

PEER ASSISTANCE AND REVIEW PROGRAM AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Joel K. Briscoe

Senate Sponsor: Todd Weiler

LONG TITLE

General Description:

This bill amends provisions related to the Peer Assistance and Review Program.

Highlighted Provisions:

This bill:

▶ requires the State Board of Education to select at least two school districts to participate in the Peer Assistance and Review Program (PAR Program) **H→ if at least two school districts apply and qualify for the PAR program ←H** ;

- ▶ amends reporting requirements;
- ▶ removes the repeal date for the PAR Program; and
- ▶ makes technical and conforming changes.

Money Appropriated in this Bill:

This bill appropriates:

- ▶ to the State Board of Education - State Office of Education - Initiative Programs as an ongoing appropriation:
 - from the Education Fund, \$500,000.

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-8a-801, as enacted by Laws of Utah 2012, Chapter 273

53A-8a-802, as enacted by Laws of Utah 2012, Chapter 273



28 53A-8a-803, as enacted by Laws of Utah 2012, Chapter 273

29 53A-8a-804, as enacted by Laws of Utah 2012, Chapter 273

30 63I-2-253, as last amended by Laws of Utah 2015, Chapters 258, 418, and 456

31

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

33 Section 1. Section 53A-8a-801 is amended to read:

34 **53A-8a-801. Definitions.**

35 As used in this part:

36 ~~[(2)]~~ (1) "Consulting teacher" means a teacher who is appointed as described in Section
37 53A-8a-803 and provides assistance and review to teachers assigned to a PAR Program.

38 ~~[(3)]~~ (2) "Novice teacher" means a provisional teacher who has not achieved career
39 employee status.

40 ~~[(4)]~~ (3) "PAR Joint Panel" means the governing panel of a district's PAR Program,
41 created according to Section 53A-8a-804.

42 ~~[(1)]~~ (4) "Peer Assistance and Review Pilot Program" or "PAR Program" means the
43 teacher evaluation and mentoring program created in Section 53A-8a-802.

44 (5) "Teacher" means an individual employed by a school district who:

45 (a) is required to hold an educator license issued by the State Board of Education; and

46 (b) ~~who~~ has an assignment to teach in a classroom.

47 (6) "Underperforming veteran teacher" means a teacher:

48 (a) who ~~has achieved~~ is a career employee ~~[status]~~ as defined in Section 53A-8a-102;

49 and

50 (b) whose work has been judged to fall below the school district's standards.

51 Section 2. Section 53A-8a-802 is amended to read:

52 **53A-8a-802. PAR Program guidelines -- Report.**

53 (1) (a) ~~[The PAR]~~ There is created the Peer Assistance and Review Program ~~[is created~~
54 ~~to]~~.

55 (b) A school district that participates in the PAR Program shall, for novice teachers and
56 underperforming veteran teachers:

57 ~~[(a)]~~ (i) conduct regular evaluations ~~[of novice teachers and underperforming veteran~~
58 ~~teachers];~~

59 ~~[(b)]~~ (ii) provide support and mentoring [~~to novice teachers and underperforming~~
60 ~~veteran teachers~~]; and

61 ~~[(c)]~~ (iii) make recommendations for continued employment or dismissal [~~of novice~~
62 ~~teachers and underperforming veteran teachers~~].

63 (2) Subject to future budget constraints, the Legislature shall appropriate money [~~for a~~
64 ~~five-year period~~] to the State Board of Education for the PAR Program.

65 (3) ~~Ĥ→~~ (a) ~~←Ĥ~~ The State Board of Education shall:

66 ~~Ĥ→~~ [(a)] (i) ~~←Ĥ~~ solicit proposals from school districts for the use of grant money to
66a develop and

67 implement PAR Programs; and

68 ~~Ĥ→~~ [(b)] (ii) ~~Ĥ→~~ **subject to Subsection (3)(b)**, ~~←Ĥ~~ award grants to ~~Ĥ→~~ [at least
68a two] ~~←Ĥ~~ school districts on a competitive basis.

