

1                   **PEER ASSISTANCE AND REVIEW PILOT PROGRAM**

2                                   2012 GENERAL SESSION

3                                   STATE OF UTAH

4                   **Chief Sponsor: Carol Spackman Moss**

5                                   Senate Sponsor: Aaron Osmond

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7 **LONG TITLE**

8 **General Description:**

9                   This bill appropriates money for school districts to pilot programs that utilize peer  
10 assistance and review in evaluating certain teachers.

11 **Highlighted Provisions:**

12                   This bill:

- 13                   ▶ defines terms;
- 14                   ▶ creates the Peer Assistance and Review Pilot Program (PAR Program) to evaluate  
15 and support certain teachers;
- 16                   ▶ provides that money appropriated to the State Board of Education for the pilot  
17 program shall be used to award grants to school districts on a competitive basis to  
18 design and implement the PAR Program;
- 19                   ▶ directs the State Board of Education to make rules and report to the Education  
20 Interim Committee; and
- 21                   ▶ repeals the Peer Assistance and Review Pilot Program on July 1, 2017.

22 **Money Appropriated in this Bill:**

23                   This bill appropriates:

- 24                   ▶ to the State Board of Education - Utah State Office of Education - Initiative  
25 Programs, as ~~§~~→ [an ongoing] one-time ←~~§~~ appropriation:
- 26                   • from the Education Fund, \$300,000.

27 **Other Special Clauses:**



28 This bill provides an effective date.

29 **Utah Code Sections Affected:**

30 AMENDS:

31 **63I-2-253**, as last amended by Laws of Utah 2011, Chapters 303, 330, and 419

32 ENACTS:

33 **53A-10-201**, Utah Code Annotated 1953

34 **53A-10-202**, Utah Code Annotated 1953

35 **53A-10-203**, Utah Code Annotated 1953

36 **53A-10-204**, Utah Code Annotated 1953



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

39 Section 1. Section **53A-10-201** is enacted to read:

40 **Part 2. Peer Assistance and Review Pilot Program**

41 **53A-10-201. Definitions.**

42 As used in this part:

43 (1) "Peer Assistance and Review Pilot Program" or "PAR Program" means the teacher  
44 evaluation and mentoring program created in Section 53A-10-202.

45 (2) "Consulting teacher" means a teacher who is appointed as described in Section  
46 53A-10-203 and provides assistance and review to teachers assigned to a PAR Program.

47 (3) "Novice teacher" means a provisional teacher who has not achieved career  
48 employee status.

49 (4) "PAR Joint Panel" means the governing panel of a district's PAR Program, created  
50 according to Section 53A-10-204.

51 (5) "Teacher" means an individual employed by a school district who is required to  
52 hold an educator license issued by the State Board of Education and who has an assignment to  
53 teach in a classroom.

54 (6) "Underperforming veteran teacher" means a teacher who has achieved career  
55 employee status as defined in Section 53A-8-102 and whose work has been judged to fall  
56 below the district's standards.

57 Section 2. Section **53A-10-202** is enacted to read:

58 **53A-10-202. PAR Program guidelines -- Report.**

- 59           (1) The PAR Program is created to:  
60           (a) conduct regular evaluations of novice teachers and underperforming veteran  
61 teachers;  
62           (b) provide support and mentoring to novice teachers and underperforming veteran  
63 teachers; and  
64           (c) make recommendations for continued employment or dismissal of novice teachers  
65 and underperforming veteran teachers.  
66           (2) Subject to future budget constraints, the Legislature shall appropriate money for a  
67 five-year period to the State Board of Education for the PAR Program.  
68           (3) The State Board of Education shall:  
69           (a) solicit proposals from school districts for the use of grant money to develop and  
70 implement PAR Programs; and  
71           (b) award grants to school districts on a competitive basis.  
72           (4) In awarding a grant under Subsection (3)(b), the State Board of Education shall  
73 consider:  
74           (a) the applicant's capacity to effectively achieve the purposes of the PAR Program as  
75 described in Subsection (1);  
76           (b) whether the district has a rigorous and standards-based teacher evaluation system  
77 already in place; and  
78           (c) other criteria as determined by the State Board of Education.  
79           (5) To receive a grant, a school district shall submit a proposal to the State Board of  
80 Education on how the district intends to develop and implement a PAR Program, within the  
81 specifications of Section 53A-10-203.  
82           (6) A selected district may use grant money:  
83           (a) to develop and design a PAR Program to fit the needs of the district, which may  
84 include hiring consultants;  
85           (b) to fund additional pay or stipends, computers, travel reimbursement, and office  
86 space for consulting teachers;  
87           (c) for program administration and clerical support staff;  
88           (d) for stipends for PAR Joint Panel members;  
89           (e) to pay substitute teachers for PAR Joint Panel members to attend meetings or for

90 teachers enrolled in the PAR Program to visit and observe other classes; and

91 (f) for training costs.

92 (7) After each year of the pilot program, the State Board of Education shall make a

93 report to the Education Interim Committee evaluating the impact of the PAR Program on

94 retaining high quality teachers and dismissing ineffective teachers in a timely manner.

95 (8) The State Board of Education shall make rules specifying:

96 (a) procedures for applying for and awarding grants under this part;

97 (b) criteria for awarding grants; and

98 (c) reporting requirements for grantees.

