

1 **R277. Education, Administration.**

2 **R277-301. Educator Licensing.**

3 **R277-301-1. Authority and Purpose.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution [Article X, Section 3](#), which vests general control and supervision
6 over 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) Section [53E-6-201](#), which gives the Board power to issue licenses.

10 (2) This rule specifies the types of licenses and license areas of concentration available
11 and the requirements and procedures for obtaining a license, required for employment as a
12 licensed educator in the public schools of Utah.

13

14 **R277-301-2. Definitions.**

15 (1) "Accredited school" means a public or private school that:

16 (a) meets standards essential for the operation of a quality school program; and

17 (b) has received formal approval through a regional accrediting association.

18 ~~[(2) "Comprehensive Administration of Credentials for Teachers in Utah Schools" or~~
19 ~~"CACTUS" means the electronic file maintained on all licensed Utah educators including~~
20 ~~information such as:~~

21 ~~——(a) personal directory information;~~

22 ~~——(b) educational background;~~

23 ~~——(c) endorsements;~~

24 ~~——(d) employment history; and~~

25 ~~——(e) a record of disciplinary action taken against the educator.]~~

26 (2) "Currently enrolled" means:

27 (a) that an individual has been formally accepted into a Board-approved educator
28 preparation program; and

29 (b) that the program considers the individual to be an active participant.

30 (3) "Educator preparation program" means the same as that term is defined in Section
31 R277-303-2.

32 (4) "Eminence" means the same as that terms is defined in Section R277-303-9.

33 ([4]5) "Endorsement" means a designation on a license area of concentration earned
34 through demonstrating required competencies established by the Superintendent that qualifies
35 the individual to:

36 (a) provide instruction in a specific content area; or

37 (b) apply a specific set of skills in an education setting.

38 ~~[(6) "International guest teacher" or "guest teacher" means a foreign educator who:~~

39 ~~— (a) has earned a public teaching credential or license in a foreign country;~~

40 ~~— (b) is currently legally residing in the United States and the state of Utah with the~~
41 ~~specific purpose to teach in Utah public schools; and~~

42 ~~— (c) is a resident of a foreign country that has a Memorandum of Understanding the~~
43 ~~Board as required by Board rule.]~~

44 ([5]6) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the
45 Blind.

46 ([6]7)(a) "License areas of concentration" or "license area" means a designation on a
47 license of the specific educational setting or role for which the individual is qualified, to include
48 the following:

49 (i) Early Childhood;

50 (ii) Elementary;

51 (iv) Secondary;

52 (v) Educational Leadership

53 (vi) Career and Technical Education or "CTE";

54 (vii) School Counselor;

55 (viii) School Psychologist;

56 (ix) Special Education;

57 (x) Preschool Special Education;

58 (xi) Deaf Education;

- 59 (xii) Speech-Language Pathologist;
60 (xiii) Speech-Language Technician;
61 (xiv) School Social Worker; and
62 (xv) ~~[Communication Disorders]~~ Audiologist.

63 ([7]8) "Licensing Jurisdiction" means the designated educator licensing authority in any
64 foreign country or state of the United States of America and the Department of Defense
65 Education Activity (DoDEA).

66 ([8]9) "Renewal" means reissuing or extending the length of a license consistent with
67 Rule R277-[500]302.

68

69 **R277-301-3. License Structure.**

70 (1) Utah educator licenses include the following licenses:

- 71 (a) Associate educator license;
72 (b) Professional educator license; and
73 (c) LEA-specific educator license.

74 ~~[(2) All new Utah educator licenses shall include general, content knowledge, and
75 pedagogical requirements.]~~

76 ([3]2) The Superintendent may only issue ~~[a]~~ one single active Utah educator license
77 to an individual.

78 ([4]3) An educator license shall include at least one area of concentration.

79 ([5]4) License areas of concentration and endorsements shall have a designation of:

- 80 (a) associate;
81 (b) professional; or
82 (c) LEA-specific.

83 ([6]5) An associate educator license may only include associate or LEA-specific license
84 areas of concentration and endorsements.

85 ([7]6) An LEA-specific educator license may only include LEA-specific license areas
86 of concentration and endorsements.

87 (7) An educator may add a license area or endorsement to an existing license or license
88 area of concentration by meeting the requirements for an associate, professional, or LEA
89 specific endorsement as established in this rule.

