

1 **R277. Education, Administration.**

2 **R277-312. Online Educator Licensure.**

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 over public education in the Board;

7 (b) Subsection 53E-3-501(1)(a), which directs the Board to make rules regarding
8 the
9 certification of educators; and

10 (c) Subsection 53E-3-401(4), which allows the Board to make rules to execute the
11 Board's duties and responsibilities under the Utah Constitution and state law .

12 (2) The purpose of this rule is to provide procedures to ensure that consistency,
13 quality, and fairness are maintained for online educator license transaction processes.

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

14 (1)(a) "EdUcate" means a part of USIMS, and successor to the database known
15 as CACTUS, which is the electronic database maintained on educator licenses and
16 license applications, which may include:

17 (i) personal directory information;

18 (ii) educational background;

19 (iii) endorsements;

- 20 (iv) employment history;
- 21 (v) professional development information;
- 22 (vi) evidence of criminal background checks; and
- 23 (vii) a record of disciplinary action taken by the Board against the educator.
- 24 (b) Information contained in an individual's EdUcate file may only be released in
25 accordance with Title 63G, Chapter 2, Government Records Access Management Act.
- 26 (2) "LEA," for purposes of this rule, includes the Utah Schools for the Deaf and
27 Blind.
- 28 (3) "License," for purposes of this rule, has the same meaning as described in 29
29 Subsection [53E-6-102\(3\)](#).
- 30 (4) "License record" means the electronic record of license holder and license
31 applicant personal information and credentials maintained by the Superintendent in
32 EdUcate.
- 33 (5) "License transaction" means the interactions between a license holder or
34 applicant and the Superintendent that [may](#) result in issuance of :
- 35 (a) a license;
- 36 (b) a renewal of a license; or
- 37 (c) a modification of a license or license record.
- 38 (6) "Online license transaction" means those license transactions that take place
39 through EdUcate.
- 40 (7) "USIMS" or "Utah Schools Information Management System" means a
41 comprehensive tool maintained by the Superintendent for collecting, processing,

providing

42 oversight, and reporting on education data for the State of Utah.

43 (8) "Utah Professional Practices Advisory Commission" or "UPPAC" means a

44 Commission established to assist and advise the Board in matters relating to the

45 professional practices of educators, consistent with Title 53E, Chapter 6, Part 5, Utah

46 Professional Practices Advisory Commission.

47 **R277-312-3. Procedures.**

48 (1) All current Board rules, statutory and Board definitions, and requirements
49 established by statute and Board rules shall apply to all license transactions, regardless
50 of whether the transactions occur online or by other means.

51 (2)(a) Educators may receive an electronic or paper verification of a licensure
52 transaction.

53 (b) A verification provided under Subsection (2)(a) is not an educator license.

54 (3) EdUcate shall be the final repository of educator information and credentials
55 for

LEAs and other authorized EdUcate users.

56 (4) Timelines, electronic processes and procedures, payment procedures,
57 formats,

and other elements of online licensure transactions shall meet standards of quality, ease
58 of use, and accessibility consistent with those generally found in other wide-spread
online

59 processes.

60 (5) The Superintendent shall conduct educator licensing transactions
61 electronically.

61 (6) Approved Utah educator preparation institutions, LEAs, and other CACTUS
62 users shall cooperate with the Superintendent by using the online tools and procedures
63 provided by the Superintendent for transmission of information related to licensing.

64 **R277-312-4. Monitoring by the Superintendent.**

65 (1) The Superintendent shall establish a monitoring program that provides for
66 review of online licensure transactions for:

67 (a) accuracy;

68 (b) reliability; and

69 (c) completeness.

70 (2) The Superintendent may subject any licensure transaction to monitoring:

71 (a) within one year without cause; or

72 (b) at any time with cause.

73 (3) An LEA may designate individuals, subject to approval by the Superintendent,
74 to have the opportunity to access and review licenses acquired or renewed online to
75 verify

75 licensure of employees.

76 (4)(a) Monitoring conducted under Subsection (2) may include a review of license
77 holder documentation to verify the statements made by the license holder as part of the

78 online license transaction.

79 (b) In order to verify that the assertions made by a license holder were accurate,
80 a

80 license holder may be required to submit:

81 (i) transcripts;

82 (ii) records of participation in professional development activities;

83 (iii) supervisor letters or endorsements; and

84 (iv) other documentation requested by the Superintendent.

85 (5) If the Superintendent finds that a license applicant or license holder
86 intentionally

86 provided false, misleading, or otherwise inaccurate information in a license transaction,
87 the

87 Superintendent shall forward the information to UPPAC.

88 (6) The Superintendent may void a license transaction that was completed on the
89 basis of inaccurate information at any time with notice to the license holder.

90 **R277-312-5. License Applicant and License Holder Responsibilities.**

91 (1) A license applicant or license holder shall supply accurate and complete
92 information in all license transactions.

93 (2) A license applicant or license holder shall maintain files and documentation of
94 the information provided in a license transaction for a period of one year after the
95 completion of the license transaction.

96 (3) A license applicant or license holder that intentionally supplies inaccurate,
 misleading, false,
97 or otherwise unreliable information in any license transaction shall be subject to the full
98 range of disciplinary actions that may be applied by UPPAC and the Board, consistent
with 99 Rule R277-215.

100 **R277-312-6. Licensing Costs.**

101 (1) The Superintendent shall maintain an automated and self-sustaining licensing
102 process.

103 (2) The Superintendent shall incorporate current and emerging electronic and
104 information technologies to better meet the needs of applicants for new licenses, for
105 current license holders, for recommending institutions, for LEAs and the general public,
to the extent funds are available.

106 (3) The Superintendent shall maintain accurate records and documentation of:

107 (a) costs of online licensing; and

108 (b) the costs of any Superintendent review responsibilities.

109 **R277-312-7. Licensing Records.**

110 (1) The Superintendent shall record documentation of online licensure
 transactions

111 in EdUcate.

112 (2)(a) A license applicant shall submit a social security number as part of the
 license

113 application process.

114 (b) A license applicant's social security number shall be classified as private in
115 accordance with Subsection 63G-2-302(2)(d).

116 (3) A license applicant or license holder shall update personal information in
117 EdUcate in a timely manner.

118 (4) The Superintendent may use data from EdUcate for research and other valid
119 educational purposes, consistent with Board data release policies.

120 (5) The following records shall be classified as public pursuant to Title 63G,
Chapter

121 2, Government Records Access and Management Act:

122 (a) licenses issued by the Board;

123 (b) endorsements on an educator's license;

124 (c) an educator's current assignment;

125 (d) an educator's assignment history in Utah public schools;

126 (e) an educator's education background; and

127 (f) Board disciplinary action against an educator's license, which resulted in:

128 (i) a reprimand;

129 (ii) a suspension;

130 (iii) a revocation; or

131 (iv) license reinstatement.

132 (6) The Superintendent shall provide an online licensing database where the
general

133 public may access the information classified as public in Subsection (5).

134 **KEY: online, licensure**

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

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

137 **[53E-3-401\(4\)](#)**