

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

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

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

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

17 (2) "Currently enrolled" means:

18 (a) that an individual has been formally accepted into a Board-approved educator
19 preparation program; ~~and~~

20 (b) that an individual is taking classes; and

21 ~~(b)c~~ that the program considers the individual to be an active participant.

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

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

25 (5) "Endorsement" means a designation on a license area of concentration earned
26 through demonstrating required competencies established by the Superintendent that qualifies
27 the individual to:

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

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

30 (6) "LEA" includes, for purposes of this rule, the Utah Schools for the Deaf and the
31 Blind.

32 (7)(a) "License areas of concentration" or "license area" means a designation on a
33 license of the specific educational setting or role for which the individual is qualified, to include
34 the following:

- 35 (i) Early Childhood;
- 36 (ii) Elementary;
- 37 (iii) Secondary;
- 38 (iv) Educational Leadership
- 39 (v) Career and Technical Education or "CTE";
- 40 (vi) School Counselor;
- 41 (vii) School Psychologist;
- 42 (viii) Special Education;
- 43 (ix) Preschool Special Education;
- 44 (x) Deaf Education;
- 45 (xi) Speech-Language Pathologist;
- 46 (xii) Speech-Language Technician;
- 47 (xiii) School Social Worker; and
- 48 (xiv) Audiologist.

49 (8) "Licensing Jurisdiction" means the designated educator licensing authority in
50 any foreign country or state of the United States of America and the Department of
51 Defense Education Activity (DoDEA).

52 (9) "NASDTEC" means the National Association of State Directors of Teacher
53 Education and Certification.

54 (10) "NASDTEC Stage 2 Educator License" means a license issued to an
55 individual who holds a bachelor's degree and has completed an approved program, but
56 has not met the jurisdiction-specific requirement for a Stage 3 license of a member
57 jurisdiction.

58 (9) "Renewal" means reissuing or extending the length of a license consistent
59 with Rule R277-302.

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

- 61 (1) Utah educator licenses include the following licenses:
- 62 (a) Associate educator license;
- 63 (b) Professional educator license; and

64 (c) LEA-specific educator license.

65 (2) The Superintendent may only issue one single active Utah educator license
66 to an individual.

67 (3) An educator license shall include at least one area of concentration.

68 (4) License areas of concentration and endorsements shall have a designation
69 of:

70 (a) associate;

71 (b) professional; or

72 (c) LEA-specific.

73 (5) An associate educator license may only include associate or LEA-specific
74 license areas of concentration and endorsements.

75 (6) An LEA-specific educator license may only include LEA-specific license
76 areas of concentration and endorsements.

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

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

82 (9)(a) All licenses expire on June 30 of the year of expiration and a licensee may
83 renew any time after January 1 of the same year.

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

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

86 (1) The Superintendent shall issue an associate educator license to an
87 individual that applies for the license and that meets all requirements in this Section
88 [R277-301-4](#).

89 (2) An associate educator license, license area, or endorsement is valid for
90 three years.

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

92 (a) the individual has less than three years of experience in a Utah public or
93 accredited private school; or

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

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

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

100 (b) completion of the educator ethics review within one calendar year prior to the
101 application; and

102 (c) one of the following:

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

104 (ii) current enrollment in a university-based Board-approved educator
105 preparation program that will result in a bachelor's degree or higher from a regionally
106 accredited institution; or

107 (iii) skill certification in a specific CTE area as established by the
108 Superintendent.

109 (5) Notwithstanding, Subsection (4)(c)(ii),

110 (a) an applicant for an associate educator license with a license area in:

111 (i) special education;

112 (ii) pre-school special education; or

113 (iii) deaf education;

114 (b) who has successfully:

115 (i) passed a content knowledge test approved by the Superintendent; and

116 (ii) completed a special education law training approved by the Superintendent;

117 (c) may be enrolled in:

118 (i) a Board-approved non-university based special education preparation
119 program; or

120 (ii) a special education program at a regionally accredited institution that will yield
121 a NASDTEC Stage 2 educator license.