90 (8) The Superintendent may establish deadlines and uniform forms and procedures
91 for all aspects of licensing.

92 ~~[(9) The Superintendent shall review, adopt, and establish passing standards for all~~
93 ~~assessments required for educator licensing.]~~

94 ~~[(10)9]~~(a) All licenses expire on June 30 of the year of expiration and a licensee may
95 [be] renew[ed] any time after January 1 of the same year.

96 (b) Responsibility for license renewal rests solely with the licensee.

97

98 **R277-301-4. Associate Educator License Requirements.**

99 (1) The Superintendent shall issue an associate educator license to an individual that
100 applies for the license and that meets all requirements in this Section R277-301-4.

101 (2) An associate educator license, license area, or endorsement is valid for ~~[two]~~ three
102 years.

103 (3) The Superintendent may only renew an associate educator license if:

104 (a) the individual has less than ~~[two]~~ three years of experience in a Utah public or
105 accredited private school; or

106 (b) the individual is employed by a Utah public or accredited private school and the
107 employer has requested a one year extension of the license.

108 (4) The general requirements for an associate educator license shall include:

109 (a) completion of a criminal background check including review of any criminal offenses
110 and clearance in accordance with Rule R277-214 and continued monitoring in accordance with
111 Subsection 53G-11-403(1);

112 (b) completion of the educator ethics review ~~[described in R277-500]~~ within one
113 calendar year prior to the application; and

114 (c) one of the following:

115 (i) a bachelor's degree or higher from a regionally accredited institution;

- 116 (ii) current enrollment in a university-based Board-approved educator preparation
117 program that will result in a bachelor's degree or higher from a regionally accredited institution;
118 or
- 119 (iii) skill certification in a specific CTE area as established by the Superintendent.
- 120 (5) The content knowledge requirements for an associate educator license shall
121 include:
- 122 (a) for an elementary license area, passage of an elementary content knowledge test,
123 approved by the Superintendent, that distinctly measures content in:
- 124 (i) mathematics;
125 (ii) reading/language arts;
126 (iii) social studies; and
127 (iv) science;
- 128 (b) for a secondary or CTE license area with a content endorsement, or for an
129 endorsement being added to a professional license area, one of the following:
- 130 (i)(A) passage of a content knowledge test approved by the Superintendent, where
131 [available] required; or
- 132 (B) demonstration of the competency criteria established by the Superintendent if no
133 content knowledge test is required;
- 134 (ii) a bachelor's degree or higher with a major in the content area from a regionally
135 accredited university; or
- 136 (iii) enrollment in a program that will result in a degree described in Subsection
137 (5)(b)(ii); and
- 138 (c) for all other license areas, enrollment in:
- 139 (i) a university-based Board-approved educator preparation program; or
140 (ii) an educator preparation program administered by the Superintendent.
- 141 (6) Additional requirements for an associate educator license shall include:
- 142 (a) successful completion of professional learning modules created or approved by the
143 Superintendent in:
- 144 (i) educator ethics;

- 145 (ii) classroom management and instruction;
- 146 (iii) basic special education law and instruction;
- 147 (iv) the Utah Effective Teaching Standards described in [R277-530](#); or
- 148 (b) enrollment in a university-based Board-approved educator preparation program.
- 149 ~~[(7) An individual holding a professional educator license may receive an associate~~
150 ~~license area or endorsement in additional areas if all the requirements of this section are met.]~~
- 151 (7) An educator that holds a professional license area of concentration and has met the
152 competency criteria established by the Superintendent need not complete the requirements
153 detailed in Subsection (5).
- 154 (8) A license applicant who has received or completed license preparation activities
155 inconsistent with this rule may present compelling information and documentation for review
156 and approval by the Superintendent to satisfy the associate educator license requirements.
- 157 (9) The Superintendent shall designate a panel of at least three Board staff members
158 to review an appeal made under subsection (8).
- 159 (10) An LEA that employs an individual that holds an associate educator license shall
160 develop a personalized professional learning plan designed to support the educator in meeting
161 the requirements for a professional educator license no later than 60 days after beginning work
162 in the classroom, which shall:
- 163 (a) be provided to the Superintendent upon request;
- 164 (b) include a formal discussion and observation process no later than 30 days after
165 beginning work in the classroom; and
- 166 (c) consider:
- 167 (i) previous education related experience; and
- 168 (ii) previous educational preparation activities.
- 169 (11) An educator with an associate educator license may upgrade to a professional
170 educator license at any time prior to expiration of the associate educator license if the educator
171 meets all requirements of Section R277-301-5.

