

1 **R277. Education, Administration.**

2 **R277-312. Employment of Substitute Teachers.**

3 **R277-312-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) [Utah Constitution, Article X, Section 3](#), which vests general control and  
6 supervision of public education in the Board;

7 (b) Subsection [53E-3-401\(4\)](#), which allows the Board to make rules to execute the  
8 Board's duties and responsibilities under the Utah Constitution and state law; and

9 (c) Subsection [53E-3-501\(1\)\(a\)](#), which directs the Board to make rules regarding the  
10 qualifications of educators and ancillary personnel providing direct student services

11 (2) The purpose of this rule is to establish eligibility requirements and employment  
12 procedures for substitute teachers.

13 **R277-312-2. Definitions.**

14 (1) "Comprehensive Administration of Credentials for Teachers in Utah Schools"  
15 or "CACTUS" means the electronic file maintained on all licensed Utah educators, which  
16 includes:

17 (a) personal directory information;

18 (b) educational background;

19 (c) endorsements;

20 (d) employment history;

21 (e) professional development information; and

22 (f) a record of disciplinary action taken against the educator.

23 (2) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the  
24 Blind.

25 (3) "License" means an authorization issued by the Board which permits the holder  
26 to serve in a professional capacity in a Utah public school.

27 (4) "Long term substitute teacher" means a substitute teacher with an assignment

28 exceeding 20 days.

29 (4) "Substitute teacher" means an individual employed to take the place of a regular  
30 teacher who is temporarily absent.

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32 **R277-312-3. Hiring Priorities and Eligibility.**

33 (1) An LEA shall give first priority in hiring substitute teachers to those who hold a  
34 valid license in the subject matter they will be teaching as a substitute teacher.

35 (2) An LEA shall give second priority in hiring substitute teachers to persons who  
36 have a valid license in a field commonly taught in public schools.

37 (3) An LEA shall give third priority in hiring substitute teachers to persons with a  
38 substitute certificate issued in accordance with Section R277-312-5.

39 (4) An LEA shall give fourth priority in hiring substitute teachers to persons with a  
40 college degree.

41 (5) An LEA shall evaluate prospective substitute teachers to ensure that they are  
42 capable of managing a class and carrying out the instructional program.

43 (6) A person seeking employment as a substitute teacher shall furnish evidence as  
44 requested from the hiring LEA that the person is physically and mentally fit to work.

45 (7) An LEA may not employ any individual as a substitute teacher whose license has  
46 been revoked or is currently suspended by the Board or the licensing entity of another  
47 jurisdiction.

48 (8) A long term substitute teacher shall hold an educator license.

49 **R277-312-4. Employment Procedures.**

50 (1) An LEA shall establish policies for hiring substitute teachers, which shall include:

51 (a) a requirement that the LEA's staff obtain verification from CACTUS that an  
52 applicant's license has not been revoked or suspended; and

53 (b) a requirement for substitute teachers to have criminal background checks  
54 consistent with Rule [R277-316](#).

55 (c) a process for periodic evaluation of substitute teachers; and  
56 (d) a salary schedule to pay substitute teachers according to their training,  
57 experience, and competency.

58 (2) A regular teacher shall have lesson plans immediately available for use by  
59 substitute teachers.

60 (3) A student teacher may substitute in a class consistent with the instructions and  
61 policies from the higher education institution which the student attends.

62 (4) A paraprofessional or student aid may substitute in a class consistent with LEA  
63 policies.

64 **R277-312-5. Substitute Certificate.**

65 (1) Beginning in the 2021-22 school year, the Superintendent shall issue a substitute  
66 certificate to an applicant who:

67 (a) successfully completes a background check as required by Section [53G-11-402](#);

68 (b) [successfully completes the educator ethics review identified in Subsection R277-](#)  
69 [301-9\(3\)](#);

70 (c) completes the professional learning modules identified in Subsection [R277-301-](#)  
71 [4\(6\)\(a\)](#); and

72 (d) is assigned to one or more LEAs as a substitute teacher.

73 (2) A substitute certificate is valid for two years.

74 (3) The Superintendent shall renew a substitute certificate if:

75 (a) an applicant completes anew the professional learning modules identified in  
76 Subsection [R277-301-4\(6\)\(a\)](#);

77 (b) remains enrolled in the rapback system through the Bureau of Criminal  
78 Identification; and

79 (c) remains assigned to one or more LEAs as a substitute teacher.

80 (4) The Superintendent shall administratively dissolve the certificate of a substitute  
81 without an assignment in an LEA.

82           (5) The Superintendent shall oversee certified substitutes through the BCI rapback  
83 system and notify an LEA if an issue arises.

84           (6) A substitute teacher with a certificate under this Section R277-312-5 is not  
85 eligible for a position requiring an educator license, including a long term substitute  
86 teacher.

87           (7) A certificate under this Section R277-315-5 is not required to work as a  
88 substitute teacher in a Utah LEA.

89 **KEY: teachers, professional competency, school personnel**

90 **Date of Enactment or Last Substantive Amendment:**

91 **Authorizing, and Implemented, or Interpreted Law: [Art X Sec 3](#); [53E-3-501\(1\)\(a\)](#); [53E-](#)**  
92 **[3-401](#)**