

1 **R277. Education, Administration.**

2 **R277-309. Appropriate Licensing and Assignment of Teachers.**

3 **R277-309-1. 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 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) Subsection [53E-6-201\(2\)\(a\)](#), which authorizes the Board to rank, endorse, or
10 classify licenses.

11 (2) The purpose of this rule is to provide criteria for:

12 (a) local school boards to employ educators in appropriate assignments;

13 (b) the Board to provide state funding to local school boards for appropriately
14 qualified and assigned staff; and

15 (c) the Board and local school boards to satisfy the requirements of ESEA for local
16 school boards to receive federal funds.

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18 **R277-309-2. Definitions.**

19 (1) "Co-teaching" means the instructional arrangement in which a general
20 education teacher and a special education teacher deliver core instruction along with
21 specialized instruction, as needed, to a diverse group of students in a single instructional
22 space or class.

23 (2) "Content specialist" means a licensed educator who provides instruction or
24 specialized support for students and teachers in a school setting.

25 (3) "Educator license" means an associate, professional, or LEA-specific license
26 issued by the Superintendent under Rule [R277-301](#).

27 (4) "Elementary setting" means an instructional model where students typically
28 have a single class with a single teacher primarily responsible for instruction in all core
29 standards established in Rule [R277-700](#).

30 (5) "License areas of concentration" has the same meaning as described in

31 Section [R277-301-2](#), including elementary education, secondary education, special
32 education, and career and technical education.

33 (6) "License endorsement" or "endorsement" has the same meaning as described
34 in Section [R277-301-2](#), including special education mild/moderate, special education
35 severe disabilities, mathematics, English language arts, and dance.

36 (7) "Secondary setting" means an instructional model where students typically
37 rotate among classes taught by multiple teachers that are considered subject matter
38 experts, primarily responsible for instruction in the core standards in an area as
39 established by the Board in Rule [R277-700](#).

41 **R277-309-3. Required Licensing.**

42 (1) All teachers in public schools shall hold a current educator license along with
43 appropriate license areas of concentration and endorsements that is not suspended or
44 revoked by the Board under Section [53E-6-604](#).

45 (2) An LEA shall receive assistance from the Superintendent to the extent of
46 resources available to have all teachers hold a professional license, license area, and
47 endorsement in all areas in which the teacher is assigned.

48 (3) An LEA shall only hire a teacher who:

49 (a) holds a current educator license; or

50 (b) is in the process of becoming fully licensed and endorsed.

51 (4) In accordance with Section [53E-3-401](#), if an LEA hires an educator without
52 appropriate licensure, the Superintendent may recommend that the Board withhold the
53 following until the LEA's educators are appropriately licensed:

54 (a) LEA salary supplement funds under Section [53F-2-405](#) and Rule [R277-110](#);
55 and

56 (b) Educator quality funds under Subsection [53F-2-305\(2\)](#) and Rule [R277-486](#).

57 **R277-309-4. Appropriate Licenses, License Areas of Concentration, and** 58 **Endorsements.**

59 (1) An educator assigned to teach a class in kindergarten through grade 3 shall
60 hold a current educator license with:

61 (a) an early childhood license area of concentration;
62 (b) an elementary license area of concentration; or
63 (c) for an educator assigned to teach a class composed of deaf and hard of
64 hearing students, a deaf education license area of concentration.

65 (2) An educator assigned to teach a class in grade 4 through grade 8 in an
66 elementary setting shall hold a current educator license with:

67 (a) an elementary license area of concentration; or
68 (b) for an educator assigned to teach a class composed of deaf and hard of
69 hearing students, a deaf education license area of concentration.

70 (3) An elementary content specialist in Fine Arts or Physical Education shall hold
71 a current educator license with an elementary or secondary license area of concentration
72 with the appropriate K-12 endorsement.

73 (4) An elementary content specialist in reading or English as a Second Language
74 shall hold a current educator license with an elementary or secondary license area of
75 concentration with the appropriate endorsement.