172

173 **R277-301-5. Professional Educator License Requirements.**

- 174 (1) The Superintendent shall issue a professional educator license to an individual that
175 applies for the license and meets all requirements in this Section R277-301-6.
- 176 (2) A professional educator license, license area, or endorsement is valid for five years.
- 177 (3) The general requirements for a professional educator license shall include:
- 178 (a) all general requirements for an associate educator license under Subsection R277-
179 301-5(4);
- 180 (b) completion of:
- 181 (i) a bachelor's degree or higher from a regionally accredited institution; or
- 182 (ii) skill certification in a specific CTE area as established by the Superintendent; ~~and~~
183 (c) for an individual with an early childhood, elementary, special education, or preschool
184 special education license area of concentration, completion of a literacy preparation
185 assessment; and
- 186 ([e]d) one of the following:
- 187 (i) a recommendation from a Board-approved educator preparation program; or
- 188 (ii) a standard educator license in the area issued by a licensing jurisdiction outside of
189 Utah that is currently valid or is renewable consistent with Section [53E-6-307](#).
- 190 (4) The content knowledge requirements for a professional educator license, license
191 area, and endorsement shall include:
- 192 (a) all content knowledge requirements for an associate educator license under
193 Subsection R277-301-4(5); ~~and~~
- 194 (b) demonstration of all content knowledge competencies as established by the
195 Superintendent~~[-]; and~~
- 196 (c) passage of a content knowledge test provided by the Superintendent, where
197 required.
- 198 (5) An applicant for a secondary or CTE content area endorsement that holds a
199 bachelor's degree or higher with a major in the content area from a regionally accredited
200 university need not complete the requirement described in Subsection (4)(c).
- 201 ([5]6) The pedagogical requirements for professional educator license shall include:

202 (a) demonstration of all pedagogical competencies as established by the
203 Superintendent; and

204 (b) when applicable to the license area, passage of a pedagogical performance
205 assessment meeting standards:

206 (i) established by the Superintendent; and

207 (ii) approved by the Board.

208 ([6]7) An individual holding a Utah level 1, level 2, or level 3 educator license on
209 January 1, 2020 [~~is considered to have met~~] meets the pedagogical requirements described
210 in Subsection ([5]6).

211 ([7]8) An individual holding a Utah level - APT educator license that is employed by a
212 Utah LEA and an individual enrolled in ARL or a university-based Board-approved educator
213 preparation program on January 1, 2020 may meet the content knowledge and pedagogical
214 requirements described in this Section R277-301-6 by completing all requirements of the
215 applicable program.

216 ([8]9) An individual holding a Utah professional educator license and license area in
217 early childhood education, elementary, secondary, CTE, special education, or deaf education
218 is considered to have met the pedagogical performance assessment requirement of
219 Subsection (5)(b) if applying to add any of the license areas in the subsection.

220 ([9]10) A license applicant who has received or completed license preparation activities
221 inconsistent with this rule may present compelling information and documentation for review
222 and approval or denial by the Superintendent to satisfy the professional educator license
223 requirements.

224 (1[0]1) The Superintendent shall designate a panel of at least three individuals,
225 including at least two Board licensed educators not employed by the Board, to review an
226 appeal and make a recommendation to the Superintendent for the Superintendent's review
227 and decision described in Subsection ([9]10).

228

229 **R277-301-6. Educator Licenses Issued by Licensing Jurisdictions Outside of Utah.**

230 (1) The Superintendent shall review applications for a Utah educator license for

231 individuals holding educator licenses issued by licensing jurisdictions outside of Utah to
232 determine if the applicant has met the requirements for a Utah license under this rule.

233 (2) The Superintendent shall accept scores from an applicant that meet the Utah
234 standard for passing on assessments from licensing jurisdictions outside of Utah that utilize the
235 same assessment as Utah as meeting the requirements of this rule.

236 (3) The Superintendent shall accept scores from an applicant on reasonably equivalent
237 content knowledge or pedagogical performance assessments utilized by licensing jurisdictions
238 outside of Utah that meet the passing standard of that jurisdiction as meeting the requirements
239 of this rule.

