, including using any resources identified by the school district, and demonstrating acceptable levels of improvement in the designated areas of deficiencies.~~

~~———— (3) (a) The person responsible for administering the evaluation of an educator whose performance has been determined to be inadequate or in need of improvement shall complete written evaluations and recommendations regarding the educator at least 30 days before the end of the educator's contract school year.~~

~~———— (b) The final evaluation shall include only data previously considered and discussed with the educator as required by Section 53A-10-106.5.~~

Legislative Review Note

~~———— as of 2-13-12 11:31 AM~~

~~———— Office of Legislative Research and General Counsel}~~