122 ([5]6) The content knowledge requirements for an associate educator license
123 shall include:

124 (a) for an elementary license area, passage of an elementary content
125 knowledge test, approved by the Superintendent, that distinctly measures content in:

126 (i) mathematics;

127 (ii) reading/language arts;

128 (iii) social studies; and

- 129 (iv) science;
- 130 (b) for a secondary or CTE license area with a content endorsement, or for an
131 endorsement being added to a professional license area, one of the following:
- 132 (i)(A) passage of a content knowledge test approved by the Superintendent,
133 where required; or
- 134 (B) demonstration of the competency criteria established by the Superintendent
135 if no content knowledge test is required;
- 136 (ii) a bachelor's degree or higher with a major in the content area from a
137 regionally accredited university; or
- 138 (iii) enrollment in a program that will result in a degree described in Subsection
139 ~~(5)6(b)(ii); and~~
- 140 (c) for an early childhood license area, passage of a content knowledge test
141 approved by the Superintendent; and
- 142 ~~(e)d~~ for all other license areas, enrollment in:
- 143 (i) a university-based Board-approved educator preparation program; or
- 144 (ii) an educator preparation program administered by the Superintendent.
- 145 ~~(6)7~~ Additional requirements for an associate educator license shall include:
- 146 (a) successful completion of professional learning modules created or approved
147 by the Superintendent in:
- 148 (i) educator ethics;
- 149 (ii) classroom management and instruction;
- 150 (iii) basic special education law and instruction;
- 151 (iv) the Utah Effective Teaching Standards described in R277-[530](#); or
- 152 (b) enrollment in a university-based Board-approved educator preparation
153 program.
- 154 ~~(7)8~~ An educator that holds a professional license area of concentration and
155 has met the competency criteria established by the Superintendent need not complete
156 the requirements detailed in Subsection ~~(5)6~~.
- 157 ~~(8)9~~ A license applicant who has received or completed license preparation
158 activities inconsistent with this rule may present compelling information and
159 documentation for review and approval by the Superintendent to satisfy the associate
160 educator license requirements.
- 161 ~~(9)10~~ The Superintendent shall designate a panel of at least three Board staff

162 members to review an appeal made under subsection ([8]9).

163 ([10]11) An LEA that employs an individual that holds an associate educator
164 license shall develop a personalized professional learning plan designed to support the
165 educator in meeting the requirements for a professional educator license no later than
166 60 days after beginning work in the classroom, which shall:

167 (a) be provided to the Superintendent upon request;

168 (b) include a formal discussion and observation process no later than 30 days
169 after beginning work in the classroom; and

170 (c) consider:

171 (i) previous education related experience; and

172 (ii) previous educational preparation activities.

173 ([11]12) An educator with an associate educator license may upgrade to a
174 professional educator license at any time prior to expiration of the associate educator
175 license if the educator meets all requirements of Section R277-301-5.

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

177 (1) The Superintendent shall issue a professional educator license to an
178 individual that applies for the license and meets all requirements in this Section R277-
179 301-6.

180 (2) A professional educator license, license area, or endorsement is valid for five
181 years.

182 (3) The general requirements for a professional educator license shall include:

183 (a) all general requirements for an associate educator license under Subsection
184 R277-301-5(4);

185 (b) completion of:

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

187 (ii) skill certification in a specific CTE area as established by the Superintendent;

188 (c) for an individual with an early childhood, elementary, special education, or
189 preschool special education license area of concentration, completion of a literacy
190 preparation assessment; and

191 (d) one of the following:

192 (i) a recommendation from a Board-approved educator preparation program; or

193 (ii) a standard educator license in the area issued by a licensing jurisdiction

194 outside of Utah that is currently valid or is renewable consistent with Section [53E-6-307](#).

195 (4) The content knowledge requirements for a professional educator license,
196 license area, and endorsement shall include:

197 (a) all content knowledge requirements for an associate educator license under
198 Subsection R277-301-4(5);

199 (b) demonstration of all content knowledge competencies as established by the
200 Superintendent; and

201 (c) passage of a content knowledge test provided by the Superintendent, where
202 required.

203 (5) An applicant for a secondary or CTE content area endorsement that holds a
204 bachelor's degree or higher with a major in the content area from a regionally
205 accredited university need not complete the requirement described in Subsection (4)(c).

206 (6) The pedagogical requirements for professional educator license shall
207 include:

208 (a) demonstration of all pedagogical competencies as established by the
209 Superintendent; and

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

212 (i) established by the Superintendent; and

213 (ii) approved by the Board.