240 (4) The Superintendent shall accept demonstrations of content knowledge and
241 pedagogical competencies from an applicant utilized by licensing jurisdictions outside of Utah
242 that are reasonably equivalent to Utah competencies.

243 (5) ~~[Individuals]~~ An individual with [4 or more years] one year of successful experience
244 in a public or accredited private school under a standard license issued by another jurisdiction
245 ~~[shall be considered to have met both]~~ need not complete the content knowledge and
246 pedagogical assessment requirements in the areas and subjects taught.

247 (6) An individual holding a standard license from another jurisdiction that was enrolled
248 in a preparation program prior to January 1, 2020 and received the standard license prior to
249 August 1, 2021 need not complete the requirements of Subsection R277-301-5(6)(b).

250

251 **R277-301-7. LEA-specific Educator License Requirements.**

252 (1) The Superintendent may issue an LEA-specific educator license to a candidate if:

253 (a) the LEA requesting the LEA-specific educator license has an adopted policy,
254 posted on the LEA's website, which includes:

255 (i) educator preparation and support:

256 (A) as established by the LEA; and

257 (B) aligned with the Utah Effective Teaching Standards described in [R277-530](#);

258 (ii) criteria for employing educators with an LEA-specific license; and

259 (iii) compliance with all requirements of this Rule R277-301;

- 260 (b) an LEA governing board applies on behalf of the candidate
261 (c) the candidate meets all the requirements in this Section R277-301-7; and
262 (d) within the first year of employment, the LEA trains the candidate on:
263 (i) educator ethics;
264 (ii) classroom management and instruction;
265 (iii) basic special education law and instruction; and
266 (iv) the Utah Effective Teaching Standards described in [R277-530](#).

267 ~~[(2)(a) Except as provided in Subsection (2)(b), an LEA governing board may request~~
268 ~~an LEA-specific educator license for a license area described in Subsection R277-301-2(6).~~

- 269 ~~— (b) An LEA may not request an LEA-specific educator license for a license area in:~~
270 ~~— (i) Special Education; or~~
271 ~~— (ii) Preschool Special Education.]~~

272 ([3]2) An LEA-specific license, license area, or endorsement is valid only within the
273 requesting LEA.

274 ([4]3) An LEA-specific license, license area, or endorsement is valid for one, two, or
275 three years in accordance with the LEA governing board's application and this Section R 277-
276 301-7.

277 ([5]4) The first renewal of an LEA-specific educator license, license area, or
278 endorsement shall be approved or denied by the Board.

279 ([6]5) The Board may require that subsequent renewals be approved by the Board on
280 a case by case basis.

281 (6)(a) An LEA-specific license area of concentration may only be issued for one school
282 year and may not be renewed for a license area in:

- 283 (i) special education; or
284 (ii) pre-school special education.

285 (b) If an LEA grants a license area of concentration under this Subsection (6), the LEA
286 shall provide special education law training recommended by the Superintendent within the first
287 month of the educator's employment.

288 (7) An LEA-specific license expires immediately if the educator's employment with the
289 LEA that requested the license ends.

290 (8) The general requirements for an LEA-specific educator license shall include:

291 (a) completion of a criminal background check including review of any criminal offenses
292 and clearance in accordance with Rule R277-214 and continued monitoring in accordance with
293 Subsection 53G-11-403(1);

294 (b) completion of the educator ethics review [~~described in Rule R277-500~~] within one
295 calendar year prior to the application; and

296 (c) approval of the request by the LEA governing board in a public meeting no more
297 than 60 days prior to the application, which includes the LEA's rationale for the request.

298 (9) The content knowledge and pedagogical requirements for an LEA-specific educator
299 license shall be established by the LEA governing board.

300 (10) An LEA school that requests an LEA-specific license, license area, or endorsement
301 shall prominently post the following information on each school's website:

302 (a) disclosure of the fact that the school employs individuals holding LEA-specific
303 educator licenses, license areas, or endorsements;

304 (b) an explanation of the types of licenses issued by the board;

305 (c) the percentage of the types of licenses, license areas, and endorsements held by
306 educators employed in the school based on the employees' FTE as reported to the
307 Superintendent; and

308 (d) a link to the Utah Educator Look-up tool provided by the Superintendent in
309 accordance with Subsection R277-512-7(6).

310

311 **R277-301-8. Eminence.**

312 (1) The purpose of an eminence designation is to allow an individual with exceptional
313 training or expertise, consistent with Section R277-301-2, to teach or work in the public schools
314 on a limited basis.