76 (5) An elementary content specialist in any content area not listed in Subsections
77 (3) and (4) shall hold a current educator license with an elementary, secondary, special
78 education, or deaf education license area of concentration.

79 (6) An educator assigned to teach a class in grade 6 in a secondary setting shall
80 hold a current educator license with:

81 (a) an elementary license area of concentration;
82 (b) a secondary license area of concentration with the appropriate endorsement
83 for all assigned courses; or

84 (c) for an educator assigned to teach a class composed of deaf and hard of
85 hearing students, a deaf education license area of concentration.

86 (7) An educator assigned to teach a class in grade 7 or grade 8 in a secondary
87 setting shall hold a current educator license with:

88 (a) an elementary or secondary license area of concentration with the appropriate
89 endorsement for all assigned courses; or

90 (b) for an educator assigned to teach deaf and hard of hearing students, a deaf

91 education license area of concentration with the appropriate endorsement for all assigned
92 courses.

93 (8) An educator assigned to teach a class in grade 9 through grade 12 shall hold
94 a current educator license with:

95 (a) a secondary or a career and technical education license area of concentration
96 with the appropriate endorsement for all assigned courses; or

97 (b) for an educator assigned to teach deaf and hard of hearing students, a deaf
98 education license area of concentration with the appropriate endorsement for all assigned
99 courses.

100 (9) A general education teacher in a co-teaching setting shall hold:

101 (a) a current educator license;

102 (b) an appropriate license area of concentration; and

103 (c) an endorsement appropriate for the course.

104 (10)(a) An educator assigned to serve or teach a class of students with disabilities
105 shall hold a current educator license with a special education license area of
106 concentration and special education endorsement; and

107 (b) If an educator is the teacher of record of secondary mathematics for students
108 with disabilities, the educator shall also hold the appropriate endorsement for the course,
109 unless in a co-teaching setting with a general educator who is properly licensed and
110 endorsed.

111 (c) A special education teacher in a co-teaching setting shall hold a special
112 education license area of concentration and special education endorsement.

113 (11) An educator assigned to serve preschool-aged students with disabilities shall
114 hold a current educator license with a preschool special education license area of
115 concentration.

116 (12) An educator assigned to serve deaf and hard of hearing students shall hold:

117 (a) a current educator license with a special education license area of
118 concentration and deaf and hard of hearing endorsement; or

119 (b) a deaf education license area of concentration.

120 (13) An educator assigned to provide student support services as defined in Rule

121 R277-306 shall hold a current educator license with the appropriate support service
122 license area of concentration.

123 (14) An educator assigned as a school-based or LEA-based specialist shall hold
124 a current educator license with the appropriate license area of concentration and
125 endorsement as defined by the LEA.

126 (15) An educator assigned as a principal or vice principal in a school district shall
127 hold a current educator license and a school leadership license area of concentration.

128 (16) A special education director for a charter school shall hold a current educator
129 license with a license area of concentration in one of the following areas consistent with
130 Section [53G-5-407](#):

131 (a) special education;

132 (b) pre-school special education;

133 (c) speech language pathology; or

134 (d) school psychologist.

135 (~~16~~17) An educator assigned in any other position that requires an educator
136 license, as defined by the LEA, shall hold a current educator license with the appropriate
137 license area of concentration and endorsement as defined by the district.

138 (~~17~~18) An educator assigned in an administrative position in a charter school is
139 exempt from Subsections (14) and (15) consistent with Section [53G-5-405](#).

140 (~~18~~19) Notwithstanding Subsection R277-309-3(1), an individual may hold a
141 school social work assignment in an LEA without a school social worker license area of
142 concentration.

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144 **KEY: educator, license, assignment**

145 **Date of Enactment or Last Substantive Amendment: August 12, 2021**

146 **Notice of Continuation: June 4, 2021**

147 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401\(4\)](#); [53E-](#)
148 [6-201\(2\)\(a\)](#)**

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