99 Section 3. Section **53A-10-203** is enacted to read:

100 **53A-10-203. Program components.**

101 (1) A district that receives a grant under Section 53A-10-202 to design and implement

102 a PAR Program, shall use the general guidelines as set forth in this section.

103 (2) A district's PAR Program shall consist of the following two sections:

104 (a) an induction section for novice teachers; and

105 (b) a remediation section for underperforming veteran teachers.

106 (3) The induction section of a district's PAR Program shall include the following

107 components:

108 (a) a novice teacher is automatically enrolled into the induction section of the PAR

109 Program and assigned a consulting teacher who serves as a mentor;

110 (b) the novice teacher receives help from a consulting teacher in setting up a

111 classroom, securing needed supplies, preparing for classroom management, reflecting on

112 lessons, and getting feedback and support;

113 (c) the consulting teacher assesses the novice teacher's work and reports to the district's

114 PAR Joint Panel several times throughout the year, with a summative report and evaluation at

115 the end of the year;

116 (d) the consulting teacher assists the district's PAR Joint Panel in deciding whether to

117 hire the novice teacher for another year; and

118 (e) the principal retains the right and responsibility for evaluating all teachers for career

119 employment status.

120 (4) The remediation section of a district's PAR Program shall include the following

121 components:

122 (a) a principal or supervisor recommends an underperforming veteran teacher to the  
123 remediation section of the program, or the underperforming veteran teacher may be  
124 automatically enrolled in the intervention section of the program in accordance with local  
125 school board policy;

126 (b) an underperforming veteran teacher is assigned a consulting teacher who acts as a  
127 mentor and initially investigates whether the teacher is, in fact, failing to meet the district  
128 standards;

129 (c) the consulting teacher mentors the underperforming veteran teacher for a period of  
130 time established in accordance with local school board policy; and

131 (d) the underperforming veteran teacher either meets district standards after close  
132 mentoring, or is dismissed or encouraged to resign because the underperforming veteran  
133 teacher rejects help or fails to improve sufficiently despite the consulting teacher's mentoring.

134 (5) Consulting teachers:

135 (a) are chosen through a competitive process by the district's PAR Joint Panel;

136 (b) (i) are released from regular teaching loads for 3-5 years; or

137 (ii) are released from regular teaching part-time and serve as consulting teachers  
138 part-time;

139 (c) earn regular salary plus an additional stipend for being consulting teachers;

140 (d) are assigned a caseload of teachers to mentor and evaluate, preferably in the same  
141 subject and grade level;

142 (e) report on teachers to the district's PAR Joint Panel; and

143 (f) mentor and evaluate teachers participating in the district's PAR Program through:

144 (i) scheduled and unscheduled visits;

145 (ii) developing a growth plan with a teacher based on the teacher's strengths and  
146 weaknesses;

147 (iii) observing lessons and providing feedback;

148 (iv) helping with lesson planning;

149 (v) providing resources and materials; and

150 (vi) arranging for a participating teacher to observe another colleague's class.

151 Section 4. Section **53A-10-204** is enacted to read:

152 **53A-10-204. Creation -- Make-up -- Duties of a district PAR Joint Panel.**

153 (1) A district that receives money to create a PAR Program under Section 53A-10-202  
 154 shall create a PAR Joint Panel consisting of an equal number of teacher representatives and  
 155 district administrators or their designees.

156 (2) A district PAR Joint Panel shall:

157 (a) meet regularly to design the district's PAR Program;

158 (b) review cases of teachers assigned to the district's PAR Program and decide whether  
 159 the district should continue to employ teachers based on evidence collected by consulting  
 160 teachers; and

161 (c) select consulting teachers through a competitive process.

162 Section 5. Section **63I-2-253** is amended to read:

163 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

164 (1) Section 53A-1-403.5 is repealed July 1, 2012.

165 (2) Subsection 53A-1-603(5) is repealed July 1, 2015.

166 (3) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.

167 (4) Title 53A, Chapter 10, Part 2, Peer Assistance and Review Pilot Program, is  
 168 repealed July 1, 2017.

169 [~~4~~] (5) Subsection 53A-13-110(4) is repealed July 1, 2013.

170 [~~5~~] (6) Section 53A-15-1215 is repealed July 1, 2012.

171 Section 6. **Appropriation.**

172 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the  
 173 following sums of money are appropriated from resources not otherwise appropriated, or  
 174 reduced from amounts previously appropriated, out of the funds or accounts indicated for the  
 175 fiscal year beginning July 1, 2012 and ending June 30, 2013. These are additions to any  
 176 amounts previously appropriated for fiscal year 2013.

177 To State Board of Education - Utah State Office of Education - Initiative Programs

178 From the Education Fund \$→ , one-time ←\$ \$300,000

179 Schedule of Programs:

180 Contracts and Grants \$300,000

181 The Legislature intends that \$→ :

181a (1) ←\$ the \$→ [\$300,000] ←\$ appropriation for Contracts and Grants be  
 182 used for the PAR Program created in Section 53A-10-202 \$→ [:] ; and

182a (2) the appropriation under this section:

182b (a) be one-time; and

182c (b) not lapse at the close of fiscal year 2013. ←\$

183 Section 7. **Effective date.**

184 (1) Except as provided in Subsection (2), this bill takes effect on May 8, 2012.

185 (2) Uncodified Section 6, Appropriation, takes effect on July 1, 2012.

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**Legislative Review Note**  
as of 1-30-12 8:18 AM

**Office of Legislative Research and General Counsel**