315 (2) An LEA may request an eminence designation for an LEA-specific license, license
316 area, or endorsement for a teacher whose employment with the LEA is no more than 37% of
317 ~~the~~ a teacher's regular instructional load.

318 (3)(a) The Superintendent may approve or deny a request under Subsection (2).

319 (b) The Superintendent may require documentation of the exceptional training, skills,
320 or expertise of a candidate for an eminence designation.

321 (4)(a) The Superintendent may approve or deny the renewal of an LEA-specific license,
322 license area, or endorsement with an eminence designation at the request of the LEA that
323 requested the designation.

324 (b) Subsection (4)(a) supersedes Subsection R277-301-7(5) for a licensee with an
325 eminence designation.

326 (c) If a request for an eminence designation or renewal of an eminence designation is
327 denied by the Superintendent, the LEA may appeal the denial to the Board.

328

329 **~~[R277-301-8. Requirements for LEAs.~~**

330 ~~—— (1) An LEA shall provide a mentoring program that provides a trained mentor educator~~
331 ~~and annual mentoring plan:~~

332 ~~—— (a) for educators holding an associate educator license;~~

333 ~~—— (b) for at least two years for LEA-specific educator license holders; and~~

334 ~~—— (c) for educators holding a professional educator license with less than three years of~~
335 ~~experience.~~

336 ~~—— (2) A trained mentor educator under Subsection (1) shall hold a professional educator~~
337 ~~license and shall, where possible:~~

338 ~~—— (a) perform substantially the same duties as the educator with release time to work as~~
339 ~~a mentor; or~~

340 ~~—— (b) be assigned as an instructional coach or equivalent position.~~

341 ~~—— (3) A trained mentor educator under Subsection (1) shall assist the educator to meet~~
342 ~~the Utah Effective Educator Standards established in Rule R277-530, but may not serve as~~
343 ~~an evaluator of the educator.~~

- 344 ~~—— (4) A mentoring program under Subsection (1) shall include:~~
345 ~~—— (a) a formal professional learning plan and LEA support in meeting the requirements~~
346 ~~of a professional license area; and~~
347 ~~—— (b) if the educator holds an LEA-specific educator license, on-going training on~~
348 ~~educator ethics and special education.~~
349 ~~—— (5) An LEA school that requests LEA-specific licenses, license areas, or endorsements~~
350 ~~shall prominently post the following information on each school's website:~~
351 ~~—— (a) disclosure of the fact that the school employs individuals holding LEA-specific~~
352 ~~educator licenses, license areas, or endorsements;~~
353 ~~—— (b) the percentage of the types of licenses, license areas, and endorsements held by~~
354 ~~educators employed in the school based on the employees' FTE in CACTUS; and~~
355 ~~—— (c) a link to the Utah Educator Look-up tool provided by the Superintendent in~~
356 ~~accordance with Subsection R277-515-7(6).]~~

357

358 **R277-301-9. Superintendent Annual Report to the Board.**

- 359 (1) The Superintendent shall annually report to the Board on licensing, including:
360 ([1]a) educator licensing;
361 ([2]b) educator preparation; and
362 ([3]c) equitable distribution of teachers.
363 (2) The Superintendent shall use a process approved by the Board to:
364 (a) establish the content knowledge competency requirements required for associate
365 and professional endorsements; and
366 (b) review, adopt, and establish passing standards for all assessments required for
367 educator licensing.
368 (3) The Superintendent shall create an ethics review for all licensed educators based
369 upon Rule R277-217, Educator Standards and Local Education Agency (LEA) Reporting.
370 (4) The Superintendent may correct identified errors in licensing information with notice
371 to the license holder.

372

Draft 2 - Blue - New Text | ~~Red - [Deleted Text]~~
Draft 3 - Green - New Text

DRAFT 3
April 17, 2020

373
374
375
376
377
378
379
380
381
382
383

[~~R277-301-10. Effective Date.~~

~~——(1) This rule will be effective beginning January 1, 2020.~~

~~——(2) This rule will supersede Rule R277-502 on January 1, 2020.]~~

KEY: professional competency, educator licensing

Date of Enactment or Last Substantive Amendment: July 2, 2019

Authorizing, and Implemented or Interpreted Law: Art X Sec 3; [~~53A-6-104; 53A-1-401~~]

53E-6-102; 53E-3-401