68b ~~Ĥ→~~ **(b) If at least two school districts submit a proposal under Subsection (5) and qualify**
68c **to receive a grant, the State Board of Education shall award grants to at least two school**
68d **districts.** ~~←Ĥ~~

69 (4) In awarding a grant under Subsection (3)(b), the State Board of Education shall
70 consider:

71 (a) [~~the applicant's~~] a school district's capacity to effectively achieve the purposes of
72 the PAR Program as described in Subsection (1);

73 (b) whether [~~the~~] a school district has a rigorous and standards-based teacher
74 evaluation system [~~already~~] in place; and

75 (c) other criteria as determined by the State Board of Education.

76 (5) To receive a grant, a school district shall submit a proposal to the State Board of
77 Education on how the school district intends to develop and implement a PAR Program, within
78 the specifications of Section [53A-8a-803](#).

79 (6) A selected school district may use grant money received under this section:

80 (a) to develop and design a PAR Program to fit the needs of the school district, which
81 may include hiring [~~consultants~~] a consultant;

82 (b) to fund additional pay or stipends, computers, travel reimbursement, [~~and~~] or office
83 space for consulting teachers;

84 (c) for program administration and clerical support staff;

85 (d) for stipends for PAR Joint Panel members;

86 (e) to pay substitute teachers for;

87 (i) PAR Joint Panel members to attend meetings; or [~~for~~]

88 (ii) teachers [~~enrolled~~] participating in the PAR Program to visit and observe other
89 classes; and

90 (f) for training costs.

91 (7) (a) [~~After each year of the pilot program,~~] In accordance with Title 63G, Chapter 6a,
92 Utah Procurement Code, the State Board of Education shall [make a report to the Education
93 Interim Committee evaluating] contract with an independent evaluator to evaluate the impact
94 of the PAR Program on retaining high quality teachers and dismissing ineffective teachers in a
95 timely manner.

96 (b) The State Board of Education shall complete the evaluation described in Subsection
97 (7)(a) once every three years.

98 (c) The board shall report to the Education Interim Committee on the results of the
99 evaluation on or before October 1, 2018, and every three years thereafter.

100 (8) [~~The~~] In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
101 Act, the State Board of Education shall make rules specifying:

- 102 (a) procedures for applying for and awarding grants under this part;
- 103 (b) criteria for awarding grants; and
- 104 (c) reporting requirements for grantees.

105 Section 3. Section **53A-8a-803** is amended to read:

106 **53A-8a-803. Program components.**

107 (1) A school district that receives a grant under Section **53A-8a-802** to design and
108 implement a PAR Program, shall use the general guidelines as set forth in this section.

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

- 110 (a) an induction section for novice teachers; and
- 111 (b) a remediation section for underperforming veteran teachers.

112 (3) The induction section of a school district's PAR Program shall include the
113 following components:

- 114 (a) a novice teacher is automatically enrolled into the induction section of the PAR
115 Program and assigned a consulting teacher who serves as a mentor;
- 116 (b) the novice teacher receives help from a consulting teacher in:
 - 117 (i) setting up a classroom[;];
 - 118 (ii) securing needed supplies[;];
 - 119 (iii) preparing for classroom management[;];
 - 120 (iv) reflecting on lessons[;]; and

- 121 (v) getting feedback and support;
- 122 (c) the consulting teacher assesses the novice teacher's work and reports to the school
123 district's PAR Joint Panel [~~several~~] at least three times throughout the year, [~~with~~] including a
124 summative report and evaluation of the novice teacher at the end of the year;
- 125 (d) the consulting teacher assists the school district's PAR Joint Panel in deciding
126 whether to hire the novice teacher for another year; and
- 127 (e) the principal retains the right and responsibility for evaluating all teachers for career
128 employment status.
- 129 (4) The remediation section of a school district's PAR Program shall include the
130 following components:
- 131 (a) (i) a principal or supervisor recommends an underperforming veteran teacher to the
132 remediation section of the program[;]; or
- 133 (ii) the underperforming veteran teacher may be automatically enrolled in the
134 intervention section of the program in accordance with local school board policy;
- 135 (b) an underperforming veteran teacher is assigned a consulting teacher who acts as a
136 mentor and initially investigates whether the teacher is[~~, in fact,~~] failing to meet [~~the~~] school
137 district standards;
- 138 (c) the consulting teacher mentors the underperforming veteran teacher for a period of
139 time established in accordance with local school board policy; and
- 140 (d) the underperforming veteran teacher either:
- 141 (i) meets school district standards after close mentoring[;]; or
- 142 (ii) is dismissed or encouraged to resign because the underperforming veteran teacher
143 rejects help or fails to improve sufficiently despite the consulting teacher's mentoring.
- 144 (5) Consulting teachers:
- 145 (a) are chosen through a competitive process by the school district's PAR Joint Panel;
- 146 (b) (i) are released from regular teaching loads for three to five years; or
- 147 (ii) are released from regular teaching part-time and serve as consulting teachers
148 part-time;
- 149 (c) earn regular salary plus an additional stipend for being consulting teachers;
- 150 (d) are assigned a caseload of teachers to mentor and evaluate, preferably in the same
151 subject and grade level;

