



## HB0280 compared with HB0280S01

19 Section 1. Section **53G-11-501** is amended to read:

20 **53G-11-501. Definitions.**

As used in this part:

- 21 (1) "Administrator" means an individual who supervises educators and holds an appropriate license.
- 23 (2) "Career educator" means a licensed employee who has a reasonable expectation of continued  
employment under the policies of a local school board.
- 25 (3) "Career employee" means an employee of a school district who has obtained a reasonable  
expectation of continued employment based upon Section 53G-11-503 and an agreement with the  
employee or the employee's association, district practice, or policy.
- 29 (4) "Chronically absent" means a student who:
- 30 (a) was enrolled in an LEA for at least 60 calendar days; and
- 31 (b) missed 10% or more days of instruction, whether the absence was excused or not.
- 32 (5) "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.
- 35 (6) "Dismissal" or "termination" means:
- 36 (a) termination of the status of employment of an employee;
- 37 (b) failure to renew or continue the employment contract of a career employee beyond the then-current  
school year;
- 39 (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
- 41 (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.
- 43 (7) "Educator" means an individual employed by a school district who is required to hold a professional  
license issued by the state board, except:
- 45 (a) a superintendent; or
- 46 (b) an individual who works less than three hours per day or is hired for less than half of a school year.
- 48 (8)
- (a) "Employee" means a career or provisional employee of a school district, except as provided in  
Subsection [~~(7)(b).~~] (8)(b).
- 50 (b) Excluding Section 53G-11-518, for purposes of this part, "employee" does not include:
- 52 (i) a district superintendent or the equivalent at the Utah Schools for the Deaf and the Blind;

## HB0280 compared with HB0280S01

- 54 (ii) a district business administrator or the equivalent at the Utah Schools for the Deaf and the Blind;  
[or]
- 56 (iii) excluding a school level administrator, a member of a school district's { administrative } executive leadership team or cabinet { whom the school district's superintendent supervises, or the equivalent at the Utah Schools for the Deaf and the Blind; or } who:
- 59 (A) the school district's superintendent supervises, or the equivalent at the Utah Schools for the Deaf and the Blind; and
- 61 (B) is hired after July 1, 2025; or
- 59 [(iii)] (iv) a temporary employee.
- 60 (9) "Formative evaluation" means a planned, ongoing process which allows educators to engage in reflection and growth of professional skills as related to the Utah Effective Teaching Standards.
- 63 (10) "Last-hired, first-fired layoff policy" means a staff reduction policy that mandates the termination of an employee who started to work for a district most recently before terminating a more senior employee.
- 66 (11) "Provisional educator" means an educator employed by a school district who has not achieved status as a career educator within the school district.
- 68 (12) "Provisional employee" means an individual, other than a career employee or a temporary employee, who is employed by a school district.
- 70 (13) "School board" means a local school board or, for the Utah Schools for the Deaf and the Blind, the state board.
- 72 (14) "School district" or "district" means:
- 73 (a) a public school district; or
- 74 (b) the Utah Schools for the Deaf and the Blind.
- 75 (15) "Summative evaluation" means an evaluation that:
- 76 (a) a supervisor conducts;
- 77 (b) summarizes an educator's performance during an evaluation cycle; and
- 78 (c) a supervisor or school district may use to make decisions related to an educator's employment.
- 80 (16) "Temporary employee" means an individual who is employed on a temporary basis as defined by policies adopted by the school board. If the class of employees in question is represented by an employee organization recognized by the school board, the school board shall adopt the school

## HB0280 compared with HB0280S01

board's policies based upon an agreement with that organization. Temporary employees serve at will and have no expectation of continued employment.

86 (17)

(a) "Unsatisfactory performance" means a deficiency in performing work tasks that may be:

88 (i) due to insufficient or undeveloped skills or a lack of knowledge or aptitude; and

89 (ii) remediated through training, study, mentoring, or practice.

90 (b) "Unsatisfactory performance" does not include the following conduct that is designated as a cause for termination under Section 53G-11-512 or a reason for license discipline by the state board or Utah Professional Practices Advisory Commission:

94 (i) a violation of work policies;

95 (ii) a violation of school board policies, state board rules, or law;

96 (iii) a violation of standards of ethical, moral, or professional conduct; or

97 (iv) insubordination.

101 Section 2. **Effective date.**

This bill takes effect on May 7, 2025.

2-19-25 3:37 PM