214 (7) An individual holding a Utah level 1, level 2, or level 3 educator license on
215 January 1, 2020 meets the pedagogical requirements described in Subsection (6).

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

221 (9) An individual holding a Utah professional educator license and license area
222 in early childhood education, elementary, secondary, CTE, special education, or deaf
223 education is considered to have met the pedagogical performance assessment
224 requirement of Subsection (5)(b) if applying to add any of the license areas in the
225 subsection.

226 (10) A license applicant who has received or completed license preparation
227 activities inconsistent with this rule may present compelling information and
228 documentation for review and approval or denial by the Superintendent to satisfy the
229 professional educator license requirements.

230 (11) The Superintendent shall designate a panel of at least three individuals,
231 including at least two Board licensed educators not employed by the Board, to review
232 an appeal and make a recommendation to the Superintendent for the Superintendent's
233 review and decision described in Subsection (10).

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

236 (1) The Superintendent shall review applications for a Utah educator license for
237 individuals holding educator licenses issued by licensing jurisdictions outside of Utah to
238 determine if the applicant has met the requirements for a Utah license under this rule.

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

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

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

249 (5) An individual with one year of successful experience in a public or accredited
250 private school under a standard license issued by another jurisdiction need not
251 complete the content knowledge and pedagogical assessment requirements in the
252 areas and subjects taught.

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

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

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

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

262 (i) educator preparation and support:

263 (A) as established by the LEA; and

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

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

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

267 (b) an LEA governing board applies on behalf of the candidate

268 (c) the candidate meets all the requirements in this Section R277-301-7; and

269 (d) within the first year of employment, the LEA trains the candidate on:

270 (i) educator ethics;

271 (ii) classroom management and instruction;

272 (iii) basic special education law and instruction; and

273 (iv) the Utah Effective Teaching Standards described in [R277-530](#).

274 (2) An LEA-specific license, license area, or endorsement is valid only within the
275 requesting LEA.

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

279 (4) The first renewal of an LEA-specific educator license, license area, or
280 endorsement shall be approved or denied by the Board.

281 (5) The Board may require that subsequent renewals be approved by the Board
282 on a case by case basis.

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

285 (i) special education; or

286 (ii) pre-school special education.

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

290 (7) An LEA may not issue an LEA-specific license area for an educator with an
291 expired ~~[associate or]~~ professional license area in the same license area of
292 concentration.

293 ([7]8) An LEA-specific license expires immediately if the educator's employment
294 with the LEA that requested the license ends.

295 ([8]9) The general requirements for an LEA-specific educator license shall
296 include:

297 (a) completion of a criminal background check including review of any criminal
298 offenses and clearance in accordance with Rule [R277-214](#) and continued monitoring in
299 accordance with Subsection 53G-11-403(1);

300 (b) completion of the educator ethics review within one calendar year prior to the
301 application; and

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

305 ([9]10) The content knowledge and pedagogical requirements for an LEA-
306 specific educator license shall be established by the LEA governing board.

307 ([10]11) An LEA school that requests an LEA-specific license, license area, or
308 endorsement shall prominently post the following information on each school's website:

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

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

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

315 (d) a link to the Utah Educator Look-up tool provided by the Superintendent in
316 accordance with Subsection [R277-512-7\(6\)](#).

317 **R277-301-8. Eminence.**

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

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

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

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

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

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

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

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

336 (1) The Superintendent shall annually report to the Board on licensing, including:

337 (a) educator licensing;

338 (b) educator preparation; and

339 (c) equitable distribution of teachers.

340 (2) The Superintendent shall use a process approved by the Board to:

341 (a) establish the content knowledge competency requirements required for
342 associate and professional endorsements; and

343 (b) review, adopt, and establish passing standards for all assessments required
344 for educator licensing.

345 (3) The Superintendent shall create an ethics review for all licensed educators
346 based upon Rule R277-217, Educator Standards and Local Education Agency (LEA)
347 Reporting.

348 (4) The Superintendent may correct identified errors in licensing information with
349 notice to the license holder.

350 **KEY: professional competency, educator licensing**

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Draft 2
March 10, 2021

351 **Date of Enactment or Last Substantive Amendment: July 9, 2020**
352 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-6-102](#); [53E-3-](#)**
353 **[401](#)**