- 152 (e) report on teachers to the school district's PAR Joint Panel; and
- 153 (f) mentor and evaluate teachers participating in the school district's PAR Program
- 154 through:
- 155 (i) scheduled and unscheduled visits;
- 156 (ii) developing a growth plan with a teacher based on the teacher's strengths and
- 157 weaknesses;
- 158 (iii) observing lessons and providing feedback;
- 159 (iv) helping with lesson planning;
- 160 (v) providing resources and materials; and
- 161 (vi) arranging for a participating teacher to observe another [~~colleague's~~] class.

162 Section 4. Section **53A-8a-804** is amended to read:

163 **53A-8a-804. Creation -- Make-up -- Duties of a school district PAR Joint Panel.**

164 (1) A school district that receives money to create a PAR Program under Section
165 ~~53A-8a-802~~ shall create a PAR Joint Panel consisting of an equal number of teacher
166 representatives and school district administrators [~~or their designees~~].

167 (2) A district PAR Joint Panel shall:

- 168 (a) meet regularly to design the school district's PAR Program;
- 169 (b) review cases of teachers assigned to the school district's PAR Program and decide
- 170 whether the school district should continue to employ teachers based on evidence collected by
- 171 consulting teachers; and
- 172 (c) select consulting teachers through a competitive process.

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

174 **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

- 175 (1) Section ~~53A-1-403.5~~ is repealed July 1, 2017.
- 176 [~~(2) Subsection 53A-1-410(5) is repealed July 1, 2015.~~]
- 177 [~~(3)~~] (2) Section ~~53A-1-411~~ is repealed July 1, 2017.
- 178 [~~(4)~~] (3) Section ~~53A-1a-513.5~~ is repealed July 1, 2017.
- 179 [~~(5)~~] (4) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2019.
- 180 [~~(6) Title 53A, Chapter 8a, Part 8, Peer Assistance and Review Pilot Program, is~~
- 181 ~~repealed July 1, 2017.~~]

182 Section 6. **Appropriation.**

183 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
184 the fiscal year beginning July 1, 2016, and ending June 30, 2017, the following sums of money
185 are appropriated from resources not otherwise appropriated, or reduced from amounts
186 previously appropriated, out of the funds or amounts indicated. These sums of money are in
187 addition to amounts previously appropriated for fiscal year 2017.

188 To State Board of Education -- State Office of Education -- Initiative Programs
189 From Education Fund \$500,000

190 Schedule of Programs:

191 Peer Assistance and Review \$500,000

192 The Legislature intends that:

193 (1) except as provided in Subsection (2), the State Board of Education ~~H→~~ :

(a) ~~←H~~ use the
194 appropriation described in this section ~~H→~~ ~~[to expand]~~ for ~~←H~~ the Peer Assistance and Review
Program

195 created in Section [53A-8a-802](#) ~~H→~~ ~~[to at least one additional school district]~~ ~~←H~~ ; ~~H→~~ and

(b) prioritize using the appropriation to expand the Peer Assistance and Review
Program to at least one additional school district if at least two school districts submit
proposals and qualify for the Peer Assistance and Review Program. ~~←H~~

196 (2) the State Board of Education may use up to \$25,000 of the appropriation to contract
197 with an independent evaluator to conduct an evaluation, as required by Subsection

198 [53A-8a-802\(7\)](#); and

199 (3) the appropriation provided in this section be:

200 (a) ongoing; and

201 (b) nonlapsing.