

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 compensation.

Highlighted Provisions:

This bill:

- ▶ 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;

- ▶ requires a local school board to develop and implement salary schedules for teachers based on a teacher's performance;

- ▶ provides that the assignment of personnel to a school is subject to the approval of the school principal; and

- ▶ makes technical amendments.

Money Appropriated in this Bill:



26 None

27 **Other Special Clauses:**

28 None

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **53A-1-1112**, as enacted by Laws of Utah 2011, Chapter 417

32 **53A-10-102**, as last amended by Laws of Utah 2011, Chapter 434

33 **53A-10-103**, as last amended by Laws of Utah 2011, Chapter 434

34 ENACTS:

35 **53A-3-430**, Utah Code Annotated 1953

36 **53A-3-431**, Utah Code Annotated 1953

37 **53A-10-106.1**, Utah Code Annotated 1953



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

40 Section 1. Section **53A-1-1112** is amended to read:

41 **53A-1-1112. Reporting.**

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

45 (2) The report card shall include:

46 (a) the school's grade;

47 (b) the percent of the maximum number of points that may be earned; [~~and~~]

48 (c) information indicating the school's performance on the various criteria upon which
49 the grade is based[;]; and

50 (d) for schools of a school district, the number and percentage of teachers on staff in
51 each of the four rating categories referred to in Section 53A-10-106.1 based on a teacher's
52 summative evaluation.

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

56 (4) On or before August 15, a school district shall annually publish on the school

57 district's website, and a school's website[;];

58 (a) a school report card with the grade for the prior school year[~~,-together with~~];

59 (b) the current school improvement plan established in accordance with Section
60 53A-1a-108.5[;]; and

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

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

64 Section 2. Section **53A-3-430** is enacted to read:

65 **53A-3-430. Teacher salary schedules.**

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

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

71 (a) may not award a salary increase, including a cost of living increase, to a teacher
72 whose rating on a summative evaluation is at the lowest or second lowest performance level;
73 and

74 (b) shall award a higher salary increase to a teacher whose rating is at the highest
75 performance level than a teacher whose rating is below the highest performance level.

76 (3) The percentage of a salary increase that is based on years of experience, degree
77 earned, or course credits earned may not exceed the following:

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

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

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

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

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

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

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

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

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

89 (c) the teacher has additional academic responsibilities.

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

92 (6) The State Board of Education shall:

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

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

97 Section 3. Section **53A-3-431** is enacted to read:

98 **53A-3-431. School principal to approve of personnel assigned to the school.**

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

101 Section 4. Section **53A-10-102** is amended to read:

102 **53A-10-102. Definitions.**

103 As used in this chapter:

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

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

108 (a) a superintendent; or

109 (b) an individual who:

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

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

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

115 (4) "Provisional educator" means an educator employed by a school district who has
116 not achieved status as a career educator within the school district.

117 (5) "Summative evaluation" means an evaluation that is used to make annual decisions
118 or ratings of educator performance and may inform decisions on salary, confirmed

119 employment, personnel assignments, transfers, or dismissals.

120 Section 5. Section **53A-10-103** is amended to read:

121 **53A-10-103. Establishment of educator evaluation program -- Joint committee.**

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

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

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

128 (a) voted on by classroom teachers in a nomination election;

129 (b) voted on by the administrators in a nomination election; and

130 (c) of parents submitted by school community councils within the district.

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

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

135 (b) create its own evaluation program for teachers.

136 [~~4~~] (5) The evaluation program developed by the joint committee must comply with
137 the requirements of this chapter.

138 Section 6. Section **53A-10-106.1** is enacted to read:

139 **53A-10-106.1. Teachers' summative evaluations -- Levels of performance --**
140 **Evaluation based on student learning growth and teacher effectiveness.**

141 (1) (a) Beginning with the 2013-14 school year, a summative evaluation for a teacher
142 shall differentiate among four levels of performance.

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

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

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

149 (b) up to 40% of a teacher's summative evaluation shall be based on the extent to

150 which the teacher meets teacher effectiveness standards.

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

152 (i) statewide assessments;

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

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

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

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

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

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

162 (b) peer evaluations;

163 (c) parent input;

164 (d) student input; or

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